

from which our engagement in Asia begins. Working with the democracies of the world, we should engage China and bring the 1.2 billion Chinese people into the community of free nations.

A foreign policy devoid of principle has led us to the point where we are rewarding dictators and punishing democracies. The President's visit to China this month represents another opportunity to define the United States' role in the world. The President must clearly articulate which behavior deserves praise, and which does not. He must demonstrate strong leadership on behalf of the American people. We must all understand, the behavior which the United States rewards is likely to be the behavior we will see more of in the future.

Mr. President, I yield the floor.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I ask, are we in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. BINGAMAN. I ask unanimous consent to speak for up to 8 minutes in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### THE TOBACCO BILL

Mr. BINGAMAN. Mr. President, let me just say a few words about the tobacco bill which we have been on here for a couple, 3 weeks now in the Senate.

In my opinion, this tobacco bill is a historic piece of legislation. And I have complimented personally the Senator from Arizona, Senator MCCAIN, for his leadership in the Commerce Committee and here on the Senate floor in bringing this bill here and pushing for its enactment. I believe very strongly that when historians look back on the 105th Congress and ask, What did the 105th Congress accomplish? if we are able to pass tobacco legislation, significant tobacco legislation, that will be the single item they will point to as a substantial and major accomplishment by this Congress. So the time we are spending on this tobacco bill is time well spent.

I firmly believe that since I have been here in the Senate—and I have been here now nearly 16 years—during that time there has been a dramatic change in public opinion on the issue of smoking and tobacco use in this country, particularly on the issue of young people beginning to smoke.

What I see this legislation as is an effort to bring our public policy into line with our public opinion, because public opinion has changed dramatically. Our public policy has not changed to the same extent, and we need to get on with the business of changing public policy to mirror and reflect what the American people want to see done. That is why the legislation is so important.

We have spent many hours discussing this legislation. We have had several amendments offered and debated, and several adopted. I think all of that is to the good. And I think anyone who has watched the Senate operate for any period of time would have to acknowledge that, although we have spent substantial time on the tobacco bill, so far we have not seen a concerted effort by the leadership to bring this issue to a close, to bring the debate to a close, to get a defined list of amendments that need to be concluded before we can finish the bill and move on to another item.

So, clearly, that is our agenda for this week. I believe very strongly we can finish this bill this week, or certainly if not this week, we can finish it next week. We owe it to the American people to do that.

I know there are others in the Senate who have different opinions on that. We have heard a lot of public statements over the recent weeks and months about how this bill is dead and how the bill is dead on arrival. And I have thought, if I had a dollar for every statement that has been uttered about how this bill is dead, I would be a rich man today. Mark Twain was famous for his statement that the news reports of his demise were exaggerated. And I think that the news reports about this bill being dead are exaggerated as well.

I think there is ample support here in the Senate to pass this bill. There is ample support in this Senate to pass a strong bill, to send it to conference, and I hope that there is support in the House of Representatives to do the same thing. Time will tell whether that turns out to be the case.

So I believe very strongly we need to go ahead and get a cloture motion filed again. I hope Senator MCCAIN, the lead sponsor of the bill, will take that initiative. I think we need to get a defined list of amendments that still need consideration once that cloture motion is completed, and then we need to go ahead and conclude action on the bill.

I believe the best thing we can do for the American people before the Fourth of July break—and the Fourth of July break will begin the Friday after this Friday—the most important thing we can do for the American people is, prior to that date, going ahead and passing this historic legislation and sending it to conference.

I urge the majority leader to use the power of his position, which is substantial, to move the bill forward. I compliment all my colleagues who have voted for cloture in the previous efforts to bring closure to the debate and to get a limited list of amendments for further consideration. But I urge everyone, this week, to vote for cloture. I hope we can get that done. I hope we can pass a bill with a strong bipartisan vote and send it to conference. I think the American people will thank us for that action, and we owe that to them.

Mr. DORGAN. I wonder if the Senator from New Mexico would yield?

Mr. BINGAMAN. I am happy to yield to my colleague from North Dakota.

Mr. DORGAN. Mr. President, the Senator from New Mexico makes a point that I feel strongly about. If we don't finish this product now, if we don't get a tobacco bill completed in the Senate, in my judgment, we probably will never get it done.

We have come a long, long ways. We are, I think, close. I don't think there is any question but if the tobacco bill were voted on by the full Senate, it would pass. I don't think there is much question about that.

There are some in the Senate, however, who are intent on trying to kill the legislation. So we have been tied up here in legislative knots, going through some amendments, but going through a process that has led some to conclude that maybe this bill ought to get pulled, maybe we ought to go to something else.

