

effects of smoking upon human performance over the years, without ever discerning a straight forward effect. Or Bernstein reasons that the effect may be a subtle one which is real but elusive. He is using a memorizing and recognition task (the Sternberg paradigm) in such a way as to be able to partial out the contributions to overall performance of (1) attention, (2) memory efficiency, (3) rate of memory formation and (4) retrieval efficiency. As a last item, we are finally moving forward on the study of nonobtrusive monitoring of smoke inhalation. Since Neil Nunnally joined us last year, he has taken over the instrumentation problem and brought us to a near on-line state.

The device is based upon the proposition that circumferential changes in the chest and the abdomen can be converted to a good estimate of inspired volume.

We have good evidence that when the circumference changes are small, volume is a linear function. The average total lung capacity of 6 liters, the average smoke inspiration is one liter.

Considering all the ways to measure, the mercury strain gauge was selected, but there were problems.

The solution was to minimize the current flow-developed circuitry that provides a 100 M amplification, and a sophisticated method of summing the two inputs to yield a signal that is almost linearly related to volume.

There is another candidate transducer (inductance changes in coils about the chest and abdomen) already incorporated into a commercially available device. On order, due to arrive by March 1.

We will be running comparative tests of these two units, select the better one and proceed to solving the remaining problems:

- (a) tagging the smoke-laden inhalation.
- (b) incorporating a recorder into the system.

When the entire assembly is ready, I will begin a series of studies, all designed to determine the degree to which the smoker accommodates his intake to 1) smoke composition and 2) need.

THE PENNSYLVANIA STATE  
UNIVERSITY,  
DEPARTMENT OF BIOBEHAVIORAL  
HEALTH,  
University Park, PA, July 28, 1995.

Hon. HENRY A. WAXMAN,  
House of Representatives, Rayburn House Office  
Building, Washington, DC.

DEAR MR. WAXMAN: I have reviewed the attached data on Benson & Hedges Filtered Cigarettes (70 mm) using standard assumptions of inferential statistics.

The average Nicotine/Tar Ratio for the 17 measurements from 1968 to 1985 (not including the 3 measurements for 1981 SP, 1981 HP, 1983 HP) is .066 (minimum=.058, maximum=.088, Standard Deviation=.00738). A score of 0.20 (as was observed in 1981) is very unlikely to come from the same population. The probability of sampling a score at least as large as 0.20 is considerably less than 1 in 100,000 (z=18.16). Even the ratio observed in 1983 (0.11) has a probability less than 1 in 100,000 of coming from the same population (z=12.19).

If one looks only at the years when this brand was in the 1 mg tar range (from 1978 to 1985), the average ratio for the 4 years (not including those years at issue) is 0.075 (minimum=.058, maximum=.088, Standard Deviation=.0126). The probability of sampling a score at least as large as 0.20 is considerably less than 1 in 100,000 (z=10.28). The probability of sampling a score at least as large as 0.11 is less than 4 in 1,000 of coming from the same population (z=3.13).

These analyses support the interpretation that the Nicotine/Tar Ratios were much

larger in 1981 and 1983 than in the other years and confirm what is readily apparent to the naked eye when looking at the attached plot of ratios.

Sincerely,

LYNN T. KOZLOWSKI, Ph.D.,  
PROFESSOR AND HEAD,  
Department of Biobehavioral Health.

REGULAR-LENGTH (70 MM) BENSON & HEDGES FILTERED  
CIGARETTES

Year	Tar	(+/-)	Nicotine	(+/-)	Ratio
10-68	21.0	(0.5)	1.29	(0.06)	0.061
2-69	20.1	(.5)	1.38	(.03)	.069
10-70	18.7	(.4)	1.35	(.03)	.072
8-71	18.4	(.3)	1.30	(.02)	.071
7-72	12.2	(1.1)	0.86	(.09)	.070
1-73	9.9	(.3)	.68	(.03)	.069
8-73	9.8	(.4)	.66	(.03)	.067
3-74	9.4	(.4)	.61	(.03)	.065
9-74	9.1	(.4)	.56	(.03)	.062
3-75	9.1	(.3)	.53	(.02)	.058
9-75	9.3	(.4)	.55	(.02)	.059
4-76	9.2	(.3)	.53	(.02)	.058
6-77	9.8	(.2)	.64	(.02)	.065
5-78	0.9	(.1)	.06	(.01)	.067
12-79	.8	(.1)	.07	(.01)	.088
3-81	.6	(.1)	.12	(.01)	.200
12-81	(.1)	(.1)	.10	(.02)	.200
3-83	.9	(.2)	.10	(.01)	.111
2-84	1.3	(.2)	.09	(.01)	.069
1-85	1.2	(.1)	.07	(.01)	.058

(1) Below the sensitivity of the method (i.e., <0.5)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. JONES] is recognized for 5 minutes.

[Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

POLITICAL ADVOCACY REPORTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

Mr. SKAGGS. Mr. Speaker, I would like to return for a few minutes to this 13-page piece of legislation that is buried in the Labor, Health, and Education appropriation bill that the House will be taking up shortly. It is labeled political advocacy, and it is really an incredible effort at speech control and reporting, all at the hands of this new majority that made such a big deal out of wanting a less intrusive Government.

Well, let me just ask my colleagues to go through the painful exercise of actually reading this legislative provision in an appropriations bill. It is an absolutely chilling experience when you realize that this Rube Goldberg contraption that has been invented in order to get at the question of Federal funds being used to persuade Congress about public policy, how vast and really incredibly intrusive into civil liberties a proposal this is.

I spent some time yesterday explaining some of the people who would be covered as, quote, grantees under this legislative provision in the appropriations bill. I hope you will pay some attention to this; your constituents are absolutely going to hate this bill if it were to become law.

For instance, disaster victims getting emergency aid from FEMA would be a grantee, and I will tell you in a minute what grantees have to go

through, researchers getting NSF research grants, probably because the definitions are so broad including anything of value coming from the Federal Government, a farmer getting emergency livestock feed in a major snowstorm, irrigators receiving subsidized Bureau of Reclamation water, and it probably even includes intangibles, so a broadcaster getting an FCC license would probably be a grantee under the provisions of this proposal, as, for instance, would many organizations, maybe your local church or YMCA, YWCA, if you are running a low-income child care program. With a Federal grant you would be brought into the provisions of this incredible proposal.

Now what happens to those who are covered? Let me just take a minute to walk you through what would happen to one very typical, if hypothetical, example, namely a pregnant woman or nursing woman getting food vouchers under the Women, Infants and Children's program. Let us just consider the example:

We will call her Sally. She will be required to follow "generally accepted accounting principles in keeping books and records," about the number and the value of the assistance that she is receiving under the WIC program. She would be required to file with the Department of Agriculture by the end of each calendar year a certified report on a standard form provided by your friendly Federal Government with her name and her ID number, description of the purposes that she put her WIC grant to, a list of all the Federal, State or local government agencies involved in administering the WIC program, and here is the real hooker in this, a description of her acts of, "political advocacy," which is defined all encompassingly to include, for instance, any attempt to influence any Federal, State, or local government action, including any attempt to affect the opinions of the general public or any part of the public about any government action. This would include, for instance, Sally's coming to one of your town meetings and talking with her congressman or congresswoman, writing a letter to the editor about some issue of public policy pending in her community.

This political advocacy activity would also include "participating in any political campaign of any candidate for public office," Federal, State, or local. So, marching in a candidate's parade, for instance, would be a political advocacy activity that a WIC grantee would have to report to the Department of Agriculture.

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It goes on and on and on. This would create, in some computer in Washington, DC, a master list of all political advocacy activities carried on by all Federal grantees around the country. Each Department would have to get these reports annually certified, subject to audit, subject to challenge,

from all of their grantees, bring them together, and every year send their reports to the Bureau of the Census, which would then, in turn, pull all of these together to constitute a national database of political activities maintained under the force of Federal law by the Federal Government.

Mr. Chairman, why anyone that is interested in a smaller Government, much less in civil liberties, much less in the protections of the first amendment to the United States Constitution, would consider for a second endorsing this chilling Orwellian notion is beyond me, but it was stuck, buried, in the end of the Subcommittee on Labor, Health and Human Services, and Education appropriations bill that will be before the House shortly.

Mr. Speaker, I hope all of my colleagues will take just a few minutes to read through this provision and understand exactly what it is going to mean. It is going to mean a lot in the lives of most Americans. It is an appalling exercise of overreach by the Federal Government. We should support the amendment that I will offer on the floor to strike it from the bill.

#### A FOND FAREWELL TO KEITH JEWELL

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I join with my colleagues in bidding a fond farewell to a good friend and outstanding public servant, Keith Jewell, upon his last day as Director of House Photography.

I know Keith not only from his day to day duties coordinating our House photographers, but also through his selfless devotion over the years on many of our foreign missions. Keith often shared our hardships as he kept an official photographic record of our responsibilities.

A visit to Keith's office in the Rayburn Building is a virtual trip through the history of the past 29 years. Displayed on the walls is Keith's photographic work as it appears in our major newsmagazines: a review of the Presidential addresses, the Joint Sessions, and the historic moments in this Chamber and on the Hill since the days of Lyndon Johnson.

