AMENDMENT NO. 2787

On page 342, below line 22, add the following:

SEC. 2827. CONVEYANCE OF UTILITY SYSTEMS, LONE STAR ARMY AMMUNITION PLANT, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey all right, title, and interest of the United States in and to any utility system, or part thereof, including any real property associated with such system, at the Lone Star Army Ammunition Plant, Texas, to the redevelopment authority for the Red River Army Depot, Texas, in conjunction with the disposal of property at the Depot under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(b) CONSTRUCTION.—Nothing in subsection (a) may be construed to prohibit or otherwise limit the Secretary from conveying any utility system referred to in that subsection under any other provision of law, including section 2688 of title 10, United States Code.

(c) UTILITY SYSTEM DEFINED.—In this section, the term ''utility system'' has the meaning given that term in section 2688(g) of title 10, United States Code.

ADDITIONAL STATEMENTS

THE NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT OF 1998

• Mr. DODD. Mr. President, with this week's defeat of S. 1415, the National Tobacco Policy and Youth Smoking Reduction Act of 1998, the Senate has for the time being lost a unique opportunity to create a better future for our nation's children. Cloaked in a procedural vote, the Republican leadership of this body voted to override the will of a majority of our colleagues and scuttle an historic effort to protect our children from the ravages of tobacco. In the end, a determined minority of Republican Senators was more responsible to the wishes of the tobacco industry than the need's of America's children.

Preventing the devastation that tobacco wreaks on our children was the impetus for the considerable work that went into the drafting of this bill over the past several months. It is also the reason why many of us have been willing to devote a significant portion of the Senate's time—almost four weeks—to this cause.

We know that ninety-five percent of all adult smokers begin smoking as children. An estimated 3,000 youth start to smoke each day—a number that has been increasing for the last five years. One thousand of those children will die early as a result of taking up this deadly habit. Provisions in this legislation would have reduced by two-thirds the number of children who smoke.

Those who voted to abandon this effort have chosen to allow our children to continue purchasing over 256 million packs of cigarettes per year, providing over $500 million in revenues to tobacco companies. They have chosen to do nothing to prevent sickness and death that are certain to befall millions of children who become addicted to tobacco.

This bill would have been a tremendous step in the right direction. As originally drafted it would have comprehensively addressed the epidemic of youth smoking by funding anti-smoking campaigns and smoking cessation programs, reducing the ability of young people to buy cigarettes, and limiting the ability of tobacco manufacturers to market to children. There were also a number of other improvements offered to the bill during debate on the floor, which I was proud to support.

In particular, I was pleased to see two amendments incorporated into the bill that would have provided strong disincentives for tobacco manufacturers to continue to market to America's children. The first provision would have ensured that tobacco companies would be penalized if they marketed to children by denying them the ability to claim a tax deduction for those advertising expenses. A second amendment would require the tobacco industry to pay stiffer lookback penalties if youth smoking reduction targets were not met.

Public health and economic experts agree that the cornerstone of any effort to reduce youth smoking is a steep increase in the price of tobacco over a short time. That is why I strongly supported an amendment to increase the price of cigarettes by $1.50 per pack, the minimum amount of increase that experts agree is needed to reduce youth smoking. This price increase would have reduced the number of children smoking by 60% in one year, kept 2.7 million kids from starting smoking, and would have saved 800,000 lives. While I was disappointed that the proposal was defeated, I was encouraged that a majority of the Senate resoundingly rejected an attempt to strip from the bill the original $1.10 per pack increase—one of the bill's strongest weapons against youth smoking.

I was also proud to support a provision that would have improved the quality of child care and made it more affordable and accessible to all Americans. By setting aside for child care 50 percent of the federal portion of tobacco funds going to states, this provision would have provided a solid foundation and a concrete committment to the future health and safety of our children.

There were also a number of amendments to this legislation which I opposed out of concern that they would have significantly weakened its impact. First, I was unable to support an amendment that would have denied tobacco manufacturers any limitation on annual liabilities. Like the Administration, I believe that some limitations on liability were necessary in order to maximize our chances of passing a bill that would actually succeed in curbing youth smoking. Without such provisions, members of the industry were prepared to argue that their First Amendment rights were violated. They would have tied the legislation up in courts for decades, while leaving America's children unprotected.

Several amendments concerning limits on lawyers fees were also considered as part of the debate on this bill. While the lowest proposed limit would have perhaps inadvertently limited access by individuals to attorneys willing to take their cases, I supported subsequent amendments which offered less onerous limitations on the amount attorneys can charge to bring suit against the misdeeds of the tobacco industry.

