

had my druthers, I would go one heck of a lot further than we were proposing to do in the underlying legislation and the amendments. But if we had allowed it to come forward, if we had approved the rule, we would have had the gentleman's bill before this House, a very comprehensive campaign finance reform piece of legislation. We would have had 17 amendments before this House, 12 of which the gentleman from Connecticut (Mr. SHAYS) was preparing to offer. We would have had the opportunity for two substitute campaign finance reform bills to be discussed, debated, and openly voted on in this House. What did we get? Nothing. Not one vote. We got a rule denial that sent it back to committee, and we have lost tremendous ground.

The worst-case scenario that could have occurred if we had supported the rule, that we would move a piece of legislation forward either that was in such good form and in such similar form as the Senate legislation, as the McCain-Feingold legislation, that the Senate would have concurred in it, and we would have taken a huge step to eliminating soft money, to reducing the influence of money on the process. Under the worst-case scenario, we move forward and come out with a bill that the Senate did not like, we go to conference. So we are in conference where we can hammer it out between the Senate and the House. Instead, we are still in a committee in the House, a long way from getting to a final piece of legislation.

What was the grounds for defeating the rule, those who voted against the rule. Why? What did they not like about the rule? It came down to this. This is important for the citizens of this Nation to understand. It came down to procedure over substance. It was not a question of whether each and every one of the gentleman's amendments was going to get a vote. All 12 of them under the rule would get a vote. It is that he and others wanted them all to be voted as one, in one lump sum, they had to take it or leave it, one lump sum. Do I not think that was a good approach? I think the 12 amendments was fair, was reasonable. Each and every amendment would have gotten a vote on the floor; it would have been openly discussed and debated. Instead, none of them came to the floor and the underlying bill did not.

Mr. Speaker, it is a sad day, I think. As one who has fought for this reform, and we got so close to getting a substantive vote, and instead, we are back in committee. All 228 members who voted against the rule, if they so strongly believe the rule was flawed, I would encourage each and every one of them and I would hope that each and

every one of them will bring forward a discharge resolution with what they think we should do and that all 228 are on that discharge resolution.

Mr. Speaker, I urge that we as a House do campaign finance reform once and for all and do it right.

STATUS REPORT ON THE CURRENT LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2002 AND THE 5-YEAR PERIOD FY 2002 THROUGH FY 2006

Mr. NUSSLE. Mr. Speaker, to facilitate the application of sections 302 and 311 of the Congressional Budget Act and section 201 of the conference report accompanying H. Con. Res. 83, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2002 and for the five-year period of fiscal years 2002 through 2006. This status report is current through July 11, 2001.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set forth by H. Con. Res. 83. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2002 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays for discretionary action by each authorizing committee with the "section 302(a)" allocations made under H. Con. Res. 83 for fiscal year 2002 and fiscal years 2002 through 2006. "Discretionary action" refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2002 with the "section 302(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation.

The fourth table gives the current level for 2003 of accounts identified for advance appropriations in the statement of managers accompanying H. Con. Res. 83. This list is needed

to enforce section 201 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

The fifth table compares discretionary appropriations to the levels provided by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985. If at the end of a session discretionary spending in any category exceeds the limits set forth in section 251(c) (as adjusted pursuant to section 251(b)), a sequestration of amounts within that category is automatically triggered to bring spending within the established limits. As the determination of the need for a sequestration is based on the report of the President required by section 254, this table is provided for informational purposes only. The sixth and final table gives this same comparison relative to the revised section 251(c) limits envisioned by the budget resolution.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2002 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 83

[Reflecting action completed as of July 11, 2001—On-budget amounts, in millions of dollars]

	Fiscal year—	
	2002	2002–2006
Appropriate Level:		
Budget Authority	1,626,488	(¹)
Outlays	1,590,474	(¹)
Revenues	1,638,202	8,878,506
Current Level:		
Budget Authority	977,899	(¹)
Outlays	1,194,235	(¹)
Revenues	1,672,152	8,897,349
Current Level over (+) / under (–) Appropriate Level:		
Budget Authority	–648,589	(¹)
Outlays	–396,239	(¹)
Revenues	33,950	18,843

¹ Not applicable because annual appropriations Acts for fiscal years 2003 through 2006 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2002 in excess of \$648,589,000,000 (if not already included in the current level estimate) would cause FY 2002 budget authority to exceed the appropriate level set by H. Con. Res. 83.

OUTLAYS

Enactment of measures providing new outlays for FY 2002 in excess of \$396,239,000,000 (if not already included in the current level estimate) would cause FY 2002 outlays to exceed the appropriate level set by H. Con. Res. 83.

REVENUES

Enactment of measures that would result in revenue loss for FY 2002 in excess of \$33,950,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 83.

