

CLOSING THE GUN SHOW
LOOPHOLE

Mr. REED. Mr. President, today the Brady Center to Prevent Gun Violence issued a very important report on "Guns and Terror," and they pointed out the link between terrorist activity and our lax gun law in the United States. It is a compelling report that should urge us to action. We have seen throughout the last few weeks newspaper reports indicating terrorists are exploiting our lax gun laws, particularly when it comes to gun shows.

When Attorney General Ashcroft testified before the Senate Judiciary Committee on December 6, he held up an al-Qaida manual and talked about how terrorists are instructed to use America's freedom as a weapon against us, and he talked about the way they are urged to lie to deceive our law enforcement authorities.

He neglected to point something else out. These terrorists have been trained to exploit our gun laws. A few weeks ago, I mentioned a terrorist manual was seized in Kabul in which these jihad trainees were urged to obtain an assault rifle legally, enroll in American gun clubs to take courses in sniping, general shooting, and other rifle courses. We have to understand if this is their playbook, using gun shows is one of their plays and we have to stop this loophole.

I introduced legislation last year based upon the Lautenberg legislation this Senate passed. I hoped we could bring this legislation to the Senate very quickly, and we could move to close this gun show loophole, that we could apply the Brady law to every purchase at a gun show, that we could ensure there is a full-time period for law enforcement to evaluate, up to 3 days, the purchase.

These things are necessary. I think it would be a mistake to delay further, and I think also it would be a mistake to take and embrace a weaker version of the law when we have already passed a corrected bill that can make huge progress in closing off this loophole.

We already know individuals on behalf of Hezbollah have used gun shows, that individuals on behalf of the Irish Republican Army have used gun shows, that American militia movements have used gun shows. They do that because they know they can go to the shows, find unlicensed dealers and avoid any type of Brady background check. So I hope we could move very promptly in the next session to close this loophole.

There are 22 cosponsors of my legislation. It is a bill we have already passed in the Senate. It is something I believe is long overdue and I hope indeed we can do it to ensure terrorists do not exploit our laws to do damage to our country and to our people.

I yield the floor.

The PRESIDING OFFICER. The major majority leader.

Mr. DASCHLE. Mr. President, I compliment the distinguished Senator from Rhode Island for his comments now

and for the leadership he has shown on this issue now for several years. Our caucus and the Senate owe him a debt of gratitude for the job he has done in sensitizing us to the importance of this legislation and our efforts to address this issue.

As the Senator noted, this legislation has a very favorable history. Senator Lautenberg, our former colleague from New Jersey, has also worked with the Senator from Rhode Island to pass this legislation at some point in the past, and because it has such overwhelming support I am confident this Senate can pass it as well.

The Senator has talked to me on several occasions about the importance of taking this legislation up this session. It is regrettable at least to date we have not had the opportunity to do that. I share the Senator's expressions of urgency with regard to the consideration of this legislation, and as I committed to him privately I will commit as well publicly that we will take this legislation to the Senate, hopefully early in the session next year.

There is no reason why we cannot complete our work. There is no reason why the Senate cannot go on record again, as it has before in passing this bill, and send a clear message, at least when it comes to the gun show loophole, that we can take steps to protect ourselves and protect this population, and find ways in which to do it in a reasonable way. That is what the Senator is asking.

Again, as I say, I thank him for his leadership, his commitment, and I will work with him to assure this legislation can be taken up successfully sometime next year.

Mr. REED. I thank the majority leader for his kind comments.

Mr. DASCHLE. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. I thank the Chair.

ELECTION REFORM

Mr. DODD. Mr. President, it is after 6 p.m. in the evening and I suspect that many normal people are sitting down having dinner, enjoying a quiet moment with their families. I hope in fact that many of our colleagues are doing that since there are no longer any votes this evening. We are about to make an announcement, my colleague and friend from Kentucky, and, if he can make it, our colleague from Missouri, along with my friends from New York and New Jersey and others who have joined us in crafting an election reform compromise.

Mr. President, the Chamber may be sparse in participation at this late hour and it may be after working hours for most, but may I suggest what we are about to introduce is "landmark" legislation. It will have been 36 years, I think, since the last time this body dealt with the issue of voting rights from a Federal perspective. The Voting Rights Act was the last major civil

rights legislation dealing with the voting rights of the American public.

I begin these remarks by, first of all, expressing my deep gratitude to my friend from Kentucky who has been my chairman on the Rules Committee, and is now my ranking member on the Rules Committee, for his efforts, and those of his staff and others over these many weeks in putting this proposal together which we now offer to our colleagues as a bipartisan compromise. Our hope is that on our return, at some early date—and again, we will ask leadership for advice and counsel—we might bring this matter before the Senate when we return to the second session of Congress to adopt this election reform proposal.

Everyone is aware of what the world was like a year ago when the major story was not about Afghanistan and terrorism but about the condition of the election system in the country, particularly the events surrounding the Presidential race. I am not here today to talk about what happened. What happened last year was not an occurrence in one State or one election but a wake-up call for everyone about the deteriorating condition of our election system across the country. This does not happen on one night, in one State, in one election. There has been a lot spoken about that race, those particular events.

We have tried with this bill to look forward and not look back as to how we can respond to this in a responsible way so we may live up to our historic obligations in this Chamber to see to it that the rights of all Americans—specifically, the most fundamental of rights, the right to vote—is protected and the votes are counted.

Thomas Paine said very appropriately more than 200 years ago that the right to vote is "the primary right by which other rights are protected."

