

After a lot of fuss and carrying on yesterday and complaining and grouching, the House voted 417 to 2 for genuine, responsible, affordable health care reform that will make it available to people, with choice of the medical savings account. Senator KENNEDY, Senator KASSEBAUM, Congressman HASTERT, Congressman ARCHER, have worked heroically to bring this to conclusion. Can we not begin debate and come to conclusion on this important legislation now? Why not?

Who among us here today, for whatever reason, wants to stop funding for the District of Columbia, as desperately as it is struggling to survive and stand on its feet? And we are going to walk off and leave this conference report uncompleted? I do not believe that will happen.

Are we going to walk away from safe drinking water? Safe drinking water?

Mr. FORD. It's not here yet.

Mr. LOTT. I am a little worried that that bill would not be completed. I live in the District of Columbia. I worry about the water.

It is not here yet. The distinguished minority whip makes that point. It will be here today.

I am just racking them up, as to what we can do today. I urge my colleagues to come on over and let us get started. Let us not wait until the Sun goes down. Let us show them the Senate does not have to be nocturnal. While it may look dark here, it is light outside. We can bring some sunshine to this institution by doing these very important pieces of legislation.

I am prepared to go to the first nomination, but I see at least two or three Senators who appear to be wishing to make some comments. I would be glad to yield the floor.

Why do I not yield the floor and then, if Senators would like to comment, then I will move these nominations when they are prepared to do that.

I yield the floor.

Mr. WELLSTONE. I am prepared.

Mrs. HUTCHISON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Texas.

THE STALKING BILL

Mrs. HUTCHISON. Mr. President, I would like to just get a little clearer idea of where we are. I feel like there has been a mixture of issues here.

I did object to Judge Montgomery's going forward, because I wanted to finish looking at this. There are a number of people who have been concerned about the nominations that had gone through and want to look at the overall record. I am not prepared—I will object until I know a clear field and have a better idea of where we are going. But I am not saying that I will keep the objection on Judge Montgomery.

But in the rhetoric that has been flying around on the floor I think the stalking bill has been brought up. I did not put them together. But in his

statement the night before last, when I objected, the distinguished leader of the Democratic Party said that I should be grateful to him for his help on the stalking bill and, therefore, not use my right to object to a judge. And I was just very concerned about that, because I have worked on this stalking bill since Memorial Day. I have tried to pass a bill that would protect the stalking victims of this country since Memorial Day. I have been held up by a Senator, whose sincerity I do not doubt, but, nevertheless, he knows that the amendment that he wanted to put on had some problems. He knew that it might cause a problem.

I suggested that if he would just put his amendment on another bill, mine then could go forward to the President and we could have the protection for the stalking victims of this country today, because the President, I believe, will sign it very quickly.

All the indications are it passed unanimously in the House. We wanted it to be passed unanimously in the Senate without amendment so it could go straight to the President. We wanted that on Memorial Day. But nevertheless, the minority leader says I should be very pleased he helped me pass my bill, and my bill is dying in the House right now because of the amendment that he forced me to take in order to move on another issue.

So I don't doubt anyone's sincerity here, but I do want to have a clear picture of when we are going to take up the stalking bill. I said I would be happy to work with the Senator, whose amendment is causing the problem, to do it on another issue. But since they have been joined—not my me—I do think that it is fair for us to take a little time and let me see what the clear picture is on the stalking bill, and then I think we can—I am sorry that they were joined. I didn't join them. But now that they are, I would like to have a clear picture. I don't want rhetoric to continue to get out of control here, but I would like an answer.

So, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LOTT. Mr. President, I was talking when I should have been listening. If I can ask the Senator from Texas, I heard you at the beginning of your remarks indicate that you were perhaps not prepared to allow this consent to go forward at this time. I am sure you heard some of the discussion last night. I was one of the ones who mentioned it in some way had been attached to the stalking bill, and the minority leader had talked about how he had tried to be helpful to the Senator.

I am very much committed to the stalking bill which the Senator from

Texas has been working diligently on for months now. I was here the night it was all cleared right up to the last minute, and all of a sudden something happened and it was objected to.

