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NAAG [National Association of Attorneys General] - Tobacco 3/12/98 - Attorneys General and Tobacco

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Winston Bryant → Arkansas

Attorney General Winston Bryant is a native of Donaldson, Arkansas, and a cum laude graduate of Ouachita Baptist University. He received a law degree from the University of Arkansas and obtained his master of laws degree from George Washington University in Washington, D.C. Following college, he entered the U.S. Army, earning the rank of captain.

General Bryant has previously served the people of Arkansas as Lieutenant Governor, Secretary of State, and state representative. He is a past chairman of the National Conference of Lieutenant Governors and is founder of the Arkansas Youth Suicide Prevention Commission.

General Bryant has had extensive legal and legislative experience since becoming licensed to practice law in 1963. He worked as a legislative assistant to U.S. Senator John L. McClellan and served as an attorney for the Arkansas Insurance Commission. He was also a Deputy Prosecuting Attorney and Assistant U.S. Attorney for the Eastern District of Arkansas.

General Bryant served four terms as Lieutenant Governor. He was elected Attorney General in 1990, re-elected overwhelmingly in 1994, and has restructured the office to become more active in consumer affairs, environmental protection, fighting child abuse, and addressing the needs of elderly Arkansans.

General Bryant is a member of the Consumer Protection and Environment and Energy Committees. He is married to the former Susan Hughes and has one son, John.

DEPARTMENT OF JUSTICE State of Wisconsin

ATTORNEY GENERAL'S BIOGRAPHY

James E. Doyle

Attorney General James Doyle has been Wisconsin's chief law enforcement officer since 1991. He was first elected Attorney General in 1990 and re-elected to a second four-year term in 1994.

A former district attorney, Doyle has been involved in every crime fighting initiative in Wisconsin since taking office. He led a bi-partisan, comprehensive effort to toughen the state's criminal code, winning action on a variety of issues ranging from increased penalties for gang activity and violent crimes to greater protection for victims of sexual assault.

His office also established a hot line to provide criminal background checks on handgun purchasers, which has prevented more than 1,100 illegal handgun sales to felons.

Under Doyle's leadership, the Department of Justice also improved services to local law enforcement agencies, with beefed up state crime lab staff and new services including DNA testing, computerized fingerprint matching and upgraded computer information systems on prior records of suspects.

Doyle is the President of the National Association of Attorneys General. Doyle previously chaired NAAG's Consumer Protection Committee, the Civil Rights Committee and a national committee of federal, state and local prosecutors which coordinated policies and procedures on major criminal law issues. He has led efforts nationally to strengthen crime laws and increase law enforcement oversight of gambling.

Doyle brought broad legal experience to the office. He served three terms as Dane County District Attorney, handled a wide variety of criminal and civil cases and appeals in private practice, and was the head attorney in a federal legal services program on the Navajo Reservation in Arizona in the early 1970's.

Doyle and his wife, Jessica Laird Doyle, served two years as teachers in Tunisia with the Peace Corps. Doyle, a 1967 graduate of the University of Wisconsin-Madison, entered Harvard Law School after his Peace Corps service and graduated cum laude in 1972. The Doyles have two sons.

Return to DOJ Home Page

Very supportive of the President

President

WISCONSIN

James E. Doyle

Attorney General James E. Doyle grew up in Madison, attended Stanford University, and graduated from the University of Wisconsin-Madison with a bachelor's degree in 1967.

He and his wife, Jessica Laird, served two years as teachers in Tunisia with the Peace Corps. After that, he entered Harvard Law School, graduating cum laude in 1972. General Doyle served from 1972 to 1975 as an attorney for a federally funded legal services office on a Navajo Indian reservation in Arizona. He entered private law practice in Madison in 1975.

In November 1976, General Doyle was elected Dane County District Attorney. He served three terms, prosecuting major criminal cases and heading the public prosecutor's office for Wisconsin's second largest county. He chose not to seek a fourth term in 1982 and returned to private practice as a partner in the Madison law firm of Doyle and Ritz, handling a wide variety of criminal and civil cases and appeals. General Doyle has taught at the University of Wisconsin Law School and at Edgewood College.

General Doyle is the President of NAAG, as well as the former chair of the Civil Rights Committee, the co-chair of the Internet Working Group, and the former chair of the Consumer Protection Committee. He is a member of numerous other committees, task forces, working groups and steering committees.

President-Elect

Mike Moore

Attorney General Mike Moore was born in Jackson, Mississippi. He received a bachelor of arts degree in political science in 1974 and a law degree in 1976 from the University of Mississippi.

He was elected District Attorney in 1979, serving two terms, and is currently serving his third term as Attorney General, having been first elected in 1987 and re-elected in 1991 and 1995.

In 1994, General Moore received national attention when he filed suit against 13 tobacco companies, making Mississippi the first state to insist that cigarette manufacturers bear the health care costs of smoking. That same year, he received NAAG's prestigious Wyman Award, given to the Attorney General who does the most to enhance the stature of the office and further the goals of the Association.

General Moore is a member and former chair of NAAG's Criminal Law Committee, and a member of NAAG's Children and the Law Subcommittee, International Aspects of Criminal Law Enforcement Subcommittee, Indian Gaming Subcommittee, and Executive Working Group on Gaming. He serves as a member of the Executive Working Group on Prosecutorial Relations, the U.S. Attorney's Federal-State Law Enforcement Coordinating Committee, and the American Bar Association's Prosecution Function Committee.

Vice-President

WASHINGTON

Christine O. Gregoire

Attorney General Christine O. Gregoire was raised in Auburn, Washington. She received her bachelor's degree from the University of Washington in 1969 and her law degree from Gonzaga Law School in 1977.

General Gregoire began her legal career as an Assistant Attorney General in 1977 and became the first woman Deputy Attorney General in 1982. In 1988, General Gregoire was named the Director of the Department of Ecology, a 1,600-person agency, where she took a leadership role in the negotiation of the Tri-Party Agreement for the cleanup of the Hanford Nuclear Reservation, the largest Superfund site in the country.

General Gregoire was elected Washington's first woman Attorney General in 1992. During her term, she worked on children's issues and led a statewide program that resulted in a comprehensive reform of the state's juvenile system. Based on recommendations made by a commission she headed, the 1993 Washington Legislature passed a tough new ethics law for state government. Her work also has led to new legislation to curb domestic violence and protect consumers. General Gregoire has also been committed to finding alternatives to litigation to resolve legal disputes and has led a successful alternative dispute resolution program both inside and outside the office.

Re-elected in 1996, General Gregoire formerly chaired the Conference of Western Attorneys General (CWAG) and NAAG's Environment and Energy Committee, and is a member of the Antitrust, Consumer Protection, Criminal Law, and Executive Committees. She is currently NAAG's Vice President.

naag.org

To: Jordan Tamagni
From: Amanda Lawler
Date: March 9, 1998
Re: The Attorneys General

Here's where things stand with the Attorneys General research:

P Intergovtal Affairs

I spoke to Fred Duval about the relationship between the President and the Attorneys General. He said that for the most part the Attorneys General are supportive of the President and they have a good working relationship (especially Jim Doyle). In particular, they share similar views with regards to crime, police, sexual assault, and juvenile justice.

However, they disagree on the tobacco issue. Although the President is supportive of the initiatives taken during the summer by the Attorneys General and the A-Gs are pleased that tobacco is high on the President's agenda, they do not see eye to eye. The A-Gs feel that the President's current initiatives are too aggressive and too partisan. For this reason, the A-Gs believe that they are doing a better job dealing with the tobacco industry.

On another note, the only president that was previously State Attorney General was Martin Van Buren, who served from 1815 to 1819 in New York. However, 26 of the 41 presidents have been attorneys.

In terms of President Clinton's term as Attorney General - not much could be found. I looked through the autobiographies in the library and the majority of what was said revolved around his term as a stepping stone to Governor and then President. Paul has been calling around for more information and that should be available tomorrow (March 10th).

I have enclosed:

- fun facts on State Attorneys General
- biographical information on Jim Doyle and other elected NAAG officials
- past addresses to the Attorneys Generals (I could only find 2)
- CNN stories on the tobacco settlement and the President's reply
- the section of **First in His Class** that discusses the President's time as Attorney General

I will keep working tomorrow - especially once we know what the speech is about.

U.S. NEWS
STORY PAGE

Tobacco industry submits to regulation, huge payments under landmark deal

June 20, 1997
Web posted at: 4:06 p.m. EDT (2006 GMT)

WASHINGTON (CNN) -- The tobacco industry agreed to major regulatory concessions Friday after landmark negotiations with state attorneys general suing for billions in damages. Tobacco companies agreed to spend $368 billion in public health efforts over 25 years.

Under the settlement, tobacco companies will submit to nicotine regulation by the U.S. Food and Drug Administration, and will pay some $370 billion in punitive and compensatory damages over the next 25 years.

Of that total, some $60 billion would go toward a punitive fund, to be paid in one lump sum, a large part of which would be applied to a trust fund to provide health care for uninsured children.

Another $308 billion would reimburse the 39 states involved in the talks for Medicaid costs and fund the deal's public health provisions, sources said.

In exchange, tobacco companies would not have to apologize for past misdeeds, as the Liggett Group did in March when it separately settled with suing states.

Additionally, the FDA can regulate nicotine as a drug but could not ban it until the year 2009, giving the industry years to develop alternatives to nicotine, sources said.

The companies would be protected from smokers seeking fines for past industry misconduct -- although smokers would be able to sue for and collect punitive damages for future industry wrongdoing.

Sick smokers could no longer sue tobacco companies seeking punitive damages for past industry misconduct, but they could sue to recover actual damages, such as medical bills. And smokers still could sue for and collect both actual and punitive damages for any future industry wrongdoing.

Both Congress and the president would have to ratify the deal.

The megadeal would settle 40 state lawsuits that seek to recover Medicaid money spent treating sick smokers and 17 class-action suits against the industry by setting a new national tobacco policy.

Smokers would see dire new warnings on cigarette packs, get free medical help to kick the habit and be inundated with nationwide anti-smoking advertising -- even as Joe Camel and the Marlboro Man disappeared under new tobacco ad curbs.

After three months of negotiations, there were snags right up to the moment the settlement was announced. A news conference to announce the deal was delayed several times because at least one tobacco company was stalling over a deal to protect industry whistle-blowers. A whistleblower protection provision was included in the final deal.

