

## SCHEDULE

Mr. REID. Mr. President, there will be no rolloff votes today. However, it is hoped there will be the offering of amendments during the day. The same would apply to the Monday we get back, a week from this Monday. We hope Senators will offer amendments then. It is the expectation that we could complete the finite list of amendments that are now on file on Tuesday.

I reviewed those with the two managers of the bill last night. There doesn't appear to be too much there that we could not complete on Tuesday. I am confident some of those amendments will be accepted by the managers. We will have a managers' amendment, and we are going to be very certain that is going to be reviewed prior to the offering of that amendment by a number of Senators who have expressed an interest in managers' amendments.

The next rolloff vote will occur on Tuesday, February 26, at 10 a.m.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. LEAHY. Mr. President, I see nobody seeking recognition at the moment. I ask unanimous consent that I may speak as in morning business for such time as I may consume.

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

(The remarks of Mr. LEAHY are printed in today's RECORD under "Morning Business.")

Mr. DODD. Mr. President, if I may, to bring our colleagues up to date as to how we are going to proceed on the election reform bill. For the purposes of reviewing the bidding here, there will be no recorded votes today and no recorded votes on Monday, the 25th of February, when we return from the Presidents Day recess.

But as the two leaders indicated last evening, there is now a finite list of amendments submitted by our colleagues on both sides of the aisle. Senator McCONNELL and I and our staffs are now going to go through those lists of amendments. When possible, we will attempt to accept amendments that have been offered. We may be able to start this process today and continue on Monday.

Some amendments may need modifications. If they can be so modified to be acceptable to both sides, Senator McCONNELL and I will try to accommodate those without having recorded votes. Some amendments will require a decision by the body. We will try to keep those amendments to a minimum. Obviously, some amendments are going to require the full membership of this body to vote.

That being the case, on Tuesday, February 26, we will complete voting on those amendments with the fervent hope that by the end of that day, or at some point on February 26, we will go to third reading and final passage of this election reform bill.

That is the plan. We hope that is exactly how it will work. There are a number of amendments that are not drafted in proper amendment form. They are concepts and explanations of what Members would like to do. It is a little difficult to try to come to some agreement on a proposal that hasn't been crafted in legislative language. As a result, if you have an amendment in that status, I urge you, over the next hour or so, to get it in legislative form sometime today. We can analyze it and determine whether or not that amendment can be accepted.

A number of Members listed relevant amendments. I don't have any idea what subject matter is contained in such relevant amendments. So Members in that status ought to communicate with us as soon as possible about the specifics of the amendment they are submitting about. Maybe some Members just wanted a placeholder and said they had a relevant amendment. These Members may have said they had a relevant amendment and really don't have any intention of offering any language to this bill. If this case, at this stage it would be very helpful if we knew this. We could then reduce the list down to a manageable number without limiting debate for our Members on all the important issues in election reform.

I urge Members on both sides to do all of these things that I discussed if they are applicable. Taking action can expedite the process to final passage. On February 26, we don't want to have a marathon voting exercise all day, with 1 or 2 minutes in advance of a series of recorded votes. I am not terribly attracted to that kind of process. I understand the value of stacking votes from time to time. But I am not sure the institution shows its best effort when we engage in a vote marathon.

I would like to resolve as many amendments as possible and leave for the floor the ones that really do require debate. I suggest that so Members understand the real importance of what we are considering.

My plea is to urge all Members here to please get us your proposals. My staff, Senator McCONNELL's staff, and Senator BOND's staff and Senator SCHUMER's staff, are all working on this bill. We can really try to resolve as many of these issues as possible today and over the next week. Then, on February 25, when we return, we can have a good debate on the remaining two, three, or four—whatever the number is amendments that deserve debate and consideration that go to the heart and core of some differences that may exist. That is how we are going to proceed.