There is not a Senator who thinks we should not pass the stalking bill. If you really care about women and children and how they are treated across State lines, being harassed and stalked, this bill should be done. But it was held up for quite some time by a Senator that had an amendment he wanted to offer.

There was a lot of cooperation from the Senator from Texas, the Senator from New Jersey, the Senator from Idaho, Senator CRAIG. It was worked out. It was sent to the House. It looks like it may not get through the House now. The understanding was if it got tangled up, we would bring it back freestanding without the amendment.

Mrs. HUTCHISON. If the Senator will yield.

Mr. LOTT. I yield.

Mrs. HUTCHISON. I think it is important to know the arrangement that was given, because I have not mentioned that because I did not want to jeopardize the ability of the amendment to stay on the bill in the House. I have been in good faith. I supported the amendment. I have tried to get House support for the amendment. But I did not mention that we had an agreement with the minority leader, with the majority leader, with myself, with the Senator from New Jersey, that, in fact, if it got bogged down that they would let us pass it clean in the Senate. It has gotten bogged down.

Now I want to have an assurance that everyone's word is going to be kept here, and then I will certainly get out of this picture. But it has now become clouded, not of my making, but it has been. That is why I was trying to have the opportunity to see what the commitment will be to see if we cannot have help for the stalking victims starting right now.

Mr. LOTT. Mr. President, if I could respond to that, I want to assure the Senator from Texas, I am absolutely committed to working with her on this very important legislation. I am committed to doing whatever is necessary to get it through with amendment, without amendment, clean, and I commit right here today, after you have had a chance to see what will happen in the other body—I am talking frankly about what is involved here because I don't think we have time to deal in nuances. We need to get right upfront as to what is happening and what we can do to solve it.

We will bring that bill back up by unanimous consent. We will move it, if we have to. We will do it when the Senator from Texas is satisfied that it is not going to move in the House, and it may.

Mrs. HUTCHISON. If the Senator will yield.

Mr. LOTT. I will be glad to yield.

Mrs. HUTCHISON. It was attempted to be brought up last night in the

House, and it was thwarted. So it has now had an opportunity and it was to be brought up in a way that the amendment would not be on it.

I have supported the amendment. I would like to see the amendment stay on it. But nevertheless, it is not one person in the House, it was several who have objected to it. And when it was to be brought up in that way, Members of the New Jersey delegation objected, and, of course, I understand that. I am not being critical. That is everyone's right, but nevertheless, I have been told I should be grateful for the help in passing my bill, which is now dying, and I am trying to see where we can make an agreement on this in order to free the business of the Senate.

Mr. LOTT. Mr. President, if the Senator will yield further, I commit to her I will stalk this bill across party lines, across State lines.

Mrs. HUTCHISON. Mr. President, I am not worried about the majority leader being committed.

Mr. LOTT. Let me go one step further. I want to assure her of my own commitment. I will be prepared to try to get unanimous consent to do it this night if that will be helpful.

Let me say, before I yield to the Democratic whip, the Democratic leader and I work together. We try very hard, in our trusting relationship. I think we have that. Sometimes we hope we can do things, we hope to achieve, but we have to deal with 98 other people. Every now and then, we get a little further out on the limb, and we have to back off.

The minority leader is a man of his word, and he has assured the Senator from Texas that he will work with us to try to get this done at the earliest time that the Senator from Texas would like to get that done. I don't want to speak for him or put words in his mouth, but I know him and I know, as he has already worked with me and with the Senator from Texas, that he is for this stalking bill, and he is going to work with us to try to get it done. He has another Senator, or Senators, who have an interest. We have to work through all that, but we will work through that.

Would the whip like to say something? I yield to the whip.

Mr. FORD. Mr. President, I was not privileged to the agreement among the distinguished Senator from Texas and New Jersey and our leader. So I am somewhat in a difficult spot here this morning. I will have to wait until the leader has arrived. He is not here at the moment, and we all understand why he is not, and also the Senator from New Jersey.

Two things happened. I remember the distinguished Senator from Texas making a statement on the floor about how much stronger her bill was after the Lautenberg amendment was attached, and you made a very strong statement about the bill as it left here.

