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**Tobacco-Settlement: New
Legislation-DeGette Bill**

105TH CONGRESS
1ST SESSION

H. R. 2519

To increase the legal age of smoking from 18 to 21.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 1997

Ms. DEGETTE introduced the following bill; which was referred to the
Committee on Commerce

A BILL

To increase the legal age of smoking from 18 to 21.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Tobacco-Free Youth
5 Act".

6 **SEC. 2. INCREASE IN LEGAL AGE OF SMOKING.**

7 Section 1926 of the Public Health Service Act (42
8 U.S.C. 300x-26) is amended by striking "under the age
9 of 18" each place it occurs and inserting "under the age
10 of 21".

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by section 2 shall take effect
3 with respect to the first fiscal year beginning after the
4 date of the enactment of this Act, except that in the case
5 of a State the legislature of which does not convene a regu-
6 lar session in such fiscal year or the next fiscal year, such
7 amendments shall take effect with respect to the third fis-
8 cal year beginning after such date.

○

U.S. Representative
Diana DeGette
First Congressional District of Colorado

OPINION

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 Denver, Colorado 80202

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 Washington, D.C. 20515-0601

FOR IMMEDIATE RELEASE: May 20, 1998

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Raise the Smoking Age to Twenty One

When the State of Minnesota negotiated a large out-of-court settlement the tobacco industry, Minnesota Attorney General Hubert "Skip" Humphrey created new momentum for stronger national action to protect all American children from tobacco. This new momentum should include an increase in the age for tobacco product sales from eighteen to twenty-one.

If we really want to prevent our kids from smoking and improve public health, raising the purchase age for tobacco products to twenty-one is an easy, no-cost and simple step. By raising the age, we can shield more kids from addictive tobacco experimentation and save society billions in long-term health care costs.

According to the Centers for Disease Control, the transition from experimental smoker to addicted smoker occurs most frequently between the ages of eighteen and twenty-one. Our kids deserve the chance to make it through these formative years without a sanctioned cigarette dangling from their fingers. By raising the age for tobacco product sales to twenty-one, we can: (1) further restrict the tobacco industry's ability to target advertising deliberately at teens; (2) legally protect the equally vulnerable population of youths between ages eighteen and twenty-one; and (3) more effectively enforce age restrictions by treating tobacco as seriously as alcohol.

Instead of reducing teen smoking and stopping teen-oriented advertising now; the tobacco industry holds our children like hostages in the tobacco debate. Raising the legal age will squash their ransom demands by paving the way for new restrictions on tobacco solicitations and sponsorships on college campuses and at events with under twenty-one audiences. We can constitutionally protect all teens from being the target of unscrupulous advertising by Big Tobacco and reduce addictions. In addition, raising the age will make it harder for young children to purchase tobacco products.

Focusing our attention only on children younger than eighteen will turn the tobacco companies into a pack of wolves waiting for the 18th birthdays of our nation's youth. To avoid this unintended consequence, we should raise the tobacco purchase age to twenty-one. On any newsstand, tobacco advertisements dominates hip magazines like *Rolling Stone* and *Sports Illustrated*. The tobacco companies know their profits depend on the aggressive seduction of these readers, most of whom are college-aged kids. To reach that same audience, R.J. Reynolds (through its parent company RJR Nabisco) also distributes free cigarettes and Camel paraphernalia at college-age hang outs through its "Camel Club" program in most cities. Since 1970, the tobacco industry's targeted teen/college age promotional campaigns have increased from 12 to 78 percent of their advertising budget, according to an analysis from the Centers for Disease Control.

Although it was quite controversial at the time, few now question the wisdom of raising the drinking age. Many of the same arguments made against raising the drinking age will surely be resurrected for this debate. Yet in the dozen years since the drinking age was raised, drinking among high school students has declined 30 percent and alcohol-related traffic deaths have dropped 13 percent. Nearly 16,000 lives have been saved, according to Mothers Against Drunk Driving. A comparable reduction in tobacco use would save 120,000 kids lives.

By treating tobacco like alcohol, we can expect the same dramatic results. Relying on the already established alcohol gate keepers, new licensing revocations and procedures, along with stiff fines for merchant violators will make it more difficult for anyone under twenty-one to buy tobacco.

"We do not market our products to people under the age of twenty-one," Steven Goldstone, CEO of RJR Nabisco, told Congress under oath in January. This comes after years of RJR's aggressive marketing of Joe Camel as the next Bugs Bunny to thirteen year-olds. Congress and the American public have no reason to rely on Mr. Goldstone's good faith. Instead, we can take the power and momentum further out of Goldstone's hands by raising the age for tobacco product sales to twenty-one. The human and economic losses of doing anything less are simply unconscionable.

Diana DeGette is a first term Congresswoman from Denver.

A photo of Congresswoman DeGette (dldphoto.jpg) can be downloaded at <http://www.house.gov/degette/dldphoto.html>

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COMMERCE COMMITTEE
SUBCOMMITTEE ON HEALTH
AND ENVIRONMENT
SUBCOMMITTEE ON FINANCE AND
HAZARDOUS MATERIALS

Congress of the United States
House of Representatives
Washington, DC 20515-0601

KEEP OUR KIDS LUNGS HEALTHY;
COSPONSOR THE TOBACCO-FREE YOUTH ACT

Dear Colleague,

Over the last several months, we have witnessed an extraordinary change in attitude from the tobacco industry about the lethal consequences of tobacco use. U.S. tobacco companies are no longer hiding from the truth that tobacco is deadly; they have admitted that the American people deserve compensation for the health problems they have suffered because of tobacco; and they have even encouraged the U.S. Congress to respond with financial penalties on the industry.