Even as the two sides work toward agreement, the attorneys general say they would continue to prepare and try their lawsuits against tobacco, because Congress may ultimately reject or alter the pact.

Aides said President Clinton, who has been receiving regular updates on the talks, would name a special task force to review details of the agreement before taking a final position.

The task force would be headed by Donna Shalala, secretary of health and human services, and Bruce Reed, the president's top domestic policy adviser. The group would be expected to present its assessment "within about 30 days," an administration official said.

Clinton's primary concern, aides say, has not changed throughout the talks: he wants the settlement to curb nicotine's impact on public health, especially the health of children.

Senate Majority Leader Trent Lott of Mississippi has said that even after a deal is reached, the Senate was "locked out pretty much until September" from acting on tobacco legislation.

Correspondent Brian Cabell, The Associated Press and Reuters contributed to this report.

FOCUS: TOBACCO UNDER ATTACK **Special Section**

CNNPlus

U.S. NEWS
STORY PAGE

Tobacco industry agrees to be regulated in $360 billion deal

Pact with states needs congressional OK

June 20, 1997
Web posted at: 10:53 p.m. EDT (0253 GMT)

Latest developments:

- FDA would regulate nicotine
- Marketing to children restricted
- Nothing would change immediately

WASHINGTON (CNN) -- The tobacco industry agreed to major regulatory concessions in exchange for liability limits Friday, after landmark negotiations with attorneys general from states suing for billions of dollars in damages.

"We are here today to announce what ... we believe is the most historic public health achievement in history," said Mississippi Attorney General Mike Moore, a lead negotiator in the talks. "We have reached agreement in principle with the tobacco industry."

Before becoming effective, the deal would have to be approved as a law by Congress, and signed by President Clinton. He said Friday he would wait to respond to the announcement until he had time to review the details with senior health advisers.

"We must now carefully consider whether approving this proposed settlement will protect the public health -- and particularly our children's health -- to the greatest extent possible," he said in a statement from Denver, where he is attending an economic summit with other world leaders.

Tobacco companies agreed to:

- pay $360 billion over the next 25 years
- pay $4 billion per year into a legal trust fund
- print strongly worded warnings prominently on tobacco packaging
- fund an anti-smoking ad campaign

They agreed not to:

- run ads that may appeal to minors
- sponsor sports or entertainment events
- sell tobacco products in vending machines

But the president also praised the negotiators for their work, which began in April.

"I commend the attorneys general and other people working with them, including children's health leaders, for their hard work in negotiating this agreement in a way that seeks to advance our struggle to protect the health of children against the dangers of tobacco," his statement said.

For their part, tobacco companies largely kept out of the limelight after the announcement, which they called a "a bitter pill" full of difficult concessions.

But Philip Morris, R.J. Reynolds, Brown & Williamson and Lorillard Tobacco said huge payments and strict rules were "preferable to the continuation of a decades-long controversy" that clouded the industry's financial future.

"The proposal as outlined to the White House and the members of Congress represents a carefully developed consensus on how best to resolve public health concerns immediately," said Steve Parrish of Philip Morris.

He added that the deal would let tobacco companies "operate in a more stable and predictable environment."

FDA would regulate nicotine

Under the settlement, tobacco companies agreed to let nicotine be regulated by the Food and Drug Administration, and to pay about $360 billion to compensate states and smokers over the next 25 years.

Tobacco companies would put $4 billion a year into a trust fund to pay damages to smokers who win a lawsuit.

Mississippi Attorney General Michael Moore announces the settlement

VXtreme Streaming Video

Under the deal, the FDA can regulate nicotine as a drug but cannot ban it until after 2009. That gives the industry years to develop alternatives to nicotine.

Tobacco companies would never again face class-action lawsuits.

Smokers who are ill could no longer sue tobacco companies seeking punitive damages for past industry misconduct, but they could sue to recover actual damages such as medical bills. Smokers still could sue for and collect both actual and punitive damages for any future industry wrongdoing.

The huge deal would settle 40 state lawsuits that seek to recover Medicaid money spent treating sick smokers, along with 17 class-action lawsuits against the industry.

Marketing to children restricted

Cigarette packages would carry stronger warnings, including "Cigarettes are addictive," "Smoking can kill you" and "Cigarettes cause cancer." Smokeless tobacco would also carry stronger warnings.

Sports and entertainment advertising and sponsorships would end, and the sale of cigarettes from vending machines and self-service displays would be banned. Outdoor billboard advertising would be prohibited.

The agreement would force the industry to curb its marketing to children, and would penalize the industry unless tobacco use by children declines by specific targets. The advertising icons Marlboro Man and Joe Camel would be eliminated.

The deal sets a goal of reducing youth smoking by 30 percent in five years, 50 percent in seven years and 60 percent in 10 years. For their part, states would have to reduce illegal sales to minors by 75 percent in five years and 85 percent in seven years or lose some of the settlement money.

Nothing would change immediately

The deal was struck after negotiators at downtown hotels agreed on two final sticking points: that the tobacco industry need not apologize for past misconduct, and how much the tobacco companies must disclose of their most-secret documents.

The news conference to announce the deal was delayed several times, when No. 3 tobacco maker Brown & Williamson disagreed with a key provision: that B&W drop all charges against whistleblower Jeffrey Wigand, whose revelations about industry conduct added fuel to the war on tobacco in 1994. Moore did not detail how Wigand would be protected.

A whistleblower-protection provision was included in the final deal.

Despite the agreement, the attorneys general said they would continue to prepare and try their lawsuits against tobacco companies, in case Congress rejects or alters the pact.

Aides said Clinton, who received regular updates on the talks, would name a special task force to review details of the agreement before taking a final position.

The panel would be headed by Donna Shalala, secretary of the Department of Health and Human Services, and Bruce Reed, the president's top domestic policy adviser. The group would be asked to present its assessment "within about 30 days," an administration official said.

Senate Majority Leader Trent Lott of Mississippi has said that even after a deal is reached, the Senate was "locked out pretty much until September" from acting on tobacco legislation.

Correspondent Brian Cabell, The Associated Press and Reuterscontributed to this report.

FOCUS: TOBACCO UNDER ATTACK **Special Section**

CNN Plus

- Message Board: Tobacco under attack
- Health special: Smoking

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BACK TO TOP

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release March 25, 1996

REMARKS BY THE PRESIDENT AT MEETING WITH ATTORNEYS GENERAL

The Roosevelt Room

11:36 A.M. EST

THE PRESIDENT: Please sit down, everybody. The Attorney General and I are delighted to be here. I understand that the Vice President has already been in here this morning. Mr. Udall, Mr. Harshbarger, and to all the Attorneys General here, you're very welcome in the White House and I'm very glad to see you.

I want to, if I might -- I know we're going to have some time later for questions -- but I wanted to just speak about two things this morning, especially while our friends of the media are here, that directly affect the work that you do. First of all, I want to applaud those of you who have been in the forefront of dealing with the consequences of tobacco to young people in your states.

As you know, this administration has worked on that very hard. We promulgated the Synar regulation to try to help you do what you are trying to do in your states. And we will do everything we can to help you implement those Synar rules as easily and effectively as possible.

No matter how hard we work on that, I'm convinced that it won't be enough. Young people are barraged constantly by messages that glamour and grit can be found in a package of cigarettes. And we believe that we must act much more strongly to make cigarettes less accessible and to make children less subject to the lures of the advertising. And in that connection, I know that 27 of you wrote to the FDA in support of those objectives. I want to thank you for that. It seems to me that all the evidence clearly indicates that we have to continue to move on this front. It is the most serious public health problem that our young people face -- 3,000 of them a day begin to smoke illegally, and 1,000 will have their lives shortened as a result.

crime
violence
police

The second thing I want to mention is to thank you for the partnership we've enjoyed in the fight to reduce crime and violence. The police program is continuing apace. We're actually slightly ahead of schedule in the goal of putting 100,000 more police officers on the street. There is now broad recognition in the county that the community policing strategy is central to the successful efforts that many, many communities have enjoyed in bringing down the crime rate. It's one of the good news stories of the United States in the last few years. And we will continue to do that.

We also have worked hard with you on a number of other areas in the crime bill. I want to mention, if I might, one other thing that's especially important, and that is the issue of gun violence. The Brady Bill, which became the Brady Law, has now directly resulted in over 60,000 people with criminal records being denied access to guns. And it is working well, and I think it has proved beyond even some of us who supported it, even beyond our expectations, that it can made a difference.

As you know, we have had a recent controversy here in Washington with the attempt in the House of Representatives, which was successful in the House, to repeal the assault weapons ban. It is not presently scheduled for a vote in the Senate yet, but the people who got it voted on in the House certainly haven't given up, and there are a lot of people on record in support of repealing it in the Senate. So I ask you for your support on that. It would be a mistake. This country needs a lot of things, but it does not need more assault weapons.

And we now have been through one good set of hunting seasons in every state in America. And so every hunter who was told that that assault weapon ban represented some threat to his or her ability to go out and hunt deer in the deer seasons, or ducks in my home state, now knows that was not true.

And if it does get to my desk, of course, I will veto it, and I'm confident the veto will be sustained. But this should not be brought back up. This should not even be a subject of debate in the United States. But it is still very much alive and well, and so I ask you for your help and your support in that regard.

We have got to continue to work on this crime problem until -- everybody knows we will never totally eliminate crime in America, we can't transform human nature. But I do believe that if work at it we can get back to the time when people turn on the evening news and they see a horrible crime, they're surprised instead of numb to it. And that is, I think, the goal we ought to set for ourselves -- that it should become the exception rather than the rule.

And, again -- I know that I speak for the Attorney General -- we have enjoyed working with all of you and we're glad to be here and we want to answer some of your questions. I think we'll have a chance to visit after we conclude the public portion of this meeting. But I thank you very much. (Applause.)

I asked the Attorney General if she wanted to give a speech. She said, no, you're coming to see her this afternoon. (Laughter.)

Terry.

Q Mr. President, do you think that China and Taiwan are at a turning point now?

THE PRESIDENT: Do yo mean do I think the tensions are going down?

Q Right, where do you think this is going?

THE PRESIDENT: Well, I hope they are. I was encouraged by some statements that came out of both sides in the aftermath of the election. And so I hope that is what is going on.

THE PRESS: Thank you.

END 11:42 A.M. EST

THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript March 27, 1995

REMARKS BY THE PRESIDENT
IN DROP-BY MEETING WITH ATTORNEYS GENERAL

The Roosevelt Room

THE PRESIDENT: Thank you, Attorney General Reno. It's really true, Bob, I did ask her -- (laughter.) And thank you, Judge Mikva. It's kind of nice to have a retired federal appeals court judge as your legal counsel, and it's interesting to see a man make the mental psychological change from having a lifetime job of absolutely no accountability -- (laughter) -- it's the worst job in the government. I want to thank your former colleague, Bonnie Campbell, for agreeing to come on and work with us. And I know all of you will enjoy working with her.

I have a lot of friends in this group. A lot of you have heard me say that the best job I ever had was being attorney general. Believe it or not, when I was attorney general, I had 25 lawyers in my office. And our daughter had not been born yet, and Hillary had just taken up with her law firm. And we just sort of worked around the clock and had a big time.

But I always told everybody it was great because, unlike being governor or president, you really didn't have anything like the burdens of appointing or disappointing or taxing or cutting spending or firing or just gutting it out. And whenever I did anything unpopular, I simply blamed it on the Constitution. (Laughter.) So I envy you in many ways, and I know how important the job is.

I asked the Attorney General for a copy of this because I do hope all of you will look at it. This is the one-year anniversary of our anti-violent crime initiative.

When I became President, one of the things that I was determined to do is to do a good job with law enforcement, to do a good job with the kinds of things that it's often easy for a person as president to talk about, but where, very often, there isn't any follow-up. And, frankly, one of the things that I've learned the hard way here, in both good and bad ways, is that sometimes there doesn't have to be any follow-up. Sometimes the presidency just becomes a talking job. And the words are very important, and the advocacy is very important, but at some point what you do is also important.

And we have tried to be a good partner with law enforcement throughout the country. We have tried to put good people in place, and we've tried to put good policies in place. And I hope you will continue to work with us to see that we do better.

I know that as a result of this program, in the last year, according to these notes I have, over 5,250 cases have been filed against over 7,000 violent people. And the grants that the Attorney General mentioned today, there will be 145 of them going out all across the country. So, we want to continue to work with you in this regard, and we need your support.

I also wanted to say, I guess, General Burstin (phonetic), I probably know a significant percentage of the attorneys general still -- Even though I haven't been one in a long time, I've tried to keep up. I never have had much job security in any of the offices I've held because I've always tried to change so much that I keep looking for one I really like that maybe I can go back to someday. (Laughter.)

I would like to talk about one other thing, if I might, and then if you want to ask a few questions, we'll do that. A lot of you helped us very much last year when we were working on the crime bill. And I did my dead-level best to keep it out of politics, to keep it out of partisan politics. And, frankly, it was out of partisan politics until we got close to the last election.

And then the phenomenon took over that now we've seen can work both ways. If you take any big piece of comprehensive legislation, there is almost always something in it that somebody doesn't like or that you can take out of context. And a lot of the people that had supported our prevention programs all along in response to the pleas of law enforcement associations and law enforcement officers, overwhelmingly, all of a sudden turned wrong last year because they knew that there was a deep public cynicism about anything Washington does with the tax dollar.

So they began to call the programs, that they themselves had sponsored and co-sponsored, pork, which was an interesting thing. It was even more interesting that the people who did it got away with it. And, again, part of it is the problem we have here in Washington that very often everything we do operates at the level of rhetoric, and it's so far from the lives of ordinary people that sometimes the connection with reality is not there.

David Broder -- I don't know if you were here yesterday -- but

David Broder wrote an interesting column in The Washington Post yesterday saying that the Democrats had now wanted to do what the Republicans did to them for two years. The end result ought to be that we both try to work together in good faith and actually get something done that works for the American people.

I think the crime bill is doing that. We have already released grants for over 16,000 police officers to over half the jurisdictions in America. We are running ahead of schedule, and we are running under budget. This program is working. It ought to have a chance to be implemented.

There are two things going on that I think are not good in this area that I want to mention to you. I'm sure you are familiar with it. One is, the attempt to reduce the overall funding of the crime bill, and at the same time, increase funding for prisons but only if the states comply with federal guidelines on sentencing -- and actually, not sentencing -- incarceration. Time actually served. Which is an interesting initiative coming out of this Congress since they said the federal government didn't know how to do anything right and we should give all authority back to the states. That doesn't apply to jailing your criminals or running your civil justice system. The new route up here is that you don't have a clue about how to do that and need all the help you can get from Congress. Which is not to say -- I think there should be some civil justice reform, but I think that the Congress should be somewhat humble in that since it's been the problems of the states for a very long time.

On the crime bill, the proposal would break down the two block grants, more money for prisons and less money for everything else, for police and prevention. And police and prevention would be put into one block grant in a way that makes it absolutely certain that either virtually all the prevention programs would be abandoned, or there is no way we'd ever get to the 100,000 police target that was promised to the American people in the crime bill debate in 1994.

So I think that would be an error, particularly when we see crime rates actually dropping -- something our citizens have trouble believing -- but actually dropping in many areas around the country where aggressive community policing programs have been put in place.

So, I would hope, again, that without regard to party, that all of you would stand up for the fundamental framework of the crime bill and the principles on which it was sold last year to the American people.

The second thing I would like to say is that in this rescission bill of cuts, I guess -- let me just briefly say that frequently at the beginning of a congressional session, there will be a rescission bill which basically cuts the budgets already approved. Usually those rescissions will either be because the money is not necessary anymore or there is some controversial thing in there or because we really think we should -- we need to cut spending. In this case, we have a very large bill where we have to pay for the California earthquake, and we don't want to add to the deficit in doing it. So we will have a substantial rescission bill.

The rescission bill passed by the House of Representatives, however, goes well beyond that and is designed, basically, to lower the base of spending in the federal budget to make the cuts for the next five years easier to pay for the commitments in the Contract on America for lower taxes and also to help to reduce the deficit some. Basically, it's nice to have a little help around here cutting spending -- we've been doing it by ourselves for two years -- and I'm happy to do that.

But I think it's important to point out that some of the things that are in this rescission bill, in my view, are mistakes. And I'll just mention one: The bill eliminates all funding for the Safe and Drug Free Schools Act -- at a time when drug use among young people is going up again for reasons that are somewhat inexplicable but seem to be related to the fact that a lot of young people, for whatever reason, no longer believe that at least recreational use of drugs is dangerous. It's a very, very alarming thing. After about a decade of dropping drug use, all the surveys of the young people show that casual drug use is up again in some categories. And I think we have to continue to give our schools the weapons they need to carry on this fight.

Furthermore, there's still -- as you know better than I -- still serious problems in some areas, and this bill also provides funds for schools that need it for security devices and for police officers and for other things to make the schools safe. So I would hope that when we finally get a rescission bill, I'd certainly like to have one that I could sign. I don't want to get into an endless set of veto fights, and we do need to continue to cut spending here, but that, in my judgment, would be a real error.

So, in sum, I guess what I'd like to say is, if the attorneys general can help us, we need to return to what existed before election season of 1994 which is a bipartisan effort on crime. There should be no partisan hinge to this effort. And there is no American that has a stake in higher crime, and every American has a stake in lower crime and safer streets and safer schools and more secure futures for our children. And so we should -- we should, and we can, if we work at it, put this issue beyond politics again.

We're making some progress on this, you know. I signed the unfunded mandates bill -- which is an issue of a lot of concern for many of you -- last week. We signed a bill a couple of weeks ago to apply to

Congress all the laws they impose on the private sector, which I've been pleading for ever since I was an attorney general. And we got agreement in the Senate on a line-item veto proposal which I believe will get upwards of 70 votes in the United States Senate when it comes to an ultimate vote.

So we are making some progress. And we ought to have some differences of opinion. There are -- you know, we ought to have some honest policy debates. This is an exciting time up here. But if we can, in the next few weeks, put crime back into that category of things where people may differ on policy, but there's not an obvious partisan fight going on every time we turn around, I think the American people will be better off. And so I'd like to ask you to help in getting that done.

Thank you very much. (Applause.)

END

Martin Van Buren was attorney general for New York from 1815 to 1819.

He seems to be the only other president to have been a state attorney general. However, very many presidents were attorneys, as this list shows.

COLLEGES OF THE PRESIDENTS—*Continued*

GEORGIA INSTITUTE OF TECHNOLOGY Carter

UTHWESTERN Carter

DNEY W. H. Harrison

. Adams, J. Q. Adams, T. Roosevelt, F. velt, Kennedy

INS Wilson (Ph.D)

ayes

) B. Harrison

Ford

LINA Polk

L Harding

nton (Rhodes Scholar)

Madison, Wilson

TEXAS STATE L. B. Johnson

Hoover

ur, Carter

ACADEMY Grant, Eisenhower

ADEMY Carter

ixon

MARY Jefferson, Monroe, Tyler

arfield

lson (law school)

ord (law school), Bush, Clinton (law

WHO DID NOT ATTEND E

Washington	Lincoln
Jackson	A. Johnson
Van Buren	Cleveland
Taylor	Truman
Fillmore	

OCCUPATIONS OF THE PRESIDENTS

Twenty-six of the forty-one Presidents were admitted to the bar as attorneys, having fulfilled the legal requirements. However, they were not all graduates of law schools.

The fifteen Presidents not lawyers were Washington and William Henry Harrison, who were farmers and soldiers; Hoover, an engineer; Taylor, Grant, and Eisenhower, professional soldiers; Andrew Johnson, Theodore Roosevelt, Harding, Truman, Kennedy, Lyndon Baines Johnson, Carter, Reagan, and Bush, who were public officials. Theodore Roosevelt and Harding took courses in law but did not become lawyers. George Bush had also been a successful businessman before entering public service.

