

Gramm	Levin	Sarbanes
Grassley	Lieberman	Schumer
Gregg	Lincoln	Sessions
Hagel	Lott	Shelby
Harkin	Lugar	Smith (NH)
Hatch	McCain	Smith (OR)
Helms	McConnell	Snowe
Hollings	Mikulski	Specter
Hutchinson	Miller	Stabenow
Hutchison	Murkowski	Stevens
Inouye	Murray	Thomas
Jeffords	Nelson (FL)	Thompson
Johnson	Nelson (NE)	Thurmond
Kennedy	Nickles	Torricelli
Kerry	Reed	Voinovich
Kohl	Reid	Warner
Kyl	Roberts	Wellstone
Landrieu	Rockefeller	Wyden
Leahy	Santorum	

NOT VOTING—2

Ensign                    Inhofe

The nomination was confirmed.

The PRESIDING OFFICER (Mr. BAUCUS). Without objection, the President will be notified of the Senate's action.

ORDER OF PROCEDURE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the previous order with respect to the Jorgenson nomination be vitiated; that immediately following the first vote today with respect to the amendment to S. 565, the Senate proceed to executive session to consider the nomination of Cindy Jorgenson; that once the nomination is reported, the Senate, without further intervening action, proceed to a vote on confirmation; that upon confirmation the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that it be in order to request the yeas and nays on the nomination.

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

Mr. DASCHLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

CAMPAIGN FINANCE REFORM

Mr. DASCHLE. Mr. President, we have just received the Shays-Meehan campaign finance reform bill from the House. As I have said before, this bill gives us the first real chance in a generation to limit the access of special interests to the political process.

I had intended to ask consent to take up and pass this bill immediately. However, the Republican leader has indicated to me that he was making progress on reaching an agreement on how to proceed with campaign finance reform. Therefore, I am willing to withhold my unanimous consent request at this time, pending an update

from the Republican leader on how discussions on this issue in his caucus are proceeding.

As my colleagues will recall, we tried to reach an agreement to take up the House-passed bill before the President's day recess. Opponents of reform objected, saying that they wanted time to look over the bill.

They have now had more than a week. What they have found, I am sure, is a bill that is very similar to the McCain-Feingold bill that the Senate passed last spring.

At the time, we spent 2 weeks on McCain-Feingold. We had a full, fair, and open debate, and we passed that bill with a strong bipartisan majority. I see no reason why we can't take this bill up and pass it quickly.

In fact, the only reason I can think that anyone would oppose consent would be to take one more shot at keeping this bill from becoming law—either by filibustering or by trying to send this bill to a conference.

And so I say to them: Look what happened in the House. Opponents of reform used every conceivable argument and excuse—every imaginable ploy to stop this. They failed.

This is going to be the year that we pass strong campaign finance reform, and put the reins of government back into the hands of all of the people. The sooner we pass this bill, the sooner we can get it to the President for his signature. I look forward to revisiting this issue in the near future.

I will not, as I say, ask consent at this time, and I appreciate very much the consultation I have had with the Republican leader in this regard.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. LOTT. Mr. President, I thank Senator DASCHLE for his comments. While there are some similarities between the two bills—McCain-Feingold, which passed the Senate, and Shays-Meehan, which has passed the House—there are some fundamental differences between the two bills. Normally, what you do under the circumstances is go to conference. But this week we have had to review what was actually in the bill that passed the House. We have now received the conference report. The Senators did just return yesterday—or even this morning. There are discussions among those who are interested in getting a result, not trying to create a problem. If we went right to it at this point, I am sure there would be Senators on both sides who would feel inclined to offer amendments, and it could take considerable time.

We had indicated we would try to wrap up election reform as soon as possible—hopefully today—and that we would get on energy and stay on energy as long as it took to get that completed. I think giving us a little time for discussions to take place between the interested Senators would be constructive and would allow us to go for-

ward with election reform and even get started on the energy bill, recognizing that the majority leader could interject this at any point along the way. There is no need and no desire to delay this indefinitely. I think a little time—a couple days—would be constructive. Maybe we can find a way to do it in an acceptable way and quicker by doing that.

