

parties to unify behind our approach. It is a simple and straightforward but effective model for drastically reducing the 400,000 preventable deaths each year in our country caused by a deadly addiction to nicotine.

Mr. President, it's time for Congress to act. We have the legislative packages to get started. The message we are sending out today is clear: the goal of comprehensive tobacco legislation is to prevent kids from becoming hooked on tobacco—not to get the tobacco companies off the hook.

Our legislation would raise the price of cigarettes by \$1.50 per pack in order to reduce teen smoking and fund critical public health programs. It explicitly prohibits the industry from deducting the cost of increased excise taxes from its corporate tax payments. With the proceeds of the tax, states will receive back funds for public health and children's programs, including health, education, and smoking cessation programs aimed at both children, teenagers, and adults. Further, our bill will fund a significant increase in medical research. To increase industry incentives to reduce teen smoking, the legislation we are introducing today will impose penalties on companies which fail to meet teen smoking reduction targets. Finally, recognizing the potential dislocation to tobacco farmers that could flow from a reduction in national smoking rates, our bill provides transitional assistance to farmers and displaced tobacco workers.

Mr. President, of critical importance, our legislation affirms the authority of the Food and Drug Administration to regulate tobacco as a drug and drug delivery device. It gives FDA explicit authority over the advertising, marketing and sale of cigarettes. It also calls for larger and more explicit warning labels on cigarettes and ingredient disclosure, drawing on legislation I introduced earlier this year, and permits states to enact more restrictions on tobacco. It also incorporates the essence of the Smokefree Environment Act which I also introduced earlier this year, to protect non-smokers from secondhand smoke.

The President has called for comprehensive tobacco legislation that gives the Food and Drug Administration authority to regulate nicotine. He has also called for a \$1.50 increase in the price of cigarettes to deter teen smoking and help pay for a variety of public health programs. Our legislation accomplishes that.

Mr. President, the tobacco industry has been trying to convince the Congress and the public that the only way to accomplish the President's goals is through its proposed settlement with the state Attorneys General. We know that this is not the case. Our legislation offers a more efficient and effective way of serving the public health. The Congress can move ahead without permission from the tobacco industry and we should do just that.

Mr. President, our proposals embody the goals outlined by the President and

embraced by the public health community. In fact, a broad range of groups supported the introduction of S. 1343, the PHAER Act, when I introduced it. These groups include Action on Smoking and Health, the American Academy of Pediatrics, the American Cancer Society, the American College of Physicians, the American College of Preventive Medicine, the American Heart Association, the American Lung Association, the American Medical Association, the American Society of Clinical Oncology, Campaign for Tobacco Free Kids, the National Association of Counties, the National Association of County and City Health Officials, and Partnership for Prevention and Physicians for Social Responsibility.

Mr. President, these bills eliminate the tobacco industry as the middleman in achieving public health goals. We have laid out an ambitious, but achievable, program for reducing smoking and death and illness. Congressional action on comprehensive tobacco legislation should live up to the standards we have established.

Beyond taking strong, preventive steps to reduce smoking domestically, we should also pursue legislation affecting our tobacco companies' commercial activities overseas. If we don't, in the next few decades we will experience a worldwide health epidemic attributable to tobacco. Earlier this year, I introduced S. 1060, the Worldwide Tobacco Disclosure Act, to require warning labels on exported packages of cigarettes and to codify current trade policies that prevent government agencies from promoting tobacco sales overseas and from weakening public health measures undertaken by foreign governments.

I urge my colleagues on both sides of the aisle to join us on the public health side of this fight by endorsing our comprehensive tobacco legislation.

Mr. DURBIN. Mr. President, I am pleased to join Senators KENNEDY and LAUTENBERG in proposing sweeping new legislation that fills in many of the specifics relating to children and the public health that must be included in any future legislation related to the proposed tobacco settlement.

The tobacco companies have made billions of dollars addicting and exploiting our children. Now, they seek to protect themselves from existing and potential lawsuits. This legislation brings us back to the fundamental issues that must stay at the top of the public health agenda. Reducing the devastation and disease caused by tobacco should be our number one goal, not an afterthought.

This legislation is our effort to start filling in the blanks on any tobacco measure. It's time to stop speculating and start laying down markers we feel must be part of any comprehensive agreement.

Under this legislation, the tobacco tax would be raised \$1.50 per pack of cigarettes. This kind of increase is a proven deterrent to underage smoking.

Of the additional revenues that would be raised beyond what was proposed by the state attorneys general, one-half would be used to fund medical research into illnesses such as cancer, heart disease and diabetes. The other half of the additional revenues would fund an expansion of the Head Start program, child care grants, and other child and family initiatives.

