

But, again, the key point is we have a threshold which is the same threshold we have had with PUHCA which goes back to the 1920s or 1930s. If Senators think we do not need it anymore because there are no mergers or acquisitions, quite to the contrary; we ought not be giving up on the consumer protection. At the very minimum, we should have the language that requires that the proposed mergers promote the public interest. Then we get FERC approval. At the very minimum, we ought to do that. Let's make sure they promote competition, make sure they are good for consumers, make sure they add to economic efficiency.

Right now in this legislation, I am sad to say, we do not have that standard. We are going to make a huge mistake if we do not have a stronger consumer protection standard and a stronger competition standard. That is what this amendment is about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent I be permitted to proceed as in morning business for up to 5 minutes.

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

The Senator from Maine is recognized.

Ms. COLLINS. I thank the Chair.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 2085 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001

Mr. REID. Mr. President, on behalf of the majority leader, under the authority granted to the majority leader on March 22, and with the concurrence of the Republican leader, I now ask unanimous consent the Senate resume consideration of Calendar No. 239, S. 565, the election reform bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

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

Pending:

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

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

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

Hatch amendment No. 2935, to establish the Advisor Committee on Electronic Voting and the Electoral Process, and to instruct the Attorney General to study the adequacy of existing electoral fraud statutes and penalties.

Hatch amendment No. 2936, to make the provisions of the Voting Rights Act of 1965 permanent.

Smith of New Hampshire amendment No. 2933, to prohibit the broadcast of certain false and untimely information on Federal elections.

Mr. REID. I ask unanimous consent the previous agreement with respect to S. 565 be modified to provide that all amendments remaining in order to the bill, first and any second-degree, must be offered and debated during today's session; and that any votes ordered to occur with respect to these amendments be stacked to occur at a time to be determined by the two leaders, in the sequence in which the amendments were offered; that prior to each vote there be 2 minutes of closing debate with the time equally divided and controlled in the usual form without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. On behalf of the majority leader, let me say, while the minority leader is here, the two managers of this bill, Senator DODD and Senator MCCONNELL, are to be applauded. What they have done is extraordinary. They should know that. This is tremendous for the country. It has been done on a bipartisan basis. These two Senators are to be congratulated.

There will be no more rollcall votes tonight. I have been advised by the majority leader to announce that.

The PRESIDING OFFICER. The Republican leader.

Mr. LOTT. If the Senator from Nevada will yield, just for a comment—and also to agree with him. I want to say to the Senator from Connecticut, Mr. DODD, and Senator MCCONNELL, they have been persistent. It would have been very easy to just let this reform effort slide off the end of the table, like so much else has, unfortunately, in the Senate. But they continued to work together. They continued to try to find substantive agreements and also a procedural process to get this done on sort of a second-track process. So I am pleased we have this unanimous consent agreement, and I commend them both. I think we are going to wind up with a product that the Senate can be proud to support.

Let me just ask Senator REID if he will yield to clarify how we proceed. Under the agreement, there were a number of amendments that were identified with time limits. All those amendments will be considered tonight under this unanimous consent agreement, and then tomorrow, at a time we will agree to and announce later, all votes, if any—either on final passage or the amendments—would be stacked?

So that would occur in the morning and Senators need to know, if they are interested in these amendments, they will need to come to the Chamber in the next couple of hours to deal with them. Is that correct? Is that your understanding?

Mr. REID. That is right, I say to the leader.

Mr. LOTT. Mr. President, if I could be recognized before we begin, now, under leader time?

The PRESIDING OFFICER. The Republican leader.

NATIONAL ENERGY POLICY

Mr. LOTT. Mr. President, I wish to talk a little bit about the energy bill, and then the managers of the election reform will be ready to go and we will take up that important legislation.

Mr. President, we need a national energy policy. I think the Congress knows that. I think the American people support that. I know the President of the United States supports that.

Right now we see the difficulties with which we are having to deal around the world: The instability in Venezuela with regard to oil supply from that country, our concerns about the Middle East, the threats from Saddam Hussein. We need our own national energy policy. We need our own energy supplies. We need to encourage conservation, alternative fuels. We need the whole package. And we need to do it now.

This is a critical time. This is a matter of our economy, it is a matter of the creation of more jobs, and it is national security. So we need to do this.

I have not come to the Chamber and really pushed on this legislation. Because of the way it was brought to the floor, which is not through the Energy and Natural Resources Committee, I thought we were going to have to do a lot of writing of the bill in the Senate. That is what has been happening. That is what has occurred. That is why it took so much time. But we have spent 2 weeks on it now. This is the third week. It is obvious to me we are going over to next week. But I think it is time for the leadership on both sides of the aisle to begin to press for this legislation to be completed.

It would be a mistake for the leaders of either party to allow this legislation to collapse after this amount of time, and on this important an issue. It is going to be very easy for Members on both sides of the aisle to say: I don't like it because of this reason; I don't want it for that reason; I don't like this particular provision.

I don't care for the electricity section, but I just voted not to strike it because I think we made some improvements. We ought to go to conference and see if we can improve it even more.

I think it is time that we bring up the ANWR amendment. Let's have a debate. I am all for it. I think we need it. I think it is a source of supply that

we can get safely and in a reliable and affordable way that will help us with our future energy needs. But let's have the debate. Let's get it done. Let's have a vote.

Then we still have the tax provision. I think Senator DASCHLE and I are going to have to both be supportive of completing this legislation. I think we are going to have to come to the floor and encourage our managers to make progress and to make more progress than has occurred. If we do not do it, we are not going to finish it next Tuesday or Wednesday; it will be later, and then everything else is moved down the line—border security, the immigration reform known as the 245(i) issue, trade legislation, the cloning issue.