But before we thank U.S. tobacco companies for their good will, let us not forget that they have a bottom line and that it will only be satisfied by the addiction of new, young smokers. Regardless of how clever Congress is in its efforts to reduce youth smoking, the industry will become even more clever in its efforts to dance around the law. Tobacco companies know that minors under the age of 21 are particularly susceptible to messages encouraging tobacco use. That is why RJR has invested millions in its Camel Club Program in places like Cleveland, Ohio to get college-age kids hooked on Camels. (See reverse)

If we want to truly protect the lungs of our kids, than we have to be more aggressive than the industry. That is why we urge you to cosponsor the Tobacco-Free Youth Act which will increase from 18 to 21 the legal age for establishments to sell tobacco products. The only way to prohibit the industry from luring kids under 21 into using their deadly product, is to make the sale of tobacco illegal for this age group. Please contact Libby at x54431 if you have any questions or would like to cosponsor this bill.

Sincerely,


Diana DeGette


Sherrod Brown


John Lewis

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THE DENVER POST

Voice of the Rocky Mountain Empire

25

DATE: 10/16/97

PAGE: 7B

Raise the smoking age to 21

By Diana DeGette

More than 14,000 children in Colorado will begin smoking this year. Nearly 90,000 kids in Colorado now under age 18 will have their lives cut short by tobacco-related diseases. Smoking costs Colorado hundreds of millions of dollars a year and \$100 billion nationwide. Ninety percent of adults in Colorado and across the country started smoking before age 21.

We are failing miserably in protecting our children from the lethal consequences of smoking. We are failing because we have not found a way to stop children and young adults from being seduced into smoking. That is why I introduced the Tobacco-Free Youth Act, which will require states to raise the legal age for merchants to sell tobacco from 18 to 21.

If the Tobacco-Free Youth Act becomes law, Congress will be able to restrict tobacco companies from launching their extremely targeted and effective campaigns to this vulnerable age group.

Over the past several months, we have witnessed what appears to be an extraordinary change in attitudes by the tobacco



GUEST COMMENTARY

industry. U.S. tobacco companies are no longer hiding from the truth that tobacco is deadly; they have admitted that the American people deserve compensation for the health problems they have suffered because of tobacco; and they have even encouraged the U.S. Congress to respond by imposing financial penalties on the industry.

But before we thank tobacco companies, let us not forget that they have a bottom line and that it will only be satisfied by the addiction of new, young smokers. Regardless of how clever Congress is in its efforts to reduce youth smoking, no one should doubt the legitimacy of the tobacco industry to dance around the law.

Tobacco companies know that their financial future depends on enticing new smokers between ages 18 and 21. That is why the industry took out six ads in this

month's 85-page Rolling Stone magazine with photographs of beautiful young people smoking their products.

Who reads Rolling Stone? College kids. That is why companies like RJR are investing millions in bold new strategies like their Camel Club Program, which employs college-age kids to frequent bars and coffee houses and hand out free cigarettes and Camel paraphernalia in their pockets. RJR has been shockingly successful in hooking 18- to 21-year-old smokers on their product by spending millions on this program in more than a dozen cities across the country.

If Congress passes the Tobacco-Free Youth Act, U.S. cigarette manufacturers will not be able to dance around the law. With the Tobacco-Free Youth Act, Congress will have the power to prohibit the tobacco industry from targeting their marketing to 18- to 21-year-olds.

Congress must embrace every possible means to keep young people from starting to smoke. The human and economic losses of doing anything less are simply far too great.

Diana DeGette of Denver represents Colorado's 1st Congressional District.

9/25/97

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Rep. DeGette wants to raise age to 21 for buying tobacco products

By Aerial Bellamy
From Washington Bureau

WASHINGTON — Colorado freshman Rep. Diana DeGette launched a new assault on the tobacco industry Wednesday, introducing legislation in the House to raise the legal age for the purchase of tobacco products from 18 to 21.

DeGette, a Democrat who represents Denver, said raising the purchase age would make it more difficult for minors in their early teens to buy tobacco products. She also criticized cigarette makers for launching marketing campaigns featuring "hip and sexy young people" to appeal to underage smokers.

"The debate over federal tobacco policy and a ban on advertising to teens must also include protections for the college-age young adults who are just as vulnerable," DeGette said.

Earlier this summer, the House

'The debate over federal tobacco policy and a ban on advertising to teens must also include protections for the college-age young adults who are just as vulnerable.'

Rep. Diana DeGette, D-Colorado

voted 218-209 against an amendment DeGette offered to a 1998 agriculture spending bill that would have ended the practice of providing federal crop insurance to tobacco farmers.

Prospects for passage of her new bill are unlikely, given President Clinton's recent calls for changes to a proposed \$16.8 billion settlement negotiated this year between the tobacco industry and a group of states' attorneys general. Few members of Congress have been vocal supporters of the settlement,

indicating there is less pressure to penalize the industry.

However, Democrats see the tobacco issue as a key weapon in the 1998 elections. While the tobacco industry has loyal supporters in both parties, GOP lawmakers in recent years collected more campaign money from the tobacco industry.

DeGette's mother was a smoker who died of lung cancer.