I am grateful to colleagues for their participation over the last couple of

days. We have had quite a few amendments. We have resolved some issues that needed resolution. I am heartened over the fact that we are going to have a good bill, a bill all Members can be proud of. Approximately 14 months after the November 2000 election, we are going to return to our States and say to people in this country, who wondered whether or not this body would ever be able to grapple successfully with election reform, that yes we could.

We have come together and resolved differences. We modernize and reform an election system that was in desperate need. As the Presiding Officer knows so well because he represents the wonderful State of Florida that was the subject of such attention for not just our country but the entire world.

As I have said to him and his colleague, Senator GRAHAM, on numerous occasions, this is not only a Florida problem; this is not only a November 2000 election problem; but rather an election problem that has gone on for many years which makes the problem a national problem. The only silver lining, I suppose, in all that unfolded in the November 2000 election is that we are doing something we probably should have done years before. Absent the national crisis that developed in the year 2000, we probably would not have gotten to real election reform for years to come.

As my mother always said, there is a silver lining in every dark cloud. The dark cloud is the November 2000 election. The silver lining is we are on the brink in this institution of reforming the manner in which Federal elections are conducted by our States and localities in a incremental way, but a significant and constitutional way. This means that every eligible voter in this country who chooses to vote will have an equal opportunity to cast a vote and have that vote counted. It will be a user-friendly, accessible institution, and those who want to game, cheat or corrupt the system in some way are going to find it much more difficult to do so successfully.

If we can achieve both of those goals in the coming days, then I think the American public can rightfully say this Congress, the second session of the 107th Congress, did not fail to take and meet the challenge that the November 2000 election posed for us.

## AMENDMENT NO. 2916

Mr. DODD. Mr. President, on behalf of our colleague from Massachusetts, Senator KENNEDY, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mr. KENNEDY, proposes an amendment numbered 2916.

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

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

The amendment is as follows:

(Purpose: To clarify the application of the safe harbor provisions)

On page 22, strike lines 9 through 22, and insert the following:

(b) SAFE HARBOR.—

(1) IN GENERAL.—Except as provided in paragraph (2), if a State or locality receives funds under a grant program under subtitle A or B of title II for the purpose of meeting a requirement under section 101, such State or locality shall be deemed to be in compliance with such requirement until January 1, 2006, and no action may be brought against such State or locality on the basis that the State or locality is not in compliance with such requirement before such date.

(2) EXCEPTIONS.—

(A) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—The safe harbor provision under paragraph (1) shall not apply with respect to the requirement described in section 101(a)(3).

(B) OTHER FEDERAL LAWS.—An action may be brought against a State or locality described in paragraph (1) if the noncompliance of such State or locality with a requirement described in such paragraph results in a violation of—

(i) the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.);

(ii) the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.);

(iii) the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.);

(iv) the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.);

(v) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); or

(vi) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

On page 34, strike line 23, and insert the following:

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

On page 44, strike line 1, and insert the following:

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

On page 68, strike lines 19 and 20, and insert the following:

(a) IN GENERAL.—Nothing in this Act may be construed to authorize

Mr. DODD. Mr. President, I ask unanimous consent that the amendment be temporarily laid aside.

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

Mr. DODD. Mr. President, I see a couple of my colleagues who have brought over charts, and that means speeches.

I ask unanimous consent that my colleagues be allowed to speak as in morning business.

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

The Senator from North Dakota.

## WIND ENERGY

Mr. DORGAN. Mr. President, I thank the Senator from Connecticut for his leadership on the legislation that has been pending. I want to talk about wind energy. I suppose people will think then that I am talking about the Senate, but that is not the case.

We are going to turn to an energy bill very soon. When we complete the pending legislation before the Senate, we will turn to the subject of energy.

Our country and its economy are terribly dependent on a substantial amount of energy coming from the Middle East. We understand the dilemma for the American economy to be that dependent on a part of the world that is so unstable. So we ought to find a way to be less dependent on that part of the world.

I was in recent weeks in Central Asia and understand even more, once again, how fragile circumstances are there. Our economy and our country would be well advised to create an energy policy that extracts the kind of ultimate dependence we now have on an oil and energy supply from the Middle East.

