

CHRISTOPHER F. PATTEN,
GOVERNOR OF HONG KONG

Mr. DODD. Mr. President, I rise this afternoon to say a thank you on behalf of myself and I feel a thank you as well on behalf of my 99 colleagues to his Excellency, Christopher F. Patten, the outgoing Governor of Hong Kong. Governor Patten has the particular distinction of being the last of 28 British Governors to preside over Hong Kong before this territory reverts back to the People's Republic of China on July 1—in just a few days.

Chris Patten, as those of us in this body have come to know him over the years, is a truly remarkable individual. He has been a superb administrator and an inspiration to the people who he has sought to govern in Hong Kong.

During his 5 years there, Chris Patten has watched the economy flourish under his stewardship. It grew by more than 30 percent in real terms over that period—a truly impressive performance. He has presided over a capable and honest civil service. Crime has fallen. The political situation has been stable and further democratized.

These are all important achievements, but, in my view, the most important legacy of the Patten administration is that it leaves behind the seeds of democracy firmly planted in the minds and hearts of the people of Hong Kong.

Thanks to Governor Patten and the people of Hong Kong, they were able to experience democracy firsthand by electing members of their local legislature, thereby making good on the British commitment to put in place a solidly based democratic administration.

Sadly, Mr. President, the Chinese have already made the decision to dismantle the elected legislature and to replace it with an appointed council, hand-picked by Beijing. That may work for the moment. In time we will know whether the "provisional legislature" installed by Beijing is only a temporary setback to democracy or the first step down a very dark, dark road, indeed. I hope it is not the latter.

Hopefully, Beijing will come to appreciate that it is virtually impossible to totally destroy democratic aspirations. As Governor Patten recently so eloquently put it, "You can dismantle institutions but you can't dismantle benchmarks. People now know what a fair election is like, and they will surely know what an unfair election is like if one takes place."

Many political leaders leave office, Mr. President, less than popular with those that they have governed, some deservedly so and others unfairly so, because they have had to make hard choices that only history will record kindly.

Not in the case of Chris Patten, in my view. Although few have had to make tougher decisions than he has, he leaves Hong Kong enormously popular, with 79 percent of the people of Hong Kong viewing him as having done a very good job, indeed.

On Monday, June 30, Governor Patten and his wife, Lavender, and his daughters, Kate, Laura, and Alice, will depart Hong Kong. I am confident that the people of that place will hold Chris Patten in their hearts for years and years to come. As one who considers him a personal friend, I would like to add my personal congratulations and thanks to him for all that he has endeavored to do, and I know that his many, many friends here in this body and the other and across this country, and particularly in Hong Kong, will not forget the challenges he has placed before the Government of the People's Republic of China.

(The remarks of Mr. DODD pertaining to the introduction of S. 983 and Senate Joint Resolution 34 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DODD. Mr. President, I thank the indulgence of my colleagues, Senator BYRD of West Virginia, Senator GRAHAM of Florida, and Senator BAUCUS of Montana, for their time here this afternoon. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, I note two other Senators on the floor who will be seeking recognition. May I ask, does either of them have to catch a plane?

Mr. BAUCUS. Yes.

Mr. BYRD. How soon?

Mr. BAUCUS. Tomorrow.

Mr. BYRD. I have to go somewhere tomorrow, too. I thought if the Senator wanted to catch a plane today, I would take my chair again.

Mr. BAUCUS. Thank you.

Mr. BYRD. Mr. President, I ask unanimous consent that I may use as much time as I may consume. I can assure my colleagues it will not be long, but I do not want to be interrupted in the midst of this speech.

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

CELEBRATING THE 4TH OF JULY

Mr. BYRD. Mr. President, last week I was proud to celebrate West Virginia Day, marking the 134th anniversary of the birth of my great State. Born in the midst of a terrible war, the mountain State still bears witness to that difficult four years of struggle, from Harper's Ferry to battle sites across her hills and farmlands. But she also still stands fast, and holds onto the traces of earlier history in her sturdy log barns and cabins and the winding rows of moss-covered stones bounding fields and cemeteries. Crumbling now, these long stone walls are losing their battles to the honeysuckle vines and the frosty upheavals of the centuries, but they remind us still of our forebears who settled this rugged and beautiful country and who bequeathed to us a legacy both tangible and intangible. For just as these early settlers left us these stacked stones, they also left us an even greater gift, a gift no one else

on Earth has ever truly shared—our American freedom and the remarkable form of government that keeps Americans free.