EARLY OCCUPATIONS

WASHINGTON Surveyor, farmer

J. ADAMS Lawyer, teacher

JEFFERSON Lawyer

MADISON Lawyer

MONROE Lawyer, soldier

J. Q. ADAMS Lawyer, private secretary

JACKSON Lawyer, saddler, owner of racing stable

VAN BUREN Lawyer

W. H. HARRISON Soldier

TYLER Lawyer

POLK Lawyer, clerk

TAYLOR Farmer, soldier

FILLMORE Lawyer, wool comber

PIERCE Lawyer

BUCHANAN Lawyer

LINCOLN Lawyer, farm worker

A. JOHNSON Tailor, public official

GRANT Farmer, soldier

HAYES Lawyer

GARFIELD Lawyer, canal driver

ARTHUR Lawyer, teacher

CLEVELAND Lawyer, public official

B. HARRISON Lawyer

MCKINLEY Lawyer, teacher

T. ROOSEVELT Public official

TAFT Lawyer

WILSON Lawyer, teacher

HARDING Journalist, publisher

COOLIDGE Lawyer

HOOVER Engineer

F. D. ROOSEVELT Lawyer

TRUMAN Farmer, haberdasher, judge

EISENHOWER Soldier

KENNEDY Student, legislator

L. B. JOHNSON Teacher, rancher

NIXON Lawyer

FORD Lawyer

CARTER Farmer, naval officer, businessman

REAGAN Actor, corporate spokesman

BUSH Businessman, Congressman

CLINTON Law professor, governor

characteristic of his adult life: he was a man with hundreds of close friends but no best friend. Virginia Dwire, widowed for a third time the year before and between husbands, listened to the wedding vows with a mixture of pride and dismay. That morning at the Fayetteville Holiday Inn, as Virginia was having breakfast in the coffee shop with her friend Marge Mitchell, Bill had dropped by to say hello and give her an early warning. "Hillary's keeping her own name," he had said, a pronouncement that brought tears to Virginia's eyes. It would take time for her to accept this assertive Yankee daughter-in-law.

After the private ceremony, the wedding party adjourned to the Henry house for a reception that more obviously represented "the gregariousness of Bill," as Ann Henry later described it. Hundreds of friends from all eras of Rodham and Clinton's lives mingled on the spacious back lawn on that gentle autumn Saturday night, drinking champagne and talking about Clinton's political future. "Everybody, even at the wedding, was talking about the next campaign," Henry recalled. "Everybody knew that he was going to run."

If Rodham and Clinton felt an urge to get out of town, they had made no honeymoon preparations. It was only because Dorothy Rodham noticed a special vacation package to Acapulco that they made a getaway later that year. For a politician whose idol was John F. Kennedy, there was a poetic touch to the trip. A generation earlier, Kennedy and his bride Jacqueline Bouvier had also gone to Acapulco after their marriage. It is safe to assume that he did not have anything resembling Clinton's peculiar entourage: at the hotel it was Bill and Hillary and Hugh and Dorothy and Hughie and Tony. Clinton took along a copy of the cultural anthropologist Ernest Becker's *The Denial of Death*, a book that regards the idea of death as "the mainspring of human activity—activity designed largely to avoid the fatality of death, to overcome it by denying in some way that it is the final destiny for man." Clinton also wrote thank-you notes to wedding guests.

THE old boys were not what they used to be, according to that year's progress report by Bob Reich, secretary of the Rhodes class of 1968. Approaching their thirtieth birthdays, they seemed anxious and compromised, looking inward for fulfillment, viewing the outside world with disillusionment or confusion.

Mike Shea was now a lawyer in Honolulu, "fighting the losing battle against middle age" by running marathons, but discouraged that he "could not find a political candidate to support at any level of government." Tom Reinecke, a scientist at the Naval Research Laboratory near Washington, D.C., lamented "the dullness and blandness of the Washington scene—

especially the great Washington suburbia." Bob McCallum, a lawyer in Atlanta, had learned to ski and was "trying to figure out more ways to avoid getting older." According to Reich, who occasionally interjected his own sensibilities into the reports of others, McCallum was "concerned about losing sight of the forest for the trees as his career progresses." Rick Stearns was dabbling in presidential politics again, "doing some consulting" for Arizona congressman Morris Udall. Strobe Talbott was married to Brooke Shearer and working in the Washington bureau of *Time*, where on occasion "he chases around after President Ford, in pursuit of further proof that the Peter Principle applies even—yea especially—at the highest levels of leadership in the Free World." Reich, married to Claire Dalton, the girl he had met at a Univ College audition, was also in Washington, working for the Justice Department, where he was "still filing indefensible briefs before the Supreme Court on behalf of our government."

And of his friend from Arkansas, Reich wrote: "From the political heartland of America comes news of Bill Clinton, who is now married to Hillary Rodham and living in a comfortable suburban bungalow. . . . He is at this moment spending most of his time running for Attorney General of the state, and he expects to be spending most of his time a year from now being Attorney General of his state." Although Clinton's ambitions seemed clearer than most, he, too, expressed a sense of uncertainty. "He says he is concerned that, in spite of his intense political involvements of late, he does not really have a good grasp of what is happening in this country, where we are going and what we can do to make it better. So like most other people he lives and works as best he can."

CLINTON took an unpaid leave of absence from the law school for the 1976 spring semester to begin his campaign for attorney general. In fund-raising letters to out-of-state supporters, he revealed the practical politics dictating his choice: "My opponent in the last election—with an eye over his shoulder—has changed his vote on a number of critical issues, including public jobs and the oil price rollback, and, therefore, is less vulnerable than he was." He made his formal campaign announcement on March 17 in the rotunda of the state Capitol, with Hillary Rodham at his side, calling the attorney general "the principal protector of the people" and promising to expand the consumer protection office and push for stronger antitrust laws.

Although Clinton thrived on the electoral process, he wanted an easier ride this time. He had lost an election, and it was always possible that he could lose again, which would greatly damage both his ego and his nascent career. He was relieved when one potentially difficult opponent, Beryl Anthony, decided not to enter the Democratic primary, but no sooner had

Anthony declined than George Jernigan, the secretary of state, entered the race. Clinton turned to Governor Pryor, who was Jernigan's political benefactor, and pleaded with him to change Jernigan's mind, but Pryor was unwilling to play that slate-making role. On filing day there were three candidates: Clinton, Jernigan, and Deputy Attorney General Clarence Cash. That might have been two more candidates than Clinton wanted, but on the positive side, all he had to do was to win the primary and he had the job—the Republican ticket lacked a candidate for attorney general.

The primary turned out to be a mismatch. Jernigan and Cash could claim experience in state government that Clinton lacked, but they had none of his abilities as a political networker. Clinton had found a way to reach virtually every courthouse in the state, and in those areas where he was less well known, the word was spread by former law students—another advantage of teaching at a public university that took scholars from every corner of the state who tended to return home to practice law. Newspaper ads listed the scores of former law students who declared that they could ease any doubts voters had about Clinton. Jernigan later acknowledged that when he was on the road, he would retire to his motel room at an early hour, turn on the television, and order room service. It is hard to imagine Clinton following a similar routine. He was too overloaded with energy and ambition to keep to himself for long. He was alert to danger and opportunity, plotting the next move, studying the landscape, looking for allies. Political campaigns tend to imitate the rhetoric of military campaigns, with battles and skirmishes and armies and war rooms, but in Clinton's case the war metaphor runs on a deeper psychological level. The campaign became the equivalent of the war that he never fought. It was a means of pardoning his past and making himself feel worthy. His speech at the party's kickoff rally in Russellville was like something out of the Civil War era: one can hear the strains of first Whitman and then Lincoln as Clinton strove to create the aura of a veteran in a noble cause.

"This morning as I drove up Highway 7 from Hot Springs in the breathtaking beauty of our Arkansas spring," Clinton said, "I thought of all the long roads so many of us have walked together, up and down this river valley—not just through the main towns, but also to the hamlets of which so many others are dimly aware—to Houston, Casa and Adona; Havana, Briggsville and Chickalah; Coal Hill, Hartman and Lamar; Hector, Appleton and Dover and more. I know them all because they are home to me, because of you. I believe there is an unbreakable bond between us and I have tried to keep faith with it. . . . Now I need you once more to fight another battle. If you will do it, it will be an exhilarating reaffirmation of the work to which I have given the fullest measure of my time and strength and spirit."

Some bonds were less unbreakable than others. When Clinton appeared before the state AFL-CIO convention in Hot Springs in April, the convention hall rustled with rumors that he considered organized labor support a mixed blessing and wanted to shed his image as a tool of the trade unions. In 1974, at that same convention, Clinton had received rousing standing ovations and an endorsement that helped him get through the congressional primary, and in his general election campaign against Hammerschmidt trade union contributions accounted for 25 percent of his treasury. But now, only two years later, he lost the endorsement by rejecting labor's litmus test: he refused to sign a petition to place an amendment on the November ballot calling for repeal of the state's right-to-work law. State labor leaders considered Clinton's action a gratuitous political ploy in which he used labor to revise his public image in a southern, agrarian state that lacked a strong union tradition. It was a characterization which Doug Wallace, who once again served as Clinton's press secretary, did not dispute. "There was a sense that labor was not that critical to the attorney general's race," Wallace said later. "And we had to move away from the 1974 image."

Clinton's strategic straight-arming of labor at the 1976 convention is important to an understanding of his political evolution. First, it shows that he was adjusting to what he perceived as the temper of the time. In one labor questionnaire in which Clinton explained his refusal to support repeal of the right-to-work law, he argued that "this is a bad time because our people generally are in a conservative mood." Second, it set a precedent that Clinton would follow throughout his career: to demonstrate independence, he would rebuke traditional allies, from labor leaders who wanted union shops to schoolteachers who opposed teacher testing to African American leaders who would not repudiate a rap singer's militant remarks. There was a certain fail-safe method to Clinton's rebukes: they were directed at groups who had fallen out of public favor.

That is not to say that Clinton's political positioning was one-dimensional. If he reacted to the public sentiment in 1976, he also studied it with intensity. Sensing a prevailing mood of disillusionment, he began writing out his thoughts on yellow legal pads, and eventually put them together in a series of speeches. At the graduation ceremonies for political science majors at Arkansas State University in Jonesboro on April 27, he defended the profession of politics and noted that he had "devoted twelve years to becoming well educated, well disciplined and well motivated in politics," only to arrive on the political scene at a time when "most people believe that politicians are either corruptible, weak or ineffective." He still believed that politics could be "honorable and important work," he said, but worried that the public was losing faith and interest because of the disconnected nature of modern American culture.

In one speech at a bicentennial celebration in Ashdown, he identified television as a villain. "More and more, especially in our cities, people withdraw in their nonwork hours, to the isolation of their TV rooms, where for hours on end they can pass the time without having to feel, without having to take the initiative to be creative and to improve their lives," Clinton said. The resentment that people expressed against their government, he reasoned, was "a reflection of the bitterness they felt about themselves and their inability to change." How to change things? Clinton offered regular town meetings as one solution. "Although they would almost surely be sparsely attended at first, they can be the beginnings of a new involvement."

On primary day, May 26, Clinton avoided a runoff by amassing 55.6 percent of the vote against Jernigan and Cash. He carried all but four Arkansas counties and trounced his opponents in the Third Congressional District. He thought he might take every ballot in Newton County, one of his favorite pockets along the Buffalo River in the Ozarks, where he had talked to almost every voter, but settled for nine out of ten, vowing that next time he would win over the seventy-three people who chose Jernigan and the eighty-one who preferred Cash.

As his thirtieth birthday approached, Clinton traveled to Hope and walked the paths of Rose Hill Cemetery to the grave of William Jefferson Blythe, the father he never knew. He thought to himself, he said later, about how he had passed another milestone that his father, killed at twenty-eight, never reached. That Blythe died at such an early age haunted Clinton and made him anxious, despite all that he had accomplished. He had his first elected post locked up, he was mixing with the richest and most powerful people in Arkansas, he was the golden boy of the state Democratic party, and yet he still felt "an urgent sense to do everything" he could in life as quickly as possible. He had grown up, subconsciously, on his father's timetable and felt that in some ways he was living for both of them. If he was not obsessed with death, mortality was never too far from his mind. He was "acutely aware that you never really know how much time you have."

Clinton paused at one point on his birthday to write a note to Betsey Wright in Washington. "All is madness here," he exclaimed to his friend from the Texas McGovern campaign. Without a general election of his own to worry about, he signed up to work for the presidential campaign of fellow southerner Jimmy Carter. He indicated to Wright that he could not arouse much animosity toward Gerald Ford, but felt freer to attack the Republicans "now that the biggest prick in Congress is on the ticket"—a reference, presumably, to Ford's runningmate, Senator Bob Dole of Kansas.

At a meeting in Atlanta with Tim Kraft, Carter's national coordinator, Clinton was invited to run the Texas operation again. But it made no sense for him to work outside Arkansas in the months before he would take over as attorney general. He declined the offer and stayed home, where as Carter's state chairman he could prepare for his new job and build more contacts for his political rise. Hillary Rodham felt no similar compunction to stay on in Arkansas. After a vacation with Clinton in Spain, she took a leave from the law school and left for Indianapolis, where she served as Carter's state field director through the November election.

The effort in Arkansas could not have been more different from what Clinton had gone through for McGovern in Texas four years earlier. Whereas in Texas, Clinton was constantly on the defensive, mediating factional disputes, trying to interpret a northern liberal to a southern conservative electorate, facing a hostile rebellion from the business establishment, this time he had a candidate who was from the same southern culture and who was on intimate terms with the key financial players in the state. Georgia, like Arkansas, was a major poultry center, which led to a strong connection between Carter and Don Tyson. Tyson raised tens of thousands of dollars for Carter within the poultry industry. Even more valuable were Carter's personal ties to Jackson Stephens, head of Stephens Inc., the largest investment bond firm outside Wall Street and the most politically potent financial enterprise in the state. Stephens, a conservative who often supported Republicans on the national level, had been Carter's classmate at the Naval Academy. When Carter visited Little Rock, he stayed at Stephens's house. Stephens's son-in-law, Craig Campbell, worked side by side with Clinton on the Carter campaign. And, of course, the biggest difference of all with the McGovern campaign was that Carter won, in Clinton's state and in the nation.

LITTLE Rock was a new world for the new attorney general and his wife, as different from Fayetteville as Fayetteville had been from New Haven and Washington. Fayetteville was informal and collegial, more progressive than the rest of the state, a town of easy friendships. Little Rock was more formal, striving to be a little Dallas, with stratified social sets, a city of country clubs and debutante balls and corporate lunches. Rodham and Clinton found a small house in the historic Hillcrest neighborhood to the west of the state Capitol and cultivated another circle of friends in government and law. The transition was more dramatic for Rodham. She went from directing a legal aid clinic at a state university to practicing law at the Rose Law Firm, the oldest and most traditional legal house in Arkansas, with an impressive roster of deep-pocket corporate clients. Law school colleagues were reluctant to lose Rodham, whom they considered a future star ("Divorce him and stay here!" her colleague Mort Gitelman had said jokingly one day), but financial and political considerations ruled out a commuter marriage. As much as Clinton and Rodham enjoyed the relaxed style of living in Fayetteville, there were names to be made in Little Rock.

There was never any doubt that the attorney general's office was nothing more than a brief stop on the road for Clinton. When raising money for the election, his supporters promoted his grander intentions. H. T. Moore, who had worked on Clinton's congressional campaign as a law student in Fayetteville and then set up a law practice in the town of Paragould in northeast Arkansas, sent out fund-raising letters for the attorney general's race with the message that it would be smart to "get on board early." It was accepted that Clinton, when he arrived in Little Rock, was the governor-in-waiting.

The attorney general's job played to his strengths. He could position himself as a populist, give speeches, travel, expound on the state code, shape broad policy decisions, and he did not have to spend much time behind a desk making difficult decisions on appointments and programs that might antagonize people. He created the position of chief of staff and gave the job to a nonlawyer, Steve Smith. Lawyers who had worked for Clinton's predecessor, Jim Guy Tucker, detected a change in the office when Clinton arrived. Although Tucker, who left for a seat in Congress, was a political animal, Clinton was more of one. He seized on one of the populist issues of the day, utility rates, and created a division of energy conservation and rate advocacy with double the previous litigation staff. He challenged the telephone companies when they raised the pay-phone rates to a quarter and often appeared at hearings to cross-examine utility officials.

Clinton and Rodham now found even more networks open to them. They made the extended guest list for dinners at the Carter White House, and Clinton was summoned to Washington occasionally for national briefings. As the state Democrat most closely associated with Carter, he was given an informal role reviewing all federal patronage appointments from Arkansas. When a vacancy arose, Carter named Rodham to the board of the Legal Services Corporation, and she quickly became its chairwoman. Clinton developed a friendship with Eddie Sutton, coach of the University of Arkansas basketball team. They would talk about the similarities of their professions: in politics and basketball alike, you battle all the time and you get immediate results.

All in all, Clinton seemed delighted with himself in his first elected job. He had his own office with his own staff and his own private quarters. On the inside door of his private bathroom, he put up a life-sized poster of fleshily abundant Dolly Parton in a skimpy outfit. Terry Kirkpatrick, who worked in the criminal division of the attorney general's office, spotted Clinton ambling down the hallway one night when she was staying late to write a brief. "He was just walking around, looking in all the offices, like he was surveying his fiefdom. He had a big grin on his face." After encountering Kirkpatrick, Clinton strolled into the office of another assistant, Joe Purvis, who had been his friend since they attended nursery school together in Hope. "He put his feet on my desk, which means they were on top of a pile of papers," Purvis later recalled. "He offered me a stick of gum. I think I said, 'What in the hell do you want?' It was like, say what you came to say and get the hell out. Bill said, 'I said, are you having fun? If you're not having fun, it becomes just work, and it's time to move on to something else.' "

Clinton was having fun, yet thinking about moving on to something else at the same time. Rising to the position of attorney general of Arkansas would not be enough to place an asterisk next to his name in the billion pages of the book of life, the goal he had set for himself in a letter to Denise Hyland long ago. Thoughts of premature death came back to him again three days before his thirty-first birthday. On August 16, 1977, he was in Fort Smith to deliver a speech when he heard that Elvis Presley had died. Elvis was more than a slick-haired crooner in the Clinton family culture. He was a cherished icon. Clinton's mother idolized Elvis and Bill, two southern charmers with sleepy eyes and soft voices and talents beyond their backwater roots. Clinton memorized the lyrics to many of Elvis's songs as a teenager, and even during the sixties, when the King seemed out of style, there was some part of Clinton that held on to that corner of his past. Elvis's death left Clinton transfixed. He visited the home of a longtime supporter, Marilyn Speed, after his speech, and did not want to leave and miss any of the television coverage. Terry Kirkpatrick, who traveled with him that day, remembered that the end of Elvis was all her boss would talk about: "All the way home on the plane he talked about it. He talked about the passing of an era. His youth. What a wasted life. It moved him deeply."

EARLY that fall of 1977, Clinton's chief of staff, Steve Smith, placed a call to a young political consultant in New York named Richard Morris who had been soliciting new clients around the country and had some novel ideas about how polls could be used to shape rhetorical arguments in campaigns. Morris flew down to Little Rock and met with Clinton at the attorney general's office. At that meeting, according to Morris, Clinton said that he had a difficult decision to make about whether to run for governor or

N·A·A·G

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
750 FIRST STREET, NE, SUITE 1100
WASHINGTON, DC 20002
PHONE: (202) 326-6053
FAX (202) 408-6999

Date: March 10, 1998

To: Fred DuVal 62496

Fax #:

From: Christine Milliken

Re: NAAG -- 1998 Spring Meeting

Per your request.

Number of Pages (including this page): 12

If there are any problems with this transmittal, please call me at (202) 326-6054.

NAAG PRINCIPLES OF PUBLIC HEALTH FOR CONGRESSIONAL ACTION

NOTE: General Harshbarger has proposed two amendments: (1) under first resolved clause #1 -- replace to provide disclosure with to require disclosure; and (2) under be it resolved, #4 should read: Food and Drug Administration (now reads -- Federal Drug Administration).

Co-Sponsors are: **Attorneys General Christine Gregoire, Jim Doyle, Mike Moore and Grant Woods**

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Proposed

Spring Meeting
March 11-13, 1998
Washington, D.C.

RESOLUTION

NAAG PRINCIPLES OF PUBLIC HEALTH FOR CONGRESSIONAL ACTION

WHEREAS, tobacco use is addictive and the leading cause of preventable death in the United States today; and,

WHEREAS, everyday 3000 children start smoking and over 420,000 people die each year from tobacco-related causes; and,

WHEREAS, the Food & Drug Administration has found that cutting underage smoking in half would prevent well over 60,000 early deaths per year; and,

WHEREAS, the State Attorneys General, like the Food & Drug Administration, the Federal Trade Commission and other public health authorities, have concluded that tobacco advertising and marketing contributes significantly to the use of tobacco products by children and adolescents, and that sweeping new restrictions on the sale, promotion, and distribution of tobacco products are needed; and,

WHEREAS, the State Attorneys General believe that the tobacco industry should be subject to on-going regulatory oversight, and all sales of tobacco products should be subject to state and federal laws imposing sanctions to ensure that they are not sold or accessible to underage purchasers; and,

WHEREAS, the President of the United States and Congress have the power and capability to achieve the goals of protecting consumers, protecting our children, providing industry document disclosure regarding health effects, and reducing potentially staggering public health costs to tax payers;

NOW, THEREFORE, LET IT BE RESOLVED that the National Association of Attorneys General urges the President and Congress to enact federal legislation that comprehensively addresses the national public health issues posed by tobacco products. The principles of a public health agenda should include:

1. The Food & Drug Administration must have the authority to regulate nicotine, cigarettes, and smokeless tobacco products as a drug and as a drug delivery device; including the authority to oversee the manufacturing process and to provide disclosure and a safety assessment of all ingredients.