I was troubled by efforts of some Members to divert the funds dedicated in this bill for public health purposes. For instance, while I have been a staunch supporter of anti-drug legislation, I was unable to support an amendment that would have gutted anti-tobacco public health programs in the bill in favor of poorly crafted anti-drug provisions. This amendment would have diverted public education funds to private-school vouchers for victims of school violence. A main flaw in this concept is that it offers assistance only after a student has been victimized, but does nothing to prevent crimes against children before they happen. This amendment would have also overridden the collective bargaining rights of employees of the Customs Service, undermining a successful anti-drug program developed through cooperative labor-management relations. It would have also barred Federal funds and limited non-federal funds for needle exchange programs—programs that have effectively helped control the spread of the deadly AIDS virus in our communities. Not surprisingly, this amendment was opposed by several law enforcement entities.

In contrast, the Democratic alternative, which I did support, would not have jeopardized funding for public health. This alternative would have included tough money laundering provisions, not present in the Coverdell amendment, which would have provided critical assistance to law enforcement to combat drug problems. Rather than weakening the Customs Service, it would have increased the drug interdiction budget for the agency as well as for the Coast Guard and the Department of Defense, using general revenues. In addition, the Democratic alternative would have created financial incentives for states to report on and improve the safety of schools.

I also felt compelled to vote against the marriage penalty amendment offered by the Republicans because, in my view, the amendment did not provide targeted relief to those who need it most. In fact, 60 percent of the tax cut in the provision would have gone to couples who currently enjoy a marriage bonus. Moreover, this amendment was a costly measure—costing 50 percent more in the first 10 years than the Democratic alternative that was offered, which I was pleased to support. In addition, the Republican amendment would have been partially funded

in the out-years by tapping into the projected budget surplus, potentially leaving fewer funds available for long-term Social Security reform.

The Democratic alternative to this amendment would have reduced the marriage penalty in the tax code by a much greater extent than the Republican proposal for most couples with incomes below $60,000. Indeed, this amendment was carefully targeted and would cut the marriage tax penalty more for a greater number of families. Furthermore, this proposal would have cost far less than the Republican proposal, while preserving the capacity of the tobacco bill to fulfill its fundamental purposes: cutting youth smoking, recompensing states and tobacco farmers, and improving the medical knowledge about the treatment of tobacco-related illnesses.

Mr. President, this was not a perfect bill. However, even with its flaws, it would have marked a dramatic step forward in the effort to protect children from the dangers of smoking. I was disappointed by its demise. But I firmly believe that its defeat is only a temporary one. The health of our children is simply too important for this Congress to ignore. I look forward to working with colleagues on both sides of the aisle in the days to come to address this critical issue.●

TRIBUTE TO ADITI GARG OF NEW HAMPSHIRE, 1998 DISCOVER CARD STATE TRIBUTE AWARD SCHOLARSHIP RECIPIENT

● Mr. SMITH of New Hampshire. Mr. President, I rise today to commend Aditi Garg of New Hampshire for receiving the Discover Card State Tribute Award Scholarship for 1998.

Established in 1992, the Discover Card Tribute Award program honors outstanding high school juniors and seniors across the United States and overseas schools. The Tribute Award Program honors excellence in community service, leadership, special talents, unique endeavors and obstacles overcome. Of nearly 11,000 students nationwide who applied this year, only those who most exemplify these characteristics receive the scholarships. Winners may use their scholarships for any type of post-high school education or training.

Gold, silver, bronze and merit State Tribute Award scholarships are awarded in three categories of study: Arts and Humanities, Trade and Technical or Science, Business and Technology. Due to her outstanding written statement, Aditi received a silver award in the category of Science, Business and Technology Studies.

It is no wonder Aditi is one of the recipients of such a competitive award. She is a member of the National Honor Society at her high school in Salem, New Hampshire. She is also a member of the varsity tennis team, studies Indian classical dance and enjoys her volunteer work at Holy Family Hospital in Methuen, Massachusetts. Both in school and in the greater society, Aditi stands out as a model student and citizen.

I wish to congratulate Aditi for all of her accomplishments, and especially for being a distinguished recipient of the Discover Card State Tribute Award. It is an honor to represent Aditi Garg in the United States Senate.●

AN AUTHENTIC AMERICAN HERO IN OUR MIDST

● Mr. KERRY. Mr. President, those of us who serve with our distinguished colleague from Ohio, Senator JOHN GLENN, have long known him to be a very special American. We have had the privilege of working with someone who, in his Senate service that might be characterized as his third career, has demonstrated his capability as an accomplished statesman and politician. He has capably provided strong leadership to the committees on which he has served, notably including but certainly not limited to his work as Chairman and Ranking Member of the Committee on Governmental Affairs in fields as diverse as counterproliferation and government efficiency.