I ask the Senator from New Mexico, as it was stated this weekend by the majority leader that perhaps we have to move to some other legislation, is it the belief of the Senator from New Mexico that if we don't get this bill completed now, it is likely we will never get this piece of legislation?

Mr. BINGAMAN. Mr. President, I respond to the question by just saying I believe we have this week and we have next week. There is no more important activity we can commit that time to than completing action on this bill. I think the momentum for moving ahead on the bill will be lost if we don't get it done before we break for the Fourth of July recess.

Clearly, the notion of giving up on this and moving to another piece of legislation—I don't know of any other piece of legislation that is so urgent or so important that it would justify going off of this bill. I am not aware of anything on the Senate's schedule that would justify that action.

Mr. DORGAN. Mr. President, if the Senator would yield further, I point out that I, and I think a number of others in this Chamber, would resist strongly an attempt to move to some other piece of legislation. That would require a motion to proceed, which obviously some of us would resist strenuously. We think it is important to finish this bill.

I think that some have missed the point. You go through this process and have a debate. Some have missed the point. The point here is about trying to prevent children from smoking in this country and trying to prevent the tobacco industry from targeting kids with their tobacco products. That is not rocket science. We can do that.

The piece of legislation that is before the Senate is a good piece of legislation which has a series of things in it which are very important—smoking cessation programs, counteradvertising programs, prohibitions against advertising in ways that will target children, getting rid of vending machines in areas where children have access to

cigarettes—a whole series of things that try to make certain that in the future we will not have the tobacco industry able to target kids to addict them to cigarettes.

We know every day 3,000 kids start smoking in this country. We know 1,000 of those 3,000 will die. We know 300,000 to 400,000 people in this country die every year from smoking and smoking-related causes. We also know that smoking cigarettes and the use of tobacco products is legal for adults and will always remain legal. No one is suggesting that it be illegal. But we are saying with this piece of legislation that we ought not have a tobacco industry get its new customers from teenagers.

I read yesterday and the day before a whole series of statements we have now unearthed from the bowels of the tobacco companies which demonstrate that they understood that their customers are teenagers, their future customers come from teenagers. If you don't get them when they are young, you don't get them. The industry's own documents suggest that—that if you don't get them when they are kids, almost never will they reach age 30 and try to evaluate, What am I missing from life? come up with the idea they are missing smoking, and go out and start getting addicted to cigarettes. That almost never happens.

I say to the Senator from New Mexico, and I ask him this question, it seems to me we have kind of lost our way here on this bill as it has been on the floor of the Senate for some weeks now. It seems to me that we have, through amendments, gone zigzagging across the landscape here and forgotten what the central premise of this piece of legislation is; that the central premise, is it not, is to try to make certain that we are not having an industry targeting our kids to smoke, and also providing a whole series of steps—smoking cessation programs, investment in health research, counter-advertising, and a range of other things—to try to make sure that will not happen in the future; is that not the case?

Mr. BINGAMAN. Mr. President, I think that is clearly the case.

I think although there have been some far-reaching amendments added to the bill, the central core of the bill remains the same. It remains an effort to deal with the problem of young people beginning to smoke. And, of course, it is a public health issue.

That is the reason I believe this legislation is historic, because it goes directly at dealing with the major public health issue that is before this country today and that can be dealt with. So, I think it is extremely important we move ahead.

I understand there are particular provisions of the bill and particular provisions of some of the amendments that various Members don't like, but it is almost ironic because you hear people come to the floor and support amend-

ments to the bill and then use the fact that those amendments have been adopted as a reason for claiming that the bill is now so loaded down that we can't support the bill. To my mind, the right course is for us to go ahead and pass the bill, consider remaining amendments, adopt those that have the votes there to adopt, pass the bill in that form, get it to conference, and hopefully the House will do the same.

I believe that the same people who are urging me as a Senator to take action on this important public health issue are urging Congressmen from my State to take action on this important public health issue as well. I hope that if we do the right thing before the Fourth of July break, the House will come back in July and do the right thing by passing a responsible bill and then we will be able to get a conference and get something that we can send to the President before we adjourn this fall. That is what is important. We have a historic opportunity here. I hope very much we will rise to the occasion.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, we started debate on this bill weeks and weeks ago here on the floor of the Senate. We started action on this bill months ago in the Commerce Committee. I think we may have forgotten that we started real action nearly a year ago. It was on June 20 of last year that there was an agreement announced between the attorneys general and the tobacco industry. That was the basis that led Congress to act. We are talking 1 year. On June 20 of 1997, the attorneys general entered into an agreement with the tobacco industry.

