

August 2, 2001, or Friday, August 3, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DASCHLE. Mr. President, I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid upon the table, any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 208) was agreed to.

Mr. DASCHLE. Mr. President, I yield the floor.

ELECTION REFORM

Mr. DODD. Mr. President, I would like to talk about election reform. I have talked about it on a number of occasions.

Yesterday, as chairman of the Rules Committee, we had a markup of one of the election reform bills. I say with a high degree of sadness—and I truly mean this—that our good friends on the Republican side of the aisle decided for whatever reasons not to show up; to sort of boycott the markup. I haven't had that experience in my 20 years in the Senate and 6 years in the House. I gather that it may have happened on other committees but never on ones on which I served.

Again, I understand there is dis-appointment sometimes when our amendments or our bills are not going to be marked up, or are not going to have the necessary votes to be marked up. I had scheduled the markup well in advance with full notice. There are some 16 election reform bills that I know of which have been introduced in the Senate. We didn't mark up all of them. We marked up one bill. It was open for amendment, or substitution, as is the normal process. As I have been both in the majority and minority, over the years that is how it has been done.

In the Rules Committee you cannot vote by proxy. You have to be there for the final vote. You can only vote by proxy on amendments.

We had the convening of the markup at 9:00 in the morning with the full idea that at least an hour-and-a-half would be available for people to come and offer amendments, debate, or discuss the issue of election reform.

I think there were some 200 to 300 people in the hearing room. Many came in wheelchairs and some with seeing-eye dogs and other such equipment in order to assist them. There were people from various ethnic and racial groups in the country who care about election reform, and average Americans who just wanted to see what Congress might do and what the Senate might do in response to the tremendously disappointing events of last fall when we

saw what tremendous shambles our election process is in. The events of last fall peeled back the scandalous conditions of our electoral processes all across the country—not only in one state during one election. Almost without exception, every State is in desperate need of repairing the election process.

As a result of what happened last fall, there has been a heightened degree of interest in doing something about our election process. As a result, as the chairman of the Rules Committee since June, I have had three hearings on the issue. We had one hearing prior to that when I was ranking member of the committee.

The bill I propose is one that has been cosponsored by 50 other Members of this body. It received some rhetorical support from others who are not exactly cosponsors but have told me that they will support the bill when it comes to the floor. The same bill has been introduced by Congressman JOHN CONYERS of Michigan in the House of Representatives. It enjoys, I think, over 100 bipartisan cosponsors in that body. There are also other bills that enjoy some support. The bill offered by the now ranking member of the Rules Committee, Senator MCCONNELL, has some 70 cosponsors. Thirty-one of those cosponsors are cosponsors of the bill I introduced.

There is a lot of interest in this subject matter. What was disappointing to me and what saddened me was that on a day in which we were going to hold a markup to figure out how we might improve the electoral system so more people would have the opportunity to vote and have their votes counted, our friends on the other side decided not to come and be heard, let alone vote on this matter.

That troubles me, and I hope it is something not to be repeated. It is not a very good civics lesson, particularly for the dozens of people who showed up yesterday. Some made the extra strenuous effort to be there, considering their physical condition.

Mr. President, between 4 to 6 million people last November 7 showed up to vote and were told their votes would not count despite the fact they had the right to vote. Many of them stood in lines in the colder northern tier States for hours on end.

I heard in our hearings in Atlanta the other day, with Senator CLELAND at my side, witnesses from Georgia who literally sat in rooms for hours without chairs—elderly people simply waiting for a chance to vote and to have their votes counted.

When you have a markup of a bill that is open for all sorts of bills to be considered as amendments or substitutes before the committee, it is disheartening to me that such a message might be sent that we don't care enough to vote on a bill such as this to encourage Americans to vote.

I hope that when we come back in September the offer I made in Novem-

ber of last year as the ranking Democrat on the committee to the then-chairman of the committee to work together on a bipartisan bill will be taken up, and that we can sit down and try to craft something a majority of our colleagues would like to get behind and support; and that the other body would do the same, and put some meaningful resources on the table so that States and localities will have the help to make the changes that are necessary in order for the election system in our country to work.

The election system is in a shambles. This is not some question of fixing a minor problem, I regret to report. All you need to do is read the reports that have come out in the last few days—studies from the Civil Rights Commission report, to the reports by the Massachusetts Institute of Technology and the California Institute of Technology. Their studies indicate, as I noted a few moments ago, a stunning 4 to 6 million people showed up last fall who attempted to vote or intended to vote and were not able to have their votes counted. It is a scandalous situation by any estimation.

For example, in my State alone—one of the most affluent States in the Union, the State of Connecticut, on a per capita income basis—we have not bought a new voting piece of equipment in almost a quarter of a century. In fact, the company that made the machines we use in my State no longer exists.