It is about as basic a statement and basic a right as we can identify.

The very credibility of every other action we take as a people, not to mention as a Congress, but as a people, in this Chamber and elsewhere, depends upon the American people's belief in the integrity of the election system which puts everyone in these seats as well as the seats occupied in every office, from the lowest political body in the country to the most exalted in the Presidency of the United States.

This bipartisan compromise we introduce today is not a condemnation of the past at all but rather a reflection of the promise of the future. The problems faced by voters across the Nation last November served, as I said a moment ago, as a wake-up call that our system of Federal elections was in serious need of reform and help. That is what we tried to do with this bill.

This is landmark legislation. Our task is to provide the necessary Federal leadership and resources to assist State and local officials without in any way usurping their historic responsibility to administer Federal elections.

This bipartisan compromise reflects the necessary balance between the Federal interests in assuring the integrity of Federal elections and the authority of State and local officials to determine the best means by which to conduct those very elections.

I am very grateful to my colleagues for their considerable contributions to this compromise. I thank the ranking member of the Rules Committee, Senator MCCONNELL, for his leadership, for his perseverance on this issue, and for his very significant contributions which I will identify shortly. Senator SCHUMER of New York, a member of the Rules Committee, has been active working on election reform since the beginning of this Congress when he became interested in the subject matter. My good friend from the State of Missouri, Senator BOND, early on recognized the need for Federal leadership in this area, particularly the need for Federal antifraud standards. And Senator ROBERT TORRICELLI, along with Senator MCCONNELL, introduced one of the very first election reform measures in the Senate following the elections of last year. There are many others involved in the debates and discussion, but those are the principals who have worked the hardest to craft this package and to present it to this Chamber.

I acknowledge the tireless work of my coauthor in the House, Congressman JOHN CONYERS, the dean of the Congressional Black Caucus. Throughout this long year of hearings, debate, and negotiation, he has been a friend and a stalwart believer in the responsibility of the Federal Government to ensure that every eligible American has an equal opportunity to vote and to have their votes counted. This compromise owes much to his vision and dedication to producing a bipartisan agreement.

Simply put, this bipartisan compromise makes it easier for every eligible American to vote and to have their vote counted while ensuring that protections are in place to prevent fraud. As my colleague and friend from Missouri has said so succinctly, it ought to be easy to vote in America and it ought to be very hard to cheat. We think we have struck that balance. We do not claim perfection, but we believe we put together the provisions which will certainly advance the measure of both goals: to make it easy to vote and hard to cheat in this system and thus devalue the legitimate vote of those who honestly go about the business of counting ballots.

The bipartisan substitute we introduce today represents a strong response to the first civil rights challenge, in our view, of the 21st century and protects the voting rights of every eligible American, regardless of the individual's race, ethnicity, disability, English proficiency, or the level of financial resources available to the community in which he or she lives and votes.

This compromise preserves the fundamental philosophy of the original

bill: The Federal Government must set minimum standards for the conduct of Federal elections. We have expanded the original standards to include minimum requirements to defer fraud and have created a new Election Administration Commission to assure that, going forward, expertise and assistance will be available to the States and localities to meet these minimum standards.

Specifically, this compromise sets the following three minimum standards for Federal elections: Beginning in the year 2006, election systems must meet voting system standards providing for acceptable error rates, and provide notification for voters who overvote, while ensuring such systems are accessible to every blind and disabled person, and to language minorities, in a manner that ensures a private and independent vote.

Second, beginning in the year 2004, States must have in place provisional balloting systems so that no registered voter in America can ever be turned away from the polls without the opportunity to cast their ballot.

Third, States must establish a statewide computer voter registration list, and beginning next year, provide for verification for voters who register by mail in order to prevent fraudulent voting.

Those are minimum standards. They do not require a one-size-fits-all approach to Federal elections, nor do they require that any particular voting system be used or discarded, for that matter. Instead, the minimum standards ensure that every voting system—be it electronic machines or paper ballots—meet certain basic standards. And we explicitly guarantee to every State the ability to meet these standards in a way that best serves the unique needs of their communities.

Most importantly, this bipartisan compromise provides the funds to help States meet these requirements. For the first time, the Federal Government will contribute its fair share to the cost of administering elections for Federal office. That, in and of itself, is a historic change.

The compromise authorizes a total of \$3.5 billion over 5 years towards this end. A total of \$3 billion is authorized to fund the minimum standards, and an additional \$400 million is authorized in fiscal year 2002 for incentive grants to allow States to immediately move forward to implement election improvements, particularly in the antifraud area.

There is \$100 million in fiscal year 2002 provided for grants to make polling places physically accessible to those with disabilities. Never again should our fellow Americans who are blind or wheelchair bound have to suffer the indignities of being lifted into polling places or held at a curbside waiting for an accessible machine.

This significant commitment of resources underscores the fact that nothing in this bill establishes an unfunded

mandate on States or localities. To the contrary, this compromise reflects a commitment on the part of Democrats and Republicans in this Chamber to provide not only the leadership but the resources at the Federal level to ensure the integrity of our Federal elections.

The Senate majority leader, Senator DASCHLE, has publicly committed to bringing S. 565, the Equal Protection of Voting Rights Act to the floor early next year, at which time this bipartisan compromise will be offered as a substitute.

I encourage my colleagues and the leader to make this bill one of the first measures—maybe the first measure—in the second session of the 107th Congress. I can think of no better way to begin the second session of this historic Congress than with a bipartisan measure whose sole purpose is to ensure the integrity of our system of Federal elections and the continued vitality of our democracy.

