

The other thing is we have talked on both sides of the aisle about how someday we needed to go back and correct a situation that developed a few years ago with regard to rule XVI so that we can preserve the integrity of the appropriations and the authorization process. Senator DASCHLE and I have talked about this. We want to reach a point where he and I together—not when one side or the other seizes the opportunity, but at the earliest opportunity, he and I will stand together to correct what I think was a mistake. And it originated on our side of the aisle. I acknowledge that. I was part of the problem. But I think for the future sanctity of the appropriations process and to make the authorization committees really work as they should, we should have that point of order reinstated. Senator DASCHLE has indicated he would work with me on that. I would like it to be totally a bipartisan effort. I know our ranking member and the chairman of the Appropriations Committee would like to do that, too. So I thank him for his cooperation on this unanimous consent.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I want to publicly commend the majority leader for the effort he has made over the last several days to find a way to resolve this impasse. I believe this is a win-win. I think only through his persistence and willingness to consider a lot of different options were we able to reach this point. I am grateful to him and have, once again, enjoyed the opportunity to resolve what has been a very significant procedural difficulty for us all.

I also want to thank the distinguished senior Senator from Massachusetts for the outstanding job he has done providing us real leadership on this issue, as he does on so many issues relating to health and education.

I also thank the assistant Republican leader as well.

I believe this is a good agreement any way one looks at it. It provides us with the opportunity to have a good debate. It provides us with the opportunity to have a series of amendments. It certainly provides us with the focus that we have been looking for with regard to the Patients' Bill of Rights. This is a very good agreement, agreed to, I think, with the direct involvement of a lot of people. So we are grateful.

The majority leader mentioned a couple of other matters, one having to do with his desire to work full days. He has assured me we will work 9- to 12-hour days that week we come back because he recognizes the importance of giving this issue a full opportunity for debate. I appreciate his commitment in that regard.

I also share his concern about how we might make the appropriations process

work better. Democrats were opposed, of course, to the overruling of the Chair at the time it occurred. To take it back would be consistent with the position we took when the vote was taken a few years back. So I do intend to work with him to find a way to resolve this matter. That also, of course, is assuming we will have opportunities—I know we have talked about this—opportunities to have good debates with amendments on authorization bills. This will only work if we have the regular order on authorization bills. We certainly have to be sure that we have an opportunity on those occasions when authorization bills are presented to have a good debate with amendments as we have had now on a couple of bills this year.

Again, I think this is a good agreement. I appreciate the cooperation of everybody but in particular the leadership of the majority leader and Senator KENNEDY and others on our side.

Mr. KENNEDY. Will the Senator yield?

Mr. DASCHLE. I will be happy to yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I join in commending the two leaders for propounding this unanimous consent request. These past days have been hard fought in establishing a procedure which would be fair and permit the opportunity for the Senate to debate fully some of the important measures I think are included in the Patients' Bill of Rights. I think the leaders have outlined a process and the Senate has been willing to accept that procedure. Both leaders do deserve credit.

I want to underscore what both leaders have said; that is, we are going into this whole process on the basis of good faith. I join with the Senator from South Dakota in feeling we can do the business of the Senate on this issue in that time. But it is also preserved, if for some reason there is not the kind of constructive and positive attitude we have heard this evening, that there is going to be the denial of that opportunity, that rights will be reserved for Members to raise these issues at another time. I am hopeful we can follow what has been outlined here and in good faith have a full and fair debate on these issues.

The real fireworks are going to be after the Fourth of July this year. I look forward to engaging in this debate.

I again thank my leader and the majority leader for moving this whole extremely important piece of legislation to the point where it will be center stage in the Senate. I thank the leader for his efforts.

Mr. DASCHLE. I yield the floor.

Mr. LOTT. Mr. President, I would like to make one further announcement. I have been communicating, as I said, with the chairman of the Appropria-

tions Committee. In the wrapup, we will announce that in the morning we will go to one of the appropriations bills, perhaps D.C. or foreign ops. We will need to confer with a lot of different people. But when we get the time agreement, we will go to one of those.

In view of the work that has gone on, I will announce at this time there will be no further rollcall votes tonight, but Members should expect votes to occur in the morning and throughout the day.

