

penalty was calculated. The agreement was that it would be calculated industry-wide. So you would look to see what the total reduction in teenage smoking was. And then, each company—you figure out what that total penalty was. It is the penalty the tobacco companies agreed to. You take that pot of money, that penalty pot, and you divide it up among the tobacco companies, based on their total market share. So if one tobacco company had 30 percent of the market, they would get 30 percent of the cost of the penalty, irrespective of whether or not they were a leader in the sale of cigarettes to young people or whether they didn't sell a cigarette to a young person; it didn't make any difference.

We looked at this and came to the conclusion that it really didn't make a lot of sense to base it entirely on that procedure. We came to the conclusion that the tobacco companies should be held accountable for what they did specifically. So we came up with this amendment with a variation of what Senator MCCAIN had done, where he blended the penalties, basically making part of the penalties being applied industry-wide—that form of socialism we talked about—part of the penalties being applied case by case, company by company.

We have kept a blend in the Durbin-DeWine amendment, but we put more emphasis on company-specific. We think it makes sense to hold the individual tobacco companies accountable for the reduction in their product that is being sold to kids. Now, some of my friends have come to the floor and said, "Well, look, that's not really fair. Tobacco companies can't control what they sell to kids."

With all due respect, that doesn't make any sense. They control it today. They control it by their advertising. They control it by whom they target. They control it by how they market the product. There is a reason that Marlboro has 62 percent of the market. There is a reason they beat everybody else out in getting the kids market, the illegal sales market, the kids-under-18 market. They have been darned good at it. So we have seen, decade after decade, these companies being very good at this and being able to figure out how they can target a niche market and how they can get into kids who are just starting to smoke.

To say that, now, if we give them an incentive not to do it, give them a disincentive and charge them not to do it and they agree not to do it, to say they can't control what they are doing makes absolutely no sense.

My colleague from Kentucky came to the floor and asked, I think, a very legitimate question—Senator FORD. He said—I will paraphrase what he said, but, basically: Look, you are holding the tobacco companies liable. But the Government is going to be the one who is going to be doing the counteradvertising. And the Government is going to be doing other things to reduce teenage smoking.

I think the answer to what Senator FORD said is, yes, that is correct, the Government is going to be involved in countermeasures. The Government is going to be involved in trying to reduce teenage smoking. But that doesn't mean the cigarette companies will still not be players and still will not have things that they can control.

Make no mistake about it, under this bill or any of the different versions of this McCain bill, tobacco companies still are going to be able to impact how teenagers smoke, and whether or not their product is marketed to teenagers, and whether their product is sold to teenagers, and whether they target teenagers. How can they do it? Well, they can do it in many ways. They can do it by advertising. The bill has restrictions on advertising.

Yet, advertising is still going to be permitted. So how they target that advertising and what kind of advertising they place and where they place it is going to clearly impact on whether or not young kids underage buy cigarettes.

Tobacco companies will control that. They will control advertising. They will control how they market the product as they do today. They will control how they target the product as they do today. They can run, if they want to—and this is clearly within their control—their own antismoking campaigns aimed at kids. They clearly can do that.

We hope the more money they spend on that, the more emphasis they will put on that, it will reduce the consumption of their own product. Clearly, how the tobacco companies market and advertise will impact youth smoking. They have some responsibility. We have to hold them accountable.

My friends, particularly on this side of the aisle, always talk about accountability. We are in an age of accountability, whether we are talking about welfare or whatever we are talking about. We are in an age of accountability where people need to be accountable for their own actions. What the Durbin-DeWine amendment says is the tobacco companies ought to be responsible for their own actions; the tobacco companies ought to be judged not by what they say but by what they do. The tobacco companies ought to be charged and looked at and judged by what the results are. That is all we are saying.

I find that to be a pretty conservative point of view, and a point of view that most of my colleagues on this side of the aisle always talk about and, I think, support. If we look at it in this way, this is, in effect, a very conservative amendment.

Mr. President, the Durbin-DeWine amendment changes the incentives. We get rid of the profit motive. We give the incentive to prevent kids from smoking. We give that incentive to the tobacco companies.

Another issue that was raised a few moments ago in regard to the general

look-back provision which our amendment contains and the McCain bill does, of course, is whether or not these surveys are accurate. The statement was made or the assertion was made, "How in the world can you hold tobacco companies liable for surveys?"

First of all, they agreed to it. They agreed to it. They agreed to the broad survey of looking at the industry and looking at how much teenage smoking was occurring. They agreed to that.