We have other work we need to do. So it is approaching that time when we need to begin to be serious about amendments and be serious about getting to final passage.

No formal unanimous consent agreement was exchanged or agreed to back when we went out for the Easter recess, but we did exchange some lists prior to that recess so we could get a look at about what number of amendments we were talking. I understand there are about 160 amendments that were indicated by the Democrats, and probably over 100 by the Republicans—260 amendments? Nobody really believes that. We have numerous Senators who have five or six or seven amendments that they want. We are not going to have that. We are not going to leave that. A lot of these amendments are nonrelevant amendments. We could turn this energy bill into a debate over tax policy or over agriculture policy or you name it. But we need to keep it focused on energy.

The truth of matter is that I believe on our side of the aisle we are down to 7 to 10 serious amendments. I don't know what the situation is on the other side of the aisle. I know Senator REID is doing his usual due diligence, and he is working to try to get the list narrowed down. We don't have locked in an agreement on the list. I am worried about what appears to be a slow rolling still going on. Look at what we have done here today. We had a vote on one amendment. This afternoon, we had a couple of quorum calls. We have an amendment pending, and I guess it is possibly going to be modified.

I understand we are going to have to have some debate about ethanol. Does anybody think we are going to do that in 30 minutes? Does anybody think we are really going to change what is in this bill on ethanol? Not really. You can debate about whether it is wrong or right, but the fact is the die is cast on that issue. We need to begin to deal with reality in this area.

I don't know where these amendments are. But I was very disturbed to hear it suggested yesterday that Republicans are slow rolling this bill when, as a matter of fact, we have been offering amendments. We have been

getting votes. We have been working to narrow down our list.

We need a little help on the other side if we are going to complete this legislation. I have been encouraging Senator MURKOWSKI to go forward with the ANWR amendment. Let us have the amendment. Let us have the debate. Let us get started. After we complete that, let us move to lock in the amendment list and begin to move toward finishing this bill. In order for that to occur, we will have to make a lot more progress tomorrow, Friday, Monday, and Tuesday than we saw today.

Let us quit pointing fingers about who is not doing what. Let us quit thinking about what we might do if this bill doesn't work just to suit our particular desires. Let us get this legislation completed.

The Senate has a lot of work before it. We have over 50 bills that have been sent over here from the House of Representatives with which we haven't dealt. If we get to the middle of next week and we have not completed our work on this energy bill, or if we have this energy bill pulled for whatever reason and we have another goose egg on our ledger, shame on us.

At this time in our history and what is going on in the world, if the Senate cannot pass an energy policy for our Nation, then I really just have to wonder what we are going to be able to do together in a bipartisan way for our country.

I encourage my colleagues on both sides of the aisle. This is not intended to be partisan. I don't want it to be that way. I am saying to everybody it is time now that we begin to move to finish this bill and produce a bill that can go to conference, which hopefully can be worked out, the President can sign it, and then in the future hopefully we will have more national security and economic security than we will have without it.

I thank my colleagues for allowing me to have this moment to encourage a result. Maybe we can follow the example of what we are about to see on election reform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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 am going to send three amendments to the desk: A managers' amendment offered by myself and Senator MCCONNELL, an amendment offered by Senator WYDEN,

which I will be offering on his behalf, and an amendment I will be offering on behalf of Mr. ROCKEFELLER. I ask unanimous consent that those three amendments, along with an amendment that my colleague and friend from Kentucky will offer on behalf of Senator HATCH, be considered en bloc.

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

AMENDMENTS NOS. 3104, 3105, AND 3106 EN BLOC

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes amendments numbered 3104, 3105, and 3106 en bloc.

The amendments are as follows:

AMENDMENT NO. 3104

(Purpose: To modify the requirements for voters who register by mail, and for other purposes)

On page 15, between lines 2 and 3, insert the following:

(b) VOTERS WHO VOTE AFTER THE POLLS CLOSE.—Any individual who votes in an election for Federal office for any reason, including a Federal or State court order, after the time set for closing the polls by a State law in effect 10 days before the date of that election may only vote in that election by casting a provisional ballot under subsection (a).

On page 18, strike lines 17 through 19, and insert the following:

(B)(i) the individual has not previously voted in an election for Federal office in the State; or

(ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of section 103(a).

On page 21, strike lines 19 through 23, and insert the following:

(2) REQUIREMENT FOR VOTERS WHO REGISTER BY MAIL.—

(A) IN GENERAL.—Each State and locality shall be required to comply with the requirements of subsection (b) on and after January 1, 2004, and shall be prepared to receive registration materials submitted by individuals described in subparagraph (B) on and after the date described in such subparagraph.

(B) APPLICABILITY WITH RESPECT TO INDIVIDUALS.—The provisions of section (b) shall apply to any individual who registers to vote on or after January 1, 2003.

On page 22, strike line 17, and insert the following:

brought under this Act against such State or locality on the basis

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

SEC. ____ . MINIMUM STANDARDS.

The requirements established by this title are minimum requirements and nothing in this title shall be construed to prevent a State from establishing election technology and administration requirements, that are more strict than the requirements established under this title, so long as such State requirements are not inconsistent with the Federal requirements under this title or any law described in section 402.

On page 25, strike line 20, and insert the following:

existing Federal laws, as such laws relate to the provisions of this Act, including the following:

On page 27, strike line 11, and insert the following:

(c) SAFE HARBOR.—No action may be brought under this Act