In the midst of all that has happened since September 11, I couldn't think of a better way to begin the new year than to work together in the Chamber to do something so critically fundamental to the success and soundness of our Nation.

I thank, again, my cosponsors—Senator MCCONNELL, specifically for his crafting of the commission concept, which I think is a wonderful idea, so we will have a permanent venue to begin to deal with these issues. I am sure he will explain in greater detail how this commission works. But without his contribution we might have only ended up with a temporary commission that would have gone out of existence in a short period of time and allowed, once again, the system to deteriorate.

There is no guarantee it will not. But with a commission in place, we will be in a much stronger position over the years to respond to these issues on a continuing basis.

I thank Senator BOND. His contribution was to the fraud area. Without him coming to the table and adding that element here, we might have left that out. It is a serious issue, one that deserves consideration. He has crafted some very sound provisions in this bill which add a very important leg to this.

With what I have talked about in the area of disabilities and provisional voting in addition to our requirement of statewide voter registration, these minimum standards, the broad provisions and the commission, we have not solved every problem at all. We are not dealing with every single issue that comes up. But that is one of the reasons why the commission can make a significant contribution.

I want to thank specifically our staff: Tam Sommerville and Brian Lewis of Senator MCCONNELL's Rule Committee staff; Julie Dammann and Jack Bartling of Senator BOND's office; Sharon Levin and Polly Trottenberg of Senator SCHUMER's office; Sarah Wills and Jennifer Leach of Senator TORRICELLI's office; and, in my office,

Kennie Gill, Veronica Gillesie, and Stacy Beck, along with Shawn Maher and others, for helping put this together.

I look forward, in the early part of the year, to debate and discussion on the subject matter.

Again, I appreciate the wonderful work of my colleagues.

It has been a long road but we think we have produced a very good piece of legislation. I look forward to working with my colleagues when we return.

I see the distinguished leader. I know he probably has other obligations. My colleague from Kentucky is here, but if the leader would care to make a comment on this, we welcome it.

Mr. DASCHLE. Mr. President, I will be very brief. I congratulate the distinguished Senators from Connecticut, Kentucky, and Missouri for their extraordinary work in this regard. I would not have bet we could have gotten to this point when the effort began many, many months ago.

There was a great deal of concern for how the last election was conducted—on both sides. Given the acrimony and difficulty in reaching even some consensus about how to approach this issue, I knew the odds were long. But these leaders overcame the odds. They articulated a vision for how this country ought to perform in every election and worked together, in spite of these difficulties, and have achieved a result that I think is extraordinary.

I do not think the Senator from Connecticut is far off when he talks about this being landmark legislation. Indeed, if it can incorporate the opportunities for millions of voters who have been disenfranchised, it will be landmark legislation. If we can deal with the fraud that has existed on occasion in elections in the past, it will be landmark legislation.

I cannot think of any higher priority. I cannot think of anything for which there is greater cause for excitement than the opportunity to address this issue in the comprehensive and very commendable way the Senators from Connecticut and Kentucky have.

I commit to work with the two Senators to find a time very early in the next session of Congress where we can take this bill up on a bipartisan basis, and maybe even set the tone that could be taken into other legislation as well. I think that would be conducive to bringing about the kind of result we would like as we begin all of our work in the next session. I will work with them. I will commit to them that we will find the time in the schedule to ensure that this legislation can be considered early.

I, again, congratulate both Senators for the extraordinary job they have done getting us to this point tonight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I thank the distinguished majority leader for his kind comments about the

work of the three of us here, and others, on this important piece of legislation. We are grateful that he thinks he will be able to schedule this debate sometime early next year.

Rarely do you get the feeling around here that you are involved in something that is truly unique and has the potential, as the Senator from Connecticut indicated, to be a landmark piece of legislation. We are all working on issues that are important to somebody in the country all the time. But nothing is more fundamental, obviously, than the right to vote.

I say at the outset to my friend from Connecticut, it has been a pleasure working with him. And to my colleague from Missouri, he has been a joy to work with.

We had three areas about which we cared a great deal. Senator DODD is a passionate advocate for the disability community and for reducing, to the maximum extent possible at the Federal level, any barrier to the ability to vote. They may not be intentional, but as a practical matter, barriers still exist. Senator DODD, as we worked through these 13 long months of negotiations, was always looking for a way to strengthen that part of the bill. If there is any hero in America to the disability community, it ought to be the Senator from Connecticut. On this legislation, he was constantly trying to strengthen it to the benefit of that community. I will be happy to testify on his behalf at any time that that was his focus.

The Senator from Missouri was relentless in pursuing the notion that we should, to the maximum extent possible at the Federal level, make it difficult to cheat. It has been a tradition in some parts of the country, including a number of counties in my State, that death not be a permanent disability to continuing to exercise the franchise. I think that practice is disapproved of by all ethical people, but it does go on.

Senator BOND was relentless in pursuing whatever avenues he could pursue to make it possible for this bill to deal with the business of cheating. We want everybody to vote, but only once. It is important that they still be alive when they exercise the franchise. If we were dedicating the various parts of the bill, the fraud part of the bill should be dedicated to the senior Senator from Missouri.

I was interested in the entity, the commission, that would oversee this subject matter down through the years. As the distinguished chairman of our committee indicated, it was my feeling, and I am pleased Senator DODD and Senator BOND agreed, that there be a permanent repository for the best, unbiased, objective evidence States and communities across America could go to for advice about their needs in conducting elections.

Right now the typical county official, or in some States the State official, is besieged by a hoard of vendors who want to sell their product. Where

can you get objective advice about what might make sense for a sparsely populated State such as North Dakota versus a teeming mass in the city of New York? This new commission will hopefully be that place.

With this new commission, there will be no equipment to sell. It will be a place where you can get the best advice currently available in America about your particular election needs.

We structured this commission in such a way that it would operate on a bipartisan basis. I believe it is the case that in every precinct in America there is an equal number of Republicans and Democrats in that precinct who conduct the election, usually in a friendly manner. They keep an eye on each other. They insist that the business of administration of elections be fairly done. Occasionally the system malfunctions. But fairness is certainly the intent of the structure in every State in America.

The question of just how much the Federal Government should do in this regard is complicated. None of us wants to dictate a voting system from Washington to the rest of America. On the other hand, we collectively agreed that there ought to be some standards below which you would not be allowed to fall. If we did that, we were convinced we could improve the administration of elections in this country.

It was a long, tortuous process. We had 13 months of hearings, negotiations, compromises, offers, counter-offers, a bill, a compromise bill, a deal, and a new deal. By the time we finally were able to iron this out, I think we had about all the deliberations we could handle. On the other hand, it was a classic example, it seems to me, of the legislative process working as it should, because what we all have in common is the desire to do this job on a truly bipartisan basis.

What brought us together at the end was the common belief that America would be better off if we did this. None of us was trying to rig the system to the benefit of either side. I wasn't trying to make it easier for Republicans to win. Senator BOND wasn't either. Senators DODD, SCHUMER and TORRICELLI were not trying to make it easier for the Democrats to win. We were genuinely motivated by the desire to help, to the maximum extent possible at the Federal level, make the system better. And in doing that, for this to mean anything, there had to be some funds attached to it. We realized we needed to be able to spend some money in order to allow these communities to upgrade their systems.

We are here tonight knowing this is only the beginning and there is still a long road ahead of us. Even though the House has acted, we have to get this through the Senate and then through the conference.

I have a belief, which I think my colleagues share, that a lot of the hurdles we could have encountered on the floor we have already encountered, thought

through, and worked out. Hopefully, we can convince our colleagues when we get out here on the floor, where it is always potentially a free-for-all, that there is some rational basis for the decisions we reached. And on amendments which may unravel it, hopefully we can make a bipartisan argument that we have been there, we have talked about that, and we have worked our way through that and we can say this is why we think that is not a good idea and why we believe what we came out with is a superior position.

They may or may not take our advice. But at least we have spent a lot of time going into these uncharted waters wrestling with these issues and working them out.

As Senator DODD, the chairman of our committee, pointed out, there are not many people still around tonight. But we feel good about this. We thought we would share it with the Senate. We are pleased to be able to introduce this legislation today with a sense of real pride of accomplishment. We look forward to not only getting it through the Senate early next year, as the majority leader indicated, but getting it through the conference, getting it on the President's desk, and making a difference for America in the most basic thing we do—cast our votes.

The Senate is commonly known as the world's greatest deliberative body. After 13 months of hearings, negotiations, compromises, offers, counter-offers, bills compromise bills, deals, and new deals, I think I speak for all of us by saying: we have had about all of the deliberation we can handle on one issue.

Today's bill introduction is the result of 13 months of work and countless hours of negotiations.

Senator DODD and I began discussions about election reform at the Rules Committee more than one year ago.

Exactly one year ago last week, I introduced an election reform bill with Senator TORRICELLI.

Last winter, Senator DODD and I began a series of hearings on election reform.

Last May, I introduced a new bill with Senator SCHUMER and Senator TORRICELLI—that garnered strong bipartisan support with 71 Senator co-sponsors. Although many in the press seem to have forgotten—We were fully prepared to go to the Senate floor and pass that bill last June—but were sidetracked on the way to the Senate floor with a little thing we'll simply call Senate reorganization.

The agreement we announced last week incorporates three key principles that I have been promoting since the original McConnell-Torricelli bill last year.

Those principles are:

No. 1, respect for the primary role of States and localities in election administration;

No. 2, establishment of an independent, bipartisan commission appointed by the President to provide

nonpartisan election assistance to the States; and

No. 3, strong antifraud provisions to clean up voter rolls and reduce fraud. No longer will we have dogs, cats, and dead people registering and voting by mail.

On this last point, I want to tip my hat to Senator BOND, who has been a tireless champion and advocate for strong anti-fraud provisions. His work on this issue has been instrumental in achieving today's agreement.

Today's bill is a classic example of compromise. None of us got everything we asked for, but all of us got what we wanted: a bipartisan bill to dramatically increase the resources for and improve the process of conducting elections in America.

My goal throughout this process has been to ensure that everyone who is legally entitled to vote is able to do so, and that everyone who does vote is legally entitled to do so—and does so only once.

I believe today's agreement will help us achieve this goal.

I thank Senator DODD for his unending and sometimes unrelenting devotion to this issue. I would also like to thank Senators SCHUMER, BOND, and TORRICELLI for their hard work and significant contributions to this legislation.

I thank the staffs of my colleagues who worked tirelessly on this effort over the past months. Specifically Kenzie Gill and Veronica Gillespies of Senator DODD's staff, Julie Dammann and Jack Bartling of Senator BOND's staff; Sharon Levin of Senator SCHUMER's staff; Sarah Wills and Jennifer Leach of Senator TORRICELLI's staff; and Tamara Somerville, Brian Lewis, and Leon Sequeira of my staff.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank my colleagues, the distinguished Senator from Connecticut and the distinguished Senator from Kentucky. These Senators are experts in laws of elections. Having both served as chairman of the Rules Committee, they are well known as experts in this field. I appreciate their permitting me to join them as we work to craft what I think has rightly been described as a very important piece of legislation.

We are in this joyous holiday season. We hope we have delivered a package that is not only wrapped nicely but contains provisions that will be of significance and a significant improvement in our election system.

As has been said already, truly, voting in elections is the heart of our democracy. If you do not do it, if you exclude some people, and some people do not do it right, then our entire system suffers. One of the great freedoms we enjoy in this country is the freedom to have every qualified person vote.

As Senator DODD has pointed out, even if a person has certain disabilities, we ought to make it easier for that person to vote. People ought not

be denied a right to vote where they are otherwise qualified if they are poor or in places where in the past they have not had adequate opportunity.

Senator DODD started to work on this process of reforming elections to make it easier to vote. I had some experiences that suggested to me we ought to add a second part to that; that is, make it easier to vote but tough to cheat. I think both sides of that equation are important if we are to assure the fullest and fairest participation in our electoral system. I think this compromise achieves that.

We need to make it easier to vote. For those who have been confused by machines or confounded by lack of phone lines to get questions answered, this proposal says we should let the voter know if he or she has made a mistake. If the system has made a mistake, then we set up a new system to give that voter an opportunity to cast the ballot which can be counted after the voter is identified as being a legitimate voter.

As has always been mentioned, we don't try to throw out any particular system. We don't say that "one size fits all" and Washington is going to tell every local election official that this is the kind of system you have to use.

Some 23 different States, I believe, use at least in part paper ballots. In some areas that is how they vote. In my hometown we vote by punch cards. I do not know when anybody has challenged the balloting there as having problems. Voter election officials might say check your card to make sure it is punched out. It is a simple thing. But it works. In St. Louis County, the largest voting jurisdiction in Missouri with the most diverse population—from some very wealthy areas to areas in great need which qualify as an enterprise and empowerment zone, a wonderful diversity of people with long-time residents and newly arrived immigrants—they use punch cards. Their error rate is 0.3 percent—one of the lowest in the country. Clearly, it isn't a problem there. We don't say you can't use punch cards.

For disabled voters, as has already been mentioned by Senator DODD, who has been a true champion, we require polling precincts to improve their voting system so voting machines are accessible even for those who are visually disabled. For those new citizens whose English proficiency is still a work in progress, we want to make sure that newly arrived people with different languages are not excluded from the protections of voting laws. If we have a credible population in a jurisdiction that speaks a different language and has literacy problems, we must publish the election information in their language. All of these steps go a long way toward achieving the goal of making it easier to vote.

Senator MCCONNELL's insistence on a commission—which would be a full-

time commission, a bipartisan commission, that would help solve these problems—is a tremendous contribution. I think that is going to make a difference.

But let me tell you how my interest and enthusiasm for challenging voter fraud was reignited. You have heard that old story about: *Deja vu* all over again. Well, on the night of the general election, in November of 2000, we were ready to see the votes start to come in in St. Louis.

But lo and behold, a case was filed in the court in St. Louis City challenging the voting process, saying that people were being illegally excluded. As a matter of fact, the plaintiff who filed the case had been dead for over a year. He alleged that long lines were keeping him from voting. I suggest that the long lines may not have been at the polls that kept him from voting. He probably had other problems that were keeping him from voting.

But we heard wind of this and lawyers went in and went to the court of appeals. And the court of appeals shut down that scheme within about an hour, after a few votes were cast.

I say *deja vu* all over again because—the funniest thing—I first ran for Governor in 1972. I am from an outstate area. I ran against a candidate who was from St. Louis City. I had a pretty good lead in the outstate area, and on election night we were starting to get ready to see the votes counted and we heard that in St. Louis City they kept the polls open. They kept the polls open hour after hour after hour, and it reached around midnight. The charge was that, in a Democratic-controlled city, in a Democratic-controlled State, the Democratic election officials were making it more difficult for Democratic voters to cast votes for Democratic candidates. Now, if that raises some eyebrows, I think it should.

But we set about cleaning up the system and getting good election boards in place. And we thought that old trick of keeping open the voting machines in areas where they are heavily partisan was over. But, no, it came back on election night 2000. We asked for an inquiry.

As we started kicking over damp rocks, more and more little election frauds crawled out.

We found out that, for example, there was sort of a system of provisional votes. Voters could go before a judge and say: I have been denied the right to vote.

And the judge would say: Here is an order. You can go vote.

Well, they voted. They cast their ballot. And they were not segregated. When we went back to look at them, we were kind of interested.

They said: You have to put down what your reasons for not being able to vote were. And one of them wrote on the line: I'm a convicted felon.

Sounds like a good reason for keeping them from voting. But the judge ordered that person be allowed to vote.

Another one said: I just moved here, and I wanted to vote for Al Gore.

It seemed like a good reason to that judge, so that person was allowed to vote.

The Missouri Secretary of State went back and examined those 1,300 ballots that were cast. Ninety-seven percent of them were illegal, people who were not lawfully registered as required under the Missouri Constitution. They were allowed to cast their votes anyhow.

There were 13,000 of those provisional votes in St. Louis County. We have not even completed an examination of those. But we also went and we started taking a look and doing some research, and we found there was some mess in the city of St. Louis. Some 25,000 voters—10 percent of the voters in St. Louis were double registered. Some voters were registered three times. Some were registered four times. The champions were registered five times.

We have not completed an investigation to find out how many of those people took advantage of their multiple registrations, but we believe there were significant numbers. There are investigations going on by the appropriate authorities. Obviously, if they find specific evidence, we trust they will take appropriate actions.

While I was accused of being partisan in calling attention to the St. Louis City fraud in November of 2000, something happened. There was a partisan primary for the mayor's race in March of this year. And lo and behold, on the last day of registration, 3,000 mail-in registration cards were dumped on the City Election Board. The interesting thing about them was that most of them were in the same handwriting and the same ink. Many people who had accused me of being partisan, though of the other party, now found it to be of great interest to look into the bona fides of these registrants.

Fortunately, we had a very aggressive and inquiring media in St. Louis that went out and started looking. It is amazing how many vacant lots in St. Louis City were teeming with voters. Where they were registered were empty lots.

The secretary of state did a little investigation of multiple registrations at one location. This is not apartment houses; this is supposedly a single family dwelling. They limited their examination to those places where eight or more adults were registered from one single family unit. They found over 250 of them—truly remarkable living conditions, and probably warrants some further investigation.

These drop houses were potential sites for massive voter fraud. Under the current system, mail-in registration allows you to register to vote by mail, motor-voter. When motor-voter passed, most people focused on registering people where you get your motor vehicle licenses. You have to show up. You are buying a car. You have an address. That makes a lot of sense.

But mail-in registrations required the local government to register those

voters. Then they said the only way you could get off the rolls was if you showed up on the list of dead people, if you asked to be removed, or if you had not voted in two Federal elections.

The problem with people who were registering from these drop houses is, No. 1, there probably were not any people to die. They are not going to show up on the dead rolls. They certainly were not going to call in and ask their names be registered. Frankly, if you had gone to the trouble of registering a bunch of phony names, you certainly were not going to fail to vote them. Simple common sense.

Those things kind of heightened my interest. They got me looking at what we could do. We have agreed, in this bill, that, No. 1, one of the most important things we are going to do is have a statewide voter registration base, a database. This is important to make it easier to vote. And it is important to make it tougher to cheat. And that list has to be cleaned up. But it also says, if you are registering by mail, you cannot just send in a ballot with no further identification. We require some identification. Either you show up in person to vote the first time or you send in—either with your registration or with your vote—a photo ID or a bill mailed to you at that location with your name and address on it. If you pay a water bill there, and your name is on it, it is a pretty good indication that you are there. If you are paying bills from there, that is a start.

There are a lot of things that need to be done. I think there are a lot of jurisdictions, given the power that these new statewide databases will give them to check, to cross-check, that will be able to find if there are phony voters and clean up some of these multiple registrations, some of these double, triple, quadruple, quintuple registrations, and maybe begin to shut down on fraud.

There has not been any final determination other than the initial reviews of the secretary of state, but I can tell you, just in St. Louis City and St. Louis County, there was enough evidence of questionable voting that the warning given by the court of appeals in St. Louis should be taken to heart.

That is, that it is a significant denial of the right to vote if you have your vote diluted by multiple votes cast by some other person or by votes cast in the name of a nonexistent person. If people are not registered to vote and they are permitted to vote, that is a denial of the right of franchise. This bill takes very significant steps towards curing that.

One other thing. The Carter-Ford Commission said all people who register to vote must affirm their citizenship. That seems to be reasonable. I understand that one of the al-Qaida members actually voted in Colorado. A couple more illegal immigrants suspected of being involved with the September 11 activities were registered in Michigan. I don't know whether or not they managed to vote.

I guess my favorite, one that was uncovered by the media in St. Louis, was when they looked at the mail-in registrations, they did some groundwork and they focused on Ritzy Mecker. They went to inquire about the whereabouts of Ritzy Mecker. They finally tracked down her owner and found out it was a mixed-breed dog.

I don't know what Ritzy's preference in the election was. I don't know whether Ritzy was a Democrat or a Republican. Maybe she voted a split ticket; I don't know. But the kind of thing that went on there is a kind of Ritzy Mecker-voting system.

We want people who are adults, U.S. citizens, not felons, registered to vote, to be able to cast one vote, but the people who don't fall in that category should not be voting. And the dogs that don't fall in that category should not be voting.

One of my dear friends in State government when I served there, Tom Villa, his father was a legendary alderman, Red Villa, Albert "Red" Villa, legendary; he died in the early 1990s. But in this most wonderful of seasons, I can tell you that he came back to register for the 2000 election. Does your heart good to know that, yes, you can come back from the dead and register. We would like to see the photo ID of those people who have registered to make sure they have not departed us. As I said some time ago, I like dogs. I have a great respect for the dearly departed. But I really don't think they ought to vote.

When we talked about the fraud in the city of St. Louis, another good friend of mine, State representative Quincy Troupe, talking about the danger he saw in the primary of illegal registration, said about St. Louis:

The only way you can win a close election in this town is to beat the cheat.

Time is long gone when we ought to have to ask candidates for office to beat the cheat if they want to hold office. This legislation we have crafted will be worked on in the Chamber. I imagine it will be worked over good, and we may be able to improve on it. But as my colleague from Kentucky said: We have hashed out a lot of these issues. I hope we can explain what we have done to our colleagues on both sides of the aisle so we can get strong support.

It is incumbent on us and the time is now. We have come to this place after a lot of blood, sweat, and tears that we and our staffs have put in, and I thank the staffs of my colleagues, my colleague from New York, Senator SCHUMER; my colleague from New Jersey, Senator TORRICELLI; their staffs. I thank particularly my chief of staff Julie Dammann and my counsel Jack Bartling. I haven't seen them for 3 months. I am looking forward to having them back in the normal office business after the Christmas recess.

I hope that the mutually worked on effort is going to produce something that will be a real present for all Americans in this holy season.

I thank my colleagues. I thank the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I also thank the staffs of all of the Senators involved. I think we couldn't have made it without them.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, this could be a fairly historic moment for our country. I thank my friends from Connecticut and Kentucky and Missouri for their good work. This is an issue that is vital to the people of our country. In fact, in light of September 11, which caused such problems for my city and for our country, if you had to think of the No. 1 reason that those overseas, those terrorists, hate us, it is because we vote, because we don't have a dictator, religious or otherwise. It is because we vote.

We have to make voting as perfect as possible. It is never going to be perfect. But such a sacred right, such a vital right should be made perfect.

This bill comes a lot closer to doing that. It has taken a lot of work. We all know what the bill is. The week after the Florida election I said we had to do something and came out with the idea that we ought to give the States money if they upgrade their machines, and that is at the core of this bill.

We all worked together. I compliment my colleague, particularly from Connecticut, who pulled everybody together, who, as I mentioned earlier, had the patience of Job. And my colleague from Kentucky, he and I had a bill originally. It probably would have been the bill on the floor had Mr. JEFFORDS not switched. But this is a better bill. I am proud to be on it because it not only provides money, but it requires the States to upgrade.

I thank my colleague from Missouri as well. His addition in terms of election fraud is something of which we on this side of the aisle should not be afraid. When there is fraud in elections, it jaundices elections, and elections are sacred.

I am not going to go into the details of the bill. My colleagues have spoken eloquently about the need for the bill. It is a little sad that we came to our agreement only this week of this session, but Senator DODD has mentioned that our leader, the floor leader, the majority leader, Senator DASCHLE, has said we will move this bill early next year. That will give us enough time to make sure the Presidential election in 2004 is not a repeat of the election in 2000.

In New York State, we need help, too. I voted for the first time in 1969. I voted exactly on the same clunky old voting machine in 2001 for mayor a few weeks ago.

I want to share with you something that stays in my mind. You go to a polling place in the early evening. You find people, all kinds of people, work-

ing people in their plaid shirts and jeans, people who have worked in the office towers in their shirts and ties. They are tired. But they know it is their obligation to vote. They go over to the polling place. And in my city and in many parts of my State, because of the oldness of the machines, there are long lines. They wait patiently. Many are studying the ballot and studying the literature that has been given out, particularly these days with so many names on the ballot.

Then you ought to see the looks on their faces when they get up, ready to vote, and they say: You are at the wrong polling place, or we don't have your card here, or you can't vote for some reason. It is a look of complete and utter sadness and almost despondency. In this bill we found ways to avoid it. The number of people who will be turned away who should have the right to vote will be many fewer. We have made provisions for provisional voting so, if you are not on the list, you can vote by a paper ballot, and then they will check. And if your vote should be counted, it will be. If it shouldn't, they will notify you.

I thought that is a very clever and good provision in the bill. They will tell you why so you can correct it. Within a few years of this bill becoming law, not only will voting be modernized but fraud will decline, and the ability of people to vote quickly and easily and correctly will have greatly improved.

So I just again want to say that this could be a fairly historic moment in the history of the Republic. We have had poll taxes, limitations on voting by sex, by property, by income, and by race. Thank God, we have eliminated those. But we have also had limitations on voting just because of the method we vote. On its face, it may not be as pernicious as those others, but it is every bit as detrimental to the Democracy. We are going to end that with this legislation—or at least greatly reduce it.

I hope that when we return, we will move quickly. Again, I thank our leader in the Rules Committee, somebody who really has patiently and diligently tilled the vineyards, improved the product over and over again, and then came to a consensus. One of the reasons I look forward to coming back—and I look forward to coming back for many reasons—is to work to see that New York gets its \$20 billion, to get a stimulus bill to move the economy and help the unemployed and those who don't have health insurance. We have so many things to do.

One of the main reasons I want to come back next year—and that is a short time away because it is late in the year—is to get this legislation passed and stop the scene that I mentioned before: People who wait and wait and wait and, through no fault of their own, are denied the right to vote.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Connecticut.

TERRORISM INSURANCE

Mr. DODD. Mr. President, I thank my colleague from New York. Before he arrived, I thanked him. In his presence, I thank him. The Senator played a very critical role in putting this product together. He is a new Member of the Senate, but he has already demonstrated, as others have pointed out, that he is very much a seasoned legislator. He brings from the New York legislature and from the other body years of experience, and it is a pleasure to do business with my colleague from the neighboring State of New York.

I hesitate to use the word "landmark" because we haven't finished it, but you can sense the enthusiasm we all feel about this compromise and at being able to arrive at a moment where we have the names already as cosponsors of a substitute that demonstrates a bipartisan commitment to this issue.

We don't claim perfection with this bill, but we do claim we are going to certainly improve the process immeasurably. My hope is that the leaders will find a time, if not as the first bill, as one of the early proposals we can bring to the floor for consideration.

I didn't want the Senator to leave the floor because I wanted to change the subject briefly. I will leave the record open for others who may want to comment about this bill. The hour is getting late and the time is running short. We all want to depart.

I want to mention the terrorism insurance bill, which is of critical importance to my colleague from New York. It is very important to many people across the country. I don't know what is going to happen with the so-called stimulus bill, but the terrorist insurance proposal is about as important a piece of legislation as this body could consider.

We have been at this now for a couple months trying to craft a proposal that would allow us to bridge this time from the September 11 events to a time when the industry would be able to calculate risk through the reinsurance efforts, and then through competitive pricing, be able to get back into this business.

It is a very complicated and arcane subject. It is not one that is going to be easily understood because the subject matter is complicated. Suffice it to say this: A critical leg of a healthy economy is the insurance industry. You cannot really have a healthy economy without it. People can't buy a home without fire insurance. You can't get loans today without having proper insurance.

The Presiding Officer, of course, brings a wealth of experience in this area because of his previous work in State government, where he dealt with insurance both in the private sector as well as a Governor. We have heard from Senator NELSON of Florida, also.

I know the Senator from New York is running off, but I hope—and it is my fervent plea this evening with a day left—there is still time for us to get this matter up. We are very close. I hope that Members on both sides will allow a motion to proceed to go forward. Give us a day, if that is what we can have, to consider various amendments on this bill. The House already passed one.

Bob Rubin, the former Secretary of the Treasury, when asked how he would calibrate the importance of this issue—and I can paraphrase his remarks and I think my friend from New York may have been there—said that this was as important, if not more important, than the stimulus package we have been considering.

Our failure to address and deal with this issue could mean that small businesses, construction projects, all across America, come January, will cease. Unemployment will go longer—not of CEOs of insurance companies, but of construction workers, small business people, shopkeepers—all of whom need to have this bill if they are going to get the bank loans to continue to operate.

This has to get done. If we don't do it, this body will be held accountable, in my view. We have known about this issue for weeks. Yet, we have not yet brought the matter to the floor. I hope that will change in the next 24 hours, because if we leave here and don't deal with this, more than 70 percent of these contracts are up for renewal, and we will create a further problem for our economy.

So I know it is not at an issue that attracts a lot of support automatically. It is complicated. There is no great affection for the issue of insurance. Those knowledgeable about the importance of this issue for the strength and vitality of our economy, to leave and go home for the holidays and leave this unattended to, I think, is a problem. I think we need to come back over the next day and address this. We may not succeed, but you have to try. I hope this matter will come up on the floor so we can at least debate it and, hopefully, pass it.

I know my colleague has a deep interest in the subject matter because of the facts concerning his own city and State. I wanted to give him an opportunity to comment on this as well. I am happy to yield to him or have him claim the floor in his own right.

Mr. SCHUMER. I thank the Senator for yielding. He is so right. If there was ever a time when the perfect should not be the enemy of the good, it is on this insurance bill. If you think this doesn't affect you because it is the arcane Dickensian, almost, world of insurance, it does. My colleague is exactly right. If we don't have terrorism insurance, and as of January 1—less than 2 weeks away—no one will write terrorism insurance, then your banks, whether they be in small towns or in large cities, will not lend to new projects. They may not even refinance

existing loans, and that means, as my friend has correctly pointed out, new projects come to a halt. No more new jobs. No construction jobs. No jobs that those projects create.

Each of us in the course of these few weeks as we debated this has had a different view as to how to do this better. But no one disputes that we have to do it. I don't know hardly a person in this body—maybe 10 of the 100—who would say we should not do anything. And so if there were ever a time that we all should sort of give in a little bit and say, well, it is not going to be done my way—if I had my druthers, I would have an FDIC for terrorism insurance. That is what I would do.

Warren Buffet, from the State of the Presiding Officer, proposed that. But that is not going to happen. I know there is too much opposition in the other body and in the White House for that.

So the proposal that the Senator from Connecticut and my good friend from Maryland, our chairman of the Banking Committee, and the Senator from Texas, the ranking member from the other side, and I, and the Senator from New Jersey, and so many others have put together, is sort of a grand compromise. Is it perfect? No. Is it a lot better than letting terrorism insurance lapse? You bet.

This is a test, I say to my friend from Connecticut, for this body, this Congress, this Government. If in the post-September 11 world, when we have new necessities and new urgencies, we all cannot pull together a little bit to deal with the problems and instead we let rumor-mongering, egos, or whatever else get in the way, we are going to hurt this country.

This ain't beanbag, as Boss Tweed said in Plunket's book on New York City politics. This ain't beanbag, this is serious stuff. As my friend from Connecticut said, it probably means more to the country, even though it is more esoteric than the stimulus package in terms of the economy heading south. If we do not try to grapple with this difficult, thorny issue, it is at our own peril.

I join my colleague in his heartfelt plea that we make an effort to take this bill up and deal with one of the hidden but very seriously vexing problems facing our economy in the post-September 11 world.

I yield back to my friend.

Mr. DODD. Mr. President, I thank my colleague. I know Senator DASCHLE and others are working on this. Colleagues who are paying attention to this and heard the comments of our colleague from New York and myself, there are matters involved in this that I know are important to some but, in terms of the centerpiece of what we are trying to do, are really extraneous.

We are talking about a brief period of time for this bill to work. I know there are matters others would like to use dealing with other, more profound, long-term issues on this bill, and I urge