Next Friday, on the Fourth of July, we in the United States will celebrate the declaration of our freedom and the announcement of our intent to form a new government, not bound by happenstance of birth or caste, but one that gives each man an equal opportunity to rise above the circumstances of his own beginning and to make of his life whatever his ability and ambition would allow. The government that was painstakingly crafted in the years following this turning point in history combines the best of many forms of government, while avoiding their excesses. I never cease to wonder at our great and lasting fortune in having been blessed with a collection of Founding Fathers who were able to blend so many differing viewpoints and draft a Constitution that is so well thought out, and so finely balanced, that it has survived over the last two centuries with remarkably little change—remarkably little change. It demonstrates an ability to cooperate that has been in rather short supply around here in recent years.

The drafting of the American Constitution was the work of many minds. The Declaration of Independence, though conceived by a committee of five, was penned by a single versatile, very remarkable man. The group formed for this work was comprised of notables including John Adams, Benjamin Franklin, Roger Sherman, Thomas Jefferson, and Robert Livingston—whose namesake graces our Government today with his presence in the other body, Representative and chairman of the Committee on Appropriations in the House of Representatives, BOB LIVINGSTON. These were brave men to undertake what was then an act of treason against the British monarch, King George III. They decided unanimously to select Thomas Jefferson for the delicate job of putting into words the message they wanted to send to George III, and to the world. And of all the powerful and lyrical speeches that have ever been captured on the page, surely the grace, courage, and idealism of the Declaration of Independence ranks high. Thomas Jefferson's legacy to this Nation is a rich one, including the nucleus of our Library of Congress formed from his own collection after the destruction of the War of 1812, his contributions to the Continental Congress, and his service as President. But the soaring majesty of his words—beginning with "When in the course of human events * * *"—would stand alone as a monument to the man. Even as he lay dying at his mountaintop home in Monticello in 1826, Jefferson struggled to last until the fourth of July before succumbing to the call of the angels. John Adams, who died that same day—what a coincidence, what a coincidence—50 years after the Declaration of Independence was adopted, observed with his last breath that the

young Nation was safe, because "Jefferson still lives." He did not know that his friend had already died a few hours earlier.

The birth of our Nation, like the birth of my beloved State of West Virginia, was marked by conflict ignited by the Declaration of Independence, and the fireworks that we will watch next Friday serve as a vivid reminder of the price of our freedom. But many of us will watch those fireworks amid gatherings of friends and family, and the sting of battle will be but a distant memory. In West Virginia, the Fourth of July is marked in traditional ways, with parades and large family reunions, gatherings of kin from around the State and around the country. In cities like Weirton and Ripley, high school bands and volunteer firemen will step out smartly behind banners carried by majorettes in sequins that glint in the bright afternoon Sun. Local politicians and beauty queens will decorate the open tops of mirror-polished convertibles. And families will cheer as the Stars and Stripes goes past, carried proudly by an Eagle Scout. The very sight of Old Glory stirs the pride in even the most jaded or unpatriotic among us, when it is surrounded by such homespun and heart-felt pageantry.

After the parades, long tables will be laid under the old trees shading the yard—it may be a churchyard; There may be a cemetery nearby. Many hands will share in the labor of cooking, and the fragrance of meat grilling will blend with the sweet aroma of homemade pies and cakes. Children with watermelon juice dripping down their chins will run past grandparents in lawn chairs, waving their sparklers at the darkening sky as the dogs bark and give chase. When finally the fireflies give way to the stars, fathers will set up the roman candles, fountains, and noisemakers in a spectacular reprise of the "rocket's red glare, the bombs bursting in air," penned by Francis Scott Key as he witnessed the battle over Fort McHenry.