Mr. President, one final announcement: We are going to pursue the possibility of laying down one of the appropriations bills tonight so we would have it pending. I want Members to be aware of that, but there still would not be any more recorded votes.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

(The remarks of Mr. STEVENS pertaining to the introduction of S. 1301 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWNBACK). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent to speak as if in morning business.

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

#### SENATE AGENDA

Mr. DURBIN. Mr. President, there has been a breakthrough which observers in the galleries and others watching might not be aware of; that is, after 2 weeks of effort on the floor, we now have an understanding that after the Fourth of July recess when we return, we are going to debate the Patients' Bill of Rights.

That is the bill that talks about reforming health insurance in America so that families have a better chance of getting quality health care so that when you visit a doctor, and the doctor makes a medical decision for you or someone you love, it will be less likely that some bureaucrat and insurance company will overrule the doctor.

We want to make certain, as well, that if you have a picnic in the backyard on the Fourth of July, and your little boy climbs up the apple tree and falls out and breaks his arm, you can take him to the closest emergency room without fumbling through your papers to figure out which hospital is

under your health insurance plan. That is just basic common sense.

We want to make sure that if a doctor decides that a specialist is needed for your problem that the health insurance company just can't overrule them; that you go ahead and get that specialist and get the best care that doctor recommends.

If a woman would like to keep an OB/GYN as her primary care physician, we don't let the insurance company come in and second-guess her on those sorts of things.

Fundamentally, this bill will also argue that health insurance companies, just like every other company in America, should be held responsible for their decisions.

Each of us is responsible for our decisions in life. If you proceed to drink too much and drive and something terrible happens, you could be held accountable in court.

The same thing is true for businesses that make bad decisions or good decisions. They can be held accountable in court.

There are only two groups that are above the law: Foreign diplomats who can't be brought into court in America, and health insurance companies—companies that make decisions every day that are literally life and death decisions.

We believe with the Democratic version of the Patients' Bill of Rights that these health insurance companies should entertain the possibility that if they make the wrong decision they will be held accountable.

I told this story on the floor before. I think it is one that illustrates exactly what is happening.

Sunday night, I was back in my home State of Illinois and met a cardiologist from Highland Park, IL, who a week before had a woman come into his office complaining of chest pains. This was on a Thursday. He said: I want you in the hospital tomorrow morning, Friday morning, for a catheterization to determine what problem you might have.

She checked with her health insurance company, and they said, no, she cannot go in for that catheterization because that isn't an approved hospital. We have to find a hospital that is approved under your health insurance plan. We will check over the weekend and call you back.

There was no need to call back. She passed away on Sunday over that weekend. And the doctor said to me: What am I supposed to tell that family? This woman came to me for the best advice. I had an appointment made in a hurry for what I considered to be a serious situation, and it was overruled by an insurance company clerk.

That sort of thing happens too often. We believe in the Patients' Bill of Rights to be offered on the Democratic

side, and that the patients and families across America deserve better treatment.

The bottom line, of course, is that you are never more vulnerable in your life than when you are sick and go to a doctor, or someone you dearly love is sick and you bring them to a doctor. You really want the best care, and you don't want a decision made on the bottom line of a profit statement of an insurance company to guide decisions. You want the decisions made by the professionals involved.

We spent the last 2 weeks kind of twisted in knots not moving forward very quickly on a lot of other matters because we couldn't agree between the Republican side and the Democratic side on how we might approach this issue. There has been a breakthrough today. I am happy that it has happened. Now we have an agreement that the week following the Fourth of July recess, we will come back and devote the entire week to this debate.

I think of all the things that we have talked about in the 106th Congress—and some of them are very important—there is hardly an issue more important than the peace of mind which American families want when it comes to medical care. They want to have affordable, accessible health insurance. They want to be able to speak to a doctor in terms where they are confident that the real focus of the attention is on the health of the member of the family and not the health of the profit and loss statement of the insurance company. That, unfortunately, has become the case.

It wasn't that many years ago in Washington that we had this big debate. President Clinton brought in health care reform. I am sure you remember it. It was a hotly debated issue. The insurance companies opposed it. There were a lot of efforts to derail it. And they were successful. That health insurance-health care reform was swept aside.

But most Americans would believe that we did something because of all the changes that took place within the last few years. There are more and more Americans under so-called managed care plans and fewer and fewer Americans with health insurance. Fewer employers are offering it. People in rural areas whom I represent in Illinois are finding it increasingly difficult to even find, let alone afford, health insurance.

All of these things have been happening over the last several years in a swirl of activities.

They tell me that last night Jay Leno, on his television show, talked about the fact that Stephen King, after this unfortunate accident and the experience he had in the hospital, was going to write his next horror novel about managed care insurance companies. I hope that is not the case. But it might

be. It drew a rise from the audience, as I am sure it would almost everywhere.

You may remember the movie, "As Good as it Gets," with Helen Hunt and Jack Nicholson. I enjoyed it a lot. At one point in the movie—she was raising an asthmatic son—she expressed her frustration in very dramatic words about dealing with health insurance companies. And in the movie theater in which I was sitting in Springfield, IL, people started applauding. That doesn't happen much.

But that kind of spontaneous reaction tells you that the people of this country have been waiting for Congress to catch up with the needs of American families.

I think we can do it. I think this debate this week that we have set aside, if it doesn't get bogged down in a lot of parliamentary hassles—and I don't think it will—could result in an honest debate where the Republican Party puts forward its best proposal for health insurance reform, and the Democrats do the same, and we vote on it.

When it is all said and done, perhaps we will then have a bill that really sets us on a track to help families across America get a break when they deal with these health insurance companies.

Last Saturday I met with a group of farmers in downstate Illinois. I heard an interesting story from one farmer about the problems his wife faced because of her medical condition. These farmers in many ways are the most vulnerable of all. They don't have the benefit of group health insurance, in most instances, nor can they bargain with insurance companies. They find themselves, many times, facing outrageous premiums and arbitrary decisions by the insurance companies.

This farmer had driven about 100 miles to the meeting because he wanted to tell his story about what he and his wife had been through with the health insurance companies. These stories, repeated over and over and over again, suggest to me that it is our responsibility to deal with this.

I hope when this Congress comes to an end, at least this year we can point back to the fact that we were sensitive to the issues that America cared about. There was a time, for example, on the Senate floor when there was a serious question as to whether we would do anything—anything—about the horrible shooting that occurred at Columbine High School in Littleton, CO. Fortunately, a debate was scheduled on the floor. After a week of debate, we passed a gun control bill—a modest bill, I might say, but one that was designed to keep guns out of the hands of kids and criminals.

We sent it to the House of Representatives. Sadly, the National Rifle Association, the gun lobby, used the 2 weeks before it came up for a vote to lobby away, and they were very effective. They watered down the bill until

it was a joke. The bill ultimately was even defeated in the House of Representatives.

I haven't given up on that issue, because I think most people across the country—gun owners and not—believe we can do things to keep guns out of the hands of people who shouldn't use them for a variety of reasons. The bill we passed was a very modest bill, which said, for example, that those who purchased guns at gun shows would be subject to a background check. I don't think that is an outrageous idea.

We passed the Brady law. We said, if you want to buy a gun, we want to know if you have a history of committing a crime, a violent crime, because if you do, we are not going to sell you a gun; or if you have a history of violent illness, mental illness, we won't sell you a gun. That has worked. It has kept guns out of the hands of hundreds of thousands of people. At least it slowed them down, at a minimum, but maybe it stopped them from owning a gun.

It turns out that a substantial portion of firearms are sold outside the law. They are sold at gun shows. We have them all over Illinois, all over the United States. People who own guns and collect them get together and sell them to one another, no questions asked. Because no questions are asked, it has become a supply operation for a lot of criminal elements.

In Illinois, the State police found that 25 percent of the guns used in crime came out of those gun shows. One of the things we put into law in the Senate was that there would be a background check, similar to the Brady law, to find out if a person purchasing at a gun show had, in fact, a criminal background or a history of mental illness.

The National Rifle Association doesn't like that. When they got the bill over in the House, they said, you can't take more than 24 hours to do the check. The gun shows occur on weekends, of course, and the wheels that are spinning forward to check the backgrounds of people may not be as available on weekends. As a consequence, they watered down the bill until it was meaningless.

A second provision we put into law—Senator HERB KOHL of Wisconsin was the author—suggested we not sell guns in America unless they had a trigger lock, a child safety device. Thirteen kids every day in America are killed by guns. Some are gangbangers who shoot away in Washington, DC, in Chicago, IL. Others, though, are kids who go out and get a gun off a shelf from their father's closet, start to play with it, discharge it, and shoot themselves, a brother, sister, or playmate. Thirteen kids a day die that way.