2. All sales marketing and advertising to children under the age of 18 must be prohibited and strong enforcement sanctions enacted that define success in quantifiable terms. The tobacco industry should be held to a performance standard. Failure to achieve youth reduction goals by the industry must result in substantial financial penalties.

3. A national minimum licensing standard for the sale of product applicable to the states, federal, and tribal governments that requires no self-service, no sampling, and no sale to those under 18 years of age with sanctions including loss of license to sell. States, locals, and tribes are not pre-empted from creating stiffer requirements and are provided funds for enforcement and compliance goals are set.

4. Package warnings patterned after the Canadian experience must be included with authority to the Federal Drug Administration over health warnings on labels.

5. The price of a pack of cigarettes and smokeless tobacco must be increased nation-wide (including sales on federal, state, and tribal lands) to a level sufficient to effectively discourage children without inviting the creation of a contraband market.

6. A national minimum ban on smoking in designated public places including those most frequented by children, such as fast food restaurants.

7. Adequate funding should be made available to states and local government for counter advertising and counter marketing, public education, and cessation programs with special emphasis on those historically targeted by the cigarette manufacturers such as kids, women, and minority groups.

8. The legislation should clarify that no state or local preemption is intended that would hinder or prevent states or local governments from adopting stricter laws with the limited exception of federal regulatory authority to regulate such things as package warnings and product manufacturing.

9. Funds gained through individual or collective state settlements should not be subject to any financial claim by any federal agency; states should receive adequate compensation, if their lawsuits are settled through federal legislation.

Co-Sponsors are: Attorneys General Frankie Sue Del Papa, Mike Moore, Alan Lance and Scott Harshbarger

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Proposed

Spring Meeting
March 11-13. 1998
Washington, DC

RESOLUTION

ASKING PROFESSIONAL AND AMATEUR ATHLETES TO PARTICIPATE IN EFFORTS TO REDUCE USE OF TOBACCO BY UNDERAGE YOUTH

WHEREAS, every day 3,000 underage children begin using tobacco eventually causing a range of tobacco-related illnesses and death,

WHEREAS. professional and amateur athletes of all sports are role models for the children of our nation; and

WHEREAS, as role models, professional and amateur athletes can discourage many children from using tobacco; and

NOW, THEREFORE, BE IT RESOLVED, THAT THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL:

1. commends those policies and practices of professional and amateur athletes, their associations, and their governing bodies such as the Tobacco Policy of the Office of the Commissioner of Major League Baseball which prohibits the use or possession of tobacco at ball parks and during team travel;

2. calls upon all professional and amateur athletes, their associations, and their governing bodies to voluntarily review their current policies and practices to assure that, when at all possible, those policies and practices prohibit the use of tobacco and tobacco products by players and other related personnel;

3. asks all professional and amateur athletes, their associations, and the governing bodies of all professional athletics to review and/or establish and maintain public education programs and other activities specifically designed to discourage children from ever using tobacco and tobacco product; and

4. authorizes the Executive Director and General Counsel to transmit this resolution to interested individuals and associations.

Co-Sponsors are: Attorneys General Frankie Sue Del Papa, Mike Moore, Alan Lance and Scott Harshbarger

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Proposed

Spring Meeting
March 11-13. 1998
Washington, DC

RESOLUTION

ASKING ACTORS AND ACTRESSES AND THE MOTION PICTURE INDUSTRY TO TAKE STEPS TO REDUCE USE OF TOBACCO BY CHILDREN UNDER 18

WHEREAS, every day 3,000 under age children begin using tobacco eventually causing a range of tobacco-related illnesses and death; and

WHEREAS, the children of our nation look up to and model actors and actresses as they appear in motion pictures as well as the private lives of those performers; and

WHEREAS, the National Association of Attorneys General respects the First Amendment and artistic rights of producers, directors, and writers of motion pictures to express themselves in the films they develop:.

NOW, THEREFORE, BE IT RESOLVED, THAT THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL:

1. calls upon all producers, directors, writers and others with responsibility for the content of motion pictures to voluntarily review the use of cigars and cigarettes in film, to assure that, when at all possible, the use of tobacco and tobacco products by actors and actresses in film, are eliminated or reduced;

2. asks all actors, actresses, and others in the film industry who are role models to consider establishing and maintaining public education programs and other activities specifically designed to discourage children from ever using tobacco and tobacco products; and

3. authorizes its Executive Director and General Counsel to transmit this resolution to interested individuals and associations.

Co-Sponsors are: Attorneys General Frankie Sue Del Papa, Mike Moore, and Scott Harshbarger

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Proposed

Spring Meeting
March 11-13. 1998
Washington, DC

RESOLUTION

ASKING NATIONAL AND STATE HIGH SCHOOL RODEO ASSOCIATIONS TO DISCOURAGE THE USE OF TOBACCO PRODUCTS BY CHILDREN UNDER 18

WHEREAS, every day 3,000 underage children begin using tobacco eventually causing a range of tobacco-related illnesses and death; and

WHEREAS, thousands of children under the age of 18 participate in high school rodeo activities which promote a healthy lifestyle to children; and

WHEREAS, state and national high school rodeo association shave the unique opportunity to teach the children participating in that sport the health consequences of tobacco use and especially the health problems which can result from the use of "spit" or smokeless tobacco:

NOW, THEREFORE, BE IT RESOLVED, THAT THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL:

1. asks that all state and national high school rodeo associations voluntarily review their current programs and activities which discourage the use of all tobacco, bu especially "spit" or smokeless tobacco for their effectiveness; and

2. asks that, upon completion of that review, those state and national high school rodeo associations consider establishing and maintaining enhanced programs and activities which discourage children under 18 who participate in rodeo activities from using any tobacco product and especially "spit or smokeless tobacco; and

3. authorizes the Executive Director and General Counsel to transmit these resolutions to interested associations and individuals.

January 27, 1998

The Honorable William J. Clinton
President of the United States
White House
Washington, DC 20500

Dear President Clinton:

As the Attorneys General of our states, we represent our states' interests regularly in the federal courts of this country. Our federal cases involve such crucial matters as the affirmance of criminal convictions, the implementation of the death penalty, claims of the denial of civil rights and employment discrimination, the enforcement of laws protecting elderly citizens against telemarketing fraud, the extent of Indian treaty rights, and much more.

We share Chief Justice Rehnquist's great concern that the Senate's refusal to act on a large number of your nominations to the federal bench will have a deleterious effect on the administration of justice. As you are well aware, nearly 10% of federal judicial positions are vacant. The Senate is sitting on over forty nominations. The Chief Justice has stated, "Vacancies cannot remain at such high levels indefinitely without eroding the quality of justice that traditionally has been associated with the federal Judiciary."

It's time to stop ~~pol~~

The Senate's refusal to take up the nominations is apparently a political matter. But these politics are of no meaning to our states and the people affected by these lawsuits. Crime victims, or their families, should not have to wait for a final resolution of their cases because of political delays. Elderly victims of telemarketing frauds should not have to continue to be victimized because of political delays. Crucial state cases that may well determine how our state law enforcement officers conduct themselves, how our state institutions are operated and how the states relate to Indian tribes should not be delayed because of politics.

We have great respect for the federal Judiciary. Our offices appear every day before federal judges, appointed by both Republican and Democratic presidents. Their quality, integrity and commitment to justice are not affected by the party of the President who appointed them. Justice must be non-political.

The Constitution gives the President the power to nominate and the Senate the power to confirm. We understand that the Senate should carefully review your nominations. We hope that every review focuses strictly on the qualifications of the nominee and not his or her political views. We hope further that the Senate will do its duty and will promptly take up your nominations, so that matters important to our states, and their people, are not harmed by delay.

Respectfully,

Robert A. Butterworth
Attorney General of Florida

Jeffrey A. Modisett
Attorney General of Indiana

Tom Miller
Attorney General of Iowa

A.B. Chandler III
Attorney General of Kentucky

Scott Harshbarger
Attorney General of Massachusetts

Frank J. Kelley
Attorney General of Michigan

Hubert H. Humphrey III
Attorney General of Minnesota

Frankie Sue Del Papa
Attorney General of Nevada

Tom Udall
Attorney General of New Mexico

Michael F. Easley
Attorney General of North Carolina

Heidi Heitkamp
Attorney General of North Dakota

Drew Edmondson
Attorney General of Oklahoma

Jan Graham
Attorney General of Utah

William H. Sorrell
Attorney General of Vermont

Christine O. Gregoire
Attorney General of Washington

James E. Doyle
Attorney General of Wisconsin

Home

CAMPAIGN for TOBACCO-FREE Kids

Chronology

Chronology

Highlights are highlighted

This is not complete but may be helpful

A Chronology of Events in the War on Tobacco
August 1995 - November 1996

August 10, 1995

President Clinton announced his support for the Food and Drug Administration's (FDA) proposal to regulate tobacco sales and marketing aimed at youth. Proposal aims to reduce teen tobacco consumption by 50 percent over seven years.

August 11, 1995

The nation's five largest tobacco companies filed a lawsuit in Federal District Court in Greensboro, North Carolina, to block the FDA's rulemaking procedure. Six trade groups, including the National Advertisers and the American Association of Advertising Agencies, filed separate lawsuits in North Carolina, challenging the proposed FDA regulations.

August 11, 1995

The FDA's proposed rules were published in the Federal Register.

October 6, 1995

A leaked, internal RJ Reynolds memo revealed that the company discussed plans to develop a cigarette brand for the "14 to18-year old." In a 1976 report, "Planning Assumptions and Forecast for the Period 19771986 for the R.J. Reynolds Tobacco Company," an RJR executive wrote, "Evidence is now available to indicate that the 14 to18-year old group is an increasing segment of the smoking population. RJRT must soon establish a successful new brand in this market if our position in the industry is to be maintained over the long term."

October 16, 1995

The FDA extended the public comment period on the proposed rule to January 2, 1996.