Here we are, June 16 of 1998, and we still haven't acted. Now some are saying we shouldn't act. The majority leader said over the weekend that he thought this bill was dead. Well, he has said that about every week. About every week there is an announcement by the majority leader, the bill is dead. He said that when it was still in the Commerce Committee, yet it came out of the Commerce Committee on a 19-1 vote.

Mr. President, I remind my colleagues that this has been going on for a year because that has special importance. We are talking about 3,000 young people who take up the habit every day—3,000. Over a year, that is over a million kids who have taken up the habit of smoking and the use of tobacco products.

And we know that one-third of them will die prematurely as a result. That is, over 300,000 children are going to die prematurely because they have taken up the habit in the one year since the settlement between the attorneys general of the various States and the tobacco industry. They entered into an agreement to fundamentally transform policy toward tobacco in this country. And now the question is, Is Congress

going to act, or are we going to have an enormous leadership failure here in the U.S. Senate? That is the question.

I don't think anybody wants to have that kind of failure on their hands. The fact is, it is very interesting that when people have a chance to vote, things are much different than when they are just talking with the newspapers. We have seen that over and over and over. In the Budget Committee, in the Finance Committee, when people had a chance to vote, they did vote, and the outcome was often much different than what was predicted.

Let's look at the bill before us. We are talking about seeing the price increase \$1.10 a pack over the next 5 years. Why is that important? Well, every single expert that has come and testified, every element of the public health community has said that a significant price increase is important in order to reduce youth smoking. That is not the only part of reducing youth smoking, but it is an important part. Second, we voted on look-back provisions. Look-back provisions are the penalties to be imposed on the industry for the failure to reduce youth smoking in line with the goals provided for in the legislation.

We made a significant change here on the floor of the Senate. Before, most of the fee was going to be charged to the industry on an industry-wide basis. Some of us didn't think that made much sense, because what happens when you do that is you put the good in with the bad. Those companies that have accomplished the goal pay the industry penalty just as those companies who have failed to reach the goal. What sense does that make? That is not fair. Instead, we think most of the fee ought to be placed on the companies which are the ones that failed to meet the goal. They are the ones that ought to be held accountable, the ones that ought to pay, and so that change was made here on the floor.

Third, we dealt with the question of liability. Out of the Commerce Committee, just as in the proposed settlement, there was special protection for this industry—protection never given any other industry in our history. The vast majority of us on the floor of the Senate said, no, that is not right; we should not be giving special protection to this industry. That is not appropriate. So that was changed.

There have been other significant changes on the floor of the Senate. A third of the revenue will now go for tax relief. Some of it is designed to relieve the marriage penalty. In addition, there will be other tax relief as well. So about a third of the revenue now goes for tax relief. Many of us thought it was appropriate to have some of the money go toward tax relief in this package, and now fully a third of it does.

In addition, there are provisions to deal with illegal drugs. That is a matter that is now included in the legislation. Not only are we dealing with tobacco, tobacco products, but also illegal drugs. There are very strong provisions which have now been included in this legislation that relate to that. There is also the question of FDA authority. FDA has been given the authority to regulate this drug as they regulate other drugs in our society.

We still have several matters left to resolve. One is the whole question of agriculture, how tobacco farmers will be treated.

The PRESIDING OFFICER. The time allotted to the Senator has expired.

Mr. CONRAD. How much time is left on our side?

The PRESIDING OFFICER. The Senator from North Dakota, Mr. DORGAN, has 8 minutes remaining.

Mr. CONRAD. Mr. President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CONRAD. I thank the Chair.

We have important matters left to resolve. How are tobacco farmers going to be treated? What are we going to do about the question of attorneys' fees. Obviously, none of us wants to see attorneys unjustly enriched by these tobacco settlements. In the underlying bill, the McCain bill, which came out of the Commerce Committee on a 19-1 vote, they provided for arbitration. Many of us think that is the best way to resolve this matter—to have parties get together and resolve, on an arbitration basis, differences over attorneys' fees so attorneys are not unjustly enriched by these settlements.

Mr. President, most important is that I think we ought to stay on this bill until it is finished. We have spent 3 weeks of the Senate's time so far on this legislation. Let's finish the course. Let's get this bill resolved. I think that makes sense. I think it would be an enormous leadership failure if this Senate didn't take final action on this legislation. Some are saying the House isn't going to have a bill. Well, none of us can tell that until we act. We have taken a lead on this question in the U.S. Senate; we ought to complete our action and then let the House decide what it does. Let them be accountable for their action—or their failure to act.