JOHN GLENN's public service, of course, follows his other two careers—most recently as a very successful businessman in our free enterprise economy, and, of course, as an accomplished military pilot with a distinguished record culminating in the distinction of being the first American to orbit the earth in space as one of the original seven Mercury astronauts.

This fall, Senator GLENN expects to return to space to participate in important experiments concerning the effects of space travel on senior citizens. In some ways to those of us who know him well, and watch the pace at which he works and his amazing capacity for the nearly interminable activity that consumes the lives of our nation's elected officials, it is difficult for us to see him as a senior citizen. But the calendar tells us that Senator GLENN is well into his 70's—and, in fact, will see his 77th birthday very soon. We wish him well, and, once again, many years after the first time our nation held its breath and offered him our prayers and best wishes, we will do so again later this year when he and his fellow Discovery crew members board the shuttle for the flight in which he will serve as a crew member.

On Tuesday night of this week, we colleagues in the Senate honored Senator GLENN, and met his fellow crew members, at a dinner in the Capitol. On that occasion, the Senate Democratic Leader TOM DASCHLE delivered remarks in honor of JOHN GLENN. Because Senator DASCHLE's remarks eloquently and succinctly captured much about JOHN GLENN that I believe others should know, I ask that those remarks be printed in the RECORD.●

REMARKS BY SENATE DEMOCRAT LEADER TOM DASCHLE HONORING JOHN GLENN, AN OLD-FASHIONED AMERICAN HERO

Every time I hear John talk about wanting to go back up into space to study the effects of space flight on aging bodies I think, ''Right. What does he know about aging bodies?'' John Glenn is the only person I know who can do pushups with one hand and salute the flag with the other at the same time.

So, I appointed a task force to investigate the real reasons John wants to blast back into space. Tonight, I'm releasing their report. Here are the top three reasons, in Letterman style:

Number three: It turns out, he left his billfold up there the first trip.

Number two: Before he leaves Congress, he wants to pioneer the ultimate CODEL.

And reason number one: He wants to explore places to send Ken Starr on his next assignment.

Actually, the reason John is going back into space is the same reason he's doing practically everything in his life. It is, quite simply, to serve his country.

We are here tonight to pay tribute to an old-fashioned American hero, and to thank Annie, and all the Glenn children and grandchildren, for sharing so much of John with America for so long.

About two years ago, Linda and I had the privilege of flying to China with several other members, including John and Annie. During the flight, we were able to persuade John to recollect that incredible mission aboard Friendship 7.

He told us about losing all communication during re-entry, about having to guide his spacecraft manually during the most critical point in re-entry, about seeing pieces of his spacecraft splitting off in a big fireball.

We all huddled around him with our eyes wide open. No one said a word. Listening to him, I felt the same awe I had felt when I was 14 years old, sitting in a classroom in Aberdeen, South Dakota, watching TV accounts of that flight.

I feel that inspiration now, when I think about what will be the next chapter in the life of this amazing man.

A lot of people tend to think of two John Glenns: Colonel John Glenn, the astronaut-hero; and Senator John Glenn. The truth is, there is only John Glenn—the patriot.

Love for his country is what sent John into space. It's what brought him to Washington, and compelled him to work so diligently over all these years in the Senate. As he said, when he announced that he would not seek re-election: Despite all our problems—despite our sometimes inefficient bureaucracies . . . or any of the other problems we love to complain about, America—this grand experiment in democracy—this ongoing work in progress—is still the greatest nation in the history of the world and still a shining beacon of hope and opportunity.

People who have been there say you see the world differently from space. You see the ''big picture.'' You see how small and interconnected our planet is. Perhaps it's because he came to the Senate with that perspective that John has fought so hard against nuclear proliferation. As a Wall Street Journal reporter wrote recently, ''He has been the Senate scold who lectured everybody who would listen, and some who wouldn't, about the need to stop the spread of nuclear arms.''

I don't know about that ''Senate scold'' part. But I do know that America is lucky that John Glenn went up the first time and gained that perspective. And the country is very lucky that he is going up again. And those of us who are his colleagues are the luckiest of all, for having had the chance to serve with, and be inspired by him, between his two trips.●