The bill was only passed last week. We have been trying to get bills passed

for 8, 9, and 10 months. So it was just passed last week. The problem in the House, as I understand, was they tried to strip the Lautenberg amendment from the stalking bill, and that is where it ran into trouble.

The day is not over and tomorrow is not over, as the majority leader has said. Maybe things can work out. I am willing to help in any way I can, but I am somewhat at a disadvantage, if I may use that as a tool here. I will work with the majority leader, as Senator DASCHLE has.

So I think what I am saying is correct here, that attempting to take the Lautenberg amendment off the stalking bill last night caused the problems, and that was the reason it was not brought up. Today is another day.

Mr. LOTT. Mr. President, if I could seek recognition again.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Before I press the Senator or give assurances to the Senator from Texas even further, could I inquire of the Democratic whip—I was under the impression that, if we could work out the difficulties with the nomination of Ms. Montgomery, we could also move the CFTC nominations, which are Republican and Democrat, we could move the military nominations, and we could begin to move the appropriations conference reports.

I am informed that maybe that is not the case if I move forward in good faith on the nomination of the judge from Minnesota. Have I been informed correctly we are not going to move these other nominations?

Mr. FORD. That depends. That would be my position as of this time, that only the one judge. We can do judges, and that is plural. We can do safe drinking water. We can do the small business minimum wage conference report.

Mr. LOTT. Oh, yes.

Mr. FORD. We could do health care and those sorts of things.

Mr. LOTT. Can we do the health care conference report?

Mr. FORD. Yes, we could. But, I mean, we have a little problem with that bill. As the majority leader knows, we want to have a striking provision relating to a drug patent that was put into the conference report. We would like to have an opportunity to remove that before we move to it.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. FORD. You have the floor.

Mr. LOTT. We are going to have to have some good faith and cooperation. If the Democrats are going to hold up all the legislation until we get agreement on all the judges, then I think that is exceeding anybody's expectations. It is not going to happen. I have acted in good faith. I continue to act in good faith. I have been here before everybody trying to work out one more. But if you are going to hold up agreed-to CFTC nominations and health insur-

ance legislation and all these other bills until there is some agreement on all of the judges here today, then I think that is just not going to be possible.

POINT OF PERSONAL PRIVILEGE

Mr. LOTT. I want to say one other thing, Mr. President, because I have been waiting for an opportunity to rise on a point of personal privilege.

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

Mr. LOTT. My integrity has been questioned by a Member of the House of Representatives. The Congressman from California, PETE STARK, alleged that I had committed an ethical violation because, as the majority leader in the U.S. Senate and as a conferee on the conference with the House on the health insurance legislation, I urged consideration of the conference on a specific issue, this drug that was just mentioned.

Mr. FORD. Drug patent.

Mr. LOTT. The drug patent. That tells you how much I know about this. First of all, I resent the fact that my integrity was impugned. I do not act that way. This is not an issue that I have a direct personal interest in, even though I understand, I have been told, that this is intended to be a dagger aimed at my heart, that we are going to take out this drug patent to get at the majority leader.

Why? This is a product for arthritic patients. It is not produced in my State. There is no plant in my State. I do not have a vested interest in this. I act at the request of my colleagues in the Senate, Republicans and Democrats, Senate and House, as a conferee.

I was presented this issue as a fairness issue. I talked to a lot of different Congressmen and Senators. I talked to Congressman WALKER of Pennsylvania. He is the first one that mentioned it to me. I did not know what he was talking about. There are Democratic Congressmen who spoke up in defense of this issue yesterday.

I remind you, after questioning my integrity, Congressman STARK was one of only two—two—House Members who voted against that health insurance reform package. He is totally out of order, and I resent it. I am not going to tolerate that sort of thing.

Also, Senators came to me from all over America, Republicans and Democrats, saying this is something that ought to be done—Senator GORTON of Washington, I do not know what his interest is; Senator SPECTER of Pennsylvania; Senator SANTORUM. These are good and honorable men who made a case for it.

I have a staff member who is an expert tax lawyer, a woman. We discussed it. It seemed like the right thing to do. I urged, if it were possible, that this be included in the package.

That is the whole story. If you are aiming a dagger at my heart, you better pick another issue. I "ain't got no