

question of greed by the cosmetics industry. Usually, when we are making tough decisions around here—and we have made them—we have limited funding; for example, for the food programs for our elderly people. We have to make a judgment, are we going to treat more people in congregate sites where you can feed more elderly people with limited resources, or are we going to carve out some and feed them at home, which means you will get to less people, you will get those people that are homebound. What do you do under those circumstances? You are placing needy people of one side against needy people on the other.

No easy answers on this. Painful judgments and decisions on that. We don't always get it right. We understand that. People of good will can differ on that and feel strongly about it, and we respect them here in this body. But under this circumstance, we are talking about the profits of the cosmetics industry and the risk to the American consumer. That is what the balance is. That is what is unacceptable. That is what is outrageous and that is why that cloture vote was necessary, so we begin to wake up America as to what is happening to these States. That is what we are going to have an opportunity to debate as we go to this bill, plus the other measures.

Mr. President, the last unacceptable element of this bill is an assault on the basic environmental protections contained in the National Environmental Protection Act, which is a key Federal environmental statute that regulates the Government's own actions through environmental impact statements. Under NEPA, Federal agencies must undertake a comprehensive environmental planning process for every major action they take. This law is a crucial statutory assurance that the work of the Government, the actions of regulated industries are consistent with the guiding principles of environmental protection.

Section 602 of the bill broadly exempts FDA's activities from environmental impact assessment under NEPA. This is the first preemption of NEPA in a regulatory agency and is the beginning now of cutting back very, very important environmental issues. For what reason? Why are we, in our committee that is responsible in terms of the education and the health and basic research, and the basic oversight of laws dealing with labor and management, pensions, and some of the older Americans activities—why in the world are we going around here in terms of preempting NEPA from the FDA? Who do you think was interested in that? Perhaps some of the industries who want to get out from under filing the environmental impact statement. If we are starting off with this agency, we know exactly what is going to happen in each of the other agencies.

This week, I spoke with the Vice President who expressed his serious personal concerns about this provision.

Just a few sentences: This bill opens the door to weakening environmental protection, and lays a welcome mat down for future exemptions and attacks on the effective and essential environmental statute. This is an act of environmental extremism, which should have no place in this or any other bill.

The reauthorization of the prescription drug and user fee is tremendously important to assure that the FDA will have the resources to review the new drugs. That is what we ought to be addressing.

Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senator from Massachusetts has 55 minutes 28 seconds remaining.

Mr. KENNEDY. Fine. I thank the Chair. I want to prepare to yield back the balance of my time this afternoon. As I understand, from a previous agreement, we will have time to continue this debate, I believe, on Monday next for a period of 4 hours, with the time evenly divided, starting at 11 o'clock, is that correct?

The PRESIDING OFFICER. Yes.

Mr. KENNEDY. I yield back the remaining time this afternoon.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

The PRESIDING OFFICER. Under the order of July 16, 1997, the Senate having received from the House of Representatives the bill H.R. 2159, all after the enacting clause of H.R. 2159 is stricken, and the text of S. 955, as amended, is inserted in lieu thereof. H.R. 2159 is read for the third time and passed, and a motion to reconsider is laid upon the table.

The bill (H.R. 2159), as amended, was passed.

The PRESIDING OFFICER. The Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses on H.R. 2159, and the Chair appoints the following conferees.

The Presiding Officer appointed Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. STEVENS, Mr. COCHRAN, Mr. LEAHY, Mr. INOUE, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mrs. MURRAY, and Mr. BYRD conferees on the part of the Senate.

PASSAGE VITIATED AND MEASURE INDEFINITELY POSTPONED—S. 955

The PRESIDING OFFICER. Under the previous order, passage of S. 955 is vitiated and the bill is indefinitely postponed.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, may I proceed for 2 minutes?

The PRESIDING OFFICER. Yes.

THE DEATH OF MOTHER TERESA

Mr. KENNEDY. Mr. President, I have just been notified about the death of Mother Teresa. I think I speak for all of the Members of the Senate, and I know that I speak for all of the members of my family and the people of Massachusetts that feel a sense of loss with Mother Teresa. She was really an extraordinary, inspirational, spiritual person whose life was devoted to others. She was a woman of enormous tenderness, gentleness, faith, and spirituality.

I had the chance to visit with her in Calcutta in the late 1970's and was first exposed to her extraordinary work with the homeless and destitute in that community. I saw how she was able to minister unto the poorest of the poor in ways that were absolutely inspiring, in terms of her gentleness and in terms of her capacity for caring. Anyone whose life she touched will never forget her. She was really a very, very special person. This world is a better world because of her life. I know that all Americans will feel deeply about the loss of Mother Teresa. I just hope that we will all say a prayer for her. Thank you very much.

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

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

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 5 minutes each.

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

TRIBUTE TO MOTHER TERESA

Mr. DASCHLE. Mr. President, we just received word that Mother Teresa has died in Calcutta of cardiac arrest. With Mother Teresa's death, another bright light has gone out in the world.

Someone once asked St. Francis what a person needed to do to please God. He answered, "Preach the Gospel every day. If necessary—use words." Mother Teresa lived just that sort of life. She was a living reminder to all of us that faith is more than words. It is the good deeds we do in this world.

She was a tiny woman, but she was an enormous inspiration. In the same way we can best show our respect for Princess Diana by supporting the ideals she believed in, the best way to honor Mother Teresa is to reach outside of ourselves and try to show a little more compassion in our own lives.