Mr. President, I hope we will stay on this bill until we finish this bill. That ought to be our message. The reason is very important. We have delay, and this delay is costing people's lives. As I indicated, we are in a circumstance in which, since the industry entered into a settlement with the attorneys general nearly 1 year ago, 1 million kids have taken up the habit. Fully a third of them are going to die prematurely—over 300,000 young people.

Let me just close by saying the tobacco companies tell you in their paid advertising—they describe this bill in

unfavorable terms. Let's remember their background. They have misrepresented this issue repeatedly.

I thank the Chair.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from North Dakota, Mr. DORGAN, is recognized.

Mr. DORGAN. Mr. President, let me take another minute or so of my time. I know the Senator from Kansas wishes to seek the floor.

Virtually everything we do represents a series of choices. We have a choice now here in the Senate; we can choose to succeed, or we can choose to fail on this tobacco legislation. As Senator CONRAD has indicated, we have come a long way, and we have had people all along the way who are detractors. I can remember how controversial it was just to put a warning label on the side of a pack of cigarettes. Do you remember how controversial that was? It was the right thing to do, obviously. Would someone vote now to take the warning label off? I don't think so.

The legislation before the Senate is very important. We as Senators and as a body can choose to succeed or fail. To those who want to choose to fail and say this bill cannot become law, we are going to pull the bill and go to something else, we simply want to say that some of us will resist that with great effort. We will resist every decision to move to other legislation before we complete work on this legislation. We hope the bipartisan leadership of the Senate will decide that this bill is important enough to finish, and it can be finished, in my judgment, this week or next week. We have traveled too far a distance on this to fail in the final week on a piece of legislation this important to our country.

Mr. President, I yield the floor.

Mr. ROBERTS addressed the Chair.

The PRESIDING OFFICER. The Senator from the State of Kansas.

#### NATIONAL SECURITY AND ECONOMIC WELL-BEING

Mr. ROBERTS. Mr. President, in his remarks in this body last Friday, our colleague from Nebraska, the distinguished Senator, Mr. HAGEL, issued what I considered to be a most important wake-up call to this body.

Senator HAGEL said:

I am very concerned that this Congress is not paying enough attention to what is going on around the world. I am concerned that we are not linking it, we are not interconnecting the dots. I find it remarkable that on the floor of the U.S. Senate, over the last few weeks, we have been consumed with billions of dollars of new taxes and building a larger government when essentially half of the world is burning.

And Senator HAGEL went on to say:

"I hope that our colleagues take a serious look at what is going on around the world," and he cited the ever worsening Asian economic crisis—it now also threatens China; a serious recession in Japan; the immense and grow-

ing economic problems in regard to Russia; the resulting loss of investor confidence in world markets; and a very direct signal to all of us that "something is wrong." That certainly has been reflected in the recent decline in the stock market.

Mr. President, one thing that certainly is wrong is the inordinate amount of time that we are spending on tobacco legislation. I think the majority leader was certainly right when he said yesterday—and to a certain extent I agree with my colleagues who have just spoken before me on the floor—that we need to either end debate, or pass the bill, or actually defeat the bill, or set the bill aside.

It is not my intent to discuss the merits of what has evolved out of the tobacco briar-patch debate. I want to say that I personally support—strongly support—the efforts to address the problem of teenage smoking and addiction. I do not question the intent of supporters of what has been produced so far. But I do believe the bill has serious flaws and we have gone far afield from the original goal, more especially in regard to the problem of teenage smoking and addiction. And I would say that as we each individually shine the light of truth into the darkness in debating the tobacco bill, let us remember that our flashlights are somewhat dimmed by partisan overtones and personal finger pointing.

If Nero fiddled while Rome burned, the Senate has certainly huffed and puffed for weeks on a tobacco bill—I am not trying to perjure it—while issues of national and economic security are not being addressed.

As we debated yet another tobacco amendment yesterday, warplanes from the United States and Europe roared over the mountains of Albania and Macedonia, a direct threat to Serbian leaders to end the growing and expanding violence around Kosovo.

Twenty-seven U.S. warplanes took part in the 6-hour exercise that was called Determined Falcon. I don't know how determined that Falcon is. Three hundred and fifty U.S. soldiers are already stationed in Macedonia. NATO commanders have been asked to propose additional contingency operations.

The only response that I am aware of that has come from the Senate in regard to the growing possibility that we become directly involved in yet another ethnic civil war—an expansion of Bosnia—is the warning delivered by the distinguished chairman of the Appropriations Committee, Senator STEVENS, to Secretary of State Madeleine Albright in a recent briefing just last week.

The chairman pointed out that our military is already stretched, it is stressed, it is overcommitted, and we simply do not have the men and women and material to do that job. We have an urgent need to increase our commitment to national security.

We have an urgent need to act on the defense authorization bill so we can do