

then to figure out how they are going to appropriately address it by counting those votes and trying to meet the standard that the State sets.

We need a similar standard for Federal elections. This amendment will provide greater assurance that all voters in any Federal election are protected.

Some people have said in discussing this amendment with me that this may result in suits being brought against States. As I understand the bill, it gives the Attorney General the authority to bring a civil action against States that fail to comply with any standard. This amendment is no different. It does not put an additional burden on the States, nor does it put an additional burden on the Attorney General. In any event, States will have more funding and more than 7 years to comply since jurisdictions that receive grant funds to meet voting system standard requirements will be deemed in compliance until the year 2010.

We are not asking any different process than what has already been established in the bill for the mechanical error rate.

I also think it is important to recognize that this amendment does not address what happened solely in the Presidential election of 2000. In fact, on the contrary, both the Caltech-MIT report and the Ford-Carter commission have told us that we discovered a problem that has been, unfortunately, widespread throughout our country for many elections.

That is why this amendment is supported by the AARP, the League of Women Voters, the NAACP, the National Council of La Raza, the AFL-CIO, the U.S. Public Interest Research Group, the Leadership Conference on Civil Rights, and many other groups that are concerned that if we leave this particular issue unaddressed, we have not given our citizens the assurance they deserve that their votes will count.

In closing, I hope we are able to obtain the support needed for this residual vote error amendment so that we can be sure we are not only taking care of the machines that break down, but we are taking care of those unintentional errors that may cause a breakdown in the individual citizen being able to have his or her vote counted.

I hope for the sake of all Americans we will ensure that we can have the utmost faith in our election system, and I hope my colleagues will support this amendment. I thank the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, in consultation with the two leaders and with my colleague from Kentucky, I ask unanimous consent that the Senate vote in relation to the Cleland amendment No. 2883 at 4:55 p.m., with no second-degree amendments in order prior to that vote.

As a source of information for my colleagues, there will be two votes

based on an earlier unanimous consent agreement. There will be a vote on a judicial nomination immediately following the vote on the Cleland amendment.

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

Mr. DODD. I thank the Chair. I believe the hour of 4:55 p.m. has arrived.

The PRESIDING OFFICER. The Senator from Connecticut has correctly announced the time.

VOTE ON AMENDMENT NO. 2883

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2883. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

Mr. NICKLES. I announce that the Senator from South Carolina (Mr. THURMOND) and the Senator from Nevada (Mr. ENSIGN) are necessarily absent.

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—97

Akaka	Dorgan	McCain
Allard	Durbin	McConnell
Allen	Edwards	Mikulski
Baucus	Enzi	Miller
Bayh	Feingold	Murkowski
Bennett	Feinstein	Murray
Biden	Fitzgerald	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Nickles
Boxer	Gramm	Reed
Breaux	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Rockefeller
Burns	Harkin	Santorum
Byrd	Hatch	Sarbanes
Campbell	Helms	Schumer
Cantwell	Hollings	Sessions
Carnahan	Hutchinson	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Inouye	Smith (OR)
Cleland	Johnson	Snowe
Clinton	Johnson	Specter
Cochran	Kennedy	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thomas
Corzine	Kyl	Thomas
Craig	Landrieu	Thompson
Crapo	Leahy	Torricelli
Daschle	Levin	Torricelli
Dayton	Lieberman	Voinovich
DeWine	Lincoln	Warner
Dodd	Lott	Wellstone
Domenici	Lugar	Wyden

NOT VOTING—3

Ensign	Jeffords	Thurmond
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The amendment (No. 2883) was agreed to.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on the nomination of Cindy K. Jorgenson, which the clerk will report.

The legislative clerk read the nomination of Cindy K. Jorgenson, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The question is, Will the Senate advise and

consent to the nomination of Cindy K. Jorgenson, of Arizona, to be United States District Judge for the District of Arizona? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from South Carolina (Mr. THURMOND) and the Senator from Nevada (Mr. ENSIGN) are necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 37 Ex.]

YEAS—98

Akaka	Dorgan	Lugar
Allard	Durbin	McCain
Allen	Edwards	McConnell
Baucus	Enzi	Mikulski
Bayh	Feingold	Miller
Bennett	Feinstein	Murkowski
Biden	Fitzgerald	Murray
Bingaman	Frist	Nelson (FL)
Bond	Graham	Nelson (NE)
Boxer	Gramm	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bunning	Hagel	Roberts
Burns	Harkin	Rockefeller
Byrd	Hatch	Santorum
Campbell	Helms	Sarbanes
Cantwell	Hollings	Schumer
Carnahan	Hutchinson	Sessions
Carper	Hutchison	Shelby
Chafee	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Clinton	Jeffords	Smith (OR)
Cochran	Johnson	Snowe
Collins	Kennedy	Specter
Conrad	Kerry	Stabenow
Corzine	Kohl	Stevens
Craig	Kyl	Thomas
Crapo	Landrieu	Thompson
Daschle	Leahy	Torricelli
Dayton	Levin	Voinovich
DeWine	Lieberman	Warner
Dodd	Lincoln	Wellstone
Domenici	Lott	Wyden

NOT VOTING—2

Ensign	Thurmond
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The nomination was confirmed. The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid on the table. The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

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

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Continued

Mr. DODD. Mr. President, I ask unanimous consent that Senator SCHUMER be recognized to offer the Schumer-Wyden amendment; that the amendment be debated this evening, and that