The legislation seeks to ensure a significant decline in underage smoking by establishing tough performance smoking reduction targets. The reduction targets—modeled on legislation I introduced earlier this year—set a goal of a 40 percent reduction in youth tobacco use in four years, 60 percent in 6 years, and 80 percent in 10 years. If the goal is not met, penalties of up to \$1 a pack will be imposed on the sale of tobacco products manufactured by a company whose products are consumed by underage users, with steeper penalties for repeated failure to meet youth tobacco targets.

In addition, we are offering some new incentives for the tobacco companies to meet the targets. If a company fails to comply for three or more consecutive years, the company will be required to stop selling cigarettes in single packs—the size kids buy—and start selling them only in cartons, whose price might cause kids to reconsider their desire to buy cigarettes. If this step was not sufficient to bring a company into compliance, another year violating the performance standard would trigger a requirement that the product be sold using generic packaging, without catchy logos.

As far as kids are concerned, it's time for the tobacco companies to put their profits on the line. Under our legislation, every new child who picks up a cigarette or pockets a can of spit tobacco will become an economic loss to a tobacco company. We must hold each company individually responsible for its sales to minors.

In addition to setting performance standards, the legislation provides for a national tobacco use reduction program which includes smoking cessation programs, media-based advertising about the dangers of tobacco use and aggressive public education.

The bill also compensates states for Medicaid expenditures resulting from tobacco-related illnesses; affirms the authority of the Food and Drug Administration [FDA] to regulate tobacco as a drug and delivery device; mandates strong warning labels and ingredient disclosures; reduces exposure to secondhand smoke; prohibits tobacco companies from deducting any settlement liabilities as a business expense; and provides assistance for tobacco farmers.

I commend this legislation to my colleagues and urge them to support it.

ADDITIONAL COSPONSORS

S. 61

At the request of Mr. LOTT, the name of the Senator from Michigan [Mr.

ABRAHAM] was added as a cosponsor of S. 61, a bill to amend title 46, United States Code, to extend eligibility for veterans' burial benefits, funeral benefits, and related benefits for veterans of certain service in the United States merchant marine during World War II.

S. 318

At the request of Mr. D'AMATO, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 318, a bill to amend the Truth in Lending Act to require automatic cancellation and notice of cancellation rights with respect to private mortgage insurance which is required by a creditor as a condition for entering into a residential mortgage transaction, and for other purposes.

S. 773

At the request of Mr. DURBIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 773, a bill to designate certain Federal lands in the State of Utah as wilderness, and for other purposes.

S. 778

At the request of Mr. ABRAHAM, his name was added as a cosponsor of S. 778, a bill to authorize a new trade and investment policy for sub-Saharan Africa.

S. 1151

At the request of Mr. DODD, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 1151, a bill to amend subpart 8 of part A of title IV of the Higher Education Act of 1965 to support the participation of low-income parents in postsecondary education through the provision of campus-based child care.

S. 1195

At the request of Mr. CHAFEE, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1195, a bill to promote the adoption of children in foster care, and for other purposes.

S. 1307

At the request of Mr. DASCHLE, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1307, a bill to amend the Employee Retirement Income Security Act of 1974 with respect to rules governing litigation contesting termination or reduction of retiree health benefits and to extend continuation coverage to retirees and their dependents.

SENATE CONCURRENT RESOLUTION 49

At the request of Mr. ABRAHAM, his name was added as a cosponsor of Senate Concurrent Resolution 49, a concurrent resolution authorizing use of the Capitol Grounds for "America Recycles Day" national kick-off campaign.

SENATE CONCURRENT RESOLUTION 66—TO CORRECT THE ENROLLMENT OF S. 399

Mr. MCCAIN submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 66

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 399), to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes, the Clerk of the Senate shall make the following correction in section 10 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (as amended by section 6 of the bill): Strike subsection (c) and insert the following:

“(C) NOTIFICATION AND CONCURRENCE.—

“(2) NOTIFICATION.—An agency or instrumentality of the Federal Government shall notify the chairperson of the President's Council on Environmental Quality when using the Foundation or the Institute to provide the services described in subsection (a).

“(3) NOTIFICATION DESCRIPTIONS.—In a matter involving 2 or more agencies or instrumentalities of the Federal Government, notification under paragraph (1) shall include a written description of—

“(A) the issues and parties involved;

“(B) prior efforts, if any, undertaken by the agency to resolve or address the issue or issues;

“(C) all Federal agencies or instrumentalities with a direct interest or involvement in the matter and a statement that all Federal agencies or instrumentalities agree to dispute resolution; and

“(D) other relevant information.

