

But the industry didn't let me know that. The industry didn't let me know at the time that I might develop an illness, emphysema, some other respiratory problem, maybe a fatal heart attack that couldn't be predicted because of smoking. They never told me anything about those things. They said life is more beautiful, life is glamorous. You could be a cowboy on a horse or a great skier. I happen to be, it has nothing to do with my smoking, but the fact of the matter is that all of those things give you images that are deceitful, dishonest, and shouldn't be allowed to be out there with impunity, because if someone falls for that story, someone falls for that image, they wind up in deep, deep trouble, killing 400,000 people a year in this country. That is not a very credible industry, I must tell you. They don't tell you that.

So this industry knew that its products caused cancer. They wouldn't acknowledge it. I sat at hearings galore. I was part of one hearing where we had the scientist in front of us from one of the tobacco companies, a man with incredible credentials if you looked at his curriculum vitae. He had gone to great schools and he had done wonderful things. I asked him what happened when they tested the products on humans, and he said, "We didn't do human research." I almost fell off the chair. I said, "You didn't?" All of these studies, by then 60,000 reports on the dangers of smoking had come out. But this company, one of the biggest, said scientists representing him said, "Oh, no, we didn't." I said, "What did you do in your research?" He said, "We did some research on animals." I didn't pursue that because I am sure those animals didn't fare very well.

This is an industry that deliberately targeted our children, not for a good purpose, not for better health, for worse health, to try to addict them. If it was an illegal drug, we would be after these guys and they would be thrown in jail for long, long sentences. But they targeted our kids. They went to your children and my children and said: "Smoke and you are going to be a hero among your peers. Smoke and you will be beautiful. Smoke and you will be desirable." All deceit, all lies, all determined, at no matter what cost, to grab that child, get him or her smoking. They knew they could put money

in the bank. They could probably take it to the bank as collateral for loans very easily, because that person, with rare exception, was hooked.

That is why we have over 45 million people today who can't quit. I say they can't quit because I never met a smoker yet of any duration—not once—and I meet people all the time, but not once have I met a smoker who didn't say they would like to quit smoking. They tried. They have gone to clinics, wore patches, and they have done this and that. But every time they stop for a while, something else comes up, some situation comes up, and they start all over again.

That is what they want our kids to do. They want our children to be their marker. In all kinds of testimony given—some of it willingly and some unwillingly—by edict of the courts, especially in Minnesota, information has come out that they new bloody well they were targeting kids, and they new doggone well that they alter the nicotine content and make that addiction even firmer. They knew very well that people got cancer and they knew very well that people got sick. They didn't give a darn. They had one thing in their eyes: Cash. And they went after it, and they were willing to seduce children to do it.

In many other cases, if anybody touches a hair on a child's head, they go off to jail. If they dare say something improper to a child, they get punished. These guys wanted to seduce 3,000 kids a day, a million a year, to start smoking because they knew that they made that cash register ring. This industry, that purposely pushed its product on to all American children, focused often on African Americans, or minority children, who seemed to be a little susceptible. Now they find out it is not just the minority children, it is all children that are susceptible.

This industry is being investigated by the Justice Department. What kind of precedent does that set? Because what we are talking about in this bill is immunity from lawsuits for damage created by the smoking habit which they were fooled into beginning. So with all of that, and being investigated by the Justice Department, we say we want to protect them in the event of a lawsuit? We don't want to protect anybody else, like car manufacturers, food

manufacturers, or house builders. Food manufacturers have to list everything. They are all subject to redress of their rights through the courts. That is the way it ought to be.

But here we want to do something different. So if this is a condition, why shouldn't we give all white-collar criminals special protection? We could extend it to drug dealers as well.

The Gregg-Leahy amendment will keep the legal system right side up. It will prevent Congress from rewarding the corporate outlaws who are the tobacco industry. Unless we pass this amendment, we are going to undermine the rights of Americans who have been harmed by the tobacco industry's deliberate conduct. These people are dying of lung cancer, heart disease, and they are often debilitated in wheelchairs or in hospitals. They become sick because they were nicotine addicts, which has the same pharmacological qualities as cocaine and heroin. Mr. President, these people should not have their rights abridged, and the tobacco industry should not get unprecedented legal protection.

I ask my colleagues to support the Gregg-Leahy amendment. Don't let the tobacco industry get away with this, because, again, I think this talks about the value of having this legislation. If they are free of their appropriate responsibility under the law, if they are free by virtue of a limitation on immunity, they are going to have a bonanza here, and we ought not to permit it. This amendment is not a deal-breaker, but it breaks a sweetheart deal for the tobacco industry. I hope that when the votes are counted here, the American people will be watching to see what the favorite industry of this body is.

With that, Mr. President, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m. on May 21.

Thereupon, the Senate, at 8:25 p.m., adjourned until Thursday, May 21, 1998, at 9:30 a.m.