I appreciate the patience of the majority leader. I have found from past experience that sometimes patience gives great rewards; other times, it does no good at all. I hope this time it will be positive in its result.

The PRESIDING OFFICER (Mr. LEVIN). The majority leader.

Mr. DASCHLE. Mr. President, if I can respond to the Republican leader, I appreciate his report and agree there are times when patience has shown its reward. I am hopeful this is one of those times. I will work with him.

Obviously, patience at some point runs out. That will necessitate taking action as we had originally contemplated, but we certainly want to work with the Republican leader and his colleagues in an effort to see whether patience can be a productive experience in this case.

I yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I certainly thank the majority leader for his comments, and I thank the Republican leader for his comments. It sounds as if we may be moving toward a resolution of the campaign finance issue without a filibuster in the Senate. I am actually confident we will prevail if such a tactic is actually employed against us, but I do not think the American people will be well served if we have to take a significant amount of time to further debate an issue that we dealt with and essentially resolved last year during a very good 2-week debate process.

We passed the McCain-Feingold bill by a vote of 59 to 41. The House passed the Shays-Meehan bill by a vote of 240 to 189. These are wide bipartisan margins in both Houses.

Actually, I disagree with the minority leader. The differences between the bills are actually very slight. It is not enough to justify a conference committee which very well may never report a final bill. So Senator MCCAIN and I have endorsed the House-passed bill and will ask our colleagues to vote for it, rejecting all attempts to amend it, however meritorious, so we can send this bill to the President. Should there be technical amendments necessary on which we could agree, we will be glad to consider supporting a technical corrections bill after the bill is enacted.

I hope the leader's discussion bears fruit and we can come to agreement on terms of final debate and a vote on this legislation very soon. We have waited many years for this moment, as you know well because you have been one of the key leaders on this. The time to

act is now upon us. The days of soft money are truly numbered. The American people want us to finish this job, and we are going to do it.

I again thank the majority leader for his consistent and excellent efforts to bring this bill quickly to a conclusion.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I again thank the Senator from Wisconsin and the Senator from Arizona for their determination and their resolute demonstration again today that we will see a successful conclusion of this legislation.

I do not want anybody to be mistaken; this will happen either through procedural motions available to us or with a unanimous consent agreement. We will certainly try to take the path of least resistance, and if there is a way to reach unanimous consent, I would like to do that. But we must do that this week, within the next day or so, or we will be forced to take the alternative approach. This will happen.

I appreciate the patience on the part of my two colleagues in particular who have been very supportive of our efforts to date, and hopefully we can see to it that patience is rewarded.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I say to the majority leader, Senator MCCAIN, and Senator FEINGOLD, who have labored so long on behalf of this legislation, if there were an effort to unduly delay the bill, it would probably be led by myself. I do, however, want an opportunity to talk with some of my colleagues who have returned today.

We did have an opportunity to take a look at the House-passed bill over the past week and discover what is in it; it was a mystery to many of us. Once those discussions are complete, I believe we ought to be able to come to an agreement on how to complete the bill in an orderly fashion.

#### EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Resumed

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 565) to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.

Pending:

Clinton amendment No. 2906, to establish a residual ballot performance benchmark.

Dayton amendment No. 2898, to establish a pilot program for free postage for absentee ballots cast in elections for Federal office.

Dodd (for Harkin) amendment No. 2912, to provide funds for protection and advocacy systems of each State to ensure full participation in the electoral process for individuals with disabilities.

Dodd (for Schumer) modified amendment No. 2914, to permit the use of a signature or personal mark for the purpose of verifying the identify of voters who register by mail.

Dodd (for Kennedy) amendment No. 2916, to clarify the application of the safe harbor provisions.