“(3) CONCURRENCE.—

“(A) IN GENERAL.—In a matter that involves 2 or more agencies or instrumentalities of the Federal Government (including branches or divisions of a single agency or instrumentality), the agencies or instrumentalities of the Federal Government shall obtain the concurrence of the chairperson of the President's Council on Environmental Quality before using the Foundation or Institute to provide the services described in subsection (a).

“(B) INDICATION OF CONCURRENCE OR NONCONCURRENCE.—The chairperson of the President's Council on Environmental Quality shall indicate concurrence or nonconcurrence under subparagraph (A) not later than 20 days after receiving notice under paragraph (2).

“(d) EXCEPTIONS.—

“(1) LEGAL ISSUES AND ENFORCEMENT.—

“(A) IN GENERAL.—A dispute or conflict involving agencies or instrumentalities of the Federal Government (including branches or divisions of a single agency or instrumentality) that concern purely legal issues or matters, interpretation or determination of law, or enforcement of law by 1 agency against another agency shall not be submitted to the Foundation or Institute.

“(B) APPLICABILITY.—Subparagraph (A) does not apply to a dispute or conflict concerning—

“(i) agency implementation of a program or project;

“(ii) a matter involving 2 or more agencies with parallel authority requiring facilitation and coordination of the various government agencies; or

“(iii) a nonlegal policy or decisionmaking matter that involves 2 or more agencies that are jointly operating a project.

“(2) OTHER MANDATED MECHANISMS OR AVENUES.—A dispute or conflict involving agencies or instrumentalities of the Federal Government (including branches or divisions of a single agency or instrumentality) for which

Congress by law has mandated another dispute resolution mechanism or avenue to address or resolve shall not be submitted to the Foundation or Institute.”.

SENATE RESOLUTION 148—DESIGNATING 1998 AS THE “ONATE CUARTOCENTENARIO”

Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 148

Whereas Don Juan de Oñate of Spain settled the first permanent colony of Europeans in the Southwest Region of the United States, known as San Gabriel de Los Españoles, and located near modern day San Juan Pueblo and Española, New Mexico;

Whereas the first Spanish capital was established at San Juan de los Caballeros in July of 1598, predating the English settlement of Jamestown in 1610 by 12 years;

Whereas Spanish exploration activity in the New World began in 1512 when Ponce de León explored the Florida peninsula, and included the explorations of Francisco Coronado throughout California to Kansas and across Arizona, New Mexico, Texas, and Oklahoma from 1540 to 1542;

Whereas the major Spanish settlement efforts were focused in modern day Florida and New Mexico, and 1998 marks the 400th anniversary of the first permanent settlement in New Mexico, referred to as the *Cuartocentenario*;

Whereas Hispanic Americans are the fastest growing minority group in the United States and include descendants of the Spanish, Mexican, Cuban, Puerto Rican, Central American, and other Hispanic peoples;

Whereas the United States Census Bureau estimated in March 1993 that the Hispanic population of the United States was 22,800,000; the current estimate of the Hispanic population in the United States is 26,000,000, with projections of 30,000,000 by the year 2000, 40,000,000 by 2010, and almost 60,000,000 (or 20 percent of the total United States population) by the year 2030;

Whereas the number of Hispanic immigrants to the United States has increased from 1,500,000 in the 1960's, to 2,400,000 in the 1970's, to 4,500,000 in the 1980's, and the number of Hispanic immigrants is expected to continue to rise;

Whereas two-thirds of all Hispanics in the United States today are of Mexican origin, and 70 percent of United States Hispanics live in 4 States: California, Texas, New York, and Florida;

Whereas New Mexico's Hispanic population is 39 percent (or over 660,000 of the 1995 total State population of 1,700,000) and represents the highest percentage of Hispanics in any State in the United States;

Whereas the United States has an enriched legacy of Hispanic influence in politics, government, business, and culture due to the early settlements and continuous influx of Hispanics into the United States;

Whereas the New Mexico State Government has funded a Hispanic Cultural Center in Albuquerque, New Mexico, with assistance from the Federal Government, local governments, and private contributions, to celebrate and preserve Hispanic culture including literature, performing arts, visual arts, music, culinary arts, and language arts;

Whereas the Archbishop of Santa Fe, Michael Sheehan, is planning events throughout 1998 in New Mexico, including the opening of “Jubilee year”, an encuentro at Santo Domingo Pueblo to mark the meeting of the missionaries with the Pueblo peoples, an