

honor will be the service in the Senate representing, in my case, Massachusetts, the State I love, which has played such an extraordinary role in this Nation, from the Revolution of this country, to its members being involved in the Constitutional Convention, to the strong support by the abolitionists in ending slavery, the support for the suffragettes—by great leadership by Republicans and Democrats. The people of Massachusetts have a high standard for progress to be made by their Representatives, and it is one that challenges all of us each day.

Let me just say, finally, I don't think people are asking very much in our country. They want schools that teach. They want a health care system, so they can pay into a system but also have a quality health system that is going to cover themselves and their family. They want respect for their senior citizens. They want good jobs, so they can have a future for themselves and for their families and for their children. They want to knock down the walls of discrimination. Americans are fair, and they understand that this country has to free itself from discrimination in every form and shape we face. They want decent housing, and, as a part of the American dream, they want to be able to breathe the air and drink the water that is clean. They want safe and secure neighborhoods, strong defense, and they want us to represent overseas the best of American values.

I came to this body believing that the privileged and the powerful can look out for themselves but that our challenge is to make sure we are going to have as even a playing field as we possibly can for all Americans. I think it is something that should get us up early in the morning and have us willing to work long and hard, as long as we are privileged to serve here, to be able to achieve. That is really what America is all about: Freeing us from the forms of discrimination, creating an even playing field so that our fellow citizens can be what they truly can be and want to be.

I was reminded just the other day of the cartoon "Peanuts" by Charles Schultze. It gave me some hope because, as Peanuts has said:

After you go over the top of the hill, you go faster on the other side.

So I am looking forward, with even greater spirit and greater determination, to the battles that lie ahead in this Senate Chamber, representing my State. I thank all of those who have been a part of today.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank my colleague for his long service in the Senate.

May I inquire, are we prepared to go back on the bill?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Continued

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 2934

Mr. HATCH. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection the pending amendment is set aside. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Utah [Mr. HATCH], for himself, Mr. ENSIGN, and Mr. BURNS, proposes an amendment number 2934.

Mr. HATCH. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To apply the election technology and administration requirements to States only after funding is made available to meet such requirements)

On page 22, after line 25, insert the following:

SEC. 105. COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS CONDITIONED ON FUNDING.

Notwithstanding any other provision of this title, no State or locality shall be required to meet a requirement of this title prior to the date on which funds are appropriated at the full authorized level contained in section 209.

Mr. HATCH. Madam President, I rise today to offer an amendment to S. 565, the Equal Protection and Voting Rights Act of 2001.

First of all, I thank my friends Senator ENSIGN and Senator BURNS for co-sponsoring this important amendment. Let me also commend my colleagues, Chairman DODD and Senator MCCONNELL, for undertaking an extremely arduous process leading to consideration today of legislation that is supported by half the Senate. I know this was not easy for the committee, nor their staffs, and I appreciate the hard work that led to this compromise.

That being said, I do have a concern about the impact that enactment of this legislation could have on states and localities, most of whom are experiencing extreme budget shortfalls. Let me explain.

Title I of the Dodd-McConnell bill includes seven new uniform and non-discriminatory requirements for election technology and administration. These are requirements, for example, pertaining to certification of votes cast, audit capacity, and accessibility for individuals with disabilities. If enacted, these requirements would apply to each voting system used in an election for Federal office. Obviously, this language has far-reaching consequences.

I appreciate the intent underlying the sponsors' legislation, which is that the system must be uniform in nature, across the entire country, if it is to be successful in accomplishing the goal of election reform.

I also appreciate the committee's stated desire that the program be fully funded. That being said, the question I ask my colleagues is this: "What if it isn't?" What if a future Congress fails to provide adequate funding for this legislation?

That goes to the heart of my amendment.

My amendment is simple. It states that only fully-funded mandates will be enforceable. In other words, if Congress does not provide the funding, the States and localities won't be left holding the bag for a Federal mandate.

Let me hasten to make clear that my amendment does not seek to change the mandates in this title. What it does is ensure State and local governments that we will keep our commitment in the Unfunded Mandates Reform Act of 1995. At that time, we promised the States that we would not saddle them with new mandates without providing them with the resources to implement and enforce those laws.

While I believe my good friends Senator CHRIS DODD and MITCH MCCONNELL are well intentioned in their approach to election reform, as now drafted, this bill fails to protect states and localities from unfunded mandates. Adoption of my amendment would guarantee we keep this promise to our States and localities. I also believe that this amendment seeks to codify the author's intent of meeting our promises to the states.

Some may argue that the Dodd-McConnell bill will fund every title in the bill. However, this argument does not hold water when weighed against the text of the bill. This bill authorizes payments to the states. Note the key word—authorizes. It does not appropriate the resources to get the job done. Given the numerous competing Federal priorities, not to mention the funding required in our fight against terrorism, there is good reason to question whether those resources will be available.

I have great faith in the future of this country and in our future leaders. I do not have faith, however, that future congresses will allocate required resources for every State to purchase new equipment and to retrofit existing structures where citizens vote. S. 565 sets three hard deadlines, and the States will be held accountable for the mandated changes at each of those deadlines. Although the changes will be phased in over 4 years, all States will be responsible for implementing all provisions by 2006.

The Congressional Budget Office has estimated the cost of the Dodd-McConnell bill at \$3 billion. That is billion, with a "B." I know that my friends Senators DODD and MCCONNELL fully expect this bill to be funded. I truly hope that is the case.