

Let me point out that, in any event, as I did make some mention, the President does have authority now to negotiate whatever he chooses in the area of environmental laws. Of course, under the Constitution, he is responsible for negotiating international agreements, or he could negotiate agreements that raise standards abroad or at home, or lower, such as he chooses.

But once he reaches an agreement with another country or countries, if it affects domestic law he, of course, has to bring it to Congress for action. Of course, under the ordinary process, that legislation can be amended. It does seem to me that, as a general rule, whether it is environmental, health, safety or whatever, we do want to have the process be the normal process where a matter comes up in both Houses and can be amended according to the rules of either House.

I point out that if someone wants to have fast track in a particular area beyond trade, that can be done. We had, as a matter of fact, given what is, in effect, fast track to base closing, because it was decided that it was important in order to close any bases that the executive branch propose what bases would close and Congress could vote it up or down but not amend. So we made another exception in that case.

It can also be pointed out that somewhat the same was done in respect to the Budget Committee. The budget has to be acted upon within a certain number of hours. There can be some amendments, but it is very limited compared with what normally is the process in the U.S. Senate.

Mr. REED. Will the Senator yield?

Mr. ROTH. Yes.

Mr. REED. I understand the Senator's point—it is very well taken—about the procedures. In a sense, it might prove too much. The idea that we can do things outside of fast track raises or begs the question why we do certain things within fast track. Why, for example, are we saying let's make foreign laws with respect to commercial practices consistent with our laws, when, in fact, when it comes to the environment, we are saying, "Oh, no, don't include environment in this same context"?

I think perhaps the logic might be that some people either feel the environment is not important to international trade—and I think our discussions tonight should have indicated it is very important, indeed crucial—or others are simply saying we want a trade agreement, an arrangement with a foreign country which will allow us all the benefits of commercial practice in the United States, all the protection of intellectual property laws, all the protections for capital investment but none of the burdens, if you will, of high-quality environmental laws.

Again, I just can't understand, with respect, why we can't include environmental conditions as we have otherwise.

Mr. ROTH. Mr. President, the distinguished chairman of the Appropriations Committee desires to be recognized at this time.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I thank the Chair. And I thank the distinguished Senator from Delaware.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

Mr. STEVENS. Mr. President, I come to the floor to make a statement concerning the bill that has been approved by—really an amendment approved by the Appropriations Committee. This afternoon we met, and the Appropriations Committee has authorized me—and Senator BYRD—to present an amendment to the District of Columbia appropriations bill. It is before the Senate. And this will be an amendment in the nature of a substitute.

We had hoped to be able to proceed at this time and get an agreement with regard to that. I have asked the distinguished Democratic leader to join me. And I have discussed the matter with our leader.

The difficulty is that several Members still want to read over portions of that proposed amendment before we seek to proceed on it. After discussing it with the distinguished Democratic leader, I think that is the better part of valor.

I had previously made the announcement that we would offer it tonight and hope to have debate tonight and vote tomorrow. We have a continuing resolution that expires tomorrow evening. But if the Democratic leader agrees, I think we will just hold off, and it would be the intention of the leadership to try and move to bring this matter before the Senate tomorrow, as I understand it, sometime around 1 or 1:30 tomorrow afternoon.

If that meets with the Democratic leader's approval, we will just not proceed tonight.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, first of all, let me commend the distinguished chairman for the work that they have put into this effort. I must say, this has moved us farther than I would have thought we could have gone in the time that we have had.

These are very difficult issues, very controversial in some respects. I think the chairman and the ranking member have done a very good job. I intend to support the work product at the appointed time. But it is multihundredpages long, and we have, I think, a need to look through it, not necessarily as much for the issue content as it is the grammatical content. And we are doing that now.

I think we will be ready to have a vote on it one way or the other in early afternoon. Senator LOTT and I have

consulted with the distinguished chairman. I personally would be prepared to go to a vote early afternoon. I think we can accommodate that schedule. So I think the distinguished chairman's recommendation is a good one. I hope we can work in good faith in the remaining hours tonight to be able to be ready to have that vote early tomorrow afternoon.

Mr. STEVENS. Mr. President, I thank the distinguished Democratic leader. Because of the expiration of the continuing resolution tomorrow night, and the desire of Members not to be here next week on matters that would require votes, I hope that we will be able to get to it tomorrow, and get it to the House in time for the House to consider it and dispose of it. We may face this bill coming back to us with an amendment from the House before we are through tomorrow. So it would have been my wish that we could have done it tonight, but under the circumstances we will defer until tomorrow.

I thank the Chair, and I thank the distinguished Senator.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO JOHN LUNDY

Mr. LOTT. Mr. President, today is not simply the end of the 1st session of the 105th Congress. For me, this day is one that brings both new opportunities and old memories. Today marks the end of John Lundy's 7 years of service to me, first as my administrative assistant and later as my chief of staff. He has also served the great State of Mississippi.

