

the map. He had me visit Kentucky a couple of years ago, a major university there, and had me speak to a fine group of young people. He treated me royally while I was there.

I thank both Senator McCONNELL and Senator DODD for their service to the Senate and to their country, and I thank them for their friendship.

I yield the floor.

Mr. DODD. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 will make a couple of unanimous consent requests to modify amendments. This has been discussed with the minority.

AMENDMENT NO. 2919, AS MODIFIED

I ask unanimous consent amendment No. 2919, previously agreed to by the Senate, be amended with the changes now at the desk.

Mr. McCONNELL. I am confused.

Mr. DODD. The Hollings-McCain amendment.

Mr. McCONNELL. Fine.

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

The amendment will be so modified.

The modification is as follows:

On page 2, line 11, after "with" insert "the Architectural and Transportation Barriers Compliance Board and".

AMENDMENT NO. 2922, AS MODIFIED

Mr. DODD. Second, I ask consent that my amendment, which is at the desk now, No. 2922, be modified with changes at the desk to conform with the amendment, the line numbers in the compromise.

Mr. McCONNELL. Reserving the right to object, the Senator from Connecticut has changed the amendment he offered?

Mr. DODD. I am modifying my own amendment. The line numbers are wrong.

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

The amendment will be so modified.

The amendment (No. 2922), as modified, is as follows:

(Purpose: To clarify that the criminal penalties retain the current specific intent standard contained in the underlying statutes)

On page 68, strike lines 5 through 17, and insert the following:

(a) CONSPIRACY TO DEPRIVE VOTERS OF A FAIR ELECTION.—Any individual who knowingly and willfully gives false information in registering or voting in violation of section 11(c) of the National Voting Rights Act of 1965 (42 U.S.C. 1973i(c)), or conspires with another to violate such section, shall be fined or imprisoned, or both, in accordance with such section.

(b) FALSE INFORMATION IN REGISTERING AND VOTING.—Any individual who knowingly commits fraud or knowingly makes a false statement with respect to the naturalization, citizenry, or alien registry of such individual in violation of section 1015 of title 18, United States Code, shall be fined or imprisoned, or both, in accordance with such section.

Mr. DODD. 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 the order for the quorum call be dispensed with.

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

Mr. DODD. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. Amendment No. 2922, as modified, is the pending amendment.

Mr. DODD. Mr. President, I finished explaining what the amendment is. It is technical in nature. I urge its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2922), as modified, was agreed to.

Mr. DODD. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, I know Senator McCain wanted to be heard on other subject matters. I am going to put in a quorum call. There are five or six amendments, maybe none, maybe one, maybe all, that we can come back and adopt, but I will report back very quickly to the Chamber the results of those discussions. In the meantime, if Members come over and would like to speak in morning business or on another subject matter, the floor will be theirs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. DODD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 4:13 p.m., recessed subject to the call of the Chair and reassembled at 5:19 p.m. when called to order by the Presiding Officer (Ms. STABENOW).

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Connecticut.

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001—Continued

Mr. DODD. Madam President, I am pleased to tell the Chair and those who may be following the proceedings, we have come to an agreement on six amendments this afternoon. Rather than explain each amendment, which would take some time—the authors of the amendments will certainly know what we are talking about—I ask unanimous consent that the RECORD remain open so that those who want to be heard on the amendments—some have cosponsors—can add remarks this evening.

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

Mr. DODD. I thank in advance my staff, the staff of Senator McConnell, and the staffs of the respective authors of these amendments and others for their cooperation this afternoon. We have handled over 20 amendments. It means that while tomorrow we still have some to deal with, we now have a manageable number, and it is looking better and better for getting this bill finished tomorrow afternoon or early evening. That is our hope.

I ask unanimous consent that the pending amendment be laid aside.

