

1 out of every 3 of those kids who start today, will die prematurely. That means they will die earlier than they would if they had never started smoking. That means a thousand children today, over the last 24 hours, have started smoking and will die before their time because they started smoking today. Ninety percent of all adult smokers began smoking at or before age 18. In fact, 50 percent of all adults smoking today started under the age of 14—maybe 8, 10, 12, or 13 years of age.

The problem we face today—and, of course, I speak as a Senator now, but I also speak as a physician who has taken an oath to dedicate my life to improving the quality of life of others—is that of premature death. It is as simple as that. However, the problem is not getting better, it is actually getting worse. In fact, the percentage of teens smoking every day has increased by 40 percent—these are teenagers, children—from 17 percent of 12th graders smoking in 1992 to 24 percent in 1997. If you look at the teenagers smoking from the 8th grade to the 12th grade, it climbed from 13 percent in 1992 to 18 percent in 1997. So this problem right now is becoming worse.

Really, the statement I want to make and urge all my colleagues to keep in mind is that our focus has to be on the health of the next generation and to keep in mind the challenges that youngsters face as they travel from that very tricky path from childhood to adulthood, surrounded by these temptations. Really, what we need to do is address over the next several days, using the template of this bill now on the floor, and ask the question: What can we do to make it more likely that these children will arrive at adulthood without crippling addictions?

Mr. President, I would like to briefly comment on one aspect of this bill, on which I have spent a great deal of time. I want to comment on it this evening, as this bill is introduced. It is a part of the bill that is greatly misunderstood by many because they haven't yet read the bill or had it presented to them. It has to do with the Food and Drug Administration authority in this bill. I am not going to walk through the provisions, but I want to briefly explain what we set out to do and what is in the bill.

Right now, drugs and medical devices are regulated by the FDA in a single chapter. An attempt has been made by the current administration to regulate tobacco through this chapter, chapter 5 of FDA law, with the authorities given the devices. How and why? It basically is a way, through existing regulation, existing statute or authority, to regulate tobacco as a drug delivery device; but to me it is like taking a round peg and trying to put it in a square hole or taking a square peg and trying to put it in a round hole—it just doesn't fit. It just doesn't fit to try and say that tobacco should be regulated as a drug delivery device. The attempt has been made to regulate tobacco by using the

restrictive device authority in chapter V. I point this out because it is the reason we have created a whole new chapter for the regulation of tobacco. This new chapter reflects that tobacco is a unique product, very different from drugs and very different from devices.

Chapter 5 of the Federal Food, Drug and Cosmetic Act is that chapter that, heretofore, an attempt has been made to regulate tobacco through. It is the drug and device chapter. Tobacco just does not fit there. Here is one brief example, so that people will understand why we created a new chapter. Chapter 5 calls on the Secretary to determine whether the regulatory actions taken will "provide reasonable assurance of the safety and effectiveness" of the drug or the device.

Well, clearly, tobacco is not safe or effective; we know that. It is dangerous to one's health. That has clearly been demonstrated over the last 20, 25 years. You can talk about the effectiveness of a pacemaker or a heart valve or an artificial heart; you can talk about those devices as being safe and effective. You really cannot apply that to tobacco. Therefore, instead of taking tobacco and ramming it through the drug and device provisions, we felt it was important to look at the unique nature of tobacco, write a separate chapter, and that is what is in the bill today. It is called chapter 9. This gave us the flexibility to create a new standard that was appropriate for tobacco products. The bill states that the Secretary may find that regulations and other requirements imposed on tobacco products "are appropriate for the protection of public health." This is the standard we use instead of the safety and effectiveness standard found in chapter 5.

There are a number of other provisions in the device section that are duplicative or not well-suited when you are attempting to regulate tobacco. Yes, they are appropriate for drugs and devices, but not for tobacco. This chapter 9, which is in the underlying bill, the managers' amendment, contains certain new provisions that grant the secretary explicit authority to undertake regulatory measures particularly relevant to tobacco. It requires manufacturers to submit to the secretary information about the ingredients, components and substances in their products. It requires reporting of the content delivery and form of nicotine in their products. It requires reporting of their research on the health, behavioral, and physiological effects of tobacco products. It requires reporting on the reductions in risks associated with available technology, as well as research on the marketing of tobacco products. Yes, this bill does create a new, separate chapter for regulation of tobacco products. But the reason it is important is because it does not fit, it does not make sense to regulate tobacco as safe or effective.

With that, Mr. President, the only primary change made to the FDA provisions in the underlying McCain bill is

a revision which I support. In the managers' amendment there is a prohibition of the FDA from banning tobacco sales from a particular type of retail outlet such as convenience stores. In the managers' amendment, we limit the FDA authority to the removal of the license of individual operators for failure to comply with a licensing agreement. This addresses the concerns by many of the retailers who came forward concerned that the FDA could ban sales from good operators who are not selling to kids because of a few bad actors. I support that revision in the initial FDA provisions of the bill.

In closing, Mr. President, I do have concerns with the McCain bill. I will be open minded when considering amendments to it. I think it is a very good starting point. But it is a starting point. We can and should work on improving it over the next several days as long as we do not lose sight of our ultimate objective. And that is a comprehensive approach that looks at public health initiatives, that looks at youth access issues, that looks at the advertising and marketing, because, I believe, that it is only by having a comprehensive approach that we will achieve the objective of preventing teen smoking.

I will be employing one criterion as I look at each of the amendments as they come forward. And that is, Is this amendment likely to complement a comprehensive campaign to prevent youth smoking? In other words, does it help restrict advertising, promote public health, and address youth access to tobacco with the end result of a reduction in youth smoking?