Enactment of measures resulting in revenue loss for the period FY 2002 through 2006 in excess of \$18,843,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by H. Con. Res. 83.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION, REFLECTING ACTION COMPLETED AS OF JULY 11, 2001

[Fiscal years, in millions of dollars]

House Committee	2002		2002–2006 total	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	7,350	7,350	7,350	7,350
Current Level	0	2	0	0
Difference	–7,350	–7,348	–7,350	–7,350
Armed Services:				
Allocation	146	146	398	398
Current Level	0	0	0	0
Difference	–146	–146	–398	–398
Banking and Financial Services:				
Allocation	0	0	0	0
Current Level	8	9	46	47
Difference	8	9	46	47
Education and the Workforce:				
Allocation	5	5	32	32
Current Level	0	0	0	0
Difference	–5	–5	–32	–32
Commerce:				
Allocation	2,687	2,687	–6,537	–6,537
Current Level	0	0	0	0
Difference	–2,687	–2,687	–6,537	6,537
International Relations:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Government Reform:				
Allocation	0	0	–1,995	–1,995
Current Level	0	0	0	0
Difference	0	0	1,995	1,995
House Administration:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Resources:				
Allocation	0	–3	365	88
Current Level	0	–3	0	–3
Difference	0	0	–365	–91
Judiciary:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Small Business:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Transportation and Infrastructure:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Science:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Veterans' Affairs:				
Allocation	264	264	3,205	3,205
Current Level	0	0	0	0
Difference	–264	–264	–3,205	–3,205
Ways and Means:				
Allocation	1,360	900	15,409	15,069
Current Level	6,425	6,425	36,708	36,708
Difference	5,065	5,525	21,299	21,639

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2002—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations Subcommittee	302(b) suballocations as of June 13, 2001 (H. Rept. 107–100)		Current level reflecting action completed as of July 11, 2001		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development	15,519	15,831	13	4,191	–15,506	–11,640
Commerce, Justice, State	38,541	39,000	41	12,755	–38,500	–26,245
National Defense	300,292	294,026	0	92,643	–300,292	–201,383
District of Columbia	382	401	0	48	–382	–353
Energy & Water Development	23,704	23,959	0	8,508	–23,704	–15,451
Foreign Operations	15,168	15,099	0	9,571	–15,168	–5,528
Interior	18,941	17,768	36	6,104	–18,905	–11,664
Labor, HHS & Education	119,758	106,238	18,824	69,432	–100,934	–36,806
Legislative Branch	2,908	2,855	0	389	–2,908	–2,466
Military Construction	10,155	9,448	0	6,469	–10,155	–2,979
Transportation ¹	14,893	53,840	20	32,609	–14,873	–21,231
Treasury-Postal Service	16,880	16,134	340	3,658	–16,540	–12,476
VA-HUD-Independent Agencies	84,159	88,177	3,509	49,771	–80,650	–38,406
Unassigned	0	0	0	0	0	0
Grand Total	661,300	682,776	22,783	296,148	–638,517	–386,628

¹ Does not include mass transit BA.

Statement of FY2003 advance appropriations under section 201 of H. Con. Res. 83, reflecting action completed as of July 11, 2001

[In millions of dollars]

Budget authority

Appropriate Level	23,159
Current Level:	
Commerce, Justice, State Sub-committee:	
Patent and Trademark Office	0

[In millions of dollars]—Continued

Budget authority

Legal Activities and U.S. Marshals, Antitrust Division	0
U.S. Trustee System	0
Federal Trade Commission	0
Interior Subcommittee: Elk Hills	0

[In millions of dollars]—Continued

Budget authority

Labor, Health and Human Services, Education Subcommittee:	
Employment and Training Administration	0
Health Resources	0
Low Income Home Energy Assistance Program	0

[In millions of dollars]—Continued

	Budget authority
Child Care Development Block	
Grant	0
Elementary and Secondary Education (reading excellence)	0
Education for the Disadvantaged	0
School Improvement	0

[In millions of dollars]—Continued

	Budget authority
Children and Family Services (head start)	0
Special Education	0
Vocational and Adult Education	0
Treasury, General Government Subcommittee: Payment to Postal Service	0

[In millions of dollars]—Continued

	Budget authority
Federal Building Fund	0
Veterans, Housing and Urban Development Subcommittee: Section 8 Renewals	0
Total	0
Current Level over (+)/under (-)	-23,159
Appropriate Level	

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS SET FORTH IN SECTION 251(c) OF THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985, REFLECTING ACTION COMPLETED AS OF JULY 11, 2001

[In millions of dollars]

		Statutory cap ¹	Current level	Current level over (+) under (-) statutory cap
General Purpose	BA	546,945	22,783	-524,162
Defense ²	OT	537,091	269,999	-267,092
Nondefense ²	BA	(3)	0	(3)
OT	BA	(3)	104,037	(3)
Highway Category	BA	(3)	22,783	(3)
OT	BA	(3)	165,962	(3)
OT	BA	(3)	(3)	(3)
Mass Transit Category	OT	28,489	20,432	-8,057
BA	(3)	(3)	(3)	(3)
OT	5,275	5,093	-182	
BA	1,760	0	-1,760	
OT	1,232	624	-608	

¹Established by OMB Sequestration Preview Report for Fiscal Year 2002.²Defense and nondefense categories are advisory rather than statutory.³Not applicable.