October 18, 1995

A *Journal of the National Cancer Institute* study concluded that tobacco advertising and promotion influence adolescents' decisions to begin smoking more than peer pressure or parental smoking. (Nicola Evans, et al., "Influence of Tobacco Marketing and Exposure to Smokers on Adolescent Susceptibility to Smoking," *Journal of the American Cancer Institute,* October 18, 1995.)

November 14, 1995

Newspaper publisher KnightRidder introduced new guidelines restricting tobacco advertising in its newspapers, acknowledging the role tobacco advertising plays in encouraging people to begin smoking. According to the voluntary guidelines, the papers will not print "cartoonlike" ads, advertisements with misleading phrases like "alive with pleasure," or ads that give the impression that smoking leads to physical beauty or sexual attractiveness.

December 19, 1995

The University of Michigan's "Monitoring the Future" study reported that in 1995 pastmonth smoking among eighth graders rose by onethird, to 19 percent of 8th graders and 28 percent of 10th graders.

December 19, 1995

Massachusetts filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

December 19, 1995

The nation's largest retailer and wholesaler associations announced the "We Card" program to provide training and educational materials to retailers to prevent the sale of tobacco products to underage customers. The group, known as the Coalition for Responsible Tobacco Retailing, is funded by the tobacco industry.

January 2, 1996

Public comment period on FDA proposal closed. Tobacco industry submits 2,000 pages of arguments and an additional 45,000 pages of supporting research.

January 18, 1996

The Department of Health and Human Services released the final rule for compliance under the Synar Amendment (named for former Congressman Mike Synar). The Synar Amendment allows states to negotiate with the federal government to determine their specific timetables for reducing illegal tobacco sales.

January 25, 1996

The Centers for Disease Control and Prevention (CDC) released a sweeping report, *State Tobacco Control Highlights 1996,* providing a compilation of diverse state and U.S. tobaccorelated data. The report found that deaths related to smoking and smoking prevalence among adults to be highest in Nevada. The report also found that pastmonth cigarette smoking among youth to be highest in West Virginia.

January 26, 1996

The Wall Street Journal published excerpts of a sealed deposition from Jeffrey Wigand (former Brown & Williamson employee) that was leaked to the paper. Wigand claims that former B & W CEO Thomas Sandefur repeatedly acknowledged that nicotine is addictive, comments that directly contradict Sandefur's testimony before Congress.

February 2, 1996

An annual survey conducted by *Who's Who Among American High School Students* found that 65 percent of honor students say that cigarette smoking is "in" at their schools.

February 5, 1996

The Arizona Department of Health Services kicks off a $5.5 million counter-advertising campaign to prevent young people from smoking. Arizona joins California and Massachusetts as states conducting paid ad campaigns financed by state excise taxes on tobacco products.

February 12, 1996

The National Center for Tobacco-Free Kids is established with $30 million in startup funds from the Robert Wood Johnson Foundation and the American Cancer Society.

February, 1996

The American Journal of Public Health published a study that found merchants participating in RJ Reynolds' voluntary youth access prevention program "It's the Law" were just as likely to make illegal sales as those merchants who were not participants. (Joseph DiFranza, et al., "Youth Access to Tobacco: The Effects of Age, Gender, Vending Machine Locks, and 'It's the Law' Programs," American Journal of Public Health, February 1996, Volume 86, No. 2, p. 221.)

March 2, 1996

Victor Crawford, tobacco control advocate, died from throat cancer. Crawford was a former Tobacco Institute lobbyist, who became the first tobacco company official to speak out against the industry.

March 5, 1996

The March issue of *American Journal of Preventive Medicine* included the article, "The Extent of Cigarette Brand Switching: Results from the Adult Use of Tobacco Survey." The study found that brand switching alone accounts for only a small part of tobacco advertising and promotional expenditures.

March 12, 1996

The Liggett Group announced a settlement in the Castano class action suit and a proposed settlement with states suing tobacco companies for the Medicaid costs of treating smokingrelated diseases. The Liggett Group also agreed to drop its opposition to the FDA's tobacco regulations. President Clinton called the settlement the "first crack in the stone wall of denial."

March 13, 1996

Louisiana filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

March 14, 1996

A U.S. Public Interest Research Group (U.S. PIRG) study found that the 124 Representatives who signed a letter opposing the FDA's proposal to regulate the sale and marketing of tobacco to children received 69 times the average donation from tobacco companies received by the 86 Representatives who signed a pledge to support the regulations.

March 14, 1996

The CAMPAIGN FOR TOBACCOFREE KIDS released two studies (U.S. Pirg and Common Cause) showing the tobacco companies giving record amounts of money (both PAC and soft money contributions) to political parties and members of Congress. The CAMPAIGN also unveiled the "Spotlight on Tobacco Cash," an initiative asking elected officials and political candidates at all levels to sign a pledge to refuse campaign contributions from the tobacco industry.

March 18, 1996

The New York Times reported that the Justice Department is expected to issue indictments against tobacco company employees as federal prosecutors stepped up their investigations in five grand jury cases of tobacco employee fraud and perjury.

March 18, 1996

FDA Commissioner David Kessler announced that he would reopen the public comment period on the proposed FDA regulations, based on new testimony by three former Philip Morris employees in which they detail company efforts to understand the effects of nicotine on smokers and adjust nicotine levels in cigarettes accordingly.

March 18, 1996

As part of its settlement with five states suing the tobacco industry to recoup Medicaid costs, tobacco manufacturer Liggett Group agreed to adopt some of the FDA's proposed restrictions on tobacco marketing and advertising.

March 21, 1996

The Giant, A&P, and Pratt supermarket chains agreed to voluntarily institute policies designed to prevent cigarette sales to youth.

March 22, 1996

A *Wall Street Journal* article reported that according to three former tobacco industry scientists who have spoken out against their former employers, their research on the development of a "safer" cigarette was suppressed or ignored.

March 28, 1996

Texas filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

March 29, 1996

The CDC published a Morbidity and Mortality Weekly Report (MMWR) entitled "Philip Morris Cigarette Recall 1996." The study found that eight billion cigarettes recalled in 1995 were no worse than the regular product and concluded that the recall detracted from the real health hazards of smoking.

March, 1996

An American Heart Association poll found 88 percent of Americans think their member of Congress should support the FDA's proposal to stop the sale and marketing of cigarettes to children; 47 percent said they would be less likely to vote for a local member of Congress who was accepting campaign contributions from the tobacco companies; and 81 percent of Americans do not trust tobacco companies to promote voluntary restrictions on the sale and marketing of their products to children. (Global Strategy Group, for the American Heart Association)

April 3, 1996

The CAMPAIGN FOR TOBACCOFREE KIDS held a press conference to release a study in the *Journal of Marketing*. The study concluded that children are three times more sensitive than adults to cigarette advertising. (Richard Pollay, et al., "The Last Straw? Cigarette Advertising and Realized Market Shares Among Youths and Adults, 19791993")

April 9, 1996

A study published in the April issue of *Pediatrics* found that pregnant women who smoke are 50 percent more likely to have mentally retarded children than are nonsmoking pregnant women.

April 17, 1996

Nicorette gum became available for nonprescription sale as a smoking cessation aid.

April 23, 1996

The Washington Post disclosed a 1973 RJ Reynolds marketing memo from Claude E. Teague, then RJR assistant director of research and development. The memo proposed marketing cigarettes to underage smokers, suggesting that teenage rebellion might make the risks of smoking more attractive to that market.

April 29, 1996

RJ Reynolds started final-phase of market testing for its new lowsmoke cigarette, Eclipse, in Chattanooga, Tennessee.

May 1, 1996

Maryland filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

May 3, 1996

3M Media, the nation's thirdlargest outdoor billboard advertising company, decided to no longer accept billboard contracts after this year.

May 7, 1996

The New York City's Public Advocate and the CAMPAIGN FOR TOBACCOFREE KIDS cosponsored "Kick Butts Day" in more than 40 schools in 13 cities. Children and teenagers nationwide spoke out against the tobacco marketing tactics that target kids. At a school in New Jersey, President Clinton participated in Kick Butts Day.

May 13, 1996

The Supreme Court struck down a state ban on advertising the prices of alcoholic beverages (44 Liquormart v. Rhode Island) on grounds that it violates First Amendment rights to free speech.

May 15, 1996

Philip Morris and U.S. Tobacco, the largest manufacturer of smokeless tobacco, announced they would accept limited federal regulation over tobacco sales and marketing in exchange for preventing the FDA from ever having jurisdiction over tobacco.

May 23, 1996

A federal appellate court in New Orleans disqualified the Castano suit as a national class action on the grounds that it involved too many different state laws and too many plaintiffs. The ruling overturned a 1995 decision that would have allowed almost any smoker in the country to sue the tobacco industry on grounds that tobacco companies manipulated nicotine levels to addict smokers.

May 24, 1996

The CDC reported that smoking among youth has reached its highest level in 16 years. Pastmonth smoking among high school students increased dramatically within four years, rising from 27.5 percent in 1991 to almost 35 percent in 1995. According to the same study, smoking rates among African American males nearly doubled within four years. ("Tobacco Use and Usual Source of Cigarettes Among High School Students United States, 1995," Morbidity and Mortalitv Weekly Report.)

The CDC also reported that more than 75 percent of underaged high school students were not asked to show proof of age when they purchased cigarettes. ("Tobacco Use and Usual Source of Cigarettes Among High School Students United States, 1995," Morbidity and Mortality Weekly Report.)

May 31, 1996

World NoTobacco Day activities in U.S. highlighted the link between tobacco, sports, and the arts.

May 1996

A study in the spring issue of *Tobacco Control,* led by the CDC's Dr. David Mannino, estimated that 10.5 million children are exposed to cigarette smoke in their homes daily and showed that exposed children are more likely to have colds, flu, bronchitis, and pneumonia, and miss more school days than other children.

May 1996

Philip Morris conducted an ad campaign in Europe suggesting dangers from secondhand smoke are less than those from eating cookies or drinking milk.

June 3, 1996

The National Center for TobaccoFree Kids officially opened its doors.

June 5, 1996

Washington filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

June 10, 1996

Texas Democratic party announced it will no longer accept contributions from tobacco companies.

June 12, 1996

The CAMPAIGN FOR TOBACCOFREE KIDS announced Anna Santiago (Highland Park, Illinois) as the winner of the inaugural national youth advocate of the year.

