

rose by 10%. Some would view such an increase with alarm because smokeless tobacco increases the risks of oral cancer and other oral diseases. On the other hand, Rodu argues that these elevated risks are very small and are more than offset by reductions in cigarette-related cancers and heart disease. The substitution of smokeless tobacco for cigarettes could be discouraged by raising the Federal excise tax on smokeless tobacco. But this would raise the cost of a safer nicotine delivery system than cigarettes and could be viewed as an unfair penalty on those who cannot give up their addiction.

Third, in strictly financial terms, we would expect a tax hike to yield higher rates of return in the short run than in the long run because of its cumulative effect in reducing smoking. The Becker et al. study implies that a Federal excise tax rate on cigarettes of approximately \$1.00 a pack would maximize long-run Federal revenue from the tax at roughly \$13.3 billion annually approximately 10 to 20 years after the new rate is in effect—only \$7.6 billion more than the revenue from today's 24-cent tax. Clearly, the 67-cent tax in the Hatch-Kennedy Bill, which is expected to yield an additional \$6 billion annually for the next few years, will have a much smaller yield in the long run.

The gap between long-run and short-run tax yields highlights a danger of justifying a cigarette tax increase to achieve goals other than reductions in smoking. For a while, public health advocates can have their cake and eat it too. But after a number of years, the large cumulative reduction in smoking would take a big bite out of the tax revenues initially generated by the tax hike. One would hardly like to see the development of a situation in which fiscal needs create pressure on the governments to encourage smoking or at least not discourage it. The extensive advertising campaigns conducted by state-run lotteries are examples of the danger of the government becoming too dependent on revenue from a harmful addiction.

CONCLUSION

We would like to see politicians and public health advocates focus discussions of the appropriate Federal cigarette excise tax rate squarely on the issue of reducing smoking. Both external costs and ignored internal costs justify the adoption of government policies that interfere with private decisions regarding the consumption of cigarettes.

Taxing cigarettes to reduce smoking by teenagers is a rather blunt instrument because it imposes costs on other smokers. But an excise tax hike is a very effective policy with regard to teenagers because they are so sensitive to price. The current Federal excise tax of 24 cents on a pack of cigarettes is worth about half in real terms of the 8-cent tax in effect in 1951. A substantial real tax hike to curb youth smoking should move to the forefront of the antismoking campaign.●

TRIBUTE TO DAVID SUSSMAN

● Mr. SMITH of New Hampshire. Mr. President, I rise today to pay tribute to David Sussman of Charlestown, NH, former professor at Holyoke Community College, for his outstanding service as a volunteer executive in Feodosia, Ukraine.

David worked on a volunteer mission with the International Executive Service Corps, a nonprofit organization which sends retired Americans to assist businesses and private enterprises in the developing countries and the new emerging democracies of Central

and Eastern Europe and the former Soviet Union.

David assisted the Feodosia Institute of Management and Business, a business college, in developing plans for exchange of faculty and students with U.S. Colleges and for joint research.

David, and his wife Claire, spent a month in the Ukraine. Their outstanding patriotic engagement provides active assistance for people in need and helps build strong ties of trust and respect between the Ukraine and America. David's mission aids at ending the cycle of dependency on foreign assistance.

I commend David for his dedicated service and I am proud to represent him in the U.S. Senate.●

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENTS NOS. 105-10, 105-11, AND 105-12

Mr. LOTT. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on July 8, 1997, by the President of the United States: Extradition Treaty with Luxembourg (Treaty Document No. 105-10); Mutual Legal Assistance Treaty with Luxembourg (Treaty Document No. 105-11); and Mutual Legal Assistance Treaty with Poland (Treaty Document No. 105-12). I further ask unanimous consent that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg, signed at Washington on October 1, 1996.

In addition, I transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the Treaty will not require implementing legislation.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States.

This Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of both countries, and thereby make a significant contribution to international law enforcement efforts. It will supersede, with certain noted exceptions, the Extradition Treaty between the United States of America and the Grand Duchy of Luxembourg signed at Berlin

on October 29, 1883, and the Supplementary Extradition Convention between the United States and Luxembourg signed at Luxembourg on April 24, 1935.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 8, 1997.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg on Mutual Legal Assistance in Criminal Matters, signed at Washington on March 13, 1997, and a related exchange of notes. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties that the United States is negotiating in order to counter criminal activity more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of modern criminals, including those involved in drug trafficking, terrorism, other violent crime, and money laundering, fiscal fraud, and other "white-collar" crime. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: taking testimony or statements of persons; providing documents, records, and articles of evidence; transferring persons in custody for testimony or other purposes; locating or identifying persons and items; serving documents; executing requests for searches and seizures; immobilizing assets; assisting in proceedings related to forfeiture and restitution; and rendering any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 8, 1997.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Republic of Poland on Mutual Legal Assistance in Criminal Matters, signed at Washington on July 10, 1996. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activity more effectively. The Treaty should be

an effective tool to assist in the prosecution of a wide variety of crimes, including "white-collar" crime and drug trafficking offenses. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: taking of testimony or statements of persons; providing documents, records, and articles of evidence; serving documents; locating or identifying persons or items; transferring persons in custody for testimony or other purposes; executing requests for searches and seizures; assisting in proceedings related to immobilization and forfeiture of assets, restitution to the victims of crime, and collection of fines; and any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 8, 1997.

ORDERS FOR WEDNESDAY, JULY 9, 1997

Mr. LOTT. I ask unanimous consent, Mr. President, that when the Senate completes its business today it stand in adjournment until the hour of 9:15 a.m., Wednesday, July 9. I further ask unanimous consent that on Wednesday, immediately following the prayer, the routine requests through the morning hour be granted and there then be a period of morning business until the hour of 11 a.m., with Senators permitted to speak for up to 5 minutes each with the following exceptions: Senator MACK or his designee, 60 minutes from 9:15 a.m. to 10:15 a.m.; and Senator DASCHLE or his designee, 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I further ask unanimous consent that at 11 a.m., the Senate resume consideration of S. 936, the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. Mr. President, the Senate will be in a period for morning business until the hour of 11 a.m. in the morning. At 11 a.m., the Senate will resume consideration of this very important Defense authorization bill. Senators can expect a series of rollcall votes on pending amendments to the bill later in the day as we make progress on this important legislation.

We do have some Senators that are attending the Madrid meeting at this time in a very important role that they are fulfilling as NATO enlargement observers. They will be returning in the afternoon, and that is why we are trying to accommodate their schedules to make sure that they make these important votes. As always, Members will

be notified accordingly when votes on amendments are ordered.

As a reminder to Senators, this evening a cloture motion was filed, and all first-degree amendments then must be filed by 1 p.m. on Wednesday. That is one of the benefits of the cloture motion. All first-degree amendments have to be filed on Wednesday, so we will have a real good look at what is pending out there.

As previously stated, it is the intention to complete action on the bill by week's end, so Members should expect long, busy days with a number of votes occurring throughout the week.

ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. LOTT. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:55 p.m., adjourned until Wednesday, July 9, 1997, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate July 8, 1997:

DEPARTMENT OF STATE

RICHARD DALE KAULZLARICH, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

DONNA JEAN HRINAK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOLIVIA.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. LANCE W. LORD, 0000

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. ROGER G. THOMPSON, JR., 0000
MAJ. GEN. MICHAEL S. DAVISON, JR. 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be major general

BRIG. GEN. WARREN C. EDWARDS, 0000

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*) UNDER TITLE 10, UNITED STATES CODE, SECTIONS 624, 628, AND 531:

To be lieutenant colonel

DANIEL J. ADELSTEIN, 0000
J. REX. HASTEY, JR., 0000
*ALAN S. MCCOY, 0000

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT AS A PERMANENT PROFESSOR OF THE U.S. MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 4333:

To be lieutenant colonel

MAUREN K. LEBOEUF, 0000

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY

UNDER TITLE 10, UNITED STATES CODE, SECTION 12203 AND 12211:

