

of terrorists, terrorist organizations, and state sponsors of terrorism.

Brownback amendment No. 3843, to prohibit the patentability of human organisms.

Ensign amendment No. 3844 (to amendment No. 3843), to prohibit the patentability of human organisms.

#### AMENDMENT NO. 3842 WITHDRAWN

The ACTING PRESIDENT pro tempore. Under the previous order, the amendment numbered 3842 is withdrawn.

### TERRORIST BOMBINGS CONVENTION IMPLEMENTATION ACT OF 2001

The ACTING PRESIDENT pro tempore. Under the previous order, the Judiciary Committee is discharged from further consideration of H.R. 3275 and the Senate will now proceed to its consideration.

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 3275) to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts, and for other purposes.

#### AMENDMENT NO. 3847

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Vermont, Mr. LEAHY, or his designee, is to be recognized now to offer an amendment.

Mr. LEAHY. Madam President, I call up my amendment which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Vermont (Mr. LEAHY), for himself and Mr. HATCH, proposes an amendment numbered 3847.

(The amendment is printed in today's RECORD under "Text Of Amendments.")

The ACTING PRESIDENT pro tempore. Is there further debate on this amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 3847) was agreed to.

The ACTING PRESIDENT pro tempore. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the

Senator from North Dakota (Mr. CONRAD), the Senator from North Dakota (Mr. DORGAN), the Senator from Hawaii (Mr. INOUE), the Senator from Vermont (Mr. JEFFORDS), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that if present and voting, the Senator from North Dakota (Mr. CONRAD) and the Senator from New Jersey (Mr. TORRICELLI) would each vote "aye."

Mr. NICKLES. I announce that the Senator from Colorado (Mr. ALLARD), the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. BROWNBACK), the Senator from Kentucky (Mr. BUNNING), the Senator from Montana (Mr. BURNS), the Senator from Idaho (Mr. CRAPO), the Senator from Utah (Mr. HATCH), the Senator from North Carolina (Mr. HELMS), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Kansas (Mr. ROBERTS) are necessarily absent.

I further announce that if present and voting the Senator from Utah (Mr. HATCH) and the Senator from Kentucky (Mr. BUNNING) would each vote "yea."

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

The result was announced—yeas 83, nays 1, as follows:

[Rollcall Vote No. 154 Leg.]

#### YEAS—83

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

#### NAYS—1

Feingold

#### NOT VOTING—16

Allard	Conrad	Jeffords
Bennett	Crapo	Murkowski
Boxer	Dorgan	Roberts
Brownback	Hatch	Torricelli
Bunning	Helms	
Burns	Inouye	

The bill (H.R. 3275), as amended, was passed.

### UNANIMOUS CONSENT REQUEST

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, we are about to vote on the Allen amendment—

Mr. ALLEN. The Harkin-Allen amendment.

Mr. DASCHLE. I am sorry, the Harkin-Allen amendment. Once the Harkin-Allen amendment is disposed of, the pending business is the Ensign and Brownback amendments. I know Senator BROWNBACK could not be here today. So I ask unanimous consent that the Brownback amendment be set aside so that we can entertain other amendments.

The PRESIDING OFFICER. Is there objection?

Mr. ENSIGN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Could you repeat the unanimous consent request?

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Ensign and Brownback amendments be set aside so we can entertain other amendments today and on Monday.

The PRESIDING OFFICER. Is there objection?

Mr. ENSIGN. I would have to object at this time until we can have a discussion about that.

The PRESIDING OFFICER. Objection is heard.

### TERRORIST BOMBINGS CONVENTION IMPLEMENTATION ACT OF 2001

The PRESIDING OFFICER. Under the previous order, the Judiciary Committee is discharged from further consideration of S. 1770, and the Senate will now proceed to its consideration.

The clerk will report the bill by title.

The senior assistant bill clerk read as follows:

A bill (S. 1770) to implement the International Convention for the Suppression of Terrorist Bombings to strengthen criminal laws relating to attacks on places of public use, to implement the International Convention of the Suppression of the Financing of Terrorism, to combat terrorism and defend the Nation against terrorist acts, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the Senator from Vermont, Mr. LEAHY, or his designee, is to be recognized to offer an amendment.

#### AMENDMENT NO. 3848

(Purpose: To propose a substitute)

Mr. LEAHY. Mr. President, I call up my amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. HATCH, proposes an amendment numbered 3848.

Mr. LEAHY. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text Of Amendments.")

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3848) was agreed to.

The PRESIDING OFFICER. The clerk will read the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1770), as amended, was passed.

Mr. LEAHY. I move to reconsider the vote.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

# TERRORISM RISK INSURANCE ACT OF 2002

The PRESIDING OFFICER. Under the previous order, the Senate will now continue consideration of S. 2600, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2600) to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism.

