

back from the nuclear brink if the United States and the other nuclear powers do not take convincing steps toward controlling, reducing, and eliminating nuclear weapons through arms control treaties, specifically through the Comprehensive Test Ban Treaty.

The recent seismic event that occurred off the coast of northern Russia reminds us of how important it is for the Senate to ratify and for the world to implement this test ban treaty. In this case the experts disagree among themselves about the exact nature of the event. Article IV of the treaty will ensure that we could take steps to clarify whether or not that incident was a nuclear explosion or an underground earthquake. But, without the treaty, the experts will continue to massage the data in search for definitive answers. With the treaty, we could observe some answers directly through on-site inspection.

Without the treaty, potential nuclear powers might well conclude that today's superpowers are ignoring their promises to discontinue nuclear testing—that, therefore, license exists for these nonnuclear powers who have the ambition to become nuclear powers to proceed on their own path toward development of nuclear weapons with impunity. If we put this treaty in place, those same potential nuclear powers would recognize that current nuclear powers should be held accountable for their promises not to test nuclear weapons. With the treaty in place, they would know that the commitment of today's nuclear powers to nonproliferation was a genuine commitment and one that we would abide by.

It serves the peaceful interests of the United States and the peaceful interests of countries throughout the world to take this important step to ratify the Comprehensive Test Ban Treaty and eliminate nuclear testing. At the same time it serves the security interests of this Nation to ensure that our nuclear weapons remain a viable deterrent force. The science-based Stockpile Stewardship Program that we have in place today as part of our defense strategy is the means by which the United States can achieve this dual goal—the goal of a comprehensive test ban to ensure nonproliferation, and also a reliable nuclear deterrent force, should we ever need such weapons in the future. I will be working hard, and I urge all my colleagues in the Senate both to ratify the Comprehensive Test Ban Treaty and to ensure that the Stockpile Stewardship Program is fully funded and implemented. The Nation's prospects for a peaceful world and our national security demand that we move ahead on world fronts.

I urge my colleagues to examine these and other important issues surrounding the Comprehensive Test Ban Treaty very carefully during the coming months. I hope that we can have this treaty presented to the Senate in the next few weeks. I hope that we can begin the hearing process this fall. I

hope that early next year we can act favorably upon it.

I have written a letter to the chairman and the ranking member of the Armed Services Committee requesting that we hold hearings on this Comprehensive Test Ban Treaty at our earliest opportunity—hopefully, before we adjourn this fall. I look forward to that debate.

I am confident that the Senate will choose to ratify the treaty since it is so much in our national interest to do so and in the interests of world peace, once we have all the facts.

Mr. President, I think it is essential that we spend some of our valuable time between now and final adjournment this fall focused on this treaty so that we can understand those facts and act responsibly on this matter.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HIDDEN COSTS OF THE TOBACCO SETTLEMENT

Mr. KENNEDY. Mr. President, 30 years ago this week, Senator Robert Kennedy addressed the World Conference on Smoking and Health in New York City on ways to address the mounting death rate attributed to cigarette smoking. He spoke to the conference about the difficulty of convincing people, particularly the Nation's youth, that smoking can kill them. He emphasized the grim statistics of premature death and illness caused by smoking.

Today, 30 years later, little has changed. Over 400,000 Americans die from smoking-related diseases each year. In fact, in 1993, smoking was attributed to one in every five deaths—more than alcohol, car accidents, fires, homicides, suicides, drugs, and AIDS combined.

This chart, Mr. President, shows very accurately what the impact of cigarettes is in terms of the mortality of Americans—the red line being 418,000. These are all statistics from the Centers for Disease Control—from alcohol, 105,000; car accidents, 46,000; suicides, 30,000, and so on. This is a very clear graph about the magnitude of the impact of the use of cigarettes, of which 90 percent of smokers start when they are children of 14 or 15 years of age. It is an issue that must be addressed in any kind of agreement that this body is going to sanction or support.

One million young people between the ages of 12 and 17 take up the deadly habit every year, 3,000 new smokers a day, and 90 percent of the current adult smokers began to smoke before they reached the age of 18. If nothing is done

to reverse this trend in adolescent smoking, the Centers for Disease Control and Prevention estimate that 5 million of today's children will die prematurely from smoking-caused illnesses.

Congress and President Clinton have a historic opportunity to protect current and future generations from the scourge of nicotine addiction and tobacco-induced illnesses.

Study after study has shown that the most powerful weapon in reducing smoking, particularly by the Nation's youth, is to raise the price of cigarettes. A \$1.50 price increase, as Dr. Koop and Dr. Kessler have advocated, would have a double benefit. It would reduce youth smoking by more than half over the next decade and provide some compensation to the Federal Government for the damage that smoking has done.