Mr. President, there are some exceptions. I think some States, such as Rhode Island, because of the tremendous efforts of the former secretary of State there—now Congressman JIM LANGEVIN, who is a quadriplegic and has been elected to Congress by the good people of Rhode Island—have become very progressive in regards to the electoral reform.

The people in Rhode Island who are blind, for instance, can vote without having someone go into the voting booth with them. It is the only State I know of in the country where you can do that today. But Congressman LANGEVIN was sensitive to it because of his own physical condition. He told me, with very minor investments—about \$400 per precinct—they were able to make not only the voting place accessible but the ballot accessible.

Last fall, 10 million blind people did not vote in America. I have a sister who is blind, blind from birth. She is legally blind. She totally lacks vision in one eye, and has very slight vision in her other eye. From time to time, she has needed assistance—and I don't want to suggest to you she has not voted on her own from time to time—but she works with many people as part of the National Federation of the Blind. She is a board member and attends their conventions. You need only talk to people in your respective States, and ask people who are totally blind what it was like to go and vote last fall. They will tell you they had to

take someone with them to vote. Some States will allow you to bring a family member. Some insist you go in with a poll worker you don't know. So the idea of casting a ballot in private is nonexistent.

Therefore, when I talk about trying to establish some national requirements to improve the system, it isn't just better equipment, it is also making the voting booth more accessible to those who are disabled.

At any rate, let me share with you these statistics. As I said, there were 4 to 6 million people—this is stunning—trying to do their civic duty who were turned away and denied the chance to vote.

Earlier this week, former Presidents Ford and Carter released a report. Their findings echo those of the Cal-Tech-MIT report. The report makes clear that the election of 2000 was more than "a closely contested election," as some have attempted to characterize it. It was more than a matter of a few disputed ballots in a single State. It was, in the words of the Ford-Carter Commission—

Mr. President, I see my friend and colleague from the State of Washington. I would like to be able to proceed for about 5 additional minutes, if that is all right with her.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DODD. I thank the Chair.

The Ford-Carter Commission described the results of last fall's election as "a political ordeal unlike any in living memory." It was an ordeal that spread beyond a few counties in Florida to encompass—and incriminate—the electoral system within our entire Nation.

Like the Cal-Tech-MIT report, this report adds to the growing body of evidence that in the year 2000—and in previous years—American voters were disenfranchised—not by the thousands, or even by the tens of thousands, but by the millions. These are people who intended to vote, stood in line, did everything they thought they needed to do—thought they had registered to vote—and for a variety of reasons were not able to cast their ballots, or not have their ballots counted.

They were people who were disproportionately poor, who are racial or ethnic minorities, who speak English as a second—not first—language, and who are physically disabled.

In Florida alone, the U.S. Civil Rights Commission found that African American voters were 10 times more likely than white voters to have their ballots thrown out.

Across the country, the votes of poor and minority voters were three times more likely to go uncounted than the ballots of wealthier Anglo voters. That kind of disparity—based on race, income, ethnicity, language, and physical ability—is unacceptable, at least it ought to be, in any nation that calls itself a democracy. For a nation such

as ours—which is the birth place of modern democracy, which holds itself out among the community of nations as an emblem of self-governance—six million people, out of 100 million who cast their ballots, were thwarted. That is more than unacceptable; it is unconscionable.

Likewise, as our colleague from Missouri, Senator BOND, has said, it is unacceptable and unconscionable when any American abuses his or her right to vote by committing fraud. I wholeheartedly endorse the comments that he made on the Senate floor yesterday that we need to expand voter participation and reduce voter fraud in our Nation.

I appreciate, by the way, the Senator from Missouri telling me the night before what he was going to say on the floor the next day. Those are common courtesies we extend to each other, regardless of differences that may exist.

Voter fraud and voter disenfranchisement are different wrongs, but they have a similar impact. They both debase our electoral system. They both distort the value of votes lawfully cast. And they both diminish the true will of the American people. I wholeheartedly embrace his statement that we need reforms that ensure that more Americans can vote and that fewer can cheat.

I look forward to working with him during the month of August, and his staff, to see if we can craft those parts of what he has proposed as a part of our bill.

Some have argued that—against this overwhelming evidence that millions of Americans are routinely deprived their right to effectively exercise the most fundamental right we have in a democracy; against this overwhelming evidence that our electoral system is in profound need of reform—we should make strengthening our election laws optional.

In 1965 we passed the Voting Rights Act. We did not make the elimination of the poll tax or elimination of the literacy tests an option. We said: It is wrong because you are voting for President of the United States and the National Congress.

If we were just voting for the local sheriff or the school board or the general assembly of that State, then I do not think the Federal Government has a lot to say. You might argue that we do. But when you are voting for the President and the National Congress, then, if you deprive people the right to vote, either de jure, by law, or de facto because of what you failed to do to make the system accessible to people, then you have affected the people who vote in my State when they vote for President or they vote for the National Congress.

So the idea that somehow we are going to make de facto barriers to people's right to vote optional is as ludicrous on its face as it was in 1965 to say we had no right to abandon or get rid of de jure hurdles to people's right to vote when it came to casting ballots

for the Presidency and the Congress of the United States.

I am not interested in having overly burdensome requirements. I do not think having basic national standards that say, if you are blind, you have the right to vote in private; if you are disabled and cannot reach the machine, you ought to be able to do so. We did that with the Americans With Disabilities Act. You cannot go into a public accommodation or a public restroom that isn't handicap accessible today. You ought not be able to go into a voting booth that isn't handicap accessible.

I do not think you are going to get that by leaving it optional. I think there does need to be a national requirement to see to it you do not have these punch-hole ballots or chads hanging around all over the place. I do not care if you want to have a different machine in every State, but meet basic minimum requirements.

Provisional voting, giving people the right to see how they voted—you can go to a gasoline station and you know how much gas you put in your car because you get a receipt to look at. Can't we do the same for a voting machine, so that when you vote, and you come out of the booth, you can take a look and make sure your vote was recorded as you intended it to be recorded in the 21st century? Or can't we have a sample ballot so you might have some idea about what you are going to see in the voting booth when you walk into that booth for the very first time?

Those are the kinds of requirements I am talking about. I do not think that is overly aggressive, overly excessive. And I believe that if the National Government requires it, that we ought to also pay for it.

My bill does both. I am pleased to say the Presiding Officer and others are co-sponsors of the bill we have introduced. I am not suggesting it is perfect. I hope when we come back in September—I have been told by the majority leader; I appreciate his tremendous leadership on this issue—we will make this a priority issue so we can get it done. We can provide some resources and start to make a difference in the 2002 elections. Hopefully, by the 2004 Presidential race, we will at least reduce substantially the amount of abuse we saw occur in the 2000 election, and hereafter we will see to it that voting opportunities are not going to be left to wither and deteriorate to the point they had, as we evidenced, in the year 2000. It is not easy. It is going to take some investment.

I will end on this note. It was said by Thomas Paine more than 200 years ago. I know these other issues are important. I don't minimize them, whether we are talking about an energy bill, a farm bill, a Patients' Bill of Rights, all those questions that we debate every day as elected representatives in this body, down the hall in the other body, or down the street in the White House. All of that depends, as Thomas Paine

said, on the right to vote. The right to vote is the right upon which all other rights depend. If we can't get the right to vote right, then what confidence do people have that we will make the kinds of decisions they asked us to make when they sent us here as their representatives?

I know it is not as popular and doesn't have the same glamour attached to it as some of these other issues. I don't think there is anything more important this Congress can do than to see to it we redress the wrongs committed in the year 2000 and the years before then.

I urge my colleagues, particularly those from the other side. I have gone to many of their offices. I have let them know. I have visited them the last several weeks. I have explained the bill and asked for their ideas. I want a bipartisan bill. I have been to the office of BEN NIGHTHORSE CAMPBELL, the offices of LINCOLN CHAFEE, PETER FITZGERALD, KIT BOND—I have talked to them—on down the list. I will continue to do so because I want a bipartisan bill. I am saddened again that yesterday my Republican friends on the Rules Committee decided not to come and vote and be heard on a bill that was going to try to improve people's right to vote in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. I ask unanimous consent to address the Senate for 15 minutes.

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

Ms. CANTWELL. Mr. President, I commend my colleague from Connecticut for his fine remarks on election reform, a very important issue, indeed, and one I am sure we will be addressing when we resume after our summer recess.

WASHINGTON STATE AGRICULTURE

Ms. CANTWELL. Mr. President, the Senate is about to adjourn for a summer recess, clearly doing so after having moved this morning on an Agriculture supplemental bill that does not truly understand the plight of American farmers and the impacts in my home State of Washington.

The impact on Washington State farmers and the impact they have on our State economy and the national economy is clear. There are over 40,000 farmers in our State covering 15 million acres of land. Washington State apples are 50 percent of our Nation's apples, and Washington State is the third largest wheat-producing State in the country. We export about 90 percent of that wheat internationally.

Farmers in our State have been struck by a series of disasters this year. They have suffered a drought, they have suffered a destructive storm, and this morning they are left with an Ag supplemental bill that does not do

enough for the farmers in my State. In fact, this bill we have passed, compared to the Harkin bill, leaves my State with hundreds of millions of dollars less resources for both wheat and apples.