Second, these same tobacco companies rely on surveys to do advertising. They rely on surveys to do everything in regard to marketing. Mr. President, I don't think there is one of us in this Senate who has not come to the floor when we talk about illicit drugs in this country, not a one of us has not come to this floor and cited statistics based on surveys about whether the consumption of drugs among our young people is going up or going down. We take them at face value, we rely on them, we make policy based on them and we make decisions based on them.

We have had a debate ongoing for the last 6 to 9 months in this Senate in which I have been involved on several different occasions where we have lamented the fact that among the very youngest of our children who are starting to use drugs, the consumption is going up at the same time the fear factor is going down. And we picked that up from the national surveys being done. Drug-Free Youth Group, we rely on that in our decisions.

I think it is clear that surveys scientifically done, correctly done, clearly can tell us what percentage of the youth market is smoking and what percentage of the youth market is smoking Marlboros. There is no doubt about it. We can come within a very, very close percentage, a fraction of a percentage of getting that figure.

Mr. President, let me conclude by again congratulating Senator MCCAIN for bringing this bill to the floor. It is a comprehensive approach. At the end of the day, when all the days are over and this finally made its way through the Senate, if we are going to have something worthwhile, it has to be a comprehensive approach.

We have to be concerned about driving up the cost, the price, because we know that will have an impact. We have to counter advertising. We have to have some control of the advertising and the cigarette companies ultimately need to agree to that.

As this process goes through, it is sometimes not a pretty process, it is certainly not an easy process, but it is our process, a democratic process, and I remain optimistic that we will end up with a comprehensive bill that will reduce teenage smoking significantly, that will save lives and that will be a bill of which we can all be proud.

TRIBUTE TO FORMER SENATOR GEORGE MITCHELL

Mr. LEAHY. Mr. President, April 10, 1998 was not only Good Friday and

Passover for millions of people around the world. It was a day that marked a beginning for the people of Northern Ireland. A beginning on a path toward peace after thirty long years of civil conflict that claimed over 3000 lives. Although a great deal of work lies ahead to ensure that the peace agreement signed in Belfast is adopted by all parties and faithfully implemented, the agreement is an achievement of immense historic significance.

Over the years, like so many Americans who are proud of their Irish heritage, I have wondered if I would live to see this day. Some years ago, not long after the first cease-fire began, I traveled to Northern Ireland and met with both Catholics and Protestants. Both longed for peace. Both asked me to urge President Clinton, who had taken a chance for peace when he granted a visa to Gerry Adams, to stay the course. We all knew there would be setbacks. We knew more innocent blood would be lost. But while some longed for a past that was gone and others for a future that could never be, most knew that violence could not bring peace and that the only way to a better life was through compromise.

The April 10th agreement represents the culmination of a tremendous amount of effort, and a great deal of courage, by many people. As party leaders, John Hume, whom I consider it a great privilege to call a friend, Gerry Adams, and David Trimble brought their constituents' longing for peace to the negotiating table and understood the responsibility history had thrust upon them and the need to find the middle ground. British Prime Minister Tony Blair and his Irish counterpart, Bertie Ahern, deserve enormous praise for putting the full weight of their offices and their personal reputations behind the negotiations.

Several other people I want to pay tribute to are former Irish Prime Ministers Albert Reynolds and John Bruton, and former Foreign Minister Dick Spring, who put the peace process in motion and labored day and night to keep it moving forward despite setbacks. Throughout this period Former Irish Ambassador Dermot Gallagher and his successor Sean O'Huiginn played a critical role keeping us informed here in Washington as they worked to further the peace process.

But I want to make particular mention of our former Senate colleague, George Mitchell, whose wisdom, steady perseverance and total dedication to the cause of peace enabled the parties to find a way to put the years of hatred behind them and look to a new day.

Senator Mitchell came from humble beginnings. Born to Lebanese and Irish immigrants in rural Maine, he worked his way through Bowdoin College and Georgetown Law School. As a federal judge and from the time he joined the Senate in 1982, he demonstrated patience, even-handedness and commitment to the public good. As Majority Leader, he served as an articulate na-

tional spokesman, a trusted colleague and a good friend.

As the first serving U.S. President to visit Northern Ireland, President Clinton made a commitment to the peace process early on, courageously put his prestige on the line by granting a visa to Gerry Adams, and showed great foresight in his appointment of Senator Mitchell as chairman of the negotiations. As I said at that time, I could not have imagined a person better suited to bring the sides together and forge a common path to the future. George Mitchell managed to do what many in the foreign policy establishment said was impossible. As the crafter of the agreement, he has given hope to millions of Irish citizens, and in doing so he has shown the world that even the most seemingly intractable conflicts, even the most bitter hatred, can be overcome.