To be colonel

JAMES A. BARRINEAU, JR., 0000
EDMUND T. BACKETT, 0000
RICHARD R. BUCHANAN, 0000
MIRIAM L. FIELDS, 0000
DONNIE F. GARRETT, 0000
NANCY K. GAVI, 0000
LLOYD M. LACOSTE, JR., 0000
ROBERT W. PEARSON, 0000
PAUL C. REDD, 0000
ALBERT C. REYNAUD, 0000
DANIEL S. ROBERTS, 0000
JAMES D. SIMPSON, 0000
DEBORAH C. WHEELING, 0000

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. MARINE CORPS UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be colonel

ANTHONY J. ZELL, 0000

To be major

MARK G. GARCIA, 0000

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS, FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, UNITED STATES CODE, SECTION 5721:

To be lieutenant commander

LAYNE M.K. ARAKI, 0000
THOMAS P. BRASEK, 0000
MATTHEW G. CAMPBELL, 0000
WILLIAM R. CAMPBELL, 0000
MATTHEW J. COLBURN, 0000
ANTHONY C. CONANT, 0000
TIMOTHY W. CONWAY, IV, 0000
VICTOR V. COOPER, 0000
MICHAEL R. CURTIS, 0000
MICHAEL R. DARGEL, 0000
JEFFREY S. DAVIS, 0000
STEVEN M. DEWITT, 0000
KEVIN A. DOYLE, 0000
MICHAEL E. ELMSTROM, 0000
BRUCE C. FAUVER, 0000
DOUGLAS K. GLESSNER, 0000
RAYMOND D. GOYET, 0000
LOUIS J. GREGUS, JR., 0000
GLENN E. GROESCH, 0000
WALTER O. HARDIN, 0000
LESLIE H. HARRIS, 0000
HARRY D. HAWK, 0000
ALAN L. HERRMANN, 0000
JEFFREY D. HICKS, 0000
STEVEN A. HILL, 0000
TIMOTHY E. ISEMINGER, 0000
JAY A. KADOWAKI, 0000
HERBERT L. KENNEDY, 0000
TODD K. KNUTSON, 0000
RICHARD J. KOTTKE, 0000
CLIFFORD S. LANPHER, 0000
JOHN E. LEFEBVRE, 0000
NATHAN H. MARTIN, 0000
MICHAEL G. MCCLOSKEY, 0000
WILLIAM P. MCKINLEY, 0000
THAD E. NISBITT, 0000
ALBERT D. PERPUSE, 0000
RODRICK B. PHILLIPS, 0000
JOHN W. PLOHETSKI, 0000
PAUL H. POWELL, 0000
BRADLEY W. ROBERSON, 0000
FRANCIS M. SIDES, 0000
PAUL S. SNODGRASS, 0000
DANIEL SPAGONE, 0000
BLAZE A. STANCAMPANO, 0000
KIRK S. STORK, 0000
MATTHEW D. SWANHART, 0000
MICHAEL T. TALAGA, 0000
MICHAEL J. TESAR, 0000
JOHN D. THOMAS, 0000
RICHARD E. THOMAS, 0000
JOHN J. THOMPSON, 0000
JOHN E. TODD, 0000
JOHN N. TOLLIVER, 0000
JOHN T. WALTERS, 0000
ROBERT T. WINFIELD, 0000
JOHN E. WIX, 0000
CHARLES F. WRIGHTSON, 0000

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR A REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE U.S. AIR FORCE UNDER TITLE 10, UNITED STATES CODE, SECTION 531:

To be captain

JAMES M. ABATTI, 0000
KENNETH G. ABBOTT, 0000
WILLARD L. ABERNATHY, 0000
LAURIE A. ABNEY, 0000
TODD E. ACKERMAN, 0000
MARK R. ADAIR, 0000
CHRISTOPHER W. ADAM, 0000
ANTHONY J. ADAMO, 0000
CRAIG L. ADAMS, 0000
JEROME P. ADAMS, 0000
RONALD E. ADAMSON, 0000
LARRY D. ADKINS, 0000