Mr. FORD. Mr. President, I was not aware that there was any——

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

Mr. LOTT. Let me go on 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 tell you, 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 in this Congress. We have to deal with the 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 Representatives 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. 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. 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 said.

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 proceed, the Senator or give way 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 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. I would 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 the case if I move 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 do not ask everybody trying to work out one more. But if you are going to hold up agreements to CFTC nominations and health insurance 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 acted 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.

If 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
dog in this fight.” I am just trying to help work it out with Senator Kassebaum and Senator Kennedy and Democrats and Republicans, House and Senate, to get important legislation done for the women and children and the sick and the elderly in this country. A drug for arthritis is not a Heaven-scent. So, you know, take it out; it is OK with me. But before you do it, you better check with a lot of Senators, Republicans and Democrats, that say they wanted that. But, in conclusion, Mr. President, the argument of the majority leader is not with us here on this side. It is with Representation of the majority leader is not with us. I think they should not jump on us. I think we will come together on that. We do believe, however, that this drug for arthritis is one that, if you keep this language in the bill, will be manufactured for 2 more years and the price will be up. It will not be a generic drug.

That is our legislative problem with this and not an argument between the majority leader and Representative Starkin. I think they should not jump on us. I think we will come together on it.

But the other side of the coin is there is a legislative problem that we would like to get off us if we could as it relates to the bill. If that is possible, we will try to do that. I do not like personalities at all. I do not like this, taking another Member on in the press. I think it is wrong. I will defend myself. I am just as political as the next person, but I try, as best I can, not to be personal. I think it is unfortunate.

Mr. WELLSSTONE. Will the Senator yield for a question?

Mr. FORD. Yes. I will be delighted.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FORD. Mr. President, the argument of the majority leader is not with us here on this side. It is with Representative Stark over there, because we are not in—as he said, our dog is not in that fight. We do believe, however, that this drug for arthritis is one that, if you keep this language in the bill, will be manufactured for 2 more years and the price will be up. It will not be a generic drug.

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