To truly understand John and his impact on others, we must go back to his roots. John was raised on a farm in the small, rural town of Leland, MS. This upbringing taught him the meaning of community and the importance of family. He is a proud Mississippian, and still refers to the Delta as "God's Country." John graduated from Mississippi State University with a degree in agriculture—I guess he couldn't get into Ole Miss.

He then moved to Washington shortly thereafter and found a job on the staff of the Mississippi delegation in the House of Representatives. He was single, young and full of ambition. Who would have guessed that he would be returning to Mississippi 7 years later with a wife, a new baby girl and a truck full of furniture?

When I asked John to join my staff, I knew he would be a quick study. He

was. He quickly jumped into the legislative fires with both feet.

John also quickly became involved in the demands of Washington's political world, but he never lost his Mississippi style. Or his Mississippi perspective.

Mississippians have told me for years how much they enjoy coming to Washington to see John. He makes everyone feel comfortable—no formalities, no pretenses. John can comfortably sit next to a farmer from the Delta or a banker from the coast and listen to his or her concerns. Visitors from the State are delighted to have one of their own paying attention to their needs, knowing that the message is not going to fade away the moment they leave. Mississippians knew that John was an able steward of their concerns, that telling John was as good as telling me.

There isn't a farmer in the State of Mississippi that doesn't know John Lundy, either personally or by reputation. John's knowledge of our State's many agriculture communities is unmatched in Washington. He is respected for his understanding of the issues and his dedication to finding a fair and equitable solution for all.

Mississippi's agriculture community was indeed fortunate to have John Lundy in Washington during the 1996 farm bill debate. I found that, although John was my staff member, other Senators had adopted him as their key advisor on this bill. His tireless work on this very difficult and complex legislation brought him the respect of both the State and national agriculture community.

Most importantly, John has always put Mississippi first. No matter what the situation or how high the stakes, the needs of the State came first. We all know how easy it is to get caught up in both the glitter and the rat race of Washington, DC, but John's focus has always been hundreds of miles south of the beltway.

Mississippians brought him problems, and he found them solutions. Many years have gone by since John joined my staff, but my admiration for him has grown with each passing day.

Now the time has come for him to return to Mississippi, to take his young family back home. This past summer, he and his beautiful wife Hayley was blessed with a baby girl, Eliza, who John says "was born to be in Mississippi."

As the Lundy family makes their way back to Mississippi, I would like to thank them for being such an important part of my life. I cannot thank John enough for his many years of hard work and dedication. He certainly leaves big shoes to fill. His quiet humility and generous spirit will be missed by my entire staff. I will miss his guidance and friendship.

John, I wish you nothing but the best of luck in the future, May you and your family be richly blessed in the coming years.

NOMINATION OF RAYMOND C. FISHER TO BE ASSOCIATE ATTORNEY GENERAL

Mr. LEAHY. Mr. President, I remain frustrated by the Republican leadership's unwillingness to consider and approve the President's nomination of Ray Fisher to the third-highest ranking position at the U.S. Department of Justice. Mr. Fisher has been stalled on the Senate Calendar for a month since being reported unanimously by the Judiciary Committee on October 9.

Ray Fisher is an outstanding lawyer and public servant. His record is exemplary.

Is this another example of a secret hold? There has been no explanation of justification for this delay and lack of action.

I recall when the Senate Republican leadership delayed the vote on the nomination of Eric Holder to the Deputy Attorney General position that we were told there were Senators with problems. I also remember that when I insisted on a rollcall vote on that nomination, after it had been stalled on the Senate Calendar for more than 3 weeks, the problems had all been resolved and the Senate confirmed Mr. Holder unanimously. One hundred Senators voted for that nomination.

I urge the Republican leadership to allow the Senate to confirm Ray Fisher to be Associate Attorney General of the United States.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry withdrawals and nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:15 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following bill:

S. 858. An act to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

At 4:31 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, an-

nounced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2534. An act to reform, extend, and repeal certain agricultural research, extension, and education programs, and for other purposes.

H.R. 2631. An act disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45.

The message also announced that the House has passed the following bills, without amendment:

S. 813. An act to amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful vandalism at national cemeteries.

S. 1377. An act to amend the act incorporating the American Legion to make a technical correction.

At 4:54 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2264. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore [Mr. THURMOND].

MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 2647. An act to ensure that commercial activities of the People's Liberation Army of China or any Communist Chinese military company in the United States are monitored and are subject to the authorities under the International Emergency Economic Powers Act; to the Committee on Banking, Housing, and Urban Affairs.

Pursuant to the order of the Senate of September 2, 1997, the following bill was referred to the Committee on Environment and Public Works for a period not to exceed 20 session days:

H.R. 1658. An act to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws.

MEASURES PLACED ON THE CALENDAR

The following measure was read the first and second times by unanimous consent and placed on the calendar:

H.R. 2631. An act disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45.

The following measure was read the second time and placed on the calendar:

S. 1414. A bill to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes.