

I yield the remainder of my time to Senator BIDEN.

Mr. BIDEN. Mr. President, let's stop being hypocritical. We just passed an amendment saying safety is important; the NRA is eligible for Federal funds to teach safety. If the ultimate safety of children is what we are concerned about, why are we so upset about the idea that trigger locks will be placed on guns? How can you vote, as I will and have, to give the NRA eligibility to teach gun safety, which I want them to do, and say that is important, but it is not important to take the one step we can that will at least incrementally increase safety of children in the United States of America?

Please vote no on the motion to table.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Idaho.

Mr. CRAIG. Mr. President, 72 of you have just said that gun safety is important, and that we ought to educate, and we ought to use Byrne funds to do so—local law enforcement, State law enforcement, and private entities that teach licensed gun safety.

We have also said that gun dealers ought to have safety devices available. But we have also said there is a States rights issue here. Thirty-four States now have consent to carry. Safety is an issue. And guess what. Accidental deaths are declining, and they are declining because of education, not because of Federal mandates. Even manufacturers say you put a trigger lock on a loaded gun and it is dangerous.

Trigger locks I agree with. They are for empty guns. They are for stored guns. They are not called child locks, they are called safety locks. We believe in that. But why should it be a Federal mandate? It should not be.

The vote you just cast is the right vote. It mandates certain requirements at the local level be provided, and it allows education, and, more importantly, it says train and educate, don't control from the Federal level. Do the right thing. Vote to table. You have cast a sound vote; 72 Senators have said that the right action was the action you have just taken.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to the motion to table. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 61, nays 39, as follows:

[Rollcall Vote No. 216 Leg.]

YEAS—61

Abraham	Coats	Frist
Allard	Cochran	Gorton
Ashcroft	Collins	Gramm
Baucus	Conrad	Grams
Bennett	Coverdell	Grassley
Bond	Craig	Gregg
Breaux	D'Amato	Hagel
Brownback	Domenici	Hatch
Bryan	Dorgan	Helms
Burns	Enzi	Hollings
Campbell	Faircloth	Hutchinson

Hutchison	McConnell	Smith (NH)
Inhofe	Murkowski	Smith (OR)
Jeffords	Nickles	Snowe
Kempthorne	Reid	Specter
Kyl	Robb	Stevens
Leahy	Roberts	Thomas
Lott	Roth	Thompson
Lugar	Santorum	Thurmond
Mack	Sessions	
McCain	Shelby	

NAYS—39

Akaka	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bumpers	Harkin	Moynihan
Byrd	Inouye	Murray
Chafee	Johnson	Reed
Cleland	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
DeWine	Kerry	Torricelli
Dodd	Kohl	Warner
Durbin	Landrieu	Wellstone
Feingold	Lautenberg	Wyden

The motion to lay on the table the amendment (No. 3230) was agreed to.

Mr. GREGG. I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes of debate divided evenly on amendment No. 3234.

Who seeks recognition? Who yields time?

Mr. DOMENICI addressed the Chair. The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Is there an order established at this point?

The PRESIDING OFFICER. There is a time limit. Time is controlled by the Senator from New Hampshire.

Mr. HOLLINGS. And the Senator from Illinois.

The PRESIDING OFFICER. And the Senator from Illinois.

Mr. DOMENICI. I ask unanimous consent that I be permitted to speak for 2 minutes as in morning business.

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

APPROPRIATIONS BILLS

Mr. DOMENICI. Mr. President, the last couple of weeks we have all been on the floor trying to get appropriations bills completed. I would just like to submit to the U.S. Senate that we ought not be doing this every year.

Don't we have enough knowledge and wisdom and information to appropriate every 2 years instead of every year? Don't we have enough information about budgets and estimating that we could do a budget that lasted for 2 years and make automatic economic adjustments? Of course we do.

Mr. President, if the authorizing committees are wondering why they do not have a chance to do things around here, this is one reason. Because we hardly have enough time to do the appropriations bills. Because they are up every year as if we were in constant motion. In fact, I defy even Senators with the best recollection to recall one appropriations bill from another year

by year. They are so often that they are all one big glob of votes.

Frankly, the Senator from New Mexico had made a mistake this year, because there is a bill at the desk saying we ought to do this every 2 years. We would get our job done better and we would have oversight time and the Senate would be a better place to work in and could do its business better. I should have started 4 months ago insisting that that bill for 2-year budgets and 2-year appropriations be voted on by the U.S. Senate.

But I can tell the Senate, it will be voted on the next opportunity when our leader has some time, and it may be early next year. We are going to get that bill out of committee, and we are going to vote on this issue of whether we have to do this every single year.

Frankly, we now have evidence that these bills are 90 to 95 percent similar one year over another. I know chairmen feel they have made dramatic changes year over year; and, yes, they may have. They also passed the appropriated money for bills that have not been authorized, and they know that. And their response is, "Nobody's doing it, so we have to do it." Well, nobody is doing it because there is no time for anybody to do it.

Mr. President, I believe many Senators agree with this. I have talked to them at length on it. Frankly, we are going to decide in the Senate pretty soon whether we are going to keep on doing this. I am not sure we will win, but surely we are going to present this issue.

I thank the Chair and yield the floor.

DEPARTMENT OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 3234

Mr. DURBIN. Could I have a clarification? I want to make sure the Senator from New Hampshire and I have an understanding about the pending amendment. It is my understanding—I hope the Senator from New Hampshire would follow me in this—that we have some 20 minutes left in debate, equally divided between the Senator from New Hampshire and myself, at which point at the end of that debate there will be a vote. Is that the Chair's understanding?

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. I thank the Chair and ask the Senator from New Hampshire—

Mr. GREGG. Will the Senator yield? Mr. DURBIN. Yes.

Mr. GREGG. I understand the vote is to occur at 6 o'clock.

The PRESIDING OFFICER. That was the order, but Senator DOMENICI took 2

minutes as in morning business which will push back the vote.

Mr. SMITH of New Hampshire. Mr. President, I would be willing to have the 2 minutes that Senator DOMENICI used come off of my 10 minutes in order to keep the vote at 6 o'clock. I ask unanimous consent to do that.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Who yields time?

Mr. DURBIN. Mr. President, thank you. I will take a portion of the 10 minutes to start with and then allow my colleague from New Hampshire to state his side of the case on behalf of this amendment.

Let me try to explain where we are in terms of what this amendment is doing. We are trying to set up a computer check across the United States, so if you purchase a firearm, there is a way for States or the Federal Government to check and see whether you have a history of having committed a felony or a history of mental illness, and in that situation States are saying, "Of course we do not want to sell a gun to you." And that is the basic Brady law.

Most people support it because it is eminently sensible that we want to keep guns out of the hands of people who are likely to misuse them. I think everybody supports that. The NRA and the people on the other side of the issue even support it.

The Senator from New Hampshire comes before us, though, with a very interesting proposition. The Federal Bureau of Investigation does these background checks by computer. They have said that, "When we do these background checks, we will charge the prospective gun purchaser, the one who wants to buy the gun, for our cost in doing the background check." And of course that sounds reasonable to me.

If I want to purchase a gun, and I want to have a background check to qualify me for a gun, it is not unreasonable for me to expect to pay for what it costs for that to happen. Why should this be the burden of every taxpayer in America, those who do not own guns and those who are not purchasing guns? It really is a decision that I want to buy a gun; and, therefore, I am going into the system to prove that I am eligible to own a gun.

The Senator from New Hampshire says: Wait a minute. Why do we want to charge the prospective gun purchaser for this background check? Shouldn't the Treasury pay for that? Shouldn't all the taxpayers pay for these people who want to buy guns?

I do not think so. And the practical result of the amendment of the Senator from New Hampshire is to take from the Federal Bureau of Investigation the amount of money they would have collected to do these background checks. And you know what that means? It means basically the Federal Bureau of Investigation will have anywhere from \$50 to \$75 million less in their appropriation to do their job.

Well, can they absorb a \$50 to \$75 million hit? I think we can all answer that question, because we all come to this floor and come up with wonderful ideas for the FBI to get involved. We want the FBI to fight terrorism. Of course we do. We want to make sure that they are fighting it around the world and protecting people across the United States. And so we say, "We're assigning that responsibility to you." The Senator from New Hampshire says, "Yes, we give you the responsibility. We're not going to give you the money you need to do the job."

We also say we want the FBI to go after some serious issues. Let me give you an example—crimes against children, to enhance the FBI's capabilities to combat child abductions, and serial killings. This is the responsibility we give to the FBI. The Senator from New Hampshire says: It is a great responsibility, but take the money away from them—\$50 to \$75 million less each year.

How about narcotics? Is there a more serious criminal problem in America? What is filling our prisons? What is tempting our children? What is leading to the kinds of degradation in lifestyle that we see around this country, but basically the war on drugs, the war on narcotics?

So the Senator from New Hampshire says: Let us take some money away from that, too, because we want people who apply for a gun not to have to pay for it. We want the Treasury to pay for it. We want the FBI to take this money from other sources. I do not think that is fair.

I do not think it is fair for an agency with this sort of responsibility. And I do not think it is fair for those who want to purchase a gun to say, "We want a free ride." For goodness' sakes, it is their decision to purchase a gun. They are going forward in the system to purchase it. Shouldn't they pay their own freight?

Would you think twice about buying a car and trying to get a license and say, "I just decided to buy a car, but as far as the cost of the license for my car, why should I have to pay for that? Taxpayers ought to pay for that. I just want to drive the car?" That is what the Senator from New Hampshire is arguing.

Mr. BIDEN. Will the Senator yield?

Mr. DURBIN. I will be happy to.

Mr. BIDEN. Isn't it true that there are a number of background checks. Years ago I drafted a law which became law that requires certain background checks, for example, for people who wish to work in day-care centers with young children, to try to figure out and ferret out child predators.

Now, the way it works now is if, in fact, you are going to be hired at a boys' club, a girls' club or a day care center, and they—the day care center—say they want a background check, and you have to go through the FBI, the FBI now charges the person seeking employment the cost to run the background check.

I don't understand why, if we are going to say on a background check for an employee—where the employee is seeking a job but is required by that agency to have a background check to prove, in effect, they are not a child predator or do not have any sex crime history—why it is appropriate to charge the prospective employee and it is not appropriate to charge a person purchasing a gun. There is nothing exceptional about this.

My question to my friend is, Isn't this all about renegeing on a commitment everyone said they are for, which was to have an instant background check, so there is no 7-day, 5-day or 1-day waiting period, so every single gun seller in America, when they go to sell you a gun, can push a button, tap into a computer, and have the computer say you can or cannot sell it? It seems to me this is about doing away with the instant check.

Mr. DURBIN. The Senator from Delaware is correct. The instant check system was proposed by the National Rifle Association as a way of avoiding the Brady law. They said, "We will do this by computer; we will punch it in."

The fellow who is selling the gun, the dealer, will punch in the information and find out if you are a dangerous person; if not, they can sell it to you.

Now they have decided they want the computer check but they don't want to pay for it, they want the taxpayers to pay for it, and take the money out of the FBI.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, I yield 2 minutes to the distinguished Senator from Alabama.

Mr. SESSIONS. Mr. President, there has been a lot of talk recently about more and more gun laws, more and more complicated and esoteric, having less and less ability to protect the safety of the American people.

Let me tell you we have some outstanding, effective gun laws on the books now that allow people who are felons to be prosecuted for possessing a gun, that allow the prosecution of people who carry a gun during a felony to receive 5 years without parole, consecutive to any other offense.

Look at what this administration that is always talking about gun prosecutions has done. In 1992, when they took office, there were 7,048 "triggerlock prosecutions" of serious gun offenders in this country; now, 1997, 3,765. It has plummeted that percent.

What they need to do is enforce the laws they have and quit worrying about passing laws that are not very relevant and not going to have any impact on crime in America. I think the American people need to understand that.

I yield back the remainder of my time.

Mr. SMITH of New Hampshire. I yield 1 minute to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I thank my colleague for yielding.

Let's talk money. The program has been fully funded. Some \$37.5 million in the last 4 years has been provided. The FBI budget has been almost tripled in the last 10 years.

Let me talk about Janet Reno. Here is what Attorney General Janet Reno said, on May 26, 1994: She does not intend to charge for such access, provided that there is sufficient appropriations.

Guess what? We have given them every dime they requested and many, many millions more. Sorry, Janet Reno. Why don't you stay with your word? That is what you told us. That is what we believed when we passed the Brady bill.

What is this? This is a gun tax. Let's talk about it for what it is. The FBI asked for money and we gave them money. In fact, we tripled their budget in the last 10 years. Why? Because we are interested in law enforcement. We want criminals caught. Most importantly, we want criminals prosecuted. We do not want law-abiding citizens taxed.

Mr. SMITH of New Hampshire. How much time remains on this side?

The PRESIDING OFFICER. The Senator has 4 minutes 14 seconds.

Mr. SMITH of New Hampshire. Mr. President, let me explain this amendment. I have heard some very interesting remarks on the other side about Brady and registration. That is not what my amendment is—very eloquent, but that is not what my amendment is.

My amendment does three things. First, it prevents the FBI from keeping a file on a law-abiding citizen who, after he had the gun checked, came up fine, clear. Why would we want the FBI to maintain a file on a law-abiding gun owner who did nothing wrong except exercise his constitutional right to own a gun? They want 18 months to keep these files. I don't want 18 seconds. I want these files destroyed immediately. That is point one in my amendment.

Second, my amendment prevents the FBI from imposing a tax on people who use this national instant criminal background check system because they want simply to exercise their right to own a gun. That is the second point. Why should they be taxed for that? Why should they pay this fee? It could be up to \$20 to \$25 just to do this—maybe more. That is to start. There is no reason why anybody should pay a fee. You are an individual who has a constitutional right to own a gun. Somebody in the Government decides that they want to check you out, fine. You check out clear. Why should you have to pay for that? You didn't ask for it; it is your right. The person who is a criminal or a person who is not entitled to have that gun because of something they did, fine, they can pay for it, and they should pay for it and they

shouldn't get the gun. But that is not the people about whom we are talking.

Third, if the Government, in violation of the law, holds these files, you have the right to pursue this matter in court, which is the proper procedure.

I simply ask my colleagues, Why would you keep a file in the FBI on an innocent person who did nothing except own a gun, which is his constitutional right to do so? That is what this amendment is about. If you want those files maintained, then you would vote against this amendment. This is Big Brother at its worst. It is Big Brother at its worst.

It is coming in and taking privacy—your privacy; you have the right not to have that file in the FBI, and they don't have the right to put it there, because you did nothing wrong. That is what this amendment is about.

Secondly, it is about a tax. If you want to charge these fees, so be it. But then you can vote against my amendment.

I yield the floor.

Mr. DURBIN. How much time do I have remaining?

The PRESIDING OFFICER. Two minutes 45 seconds.

Mr. DURBIN. If I understand the argument of the Senator from New Hampshire, because we have a constitutional right to bear arms, all of the Federal taxpayers have to subsidize that right.

I suppose since we have a constitutional right to exercise our religious belief, then it is the responsibility of taxpayers to pay for my priest or minister. I don't think so. I don't think so.

In this situation, the American people are coming forward and saying, "We want to exercise our right to own a gun." We are saying, "Fine, so long as you don't misuse it and you are not a person with a background where you are likely to misuse it." And if you are going to submit yourself to this background check, be prepared to pay for it.

The Senator from Delaware makes a good point. If we are going to hire people to work in nursing homes and child care facilities that need background checks—and that is not a bad idea—why shouldn't they, as a condition of employment, pay for the background check? Why should this be the responsibility of every taxpayer?

The Senator from New Hampshire wants to say to the prospective gun owners they have the right to come to the Government and say, "I want it for nothing." When you get it for nothing, someone will pay for it. In this situation, the FBI pays for it.

Do you know why the FBI appropriation has gone up, as the Senator from Idaho has said? Because we keep giving them more responsibilities—do fingerprint checks on anybody who wants to be a new citizen in the United States; get serious about dealing with drugs across borders, make certain that you have the wherewithal to do it; fight terrorism. We tell them to do all of these things and now the Senator from

Idaho says they should have enough money to absorb this \$50 to \$75 million loss. I think they are wrong.

I think those who are for law and order and for law enforcement have to vote against this amendment offered by the Senator from New Hampshire. Let those who want to purchase a gun and exercise their right, exercise their responsibility to pay for this check, to make certain that those people who worry about gun violence have less to worry about.

I hope my colleagues will join me in opposing this amendment from the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire has 1 minute 22 seconds.

Mr. SMITH of New Hampshire. I respond to my friend by repeating what Senator CRAIG said a moment ago. There is \$100 million in the law to do this, so we don't need to be charging additional fees. That is No. 1.

No. 2, it is interesting how we pick out certain constitutional rights and say we are going to tax them and not others. Maybe we should tax everybody for having free speech. Or maybe we should tax everybody for reading the newspaper. Maybe we should tax everybody for going to church.

It doesn't make sense. It is our constitutional right.

Let me repeat, again. No. 1, this amendment prevents the FBI from keeping files on innocent people who simply had a background check done on them who did nothing wrong and were perfectly entitled to own a gun.

Secondly, the amendment prevents the FBI from imposing a tax on these people. Thirdly, it allows a person to go to court if the FBI does that. We have seen abuses by the FBI. We have seen files held in the White House. Do you want this to go on? That is what this issue is about. That is what my amendment is about. I hope my colleagues will support me on this amendment because this is more than a gun issue—this is a privacy issue.

I yield the remainder of my time.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Illinois has 30 seconds.

Mr. DURBIN. Mr. President, the \$100 million we have invested is for the hardware for the computers. It now costs \$13 to \$16 every time they do a background check. I think the people should pay for it. The Senator from New Hampshire would take the money out of FBI for other law enforcement. I think the FBI needs these funds to do important tasks. I hope the Senator will agree that the FBI is an agency that we need to be strong in the United States. Taking \$50 million to \$75 million away from them is not going to make them a stronger agency or make Americans any safer at home.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 3234 offered by the Senator from New Hampshire, Mr. SMITH.

The yeas and nays have been ordered.
The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 31, as follows:

[Rollcall Vote No. 217 Leg.]

YEAS—69

Abraham	Enzi	Lugar
Allard	Faircloth	Mack
Ashcroft	Feingold	McCain
Baucus	Frist	McConnell
Bennett	Gorton	Murkowski
Bingaman	Gramm	Murray
Bond	Grams	Nickles
Breaux	Grassley	Reid
Brownback	Gregg	Roberts
Burns	Hagel	Rockefeller
Campbell	Hatch	Roth
Chafee	Helms	Santorum
Coats	Hollings	Sessions
Cochran	Hutchinson	Shelby
Collins	Hutchison	Smith (NH)
Conrad	Inhofe	Smith (OR)
Coverdell	Jeffords	Snowe
Craig	Johnson	Specter
D'Amato	Kempthorne	Stevens
Daschle	Kerrey	Thomas
DeWine	Kyl	Thompson
Domenici	Leahy	Thurmond
Dorgan	Lott	Warner

NAYS—31

Akaka	Glenn	Mikulski
Biden	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Bryan	Inouye	Reed
Bumpers	Kennedy	Robb
Byrd	Kerry	Sarbanes
Cleland	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Durbin	Lautenberg	Wyden
Feinstein	Levin	
Ford	Lieberman	

The amendment (No. 3234) was agreed to.

Mr. SMITH of New Hampshire. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3233, AS AMENDED

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the yeas and nays be vitiated on the underlying amendment.

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

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3233), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Texas.

THE HEALTH CARE DEBATE

Mr. GRAMM. Mr. President, while we are waiting for someone to come over with an amendment, I want to say something about health care and about the health care debate. As long as I have been in the Senate, the minority party has always sought to have the opportunity to have an up-or-down vote on their alternatives. Senator KENNEDY has now for months demanded that he have an opportunity to offer his proposal to remake the American health care system.

We on the majority side of the aisle have spent tremendous amounts of time putting together our proposal to strengthen patients' rights to empower consumers—

Mr. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senator is correct. The Senator from Texas deserves to be heard. Will Members please take their conversations off the floor?

Mr. GRAMM. I thank the Senator from West Virginia, and I thank the Chair.

Mr. President, on this side of the aisle, we have spent a tremendous amount of time, individual Members' time—not just the time of our staffs—in putting together our bill to promote patients' rights, to get the gatekeepers of Health Maintenance Organizations out of the examining rooms where medical care is being provided in America.

We now have a situation where we have Senator Kennedy's proposal, which is strongly supported by our Democratic colleagues, and we have our proposal, which is strongly supported by our Republican colleagues. What we have sought to do since we have a limited number of legislative days—we have many appropriations bills to pass—is to try to reach an agreement where we would allow something that majorities normally do not do under the Senate rules, and that is to allow the minority to have an up-or-down vote on their so-called Patients' Bill of Rights. Then, if they are unsuccessful, to have an up-or-down vote on our bill, and if we are successful, that would be the bill.

We now find that our colleagues say, "No; we want 20 amendments," or, "We want 10 amendments." I wanted to explain to my colleagues why I am going to object to any unanimous consent request that does not allow us to simply have the two choices. It is unusual in the sense that someone would object to narrowing down amendments, so I would like to explain my concern.

First of all, I don't think it is unreasonable, given our legislative schedule, to say to those who have a health care bill that we are going to give them an up-or-down vote on their bill. I don't think that is unreasonable. Obviously, a unanimous consent request alters the basic procedures of the Senate, and any Senator has the right to object to doing that.

Secondly, I am not interested in amending Senator Kennedy's bill. I don't want to try to change his bill. I want him to write the best bill he can write to try to improve our health care system and enhance the rights of health care consumers, and I don't have any interest in amending his bill.

Now, let me tell you why I don't have any interest in Senator KENNEDY and others amending our bill. I have not forgotten that the Senator from Massachusetts and many of the supporters of the Kennedy bill 5 years ago were for a Government-run HMO, the Clinton

health care bill. I have not forgotten that the President was not only in favor of the Government taking over and running the health care system 5 years ago; within the past year he has said that he had not changed his objective in having a Government-run system but that he was now simply trying to implement it piece by piece.

Here is the problem this late in the legislative session of getting into endless amendments on the two bills: Not only do we not have time to do it, but we have a very unequal situation. Let me explain, and I will try to do it briefly so we can get on with this bill.

I am not interested, and I don't believe anyone on our side of the aisle is interested, in amending the Kennedy bill. I believe that we have a better bill. I think he ought to write the best bill he can, we will write the best bill we can, and then, with the limited time we have, give people a choice. But there is an additional problem here, and the problem is the unequal situation we are in.

I desperately do not want to do anything to destroy the private practice of medicine in America. I don't believe that a Government-run system is the best system. In offering amendments and writing our bill, we are constrained in that we don't want to do anything that is going to drive up costs, cost millions of American families their health insurance, and ultimately force people into a Government-run HMO.

It appears that many of our colleagues, including the author of the Democratic alternative, support a Government-run HMO, support a Government takeover, so that while we are constrained in amendments that we can offer by our desire to be certain that we don't end up killing off private medicine, many on the other side of the aisle seem to believe that private medicine should be killed off so that we can have a system that they sincerely believe will work better, and that is a system where the Government would run health care in America.

The best analogy, interestingly enough, is biblical. Some of my colleagues will remember the story in the Bible about the two women who had infants. While they slept, one infant died, and the lady whose child had died got up and took the dead baby and put the dead baby by the mother of the living baby and took the living baby herself. When the mother woke up and saw the dead child, she realized it was not her child.

To make a long biblical story short, the women appeared before King Solomon. Solomon, being wise, asked that a sword be brought. He suggested that since there was no way that anybody other than the two mothers would know whose child was really alive, that he would take the sword and divide the child. When he proposed that this be done, the real mother, of course, as all of us remember from our schooldays and reading the story in the Bible, the real mother said, "No; give her the