Most health economists agree that in addition to Medicaid, tobacco imposes a heavy toll, exceeding \$20 billion a year, on numerous other Federal health programs, including Medicare, the Department of Defense health programs for military personnel, veterans health programs, and the Federal employees health benefit programs.

To compensate the Federal Government fairly for these high costs, the total settlement would have to be more than doubled from its current figure.

The State attorneys general have done a very impressive job in working out the tobacco settlement, but their primary focus was on reimbursing the States for the States' participation in the Medicaid Program. They did not have the responsibility to try to ensure the protection for the Federal Treasury in terms of these other health-related programs—Medicare, the veterans programs and others.

If you evaluate those programs and the costs, as Professor Harris has done in his testimony before the Senate Judiciary Committee and also before the Labor and Human Resources Committee, you would see that the cost of treating tobacco-related illnesses to Medicare alone are approximately \$9.3 billion, and others have calculated the Medicare costs to be substantially higher. Yet the proposed settlement provides not a single penny to the Federal Government for the recovery of these expenses.

As I mentioned, the State attorneys general have obtained a fair reimbursement under the pending settlement for the costs imposed on Medicaid. It would be unreasonable and irresponsible for Congress and the Clinton administration to let Joe Camel and the Marlboro man off the hook for the high costs imposed on Federal health programs.

Already this year the tobacco industry had the audacity to write a special-interest loophole in the budget legislation requiring the Federal Government to deduct the \$50 billion amount generated by the increased cigarette tax devoted to children's health from the

amount the industry would pay under the tobacco settlement. I am pleased that the Senate voted to repeal this flagrant provision earlier this week, and I commend Senator DURBIN and Senator COLLINS for their outstanding effort. But its surreptitious inclusion in the budget legislation demonstrates that nothing has changed in big tobacco's continuing efforts to subvert reasonable legislation.

The Federal Government has the same claim for recovering health costs as the States that are suing the tobacco industry for billions of dollars in Medicaid expenses.

You could have a situation where one person was in a hospital bed under the Medicaid Program, in the next bed a person might be under the Medicare Program, and in another bed somebody might be there under the Veterans' Administration health care program. All of the patients may have the same kind of illness as a result of their addiction to nicotine.

The attorneys general looked out for the individuals who receive Medicaid. But certainly the taxpayers and the Medicare trust fund ought to be able to receive compensation for the costs to the Medicare system.

If the tobacco industry understood and agreed to compensation under Medicaid, it is difficult for me to see why they should not also agree to the compensation under Medicare, the veterans health care programs, or other health programs which are supported by the American taxpayers.

The tobacco companies admitted that cigarettes are deadly. They have accepted the necessity for broad new restrictions on cigarette marketing and advertising. They have admitted their liability for billions of dollars in compensation for tobacco-induced illnesses. Having made these admissions and concessions, the industry can no longer put up a smokescreen and maintain its past position of total denial. Clearly, the tobacco industry should pay more and can pay more. Given Joe Camel's deep pockets and the substantial toll that tobacco imposes on the Federal Government, doubling the final settlement is reasonable, justifiable, and affordable.

A doubling of the settlement would have a number of important public health benefits. I believe that the test ought to be what the impact of the settlement will have on the public health of this nation, primarily in terms of youth smoking.

Mr. President, the doubling of the settlement would require that the tobacco industry increase the price of their products by about \$1.50 to compensate the Federal Government and the States for the costs of smoking.

Professor Harris estimates that under the current settlement, cigarette prices would only rise by 62 cents a pack. Since teenage smokers are very sensitive to price increases because of their lack of income, a 62-cent price hike would reduce tobacco use by the

Nation's youth by only 18 percent over the next decade, which is significantly less than the settlement's requirement that teenage smoking drop by 58 percent in 10 years.

There have been extensive studies and extensive review of what has happened when the price of cigarettes has gone up and what the impact has been upon youth smoking.

We have also seen that, where the price has gone up and the tobacco industry has redoubled their efforts in advertising, still young people will go out and purchase cigarettes. There are studies that make the clear case that when you have a significant increase in the price of tobacco products and have effective advertising restrictions, you have a dramatic impact in reducing teenage smoking. That ought to be our objective, and it ought to be our objective at the beginning of the process, not at the end of the process.

The best estimates by those who have reviewed what the price increase ought to be in order to discourage young people from purchasing cigarettes is at least \$1.50 a pack. Such an increase would move us much closer to the objective which has been agreed to in the settlement of a reduction of 58 percent in youth smoking over the next several years. With a \$1.50 increase, the tobacco industry will be able to meet these youth smoking reduction targets, and will at least partially compensate Federal health care programs for their expenditures due to tobacco-induced illnesses.