How do we do that? We write an energy policy that does a lot of things: increases supply at home—oil, natural gas, and coal—and does so in an environmentally acceptable way; increases conservation; increases efficiency of appliances we use; and also especially promotes limitless and renewable sources of energy.

I am interested in the wide range of resources that belong to the last category, renewables: biodiesel, using sunflower and canola oil to run engines, taking a drop of alcohol from a kernel of corn and using that to extend America's energy supply, and then still having the protein feedstock from the kernel of corn.

Today, I also want to talk briefly about wind energy. The new technology in wind turbines is extraordinary. Being able to take energy from the air, from the wind, using new, high-technology blades and coursing the wind through these turbines, then transmitting that energy across the grid to provide electricity where it is needed in this country makes good sense. It is limitless energy. We can have it forever. We will never deplete the source of energy coming from the wind.

The production tax credit that has been on the books that provides the enhancement for wind energy projects expired at the end of last year. It is unthinkable that the Congress, poised to take up energy policy legislation, has allowed the production tax credit for wind energy to expire, and yet it did.

The production tax credit for wind energy needs to be extended, and not for one year and not for 2 years, but for 5 years. We need to do that now. We need to do that on an urgent basis.

We just cut a ribbon on the first commercial wind turbine along Interstate 94 in North Dakota. There are three blades on that turbine, each weighing 4,200 pounds. The turbine is a remarkable structure, and the efficiency and the new technology of these turbines is outstanding.

When we look at all of the States and the opportunity to take energy from the wind, North Dakota is No. 1. We are 50th in native forest lands, so we are dead last in trees, but we are No. 1 in the potential for wind energy. Any young boy or girl who has grown up in North Dakota knows that. We have a

lot of breezes that move across the prairies in North Dakota. We are No. 1 in wind energy potential. They call us the Saudi Arabia of wind energy.

A week ago, I had a chief executive officer of a company come to my office, and he said: we have a project ready to be built in North Dakota—ready to be built right now. It will be a 150-megawatt wind farm. The plans for it are complete. Regrettably, he said, they are on the shelf until Congress extends the production tax credit.

It does not make any sense to me, at a time when we are trying to figure out how we increase our supply of energy, to have companies that have the money, the plans and the will to produce 150 megawatts of wind-generated electricity in a State such as North Dakota, but to have those plans on the shelf because the Congress is dragging its feet.

I know some will say: the extension of the production tax credit for wind energy has been inserted in this bill or that bill. In fact, the House of Representatives included it, I believe, just yesterday. They wrote another stimulus bill, which is a perfectly terrible piece of legislation, a big give-away to a lot of big companies that do not deserve it, and then added the extension of the production tax credit for wind energy on that vehicle. It is like putting earrings on a hog. It just does not mean very much. That is not the way we are going to get an extension of the production tax credit for wind energy. The way we are going to get it is for Members of the House and Senate to understand that we cannot come to the end of the year and have important policy issues, such as the production tax credit for wind energy, expire so that we have fits and starts and an industry that cannot get off the ground.

A major blade manufacturer in Grand Forks, ND, laid off employees because, when the production tax credit expired at the end of last year, projects were put on the shelf, including the project I just described—a project worth \$150 million in North Dakota that would produce 150 megawatts of electricity. They have the money, they have the plans, and it is not happening, because this Congress has been dragging its feet.

I know the Majority Leader, Senator DASCHLE, agrees with me that we ought to do this. We ought to do it right now. Yet we cannot get it done because we have some people who insist on playing games with stimulus packages that will go nowhere, because they make no sense and will do nothing to stimulate this economy.

Let us extract the tax credit extensions from the stimulus package. Let us pass these on a stand-alone basis. Let us pass that package of extenders that should have been enacted by the end of last year. Congress should have done that. Everybody knows that. I hope when we return following next week's State work period that we will have, both on the Democratic and Republican sides, a desire and a will to