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS RECOMMENDED BY H. CON. RES. 83 REFLECTING ACTION COMPLETED AS OF JULY 11, 2001

[In millions of dollars]

		Proposed statutory cap	Current level	Current level over (+) under (-) proposed statutory cap
General Purpose	BA	659,540	22,783	-636,757
Defense ¹	OT	647,780	269,999	-377,781
Nondefense ¹	BA	(2)	0	(2)
OT	BA	(2)	104,037	(2)
Highway Category	BA	(2)	22,783	(2)
OT	BA	(2)	165,962	(2)
OT	BA	(2)	(2)	(2)
OT	28,489	20,432	-8,057	
BA	(2)	(2)	(2)	(2)
OT	5,275	5,093	-182	
BA	1,760	0	-1,760	
OT	1,232	624	-608	

¹Defense and nondefense categories would be advisory rather than statutory.²Not applicable.U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 12, 2001.Hon. JIM NUSSLE,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2002 budget and is current through July 11, 2001. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H.

Con. Res. 83, the Concurrent Resolution on the Budget for Fiscal Year 2002. The budget resolution figures incorporate revisions submitted by the Committee on the Budget to the House to reflect funding for emergency requirements. These revisions are required by section 314 of the Congressional Budget Act, as amended. This is my first letter for fiscal year 2002.

Since the beginning of the first session of the 107th Congress, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues for 2002: an act to provide reimbursement authority to the Secretaries of Agriculture and the Interior from wildland

fire management funds (P.L. 107-13), the Fallen Hero Survivor Benefit Fairness Act of 2001 (P.L. 107-15), the Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107-16), an act to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 (P.L. 107-18), and an act to authorize funding for the National 4-H Program Centennial Initiative (P.L. 107-19). The effects of these new laws are identified in the enclosed table.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

FISCAL YEAR 2002 HOUSE CURRENT LEVEL REPORT AS OF JULY 11, 2001

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	0	0	1,703,488
Permanents and other spending legislation	984,540	934,501	0
Appropriation legislation	0	280,919	0
Offsetting receipts	-321,790	-321,790	0
Total previously enacted	662,750	893,630	1,703,488
Enacted this session:			
An act to provide reimbursement authority to the Secretaries of Agriculture and the Interior from wildland fire management funds (P.L. 107-13)	0	-3	0
Fallen Hero Survivor Benefit Fairness Act of 2001 (P.L. 107-15)	0	0	-7
Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107-16)	6,425	6,425	-31,337
An act to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees (P.L. 107-18)	8	9	8
An act to authorize funding for the National 4-H Program Centennial Initiative (P.L. 107-19)	0	2	0
Total, enacted this session	6,433	6,433	-31,336
Entitlements and Mandatories: Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	308,716	294,172	0
Total Current Level	977,899	1,194,235	1,672,152

FISCAL YEAR 2002 HOUSE CURRENT LEVEL REPORT AS OF JULY 11, 2001—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Total Budget Resolution	1,626,488	1,590,658	1,638,202
Current Level Over Budget Resolution	0	0	33,950
Current Level Under Budget Resolution	−648,589	−396,423	0
Memorandum:			
Revenues, 2002–2006:			
House Current Level	0	0	8,897,349
House Budget Resolution	0	0	8,878,506
Current Level Over Budget Resolution	0	0	18,843

Notes: P.L.=Public Law.

Section 314 of the Congressional Budget Act, as amended, requires that the House Budget Committee revise the budget resolution to reflect funding provided in bills reported by the House for emergency requirements, disability reviews, an Earned Income Tax Credit compliance initiative, and adoption assistance. To date, the Budget Committee has increased the outlay allocation in the budget resolution by \$184 million for these purposes. These amounts are not included in the current level because the funding has not yet been enacted.

Source: Congressional Budget Office.

TOBACCO IS NUMBER ONE PUBLIC HEALTH CONCERN IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New Mexico (Mr. UDALL) is recognized for 60 minutes as the designee of the minority leader.