(The text of amendment 2894, as modified and agreed to on February 25, is as follows:)

At the appropriate place, insert the following:

#### SEC. . ELECTION DAY HOLIDAY STUDY.

(a) IN GENERAL.—In carrying out its duty under section 303(a)(1)(G), the Commission, within 6 months after its establishment, shall provide a detailed report to the Congress on the advisability of establishing an election day holiday, including options for holding elections for Federal offices on an existing legal public holiday such as Veterans Day, as proclaimed by the President, or of establishing uniform weekend voting hours.

(b) FACTORS CONSIDERED.—In conducting that study, the Commission shall take into consideration the following factors:

(1) Only 51 percent of registered voters in the United States turned out to vote during the November 2000 Presidential election—well below the worldwide turnout average of 72.9 percent for Presidential elections between 1999 and 2000. After the 2000 election, the Census Bureau asked thousands of non-voters why they did not vote. The top reason for not voting, given by 22.6 percent of the respondents, was that they were too busy or had a conflicting work or school schedule.

(2) One of the recommendations of the National Commission on Election Reform led by former Presidents Carter and Ford is “Congress should enact legislation to hold presidential and congressional elections on a national holiday”. Holding elections on the legal public holiday of Veterans Day, as proclaimed by the President and observed by the Federal government, or on the weekends, may allow election day to be a national holiday without adding the cost and administrative burden of an additional holiday.

(3) Holding elections on a holiday or weekend could allow more working people to vote more easily, potentially increasing voter turnout. It could increase the pool of available poll workers and make public buildings more available for use as polling places. Holding elections over a weekend could provide flexibility needed for uniform polling hours.

(4) Several proposals to make election day a holiday or to shift election day to a weekend have been offered in the 107th Congress. Any new voting day options should be sensitive to the religious observances of voters of all faiths and to our Nation’s veterans.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I will take 2 minutes to review the bidding and give our colleagues a status report on the election reform bill—where we are, what we have accomplished, and what we can look forward to during the remainder of the day.

This could be a very historic day if we can finish work on this bill today. My hope is we can. We still have a lit-

tle less than two dozen amendments that I know of. A couple of them will require some debate. There are many I think can be resolved without much debate, and many of them could actually be accepted if we can work out some language.

After three full days of debate on the bill, over a week ago on Thursday and Friday and then yesterday, we have disposed of 22 amendments. To give my colleagues an idea of the bipartisan nature of this measure, we have adopted a total of 16 amendments by voice vote—8 by the majority, 8 by the minority—to indicate the balance we have been able to achieve so far.

We will be working through the remainder of these amendments today, and my hope is we can finish this bill this evening or by tomorrow—hopefully this evening. We still have a couple of very important amendments that will have to be debated and will probably require roll call votes.

It would be my expectation that most of the amendments that are either pending or filed can be agreed to perhaps with some minor modifications.

I again thank my colleague from Kentucky for his assistance and that of his staff in helping us move this product along. I know there are a number of other measures awaiting Senate action. I encourage my colleagues to complete debate on this bipartisan election reform compromise today so we can get to those other issues, including campaign finance reform and the energy bill.

In that spirit, let me, if I may, tell my colleagues what I think we will do. Senator GRAMM of Texas has an amendment to which we are going to agree. In fact, he has asked me to offer it on his behalf, and I will be happy to do that. Then Senator DAYTON has an amendment which he is modifying which will be a study amendment, for the information of my colleagues on the other side. He will be coming over with that amendment. We can adopt the Dayton amendment because I believe by making this a study, it becomes acceptable to the minority.

Senator HARKIN has an amendment—I am not sure which one of his he is bringing over. It is the pending amendment which may require very limited debate.

I know Senator CLINTON is presently meeting with the First Lady. She will be back as soon as possible. We then can debate her amendment.

My goal is to dispose of as many amendments as we can over the next hour and a half, and then if a couple of amendments require debate and votes, we will stack those votes just prior to the respective conferences for the traditional Tuesday luncheons. So we may have some votes just prior to lunch, but we will not ask people to break up the hearings they are engaged in this morning. We will not interrupt the hearing flow that is going on in a number of committees. That is the goal.