

So I am deeply moved. But I have played a modest role in seeing that another very fitting memorial be dedicated to that American of extraordinary accomplishment.

I yield the floor.

Mr. SARBANES. Mr. President, I want to amend one thing that the distinguished Senator from Virginia said. I think he referred to his role here as a "modest role." But he really was very pivotal in helping us to get this legislation enacted last night.

The Secretary of the Interior determined that the Martin Luther King statue, which is going to be placed in the District of Columbia in memory of Martin Luther King, would be put in the prime area, which is the Mall and the surrounding areas. That determination needed the approval of the Congress. Senator WARNER and I joined together in the Senate, along with Congresswoman MORELLA, who led the effort in the House, in order to bring this about.

We will now have a statue in the District in a fairly short time. The money will be raised privately by the Alpha Phi Alpha Fraternity. But it will stand as a tribute to what Martin Luther King, Jr. represented, which, in my judgment, was a commitment to achieving change through non-violence—a very important lesson. Martin Luther King, Jr. clearly worked within the framework of a democratic society. He sought very significant and substantial change. He sought to make the Nation live up to its ideals. But he was committed in doing it in a non-violent way.

I think that is a very important lesson for all Americans.

I, like the Senator from Virginia, have personal memories. I was at the Reflecting Pool the day he gave the "I Have a Dream" speech, when he stood on the steps of the Lincoln Memorial, and, of course, that speech had a tremendous impact on American society then and continues to have a tremendous impact.

So I am very glad that this matter has been moved forward now. All of the legislation that is now necessary is in place, and now we look forward to going ahead and we look forward to, at sometime in the not too distant future, a ground breaking and, sometime thereafter, a dedication.

I express again my deep appreciation to the distinguished senior Senator from Virginia for his efforts in this regard.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. WARNER. Could I just simply add my thanks to my colleague. We were full partners on it. And, indeed, I did not know that the Senator likewise was at the historic speech. It shows you how interesting life can be.

I thank the Chair, and I thank my colleague.

Mr. KERRY. Mr. President, I understand we are in morning business?

The PRESIDING OFFICER. We are, with remarks limited to 10 minutes.

Mr. KERRY. I thank the Chair.

CONGRATULATING SENATOR LOTT AND SENATOR BYRD

Mr. KERRY. Mr. President, I join with my colleagues in expressing my admiration and respect for the senior Senator from West Virginia, for the extraordinary comments he made on behalf of Senator LOTT. I was equally touched I think by the honest, open response of Senator LOTT to the emotions that he felt with respect to the birth of his grandson. I think we can all sense, at least those of us who have had children, the enormous emotional wave of that particular moment.

So we salute both of those colleagues of ours. I thank Senator BYRD for taking the time to share with the Senate those important thoughts.

THE TOBACCO BILL

Mr. KERRY. Mr. President, I almost hate to break the sort of magic, if you will, of those moments, but I want to say a few things, if I may, about the proposal yesterday of the Speaker of the House with respect to the principles that the House and he will pursue in trying to put forward tobacco legislation.

Many people in the press have been busy writing that the tobacco bill is dead, and a great number of people have suggested, even in this body, that tobacco is dead as an issue for this year.

I wish to make it very clear that, if anything, the proposal by the Speaker makes it clear that not only is it not dead but the Republicans feel compelled to somehow create some sort of cover for the efforts that took place in the Senate over the course of the last weeks to stop a particular piece of legislation.

I think the headlines that ran across the country saying "Republicans Killed Tobacco Bill"; have stung more than some people want to suggest, and the evidence of that is the fact that the Speaker saw fit to provide this figleaf to the party. It is a figleaf, and I think it has to be put in the context of Speaker GINGRICH's own \$50 billion tax credit that he snuck for the tobacco industry into the balanced budget legislation. No one should forget that only a year ago the Speaker of the House provided the tobacco industry of this country with a \$50 billion tax credit and now he is providing another gift to the industry and a disaster for children and for public health.

As Surgeon General Koop said yesterday about the Gingrich proposal:

Instead of doing something serious about reducing the number of children who smoke, these Members of Congress have created a bill that they can hold up for a photo opportunity and a sound bite. If the House Republicans try to call this a bill to limit the damage that tobacco does to the Nation's health, that's false advertising.

Then Surgeon General Koop said:

I'm glad they feel they have to do something. I'm sorry they think they can do so little.

Mr. President, let me say specifically what the great flaws are in the outlined proposal by the Speaker.

First of all, rather than expand FDA authority over tobacco, it actually restricts authority. By restricting the FDA to only being able to regulate the manufacture of cigarettes, it actually strips the FDA of most of its regulatory authority. And that is directly contrary to what the Senate accepted in the proposal that came from the Commerce Committee by a vote of 19 to 1, and it was never contested in this Chamber that that authority ought to exist.

The House, under the Gingrich proposal, would even curtail the FDA's ability to restrict the illegal sale of tobacco products to children. That is extraordinary, and also it lacks any common sense whatsoever.

Furthermore, the Gingrich proposal provides no tough penalties whatsoever on the tobacco industry if they are to continue to market to kids. There is not any one of us who does not know the long history of the tobacco industry marketing to kids.

Here is the memo from R.J. Reynolds Company:

They, i.e. young people, represent tomorrow's cigarette business. As this 14-24 age group matures, they will account for a key share of the total cigarette volume for at least the next 25 years.

In the course of the debate, we made it very, very clear, through their own words, the degree to which tobacco companies targeted young children and the degree to which they created a strategy to try to addict young people to cigarettes, to tobacco. There is no effort whatsoever in the Gingrich approach to try to hold the tobacco companies responsible, not only to the programs that might reduce children from smoking but also to tough provisions that would hold them accountable if they do not meet the reduction in teenager smoking.

The tobacco industry has preyed upon children for decades. The Republicans in the House evidently are prepared to let them continue to do that, and the Senate I know will find that unacceptable.

Furthermore, the Gingrich approach lays out a series of very tough, punitive measures for teenagers without being punitive on the companies themselves. They are tougher on the kids who wind up subjecting themselves to the lure of the tobacco companies than they are on the tobacco companies themselves. That is absolutely extraordinary and totally unacceptable.

Obviously, there ought to be some penalties with respect to teenage purchase if it is against the law to purchase, but the answer to reduce youth smoking is not a solely punitive bill on children, it is to include the tobacco companies. If anything ever stood for