

regard to the rights of property and the moral innocence of the party incurring the liability.]

Mr. President, we can be sure—as sure as anything—that the tobacco industry will challenge the constitutionality of this bill on these, and perhaps even other issues.

I am confident that every argument that I have made is legitimate. The tobacco companies need only prevail on one of these theories and this opportunity we have had will have been squandered.

Mr. President, in 1878, William E. Gladstone, the famous future Prime Minister of Great Britain, remarked that the “American Constitution is . . . the most wonderful work ever struck off at a given time by the brain and purpose of man.”

Indeed, the Constitution by limiting the scope of government has fostered individual autonomy, which in turn has unleashed the creative energies of the American people.

The Constitution, for over two centuries now, has been the source of our prosperity, as well as our liberty. Let us abide by its strictures. Let us pass legislation that both helps our kids and is also constitutional.

#### EXPLANATION OF VOTE

Mrs. BOXER. Mr. President, I wish to inform the Senate of the reason I voted “present” on the Faircloth-Sessions amendment relating to a cap on attorneys’ fees in tobacco cases.

I abstained on this vote because my husband’s law firm is co-counsel in several lawsuits against tobacco companies filed in California state court by health and welfare trust funds.

This Ethics Committee has advised me that voting on an amendment such as this “would not pose an actual conflict of interest” under the Senate Code of Conduct.

However, I decided that voting on this amendment could create the appearance of a conflict of interest and therefore I abstained by voting “present.”

The PRESIDING OFFICER (Mr. GORTON). The Senator from Mississippi.

#### TRIBUTE TO THE LATE CONGRESSMAN THOMAS G. ABERNETHY

Mr. COCHRAN. Mr. President, it is with a feeling of profound sadness that I advise the Senate that former Mississippi Congressman Thomas G. Abernethy died last night in Jackson, MS. He was 95 years of age. He served with great distinction in the U.S. House of Representatives for 30 years, and he was deeply respected as an influential and prominent political leader.

Tom Abernethy was born in Eupora, MS, on May 16, 1903. He attended the University of Alabama, and the University of Mississippi, and graduated from the Law Department of Cumberland University in Lebanon, TN, in 1924.

He was elected mayor of Eupora, MS, in 1927, and in 1929 he moved to

Okolona. He continued to practice law there and was elected district attorney in 1936. He was elected to Congress in 1942.

Tom Abernethy became a close friend and an adviser to me. I sought his advice on matters involving agriculture, the Natchez Trace Parkway, and many other issues of importance to me and to our State. I always found his advice and counsel very valuable and helpful.

I extend to his children, grandchildren, and great grandchildren my sincerest condolences.

The PRESIDING OFFICER. The Senator from Hawaii.

#### COMMEMORATING 100 YEARS OF RELATIONS BETWEEN THE PEOPLE OF THE UNITED STATES AND THE PEOPLE OF THE PHILIPPINES

Mr. AKAKA. Mr. President, I ask unanimous consent the Foreign Relations Committee be discharged from further consideration of S. Res. 235 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows: A resolution (S. Res. 235) commemorating 100 years of relations between the people of the United States and the people of the Philippines.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. AKAKA. Mr. President, today marks the centennial of the Philippines’ independence from Spain and also the 100th anniversary of Philippine-American relations. I urge my colleagues to reflect upon our friendly relationship with the Filipino people and their Republic.

The Sun and Stars, the flag of the Republic of the Philippines, has once again been unfurled on the same balcony where General Emilio Aguinaldo declared the country’s independence, overthrowing 300 years of Spanish colonization on June 12, 1898.

With that act by General Aguinaldo, Filipinos earned the distinct honor of being the first indigenous people in Asia to wrest their freedom and independence by force of arms from their European colonial masters.

The Philippine Centennial is a toast to the Filipino spirit, to the rebirth of a courageous nation, to Asia’s first republic and constitutional democracy, and to a glorious and progressive future for the Filipino Nation.

There is no better time than now to recognize the enduring friendship between our two countries. It is a friendship which flourished despite tragic beginnings in a conflict first with the Spanish in 1898, and subsequently with Filipino independence fighters. But we moved beyond that struggle and worked diligently to grant full Philippine independence in 1946.