Doubling of the settlement would also bring cigarette prices in the United States in line with other industrial nations. With a 62-cent increase, cigarette prices in Europe will still be far higher than in America. With the 62-cent increase, we are talking about the price in the United States being \$2.56 a pack. In Canada, it is \$3.06 a pack. In Germany, it is \$3.18 a pack. If we have a \$1.50 increase, the United States will be at \$3.44. This figure is, in effect, doubling the amount of resources that would be paid by the cigarette companies.

This is the price increase recommended by Dr. Kessler and Dr. Koop, which would have a dramatic result in reducing teenage smoking. When you look at that increase, even though it appears to be quite significant, it still puts a pack of cigarettes cheaper in the United States than it would be in France, where it is \$3.47 a pack, or in Denmark, where it is \$4.75, or Ireland, at \$4.94, or the United Kingdom, at \$5.27. We would still be in the lower range of the industrialized nations of the world. The best estimate and review by those who understand the workings of the tobacco companies believe that they can afford that.

So, doubling the settlement amount would raise an additional \$10 to \$15 billion a year over the next quarter century to improve the health of the Nation's citizens or other important purposes. For example, we could extend

the recently enacted children's health insurance program for low- and moderate-income working adults. We are talking about the sons and daughters of working families who are starting off as teachers or as police officers or social service workers—all starting out at \$28,000 or \$29,000 a year. We could also act on the new knowledge about the important role of the first 3 years in a child's life by launching an initiative to transform the lives of millions of children. We have learned dramatically in the last several years that early intervention has a significant impact in building skills and confidence in young people. With all of the research that has been done on the brain and early development, we are finding out that children in those first years have immense capacity for learning. We know the vacuum that is out there in so many different parts of America. There are children who are not being encouraged to expand their horizons. Even at the very earliest age, we ought to be about trying to find the ways that we can stimulate that early learning experience for children.

This is a matter of national importance. President Clinton has made a strong commitment to improving the early years of children. We would have an opportunity to really respond to that very, very important human need—the need that families are facing.

The tobacco industry can easily afford the \$1.50 increase in prices. There is broad support within the public health community for a price increase as high as \$2 a pack. Dr. Koop and Dr. Kessler and the members of the commission have endorsed such an increase, and so has the American Cancer Society.

Doubling the settlement payment is the right thing to do. It will provide a fair measure of compensation to the Federal Government and the American taxpayer for the hundreds of billions of dollars that smoking-induced illnesses have cost us.

Robert Kennedy closed his speech 30 years ago with these words which are equally true today:

We must be equal to the task, for the stakes involved are nothing less than the lives and the health of millions. . . . But this is a battle which can be won.

Congress and President Clinton should accept nothing less than a doubling of the tobacco settlement, and I urge my colleagues' support.

Mr. President, I think most of us would agree this Congress is going to be hard pressed this year to get about the business of resolving this issue. But the tobacco settlement will be a matter of enormous importance and consequence at the beginning of the next Congress. It is important that we begin to establish some parameters in which to consider these various agreements. It is important to provide some criteria by which we can judge whether the proposal is beneficial to the country or whether it is a proposal that needs to

be enhanced, as I believe this one does need to be.

So, this is a matter of enormous importance for the public health of the American people for the future. We must make sure we are not going to involve the nation's children in the nicotine addiction which has brought such tragedy and loss of life into so many families of this country. We can do something about it. It is a challenge for all of us, and I hope we are going to be up to the task.

I yield the floor.

The PRESIDING OFFICER (Mr. ALLARD). The Chair recognizes the Senator from Montana. I remind the Senator from Montana there is a 10-minute limitation.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. BAUCUS. Mr. President, we Americans are very lucky. We live in the most beautiful place on Earth. Our mountain chains, our Great Plains, our national parks, our coasts and forests are a heritage no other country can match. It is our responsibility, through this annual bill, to protect our heritage, to manage it so ranchers and the natural resource industry workers prosper and, as much as possible, to hand it down to the next generation.

At the same time, in this bill, we have a responsibility to keep our promise to our more than 500 Indian tribes and an opportunity to support and stimulate the creativity of our artists and authors. Unfortunately, this bill falls far short.

If we act now, in the coming debate—if we adopt some good amendments, we can create a very good bill, something we can all be proud of and, just as important, something President Clinton can sign, so we are not just wasting our time over here. But if we fail to improve this bill, we will have a bill that doesn't measure up and will not become law.

Let me begin by saying that this bill is quite good in some areas. For example, one of the West's real glories is its fishing. Norman Maclean spoke for quite a few Montana families when, in the opening lines of his book "A River Runs Through It" he writes, "In our family, there was no clear line between religion and fly fishing."

Today, this way of life is under threat. A parasite now found in many western rivers threatens the fish with whirling disease, and the Interior budget makes a commitment to protect these fish. It funds the Fish Technology Center in Bozeman, MT, as well as the Creston fish hatchery in the Flathead Valley. As well, this bill contains crucial research dollars for the nationally recognized Wild Trout Research Laboratory at Montana State University. It also provides \$1 million to the U.S. Fish and Wildlife Service to fund the western Montana project, which will acquire conservation ease-

ments to protect land in Montana's Blackfoot Valley, where Norman Maclean grew up, the basis for his book and movie, "A River Runs Through It." These are just a couple of important projects that I believe help both Montana and the country.

I would like to address a few sections in this bill which I think must be improved. The first crucial issue is the New World Mine. Of all our country's natural treasures, the finest might be Yellowstone National Park. It is America's first national park, home to the world-famous Old Faithful geyser, Yellowstone Lake and its wild trout, paint pots, mountain streams, and America's only free-ranging buffalo herd.

Several years ago, a Canadian company filed a patent to mine land in the mountains just north of Yellowstone Park. Such a mine, nearly 2 miles in the air, would have been a permanent threat to the park's water resources. Every generation of Montana children and every American child would have lived with it. Last year, the Clinton administration worked out an agreement to buy out the New World Mine, using the Land and Water Conservation Fund.

Congress agreed to do that when we passed the balanced budget amendment. I am very pleased that the Senate followed up with \$700 million in new funding for the Land and Water Conservation Fund; a wise investment in the conservation of our prized natural resources.

I am disappointed, however, that the House of Representatives failed to live up to its end of the bargain when they failed to appropriate the necessary funds. I must say, I am disappointed that the Senate appropriated the money but then attached language requiring authorization. There is no reason for that. The deal is done. It is fair to the company and it will protect the park forever. To add an extra hurdle to an already tortuous process is unnecessary, and, in fact, it is foolish, because it may put the whole New World Mine deal at risk. I will work in this debate to change that.

GALLATIN LAND EXCHANGE

A similar, although less well-known, example is the Gallatin land exchange.

For 10 years, we have been working to complete this critical land exchange, protecting some very special wild land for future generations. In this bill, we can complete the acquisition, blocking development in sensitive wildlife areas, and preserving access for our sportsmen and outdoor enthusiasts who use our public lands. Instead, we shortchange and drag out the process with an appropriation of only \$1 million, paying for only part of the exchange.

We must act swiftly, and decisively, if we are to preserve this special part of America. This exchange has broad public support in Montana. I call on my colleagues to provide the necessary commitment to this exchange.

NATIVE AMERICAN TRIBES

I am also concerned with the portions of this bill which address our relationship with native American tribes.

Section 120, for example, requires tribal governments to waive their sovereign immunity as a condition of receiving tribal priority allocations [TPA's]. These moneys fund local reservation programs, like housing, adult vocational training, and law enforcement, all desperately needed, and anyone who visits reservations can tell you that. Anyone who has visited Indian country knows that reservations are not always rich places and tribal governments don't have money to throw around. Section 120 would require tribes to choose between meeting the basic needs of their members or defending against frivolous lawsuits. And I believe that is wrong.

Equally troublesome is section 118, which would require the more than 500 federally recognized tribal governments to submit reports of business income to the Bureau of Indian Affairs as a condition of receiving TPA, since it is under the program I mentioned. Section 118 would create more bureaucracy by requiring the BIA to analyze income records, compile reports, develop formulas for allocating TPA funds, and submit the formulas back to the Appropriations Committee. That is bad enough. But still worse is the breach of faith this provision implies.

Mr. President, payments to tribes are the result of treaty obligations—I repeat, treaty obligations. The Federal Government agreed to make these payments in exchange for land and resources that the tribes ceded. Section 118 violates both the letter and the spirit of our American treaty obligations. We have a basic idea in America that you ought to keep your word, and that is a good idea. We should keep it here, too.

NATIONAL ENDOWMENT FOR THE ARTS

My final concern is the way that this Congress intends to treat the National Endowment for the Arts, the NEA.

The NEA represents a modest, but very important, commitment to the arts in America. In Montana, for example, NEA supports eight symphony orchestras in cities like Billings, Bozeman, Butte, and Missoula. Over 20 nonprofit art museums and galleries such as the Liberty Village Art Center in Chester, the Jailhouse Gallery in Hardin, and the Hockaday Center for the Arts in Kalispell. And nearly 20 performing arts groups like Shakespeare in the Park and the Vigilante Players who tour communities all across Montana, from the towns to the most remote rural areas.

This is a great service. Through the work of NEA, children all over Montana come to understand our cultural heritage, meet and talk with artists and authors, and get an appreciation of much of the best and most creative work Americans can do. It is a small investment but a good one.