Mr. UDALL of New Mexico. Mr. Speaker, it is a real pleasure to be here this evening. Let me begin by talking a little bit this evening about tobacco issues, because I have been involved as a State attorney general on the issue of tobacco. I was involved in the massive piece of tobacco litigation that State attorneys general filed across the country in their respective States, and we also, as a result of that, had a settlement; and we learned a lot about tobacco, about tobacco companies, about tobacco companies targeting kids. It is something that is a pretty incredible story. It also says something about public health in America and where we should be headed.

That is our real purpose here tonight, is to talk about the public health side and to talk also about the side of the administration, this current administration, the Bush administration, carrying on a tobacco lawsuit, the Federal Government versus the tobacco companies; and we will also be talking about that.

First of all, let me talk a little bit about the public health problem when it comes to tobacco, because a lot of people do not understand the massive size of the public health problem that we have here in America when it comes to tobacco. Mr. Speaker, 435,000 people every year are killed by tobacco. These are tobacco-related deaths, and it is a huge number. When we hear the number, we all hear statistics and we wonder what they mean. Take all other causes of death out there, and let us just go through a few here, auto accidents, suicides, murders, deaths by infectious diseases, deaths from AIDS; think of any other chronic illnesses, heart disease. If we add a lot of these up and we total them, we still do not get to the number of deaths caused by tobacco.

So when we talk about the cause of death and talk about public health problems, we clearly have a huge one when it comes to tobacco; and it is one that I think is in a way demonstrated, and I am going to have another Member join me here and maybe others if

they want to come down and talk about this; but it is demonstrated by a physician that I talked to, a cancer doctor in New Mexico. She is an oncologist. She told me this story. She said, I work in the cancer field. It is a very trying field to work in. She is very interested in tobacco and lung cancer and that whole relationship.

□ 1915

She said, "If tomorrow we could stop people smoking, one-third of my patients would go away immediately." So the people that she is treating today, if we stopped individuals from smoking, she would lose an entire third of her patients. She of course said that she sees every day all the pain and suffering that people go through. She said, "I would be happy to have that happen, to see that loss of patients."

So when we are talking about cancer docs across the country taking a look at this, we can see the kind of impact it is having.

One of the other facts here that is very, very important is that tobacco companies have targeted our kids in America for addicting them to tobacco. I would just like to give some of the facts here.

People do not realize that the tobacco companies saw their markets going down about 10 or 15 years ago. They saw their markets going down. They saw the number of people shrinking. The older people were quitting. They did a lot of research. This is in their files. There were documents that we recovered from them as State attorneys general.

They discovered several things. They discovered first of all if they build their younger market, then they are able to increase their markets dramatically. That is what they did. They started targeting younger people to start smoking. It is documented. It is in there. It is something that is pretty astounding, when we think about it.

Listen to these figures. Almost 90 percent of the adult smokers began at or before the age of 18. So it is the young people that are starting, and they continue for their whole lives. Each day here in America more than 3,000 kids become regular smokers. That is more than 1 million kids a year. Roughly one-third of them will eventually die from tobacco-related disease.

Fifteen and one-half million kids are exposed to secondhand smoke at home.

More than 3 million of our children ages 12 to 17 are current smokers, and 900 million packs of cigarettes are consumed by our children a year. More than one-third of all these children who ever try smoking a cigarette become regular daily smokers before leaving high school.

That is what these tobacco companies knew all along. They knew if they got young people addicted, that they would stay addicted for a lifetime, and keep buying cigarettes, and their profits would keep going up. It is a horrible story to tell, but it is out there and it is documented. It is part of these tobacco lawsuits that the State attorneys general brought.

Now, who stepped in to do something about this? Very little was done at the Federal level in the 1990s. Did we see any other people stepping out to do something about it? Private individuals hired attorneys and went to court and tried to sue the tobacco companies.

The tobacco companies had never settled a case. They fought these cases all the way to the U.S. Supreme Court, if they had to, and they always defeated these poor little plaintiffs, many of whom had smoked for 30, 40, or 50 years, and then had contracted lung cancer.

But in the 1990s, there were a group of attorneys general, first led by Attorney General Mike Moore from Mississippi, who filed the first lawsuit down there in Mississippi. It grew over the years, and eventually we had 45 attorneys general join this lawsuit.

These lawsuits were pushed hard. They were fought hard. There was an incredible battle going on in State courts with these lawsuits, but eventually there was a master settlement for \$240 billion. As part of that master settlement, the tobacco companies agreed to do a number of things: not target our kids, change their advertising, pay this \$240 billion over 25 years.

My little State of New Mexico, this was the largest civil settlement in the State of New Mexico for \$1.2 billion. Many of the States had something like that, settlements of that magnitude, so bringing in this kind of money was very important to the State.

I would say at this point that it is very, very important, and this is a side issue, but it is important that the States use this money on health-related issues, rather than using it to build roads or for a tax cut, or some of