## VOTE ON AMENDMENT NO. 3838

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 3838. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from North Dakota (Mr. CONRAD), the Senator from North Dakota (Mr. DORGAN), the Senator from Hawaii (Mr. INOUE), the Senator from Vermont (Mr. JEFFORDS), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota (Mr. CONRAD) and the Senator from New Jersey (Mr. TORRICELLI) would each vote "aye."

Mr. NICKLES. I announce that the Senator from Colorado (Mr. ALLARD), the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. BROWNBACK), the Senator from Kentucky (Mr. BUNNING), the Senator from Montana (Mr. BURNS), the Senator from Idaho (Mr. CRAPO), the Senator from Utah (Mr. HATCH), the Senator from North Carolina (Mr. HELMS), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Kansas (Mr. ROBERTS) are necessarily absent.

I further announce that if present and voting the Senator from Kentucky (Mr. BUNNING) would vote "yea."

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

The result was announced—yeas 81, nays 3, as follows:

[Rollcall Vote No. 155 Leg.]

## YEAS—81

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

## NAYS—3

Chafee	Hagel	Lugar
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## NOT VOTING—16

Allard	Conrad	Jeffords
Bennett	Crapo	Murkowski
Boxer	Dorgan	Roberts
Brownback	Hatch	Torricelli
Bunning	Helms	
Burns	Inouye	

The amendment (No. 3838) was agreed to.

Mr. DASCHLE. I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

## CLOTURE MOTION

Mr. DASCHLE. Mr. President, a few minutes ago, prior to the vote we have just now taken, I asked unanimous consent to set aside the Brownback and Ensign amendments, and that was not agreed to. It is now my intention to file a cloture motion on the bill, and I ask that the cloture motion be read.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on Calendar No. 410, S. 2600, the terrorism insurance bill:

Harry Reid, Hillary Rodham Clinton, Jean Carnahan, Charles Schumer, Kent Conrad, Tom Daschle, Richard Durbin, Jack Reed, Byron L. Dorgan, Christopher J. Dodd, Debbie Stabenow, Jay Rockefeller, Maria Cantwell, Jeff Bingaman, Daniel K. Akaka, Evan Bayh, Joseph Lieberman.

Mr. DASCHLE. Mr. President, we will announce the time of the cloture vote which will, of course, occur on Tuesday morning, but I do hope Senators who are interested in the bill at the very least will express themselves today and on Monday. We will be in session on Monday.

I hope we can achieve cloture on the terrorism bill. Of course, that is still accommodating Senators who wish to offer amendments for a 30-hour period following the cloture vote should it be successful.

Senator LOTT and I have just been discussing the schedule for the remainder of the week. Once we have completed our work on the terrorism insurance bill, it will be my intention to move to the Defense authorization bill. I do not think that will take a motion to proceed, but certainly one will be offered if it is required. We will be on that for the remainder of the week and for whatever length of time it will take in the following week.

Senators should be reminded that we only have 2 weeks to go in this work period. We are hopeful we can accommodate a number of nominations and a lot of other work besides the Defense authorization bill and the terrorism insurance bill. At the very least, we are going to finish those two pieces of legislation prior to the time we leave.

I will announce later today the time for the vote on cloture, but it will be Tuesday morning. I urge my colleagues to be present for that vote. I yield the floor.

Mr. LOTT. Mr. President, will the distinguished majority leader yield? I want to clarify again that the majority leader does not anticipate recorded votes on Monday, even though we will be in session for debate and for, I guess, amendments to be offered; is that correct?

Mr. DASCHLE. The distinguished Republican leader is correct. Earlier he may recall that we announced some no-vote Mondays. This particular Monday is one of the no-vote Mondays, so-called, so I am going to respect that commitment. Senators have made scheduling decisions. Certainly we will be in session. As I say, it will be an opportunity for people to come to the floor to speak to the bill.

It is unfortunate we have not been able to get agreement to set the amendments aside because I think it would offer other Senators the chance to offer additional amendments. Barring that UC, we will expect to be in session without the additional consideration of other amendments.

Mr. LOTT. Mr. President, if I can continue, I certainly understand and support the decision to identify certain dates for a variety of reasons when Senators are aware there will not be votes, but I emphasize again, as the majority leader has, it does not mean we cannot be in session and get a lot of work done.

Also, I understand why Senator DASCHLE feels a necessity to file cloture. Obviously, we discourage each other from doing that, but in order to move forward after a reasonable period of time—I have done it many times on this terrorism insurance issue, while there are some other amendments, hopefully germane amendments, that will and can be offered and debated and