And after the glories of the Fourth of July, after the sleepy children are put to bed and the dishes are washed, the gathered kinfolk will scatter like the fallen rocks of the old stone wall, back to their homes, to be gathered again for next year's reunion. The strength of their families goes with them, and the love and pride they have in their union and their country will be renewed. There is no better Nation on Earth, no Nation more blessed, than this one. So, for this happy Fourth, I wish my fellow Senators Godspeed as they go to their many homes throughout the several States of the Union. I wish them all a safe journey in their weekend travels. I also wish God's blessings to all Americans traveling or residing abroad, who will gather at U.S. Embassies to celebrate with their fellow Americans on the Fourth of July in reunions of strangers that are still, intangibly, our kin as citizens. So with God's blessings

on everyone, everyone who is a part of the U.S. Senate, everyone who is part of the family of the Senate, we will come together again after we have celebrated the invisible yet lasting legacy of the men who gave us the Fourth of July. Henry Van Dyke captured this deep seated pride and kinship we all feel for our country, and never more so than on this holiday, in his poem, "America for Me:"

'Tis fine to see the Old World, and travel up and down

Among the famous palaces and cities of renown,

To admire the crumbly castles and the statues of the kings,—

But now I think I've had enough of antiquated things.

So it's home again, and home again, America for me!

My heart is turning home again, and there I long to be,

In the land of youth and freedom beyond the ocean bars,

Where the air is full of sunlight and the flag is full of stars.

Oh, London is a man's town, there's power in the air;

And Paris is a woman's town, with flowers in her hair;

And it's sweet to dream in Venice, and it's great to study Rome

But when it comes to living there is just no place like home.

I like the German fir-woods, in green battalions drilled;

I like the gardens of Versailles with flashing fountains filled;

But, oh, to take your hand, my dear, and ramble for a day

In friendly West Virginia hills where Nature has her way!

I know that Europe's wonderful, yet something seems to lack:

The Past is too much with her, and the people looking back.

But the glory of the Present is to make the Future free,

We love our land for what she is and what she is to be.

Oh, it's home again, and home again, America for me!

I want a ship that's westward bound to plough the rolling sea,

To the blessed Land of Room Enough beyond the ocean bars,

Where the air is full of sunlight and the flag is full of stars.

Mr. President, I yield the floor.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. GRAHAM. Mr. President, it is intimidating to speak after such poetic eloquence. One of the joys of serving in the U.S. Senate is to be part of a permanent class with Senator BYRD. Some students have left for their homes and Fourth of July activities and some of us were able to share in his just concluded statements on behalf of his wonderful State. I thank the Senator.

Mr. BYRD. Mr. President, I thank my honorable friend, the senior Senator from Florida, for his overly gracious and very charitable and kind remarks, and I hope that he and his lovely wife will have a joyous Fourth of July and a safe journey to the great State of Florida and back to Washington when the holiday week is done.

Mr. GRAHAM. I wish the same for Senator BYRD and his family.

(The remarks of Mr. GRAHAM pertaining to the introduction of S. 984 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRAHAM. Thank you, Mr. President.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

TOBACCO PENALTY DEDUCTIBILITY

Mr. BAUCUS. Mr. President, earlier today, Senator HARKIN introduced legislation dealing with the recent agreement between States and the U.S. tobacco industry. Senator HARKIN's provision says simply that the payments from tobacco companies to States should not be tax deductible.

I applaud this effort, and I want to speak for a few moments on the subject and how we might proceed from here.

Last week, a number of State attorneys general reached an agreement with several American tobacco companies. The agreement will compensate the States for their Medicaid spending on people who suffer from smoking-related illnesses, like lung cancer and emphysema, with \$368 billion in payments over the next 30 years. It is also supposed to include measures to protect the public health and provide tobacco companies with protections against future losses.

Congress must soon be asked to pass a law implementing this agreement. Because the agreement is very large and very ambitious, we will need a lot of time and study and consultation before we can reach a final judgment. But let me start with a basic principle.

I think we all would agree that a fair negotiated agreement is much better than litigation. But the key word is "fair." The agreement must be fair to States as they pay Medicaid expenses, fair to the Federal Government as it pays for Medicaid and Medicare, fair to kids, fair to the public, and fair to the taxpayers.

Initially, my reaction to the first point is that we should give the attorneys general a lot of deference on fairness to States. After all, they negotiated the agreement. With respect to the Federal contributions to Medicare and Medicaid, though, I am concerned that the agreement may not be fair. On public health, it seems they have come to some very good provisions on advertising, but perhaps weaker provisions on regulation of nicotine.

All this will take some more study. But I see one thing right away which seems to me grossly unfair to taxpayers. That is, under the terms of this agreement, tobacco companies will apparently be able to deduct their compensation payment from their tax bill as ordinary and necessary business expenses.