I ask unanimous consent to print in the RECORD a document produced by the State of Washington that details the elements and impacts of the drought.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HOW IS AGRICULTURE AFFECTED

The drought largely is the result of reduced snow pack in the Cascade Mountains, which acts as storage for water that is released during the spring and early summer. This water is captured in rivers and reservoirs where it is distributed via irrigation systems to farmers. This relatively reliable water supply has allowed the arid fields of eastern Washington to become some of the most productive and diverse agricultural lands in the United States.

The drought affects not only the water available from rivers and reservoirs for irrigated crops, but may affect non-irrigated crops as well. Insufficient soil moisture of prolonged dry conditions will reduce yields for those crops.

Agriculture is the core industry of rural Washington and supports the small towns and cities of eastern Washington. In 1997, the food and agriculture industry—farming, food processing, warehousing, transportation and farm services—employed over 183,000 people. Farming, excluding farm owners and families, employs about 84,000 people in Washington.

In 1999 farmers harvested over \$5.3 billion while food processors sold \$8.9 billion worth of products. Washington's food and agricultural companies exported \$3.5 billion of products. The most valuable of these crops come from irrigated land. About 27 percent of Washington's cropland is irrigated, yet this acreage produces more than 70 percent of the total value of all of Washington State's harvest. This includes the most valuable crops: apples; cherries and other tree fruit; vegetables; onions; and potatoes. All of the 20 most valuable crops, by harvest value per acre, are irrigated.

Agriculture also is potentially affected by disruptions in transportation, especially barge traffic due to lower river levels. In the case of wheat, for example, there is insufficient truck and rail capacity to absorb the load if barge transportation is curtailed.

The current drought, unlike other recent droughts, is occurring at a time when farmers are facing many other serious challenges. Many smaller farms are likely to face bankruptcy or leave farming. The weak condition of many segments of the agriculture industry in the state makes the industry more vulnerable to the effects of the drought. Most farmers are in their third year of net losses due to poor market conditions. Many farmers lack the credit to either survive a year without a harvest or make the investments necessary to mitigate the impacts—such as drilling deep wells or upgrading irrigation and distribution systems.

Impacts on the production of crops also may affect the market prices for those crops, which will affect farmers in different ways. For example, Washington produces half of the U.S. apple crop and a significant reduction in harvest may increase the price for those farmers who remain in business. Therefore, some farmers may suffer while others who have water may actually see improved revenue.

The extraordinary rise in energy costs exacerbates the problem for farmers. Farmers rely on diesel fuel for their equipment. Current diesel prices are up 20 percent to 30 percent over last year's levels. The cost of electricity to run pumps is expected to rise as much as 150 percent. The price of natural gas, which is used to make fertilizer, has risen sharply. Most of the irrigated crops are either stored in controlled atmosphere warehouses or processed (canned, dried, frozen, etc.) Cold storage and processing require large amounts of energy (especially electricity and natural gas) and water. If these costs force closure of the processing plants, farmers may have no place to sell their products.

Increased risk of disease, insects, noxious weeds, erosion, and fire resulting from abandoned fields, are also concerns. Without maintenance of the fields or removal of abandoned orchards, the risk of damage to adjoining fields is significant. The Washington State Department of Agriculture (WSDA) has requested funds to assist local Weed Boards to deal with these problems, while state and federal fire officials are preparing for a potentially record year for forest and range fires.

Ms. CANTWELL. It reads in part:

The current drought, unlike other recent droughts, is occurring at a time when farmers are facing many other serious challenges. Many smaller farms are likely to face bankruptcy or leave farming altogether. The weak condition of many segments of the agriculture industry in the state makes the industry more vulnerable to the effects of drought. Most farmers are in their third year of net losses due to poor market conditions. Many farmers lack the credit to survive another year without a harvest or make the investments necessary to mitigate these impacts—such as drilling deep wells or upgrading irrigation and distribution systems.

From Ritzville to Yakima, from Chelan to Wenatchee, the family farms in my State are hurting. Just this past week I met with farmers from Ritzville; they are wheat farmers. Wheat farmers are seeing a 14-year low in wheat prices. They made it clear they need help and they need help now.

Part of our discussion is what is the sentiment for support of the family farms across our country.

I ask unanimous consent to print in the RECORD an article from a local Walla Walla newspaper about the impacts.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLL: VOTERS SUPPORT FARM AND RANCH CONSERVATION EFFORTS

WALLA WALLA.—America's farms and ranches are important to the nation's voters, and not just for their locally grown food.

A new poll released today shows that voters value farms and ranches for the conservation benefits they provide, such as cleaner air and water and wildlife habitat. And not only do voters want the federal government to support programs that secure those values, by linking conservation practices with farm payments, but voters are willing to pay to ensure conservation benefits from farms and ranches.

A poll, a telephone survey of 1,024 registered voters nationwide, uncovered strong support for American agriculture, with 81 percent of voters saying they want their food to come from within the United States.