During World War II, Filipino troops fought bravely side-by-side with American forces and Filipino guerrilla fighters were indispensable in the liberation of the Philippines from Japanese occupation.

The Philippines continued, even after independence, to be America’s most important ally in Asia, again contributing troops to the Korean conflict and to the Vietnam war.

We owe a debt of gratitude, if not more, to our Filipino friends. We rejoiced when the peaceful “people power” revolution restored democracy to the Philippines twelve years ago. Presidents Corazon Aquino and Fidel Ramos established a democratic government and instituted market-based reforms which placed the Philippines—politically and economically—on a strong foundation for the 21st century.

I am confident that newly elected President, Joseph Estrada, will continue to nurture these reforms. The Multilateral Aid Initiative for the Philippines that Congress launched following the “people power” revolution was an effort not only to demonstrate support for Filipino democracy but also to show our lasting commitment to an enduring relationship with the Philippines. This continues to be the basis for our policy, and it is instructive that during the current Asian financial crisis the Philippines has escaped the worst effects of the crisis.

The United States continues to be the largest trading partner and foreign investor in the Philippines. One-third of Philippines’ exports come to America. Two-way trade between our two countries exceeds \$12 billion.

Today, all Americans should honor our good friendship with the Philippines on this important commemoration of their independence, support their continued political and economic progress, and work to maintain the special and close relationship between our sister democracies. The Philippines has clearly become a positive role model for its Asian neighbors.

Mr. President, because of the deep and enduring ties that have traditionally bound the people of the Philippines and the United States together, I strongly urge our colleagues to adopt S. Res. 235, a resolution commemorating 100 years of friendly relations between the people of the United States and the Philippines.

Mr. President, I ask unanimous consent that the resolution and the preamble be agreed to, en bloc, and that the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 235) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

#### S. RES. 235

Whereas 1998 marks 100 years of special ties between the people of the United States and the people of the Philippines and is also

the centennial celebration of Philippine independence from Spain which initiated relations with the United States;

Whereas the people of the Philippines have on many occasions demonstrated their strong commitment to democratic principles and practices, the free exchange of views on matters of public concern, and the development of a strong civil society;

Whereas the Philippines has embraced economic reform and free market principles and, despite current challenging circumstances, its economy has registered significant economic growth in recent years benefiting the lives of the people of the Philippines;

Whereas the large Philippine-American community has immeasurably enriched the fabric of American society and culture;

Whereas Filipino soldiers fought shoulder to shoulder with American troops on the battlefields of World War II, Korea, and Vietnam;

Whereas the Philippines is an increasingly important trading partner of the United States as well as the recipient of significant direct American investment;

Whereas the United States relies on the Philippines as a partner and treaty ally in fostering regional stability, enhancing prosperity, and promoting peace and democracy; and

Whereas the 100th anniversary of relations between the people of the United States and the people of the Philippines offers an opportunity for the United States and the Philippines to renew their commitment to international cooperation on issues of mutual interest and concern: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Philippines on the commemoration of its independence from Spain;

(2) looks forward to a broadening and deepening of friendship and cooperation with the Philippines in the years ahead for the mutual benefit of the people of the United States and the people of the Philippines;

(3) supports the efforts of the Philippines to further strengthen democracy, human rights, the rule of law, and the expansion of free market economics both at home and abroad; and

(4) recognizes the close relationship between the nations and the people of the United States and the people of the Philippines and pledges its support to work closely with the Philippines in addressing new challenges as we begin our second century of friendship and cooperation.

Mr. AKAKA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

Mr. GORTON. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business.

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

#### SINA NAZEMI, SENATE PAGE

Mr. GORTON. This is the last day that the Spring page class will be with us. And I am going to take a moment to recognize and thank this fine group

of young people for their invaluable assistance in the Senate. Their hard work keeps the Senate running smoothly on a day-to-day basis. All of our pages are accomplished students and involved in their schools and communities. However, I would like to specifically commend the page from my home State of Washington, Sina Nazemi, for his outstanding efforts. Even among this class of exceptional young people Sina has set himself apart.

Over the last 6 months I have had the opportunity to get to know Sina and while I recognized that he was a fine student and a personable young man, I have also learned that Sina is rather secretive. After six months of working in the Senate, today I learned that his peers chose Sina to serve as President of the page class. Today, the faculty and principal at the page school also recognized Sina with the Leadership Award and the Good Citizen Award. What initially prompted my recognition of Sina was his winning essay in the 1998 Law Day Essay Competition sponsored by the District of Columbia Courts and The Bar Association of the District of Columbia, which I only learned of last week.

Sina's essay is a well written piece on the importance of the first amendment that draws heavily on his first hand experience as an immigrant from Iran. He writes that the first amendment creates "a battlefield of ideas which allows the best ideas to emerge". I hope he was at least in part inspired by the "battlefield of ideas" that is evident each day on the Senate floor.

In addition to serving as class president, Sina kept pace with the rigorous academics at the Page School and the work schedule of the Senate. We keep these kids working so hard that Sina didn't even have the whole week of Easter recess off. I held an education forum in the state that week, and Sina served admirably as the moderator and spokesperson for the student group. All of this is done with diligence and enthusiasm. Sina has a great deal to be proud of yet, the modesty he shows reflect maturity beyond his years. These attributes will undoubtedly serve him well in his future. Sina, you have my best wishes and thanks for your service to the Senate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### FAREWELL TO THE SENATE PAGES

Mr. DASCHLE. Mr. President, I want to say farewell to a wonderful group of young men and women who have served as Senate pages over the last five

months, and thank them for the contributions they make to the day-to-day operations of the Senate.

This particular group of pages has served with distinction and has done a marvelous job of balancing their responsibilities to their studies and to this body.

Page life is not easy. I suspect few people understand the rigorous nature of the page's work. On a typical day, pages rise early and are in school by 6:15 a.m. After several hours in school each morning, pages then report to the Capitol to prepare the Senate Chamber for the day's session.

Throughout the day, pages are called upon to perform a wide array of tasks—from obtaining copies of documents and reports for Senators to use during debate, to running errands between the Capitol and the Senate office buildings, to lending a hand at our weekly conference luncheons.

Once we finish our business here for the day—no matter what time—the pages return to the dorm to prepare for the next day's classes and Senate session and, we hope, get some much-needed sleep.

Even with all of this, they continually discharge their tasks efficiently and cheerfully.

This page class had the good fortune to be present on the Senate floor for several landmark votes, including NATO expansion and IRS reform.

I hope before they leave they will see us pass a comprehensive national bill to reduce teen smoking.

It seems to me that would be a fitting way to thank these particular young people for their service to their country.

I hope every person in this page class gained some insight into the need for individuals to become involved in community and civic activities.

The future of our nation strongly depends on the generations who will follow us in this august body.

I look forward to the possibility that one or more of this fine group of young people will return as a Member of the U.S. Senate.

Mr. President, I would like to read into the RECORD the names and hometowns of each of the Senate pages to whom we are saying goodbye today.

They are: Philip Amylon, North Scituate, RI; Sarah Argue, Little Rock, AR; Marisa Boling, LaCrosse, WI; Sara Cannon, Seaford, DE; Colin Davis, Sioux Falls, SD; Laney Fitzgerald, Montgomery, AL; Sarah Flynn, Nashua, NH; Sarah Fowler, Kansas City, MO; Julia Le, Wilbraham, MA; Bari Lurie, Milwaukee, WI; Monique Luse, Farmington Hills, MI; Shana Marshall, Scottsburg, IN; Josh Melgaard, Pierre, SD; Sina Nazemi, Woodinville, WA; Georgia Sheridan, Santa Fe, NM; Michael Stahler, Lyndonville, VT; Angela Swanson, Springville, UT; Dan Teague, Concord, NH; Amanda Anderson, SC; Ashley Anderson, SC; Hunter Holmes, SC; Erin Lindsay, SC; Jennifer Lowry, UT; Stacie Seigler, SC; Tamarah Siegel, RI; and Bradley Wolters, WI.