Mr. Speaker, I join with our colleagues in wishing Keith success in all of his future endeavors, and in wishing Keith, his wife Lorene, his stepsons and his grandchildren many many retirement years of good health and happiness.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

[Mr. FOX of Pennsylvania, addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

#### INVESTIGATION OF THE DEATH OF WHITE HOUSE COUNSEL, VINCE FOSTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I was appalled to read last week a statement from Speaker GINGRICH suggesting that House Counsel Vince Foster was murdered, coupled with Mr. GINGRICH's statement that he plans to do nothing at all about that. In other words, the Speaker apparently plans to suggest to the American people that an official in the White House was murdered, despite the fact that several investigations involving professional criminologists and others, forensic experts, have concluded that he was, tragically, a suicide.

Mr. GINGRICH chooses to call that into question but then do nothing about it. Remember that Mr. GINGRICH has a good deal of influence over the agenda of this House, including the House Committee on Banking and Financial Services. The House Committee will be having hearings on the Whitewater matters. The Senate Committee on Banking, Housing, and Urban Affairs is having hearings on Whitewater. The Republican party apparently plans to have hearings about what happened before Mr. Foster, sadly, killed himself; they plan to have hearings about what happened after Mr. Foster killed himself, and they are having those now; but they will not have any hearings into that question. Why? Because everyone who has looked at it has concluded, without question, that Mr. Foster was a suicide because of the enormous pressures he was under.

Mr. Speaker, Mr. GINGRICH chooses to ignore that overwhelming evidence and to suggest that he was murdered, but he is very careful to make it clear that he will do nothing about it. In other words, he will leave that terribly destabilizing, awful suggestion there, with its unstated implications of who was responsible. Despite the fact that he has control over the investigatory bodies of this House, he will not have them look into it because he does not want to know the truth.

Mr. Speaker, it has, unfortunately, become part of the right wing paranoia that circulates in this country to state, in defiance of the clear facts and pattern, that Mr. Foster was murdered. Mr. Foster's suicide has been investigated by two Republican independent counsel, first Mr. Fiske and now Mr. Starr. It has been investigated by police, by the FBI, by a whole range of officials. Overwhelmingly, everyone has concluded, tragically, that he committed suicide. The Speaker decides to ignore that, to reinforce one of the worst, craziest, most paranoid rumors now circulating and poisoning the American political atmosphere, but is careful to leave it at a suggestion. He is careful to avoid any forum in which

that outrageous suggestion of his could be proven.

What this shows, Mr. Speaker, is, unfortunately, the extent to which the right wing, in its most extremist form, demands increasing tribute from the Republican party leadership. We see it in public policy on the floor of this House and we see it in their rhetoric. The Speaker apparently feels compelled to give credence to one of the most contemptible, vicious, and inaccurate stories now circulating in American politics. It is an effort by the right wing to use the tragic suicide of a very decent man under great pressure for political purposes.

Mr. Speaker, where is the Speaker of the House? Does he exercise leadership? I know Chairman D'AMATO, former chairman of the Senate committee, has said, yes, it was a suicide. He stipulates to that. That is the responsible position. The Speaker is not willing to do that. The Speaker will, instead, fan one of the most irresponsible flames that threatens now to consume civility in the American political discourse.

Mr. Speaker, I understand the need of the Republican leadership to keep happy those on the right wing who have been their most active troops, but can there not be a more decent way to do it? Must there be an unfortunate, unjustified, terrible effort to play with the facts involving this man's life? Does the Speaker really, genuinely believe this was a murder? No one, even the Speaker and even the people on the right are suggesting it was an act of God. The man was shot by his own hand. It is either murder or suicide. If the Speaker really believes it is murder, then where does he get the authority not to investigate it?

Mr. Speaker, anyone who seriously believes a White House Counsel may have been murdered for political purposes, who does not use his or her authority to look into it, seems to me to be guilty of a dereliction of duty. What we are clearly talking about, then, is not a serious effort to get to the bottom of what would be a terrible crime. It is the most discouraging example of right wing influence in the Republican party that I have seen, and I have, unfortunately, seen many.

#### FAREWELL TO KEITH JEWELL

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I simply wanted to add my voice to the gentleman from New York in saying that we will miss Keith Jewell as the House photographer very much. I know that all of us have had experience in his work. He has served this House and its membership loyally and with great effectiveness and efficiency, and, above it all, he has been a fine human being, a wonderful human being to be around.

Mr. Speaker, all of us together wish him and his family well as he now