June 13, 1996

In a Presidential campaign appearance, Bob Dole stated his belief that nicotine is not necessarily addictive and that the FDA does not have the jurisdiction to regulate tobacco as a drug.

June 17, 1996

Mississippi Attorney General Mike Moore announces that six new tobacco industry whistle blowers have come forward to help states that are suing the tobacco industry to recoup tobaccorelated Medicaid costs.

June 27, 1996

ABC News' "Peter Jennings Reporting" aired a onehour documentary, "Never Say Die How the Cigarette Companies Keep on Winning."

July 3, 1996

FDA approved Nicotrol transdermal patch for nonprescription sale; patch available over-the-counter starting July 18, 1996.

July 10, 1996

The *Associated Press* reported that RJ Reynolds concluded in a secret 1984 report that it needed to pitch its cigarettes to young adults to "replace" other smokers. The marketing report, citing federal research that showed smokers begin as early as 12 and rarely pick up the habit after 25, suggested that the company aggressively advertise towards younger people.

July 12, 1996

The CDC released MMWR article, "Cigarette Smoking Among AdultsUnited States, 1994." Study found adult prevalence increased slightly between 1993 and 1994.

July 18, 1996

The CAMPAIGN FOR TOBACCOFREE KIDS released a National Bureau of Economics Research study by Dr. Frank Chaloupka. The study showed that raising the price of cigarettes reduces teen smoking three times more than it reduces adult smoking.

July 18, 1996

Connecticut filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

July 29, 1996

Common Cause issued a study reporting that the tobacco industry donated $1,638,642 to the Republican Party and $334,600 to the Democratic Party in the first half of 1996, the most ever given by the tobacco industry to any party in any quarter in an election year.

July 31, 1996

The National Association of Convenience Stores launched a program designed to prevent underage tobacco purchases, "No Ifs, Ands, or Butts: Tobacco's Not For Kids." Program features penalties for minors who purchase tobacco and employees who sell to them not penalties for store owners and limits underage buying operations to law enforcement agencies.

August 2, 1996

Massachusetts Governor William Weld signed legislation, sponsored by state senator Warren Tolman, requiring tobacco companies to disclose nicotine content and additives in their particular brand.

August 6, 1996

Los Angeles County becomes first county in the nation to sue tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

August 7, 1996

A poll commissioned by the CAMPAIGN FOR TOBACCOFREE KIDS revealed that more than 80 percent of Americans support federal government efforts to reduce tobacco use among children.

August 8, 1996

Alabama (by Lt. Governor) filed suit against the tobacco industry to recover the

Medicaid costs for treating tobaccorelated diseases.

August 11, 1996

A Florida circuit court awarded $750,000 to Grady Carter, 66, who sued the maker of Lucky Strikes after he lost part of a lung to cancer in 1991. Jurors found cigarettes were a defective product and manufacturers were negligent in not warning consumers.

August 13, 1996

Data prepared by Simmons Market Research Bureau Inc. and released by the CAMPAIGN FOR TOBACCOFREE KIDS revealed that children's attendance at motor sports events is five times greater than what the Tobacco Institute reported to the FDA. Despite tobacco industry claims that automobile races "appeal (s) virtually exclusively to

adults," the data found that children between the ages of 1217 are nearly twice as likely to attend a stock care race as the average American.

August 13, 1996

FDA sent final tobacco rules to the Office of Management and Budget.

August 20, 1996

Kansas and Arizona filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

August 21, 1996

Michigan filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

August 22, 1996

Oklahoma filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

August 23,1996

At a White House ceremony, President Clinton announced the release of the FDA rule. The regulations are scheduled to go into effect over the next 6 months to two years.

August 23, 1996

An Indiana jury did not find tobacco companies responsible for the cancer death of smoker Richard Rogers, stating that Rogers bore a greater responsibility for his condition. The jury, which was not shown the tobacco industry internal documents linking nicotine and addiction that were seen in the Florida case, noted that "the evidence did show a degree of negligence on the part of cigarette companies."

August 23, 1996

The tobacco and advertising industries filed new court papers in their lawsuit to stop the FDA rule, arguing that the rules overstep the FDA's authority and are a violation of the First Amendment.

August 28, 1996

Target, the nation's thirdlargest discount store chain, announced that it will stop selling cigarettes in its 714 stores by the end of September 1996.

August 1996

Rhode Island Governor Lincoln Almond signed legislation making it more difficult to sell tobacco to children. Under the law, photo IDs will be required for proof of purchase; sales of single cigarettes and packages with fewer than 20 cigarettes will be banned; and distribution of free tobacco products to anyone under 18 will be prohibited.

September 4, 1996

City and County of San Francisco filed suit against the tobacco industry to recover Medicaid costs for treating tobaccorelated diseases.

September 5, 1996

A poll commissioned by the CAMPAIGN FOR TOBACCOFREE KIDS found an overwhelming majority of Americans including more than 80 percent of Southerners and smokers support FDA restrictions on sales and marketing of tobacco products to kids.

September 10, 1996

New Jersey filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

September 11, 1996

Erie County, in upstate New York, filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

September 16, 1996

Mayor of City of Brook Park, Ohio, Cuyahoga County Commissioner, Ohio on behalf of all Ohio taxpayers filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

September 26, 1996

Data compiled by Simmons Market Research Bureau, Inc. released by the CAMPAIGN FOR TOBACCOFREE KIDS revealed that one out of every three attendees at rodeos is between the ages of 1217. The data supports a provision in the FDA rule that prohibits the use of tobacco product brand names from sponsoring rodeos and other sporting events.

October 1, 1996

A group of shareholders in the world's largest pension fund joined health advocates at a Washington, D.C. press conference to urge the nation's educators to vote to divest the Teachers Insurance and Annuity Association's of College Retirement Equities Fund (CREF) of more than $1.5 billion in tobacco investments. Educators for TobaccoFree Investments by TIAACREF sponsored the divestment resolution.

November 5, 1996

Oregon voters approved Ballot Measure 44 to increase the tax on a pack of cigarettes by 30 cents from 38 to 68 cents. Revenue from the measure is dedicated to prevention programs and the Oregon Health Plan, the state's health insurance program for lowincome people.

November 7, 1996

The CDC's MMWR revealed that more than five million children living today will die prematurely because of decision they will make as adolescents the decision to smoke cigarettes.

November 13, 1996

A group of advertising executives held a press conference in New York City to call on members of their industries to join a new, voluntary effort to confront the issue of tobacco marketing to children. The group, the Initiative on Tobacco Marketing and Children, is asking advertising, public relations and marketing professionals to act now to curb marketing practices that attract youth to cigarettes and smokeless tobacco.

David Milenthal, Chairman of HMS Partners; David McCall, Chairman, Shepardson Stern & Kaminsky; Dan Cronin, Account Executive, Bierderman, Kelly & Shaffer; and Bill Novelli, CAMPAIGN FOR TOBACCOFREE KIDS President, participated in the event.

November 18, 1996

The CAMPAIGN FOR TOBACCOFREE KIDS cohosted the premiere of *Smoke A/arm: The Unfiltered Truth About Cigarettes,* at the Hardy Middle School in Washington, D.C. The new HBO and Consumer Reports TV documentary uses an entertaining format to educate parents and teens about the health effects of

smoking. The film also shows how tobacco companies try to manipulate young people with deceptive ads, promotions, and clothing, backpacks and other youthoriented items displaying tobacco brand logos.

November 20, 1996

The Washington Post cited a World Health Organization estimate that there will be an increase in smokingrelated deaths from three million a year presently to 10 million by 2020.

November 22, 1996

The USA TODAY reported that Philip Morris polled teen smokers in 1974 to find out why they chose one cigarette brand over another. The documents appear to contradict tobacco industry and Philip Morris claims since the 1960s that they do not study or market to youthful smokers.

November 25, 1996

Dr. David Kessler announced his resignation as FDA commissioner.

November 26, 1996

Iowa filed suit against the tobacco industry to recover the Medicaid costs for treating tobaccorelated diseases.

From *The People vs. Big Tobacco*:

AG Michael Moore (Mississippi) made more than 2,000 appearances in schools between 1988 and 1997 to talk about the evils of drug abuse and smoking. Many political observers compare Moore to Clinton -- young southern Democrat lawyers with bipartisan appeal, and both suffered early political losses. Moore initiated the lawsuit against big tobacco in Mississippi and was influential in persuading other attorneys general to follow suit in their states. The union of so many state attorneys general demonstrated how much the public opposed tobacco, and made for better odds that tobacco would lose at least once.

When Moore filed suit in 1994 he said, "This lawsuit is premised on a simple notion: You caused the health crisis, you pay for it. The free ride is over. It's time these billionaire tobacco companies start paying what they rightfully owe to Mississippi taxpayers." In June 1997 Moore was the first of seven AGs to announce the settlement. He said, "Today is V-Day for the American people in the war on tobacco. This agreement will do more for the public health of our nation than all of our lawsuits combined -- even if we had won all of our individual suits. If enacted by Congress, it will save more lives than any public health initiative in memory."

Moore had some trouble convincing AG Grant Woods (Arizona) to file a similar suit, but eventually persevered. Woods was convinced in part by the Brown & Williamson documents. Woods countered a February 1997 golf junket to Phoenix taken by dozens of Congressmen and sponsored by cigarette makers by attending a children's event at a miniature golf course sponsored by the Coalition for Tobacco-Free Arizona. The book says Woods "played a pivotal role in leading the Liggett negotiations." Woods also participated in the negotiation talks with the tobacco executives and spoke at the settlement announcement.

Jeffrey Wigand (Brown & Williamson's research chief and whistle-blower) said upon watching the tobacco executives swear to Congress that nicotine was not addictive, "I realized they were all liars. They lied with a straight face. Sandefur [Brown & Williamson's CEO] was arrogant, and that really irked me. When that TV image replayed in my mind, I realized that, by my silence, I was not that far removed from the men on my screen." Wigand was fired and later signed a confidentiality agreement. Then Wigand got in touch with *60 Minutes* and soon thereafter he was talking in secret with the FDA. Wigand "had been instrumental in FDA chief David Kessler's crusade against Big Tobacco" by leading him through the piles of internal documents demonstrating manipulation of nicotine levels. Wigand suffered much for his anti-tobacco efforts and disclosures: he lost his job; suffered stress from worries about legal bills and media attention; industry-paid detectives followed him; and he faced a lawsuit for breaking the confidentiality agreement he signed with Brown & Williamson.