We want to lessen the likelihood of those tragic accidents. Trigger locks,

safety devices on guns, do that. That was in our bill. That was sent to the House. That was rejected.

The final point is one that Senator DIANNE FEINSTEIN of California proposed, a proposal that tries to close a loophole in the law. When we passed gun control a few years ago, we said, we are going to prohibit the manufacture of these high-capacity ammunition clips, clips that can literally hold up to 240 bullets. Unfortunately, we left a loophole and didn't stop the importation of these clips from overseas. So we stopped the domestic manufacturing, and they started flooding in from overseas.

Frankly, it raises a serious question: Who needs a gun with a 240-bullet high-capacity ammunition clip? If you need an AK-47 and 240 bullets to shoot a deer, you ought to stick to fishing.

Unfortunately, they are coming into this country for no purpose other than to be used for criminal purposes.

Senator FEINSTEIN was successful. She passed that amendment in the Senate. We sent it to the House. It got nowhere.

Those are the kinds of things we did to try to deal with some of the problems we have identified. Having done those things, and having seen the National Rifle Association do its work in the House, we have a lot more work to be done.

I hope when the debate is concluded at the end of this 106th Congress, we can point with pride to having succeeded in passing import elements in law that improve the quality of life in America, that reduce the likelihood of violence in schools, that reduce the likelihood of guns getting in the hands of criminals, that increase the opportunities for families across America to have good health insurance and be able to trust their doctor's decisions, and several other things that I think are very important as part of the agenda.

One of them has to deal with increasing the minimum wage of \$5.15 an hour. Imagine, if you will, trying to raise a family or even take care of yourself for \$5.15 an hour. It has been years since we have increased it. It is time we bring that up to a wage that more accurately reflects the cost of living in America. I hope before we leave this year we can address that.

We cannot leave, as well, without addressing the future of Medicare. This has been a banner week for Medicare with the President's announcement that we now have a reestimate of the budget. We believe if the economy continues to grow, as we believe it will, we are going to have an additional surplus. With that surplus we can do some extraordinary things.

I first came to Congress 17 years ago. When I came, we were facing all sorts of red ink and all sorts of deficits. We have been through a lot of tortuous effort to try to reduce. Now we have

reached the point where we can honestly see a surplus in our future. I think we can use that surplus to solidify Social Security and Medicare and, most importantly, while we do that, eliminate the publicly held national debt in America. To move from the point where a large portion of our budget is being spent on interest on the debt to the point where virtually none is being spent on interest on our debt is a great legacy to leave our children. I hope we can achieve that on a bipartisan basis.

I yield the floor.

#### ELECTION OF EHUD BARAK

Mr. EDWARDS. Mr. President, I rise today to acknowledge the election of Ehud Barak to Prime Minister of Israel and his efforts to form a new government. I congratulate him, not only on his most impressive victory, but also for his commitment to reinvigorate the Middle East peace process. As Mr. Barak enters the critical stage in his efforts to forge a coalition government, I wish him luck. And I applaud his initial steps of talking with Egyptian President Mubarak and declaring his intent to form a "peace administration" of three negotiating teams, one each for Syria, Lebanon and the Palestinians, reporting directly to him. We must not risk losing momentum toward achieving a lasting peace.

As Israel continues to take risks for peace, it is all the more important that America's commitment toward Israel be unquestioned. Our strong commitment helps Israel take risks and makes it clear to Israel's neighbors that Israel is a permanent reality that must be dealt with directly. Our dedication to Israel must take many shapes. We must continue aid to Israel. We must help Israel militarily. We must actively support the peace process. We must maintain our support for Jerusalem as Israel's capital.

America's support for the peace process, for the security of this region, and for Israel itself must be unwavering. Israel, the only pluralistic democracy in the Middle East, deserves our continued strong support. Helping Israel survive and thrive is the right thing to do. In a particularly volatile part of the world, Israel is strategically important to America's interests. We cannot help but benefit by strengthened economic, political, military and cultural ties with Israel.

I have the greatest respect for Israel, its citizens, and its founders. The creation of the state of Israel is a remarkable story of a great people who overcame the Holocaust, rebuffed repeated foreign hostility, and created an industrialized democracy in a desert. The story of Israel appeals to me because it is a story of faith and it is a story of justice. I respect all who stand up to powerful forces against great odds for a just cause.