Mr. President, an April 18, 1998 article by Mark Shields in the Washington Post gives a good description of Senator George Mitchell and his latest achievement. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 18, 1998]

THE POLITICS OF PEACE

(By Mark Shields)

After hearing the happy news from Ireland that peace could actually break out there, I found my notes from a campaign speech given in 1993 by an American politician. This is what he said then about his earlier career as a federal judge:

"In that position, I had great power. The one I enjoyed exercising most was when I presided over what are called naturalization ceremonies.

"They're citizenship ceremonies. People who come from all over the world who had gone through the required procedures now gathered before me in a federal courtroom, and in that final act I administered to them the oath of allegiance to the United States. And then, by the power invested in me under the Constitution, I made them Americans.

"It was always a very emotional and moving ceremony for me because my mother was a Lebanese immigrant and my father was the orphan son of Irish immigrants.

"My parents had no education. My mother could not read or write English. And they worked—my mother in a textile mill, and my father as a janitor—all of their lives, to see that their children had the education and the opportunity they did not have. . . .

"And after every one of those ceremonies, I spoke personally with each of the new citizens. I asked them where they came from, how they came, why they came. Their answers were as different as their countries of origin. But through those answers ran a common theme best summarized by a young Asian man who, when I asked him why he came here, responded in slow and halting English.

"I came here," he said, "because here in America everybody has a chance." A young man who had been an American for five minutes summed up the meaning of our country in a single sentence.

"Many of us, most of us in this room, derive great benefits from our citizenship. And most of us are citizens by an accident of birth, not by an act of free will.

"With those benefits come responsibility, and foremost among those responsibilities is

our obligation to see to it that those who follow us, the generations yet unborn, have opportunity, have hope, have the right to a good, decent life, a good job, a good-paying job, the opportunity to feed, clothe, house and educate one's children in the best way possible."

Much, too much, has been written in recent years about the politics of values. That 1993 speech expressed straightforwardly the values of an American politician—George Mitchell, Democrat from Maine, former Senate majority leader—who, over the past 22 months, through a combination of heroic patience, consummate prudence and a near-unique ability to publicly submerge his own ego, has crafted the peace plan for Northern Ireland.

Politics is the peaceable resolution of conflict among legitimate competing interests. That is what Mitchell brought to Belfast from Waterville, Maine, after working his way through Bowdoin College and night law school at Georgetown University. A committed partisan, he helped run the two losing national campaigns of his mentor, Sen. Edmund Muskie of Maine.

Neither a plaster saint nor politically invincible, Mitchell himself ran in 1972 for the chairmanship of the Democratic National Committee and lost to Robert Strauss of Texas. In the Watergate election of 1974, when Democrats swept nearly everything, Mitchell still lost the governorship of Maine to an independent. When Muskie left the Senate in 1980 to become secretary of state, Mitchell was chosen to succeed him.

At the 1987 Iran-contra hearings, Mitchell gave a civics lesson to the nation, as he bluntly advised the grandstanding Marine Lt. Col. Oliver North to "recognize that it is possible for an American to disagree with you on aid to the contras and still love God and still love this country as much as you do.

"Although He is regularly asked to do so, God does not take sides in American politics. And in America, disagreement with the policies of the government is not evidence of lack of patriotism."

British Prime Minister Tony Blair was indispensable to the peace agreement. So, too, was Irish Prime Minister Bertie Ahern. And the courageous Protestant and Catholic leaders in the North. President Clinton, against the jaded opposition of the foreign policy establishment and over the objections of his own State and Justice Departments, took the bold risks for peace. He has been a leader.

But it was the son of George and Mary Saad Mitchell of Waterville who was to grow up and remind us in Easter week 1998 that politicians can also be peacemakers.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, May 20, 1998, the federal debt stood at \$5,502,138,799,604.60 (Five trillion, five hundred two billion, one hundred thirty-eight million, seven hundred ninety-nine thousand, six hundred four dollars and sixty cents).

One year ago, May 20, 1997, the federal debt stood at \$5,346,368,000,000 (Five trillion, three hundred forty-six billion, three hundred sixty-eight million).

Five years ago, May 20, 1993, the federal debt stood at \$4,287,296,000,000 (Four trillion, two hundred eighty-seven billion, two hundred ninety-six million).