Mr. President, I yield the floor.

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING THE AMERICAN AUTOMOBILE ASSOCIATION LIFESAVING MEDAL RECIPIENTS

Mr. DASCHLE. Mr. President, I am proud to announce to the Senate today the names of the two young men who have been selected to receive the 1998 American Automobile Association Lifesaving Medal. This award is the highest honor given to members of the school safety patrol.

There are roughly 500,000 members of the school safety patrol in this country, helping over 50,000 schools. Every day, these young people ensure that their peers arrive safely at school in the morning, and back home in the afternoon.

Most of the time, they accomplish their jobs uneventfully. But on occasion, these volunteers must make split-

second decisions—placing themselves in harm's way to save the lives of others. This year's honorees exemplify this selflessness, and richly deserve recognition.

The first AAA Lifesaving Medal recipient comes from Kensington, Maryland.

On October 1, 1997, Rock View Elementary School Safety Patrol Joseph Coggeshall was preparing to end his shift at the busy intersection of Connecticut Avenue and Denfeld Road.

Getting ready to go home himself, Joseph noticed one last group of children heading home. He decided to stay at his post a little longer. As they reached the intersection, two boys, ages 6 and 7, attempted to go around Joseph's outstretched arms and into traffic. Reacting quickly, Joseph grabbed both children, pulling them back onto the curb just before they would have entered into rush-hour traffic on a six-lane highway. Joseph probably saved those boys' lives.

This year's second AAA Lifesaving Medal honoree comes from San Mateo, California.

On January 5, 1998, St. Timothy School Safety Patrol Christopher Aquino stood his usual post at the north gate crosswalk.

Close by, a father led his two young daughters, ages 3 and 6, toward the crosswalk. Spotting the family car parked across the street, the 3-year-old broke free from her father's hand, sprinted into the road and into the path of an oncoming truck. On instinct, and with no regard for his own safety, Christopher ran after her, grabbed her by the hand and returned her safely to her father.

Mr. President, on behalf of the Senate, I wish to extend congratulations and thanks to these two young men. They are an asset to their communities, and their families, and neighbors should be very proud of their courage and dedication.

I would also like to recognize the American Automobile Association for providing the supplies and training necessary to keep the safety patrol on duty nationwide.

Since the 1920's, AAA clubs across the country have been sponsoring student safety patrols to guide and protect younger classmates against traffic accidents. Easily recognizable by their fluorescent orange safety belt and shoulder strap, safety patrol members represent the very best of their schools and communities. Experts credit school safety patrol programs with helping to lower the number of traffic accidents and fatalities involving young children.

We owe AAA our gratitude for their tireless efforts to ensure that our Nation's children arrive to and from school safe and sound.

And we owe our thanks to Joseph Coggeshall and Christopher Aquino for their selfless actions. The discipline and courage they displayed deserves the praise and recognition of their schools and their communities.

#### TRIBUTE TO KIMBERLY SCHUBERT, A GIRL SCOUT GOLD AWARD RECIPIENT

Mr. DASCHLE. Mr. President, I would like to salute an outstanding young woman who has been honored with the Girl Scout Gold Award by Girl Scouts of the Black Hills Council in Rapid City, SD. Kimberly Schubert of Rapid City was honored yesterday for earning the highest achievement award in U.S. Girl Scouting.

The Girl Scout Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning and personal development. The award can be earned by girls ages 14-17, or in grades 9-12.

Girl Scouts of the USA, an organization serving over 3 million girls, has awarded more than 20,000 Girl Scout Gold Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must earn 4 interest projects patches, the Career Exploration pin, the Senior Girl Scout leadership award, and the Senior Girl Scout Challenge, as well as design and implement a Girl Scout Gold Award project. A plan for fulfilling these requirements is created by the Senior Girl Scout and is carried out through close cooperation between the girl and an adult Girl Scout volunteer.

As a member of the Girl Scouts of the Black Hills Council, Kim Schubert began working toward the Gold Scout Award in 1996. She completed her project in the areas of sports and leadership, and she richly deserves the public recognition for this significant service to her community and her country.

#### HONORING THE FLOYDS ON THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of "till death us do part" seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Margaret and Tom Floyd of Charleston, Illinois, who on June 12, 1998, will celebrate their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. The Floyds' commitment to the principles and values of their marriage deserves to be saluted and recognized.

#### THE VERY BAD DEBT BOXSCORE

MR. HELMS. Mr. President, at the close of business Friday, May 15, 1998, the federal debt stood at

\$5,496,348,505,044.25 (Five trillion, four hundred ninety-six billion, three hundred forty-eight million, five hundred five thousand, forty-four dollars and twenty-five cents).

One year ago, May 15, 1997, the federal debt stood at \$5,344,063,000,000 (Five trillion, three hundred forty-four billion, sixty-three million).

Twenty-five years ago, May 15, 1973, the federal debt stood at \$452,610,000,000 (Four hundred fifty-two billion, six hundred ten million) which reflects a debt increase of more than \$5 trillion—\$5,043,738,505,044.25 (Five trillion, forty-three billion, seven hundred thirty-eight million, five hundred five thousand, forty-four dollars and twenty-five cents) during the past 25 years.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty and one nomination which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

#### REPORT CONCERNING THE NATIONAL EMERGENCY WITH RESPECT TO BURMA—MESSAGE FROM THE PRESIDENT—PM 127

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

##### *To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to Burma is to continue in effect beyond May 20, 1998.

As long as the Government of Burma continues its policies of committing large-scale repression of the democratic opposition in Burma, this situation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to maintain in force these emergency authorities beyond May 20, 1998.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 18, 1998.