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

AMENDMENT NO. 2913; AMENDMENT NO. 2866, AS MODIFIED; AMENDMENT NO. 2900, AS MODIFIED; AMENDMENT NO. 2865; AMENDMENT NO. 2894, AS MODIFIED; AND AMENDMENT NO. 2926

Mr. DODD. Madam President, I ask unanimous consent that the following amendments be considered and agreed to en bloc: amendment No. 2913 offered by Senators HARKIN and MCCAIN; amendment No. 2866, as modified, offered by Senator LUGAR; amendment No. 2900, as modified, offered by Senator ENSIGN; amendment No. 2865 offered by Senator GRASSLEY; amendment No. 2894, as modified, as offered by Senators HOLLINGS, REID, and KOHL; amendment No. 2926 offered by Senator LIEBERMAN.

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

The amendments (Nos. 2913 and 2894) were agreed to.

(The text of amendment No. 2894, as modified, will be printed in tomorrow's RECORD.)

The amendments (Nos. 2866, as modified; 2900, as modified; 2865; and 2926) were agreed to, as follows:

AMENDMENT NO. 2866, AS MODIFIED

(Purpose: To ensure that Election Reform Incentive Grant Program funds may be used by States and localities to fund hotlines for voters to report possible voting fraud and voting rights abuses)

On page 38, strike lines 9 through 12, and insert the following:

submitted under section 212(c)(1)(B) of such section;

(6) to establish toll-free telephone hotlines that voters may use to report possible voting fraud and voting rights violation and general election information; or

(7) to meet the requirements under section 101, 102, or 103.

AMENDMENT NO. 2900, AS MODIFIED

(Purpose: To provide for a manual audit capacity that permits voters to verify their vote at the time it is cast and used as the official record for recounts)

On page 5, strike line 19 through 21, and insert the following:

(2) AUDIT CAPACITY.—

(A) IN GENERAL.—The voting system shall produce a record with an audit capacity for such system.

(b) MANUAL AUDIT CAPACITY.—

(1) PERMANENT PAPER RECORD.—The voting system shall produce a permanent paper record with a manual audit capacity for such system.

(2) CORRECTION OF ERRORS.—The voting system shall provide the voter with an opportunity to change the ballot or correct any error before the permanent paper record is produced.

(3) OFFICIAL RECORD FOR RECOUNTS.—The printed record produced under subparagraph (A) shall be available as an official record for any recount conducted with respect to any election for Federal office in which the system is used.

AMENDMENT NO. 2865

(Purpose: To ensure that absentee ballots of overseas voters are collected regularly and returned to the United States in a timely manner)

On page 68, between lines 17 and 18, insert the following:

SEC. 402. DELIVERY OF MAIL FROM OVERSEAS PRECEDING FEDERAL ELECTIONS.

(a) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—

(1) ADDITIONAL DUTIES.—Section 1566(g) of title 10, United States Code, as added by section 1602(a)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1274), is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by striking paragraph (2) and inserting the following new paragraphs:

“(2) The Secretary shall ensure that voting materials are transmitted expeditiously by military postal authorities at all times. The Secretary shall, to the maximum extent practicable, implement measures to ensure that a postmark or other official proof of mailing date is provided on each absentee ballot collected at any overseas location or vessel at sea whenever the Department of Defense is responsible for collecting mail for return shipment to the United States. The Secretary shall ensure that the measures implemented under the preceding sentence do not result in the delivery of absentee ballots to the final destination of such ballots after the date on which the election for Federal office is held.

“(3) The Secretary of each military department shall, to the maximum extent practicable, provide notice to members of the armed forces stationed at that installation of the last date before a general Federal election for which absentee ballots mailed from a postal facility located at that installation can reasonably be expected to be timely delivered to the appropriate State and local election officials.”

(2) REPORT.—The Secretary of Defense shall submit to Congress a report describing the measures to be implemented under section 1566(g)(2) of title 10, United States Code (as added by paragraph (1)), to ensure the timely transmittal and postmarking of voting materials and identifying the persons responsible for implementing such measures.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 1602 of the National Defense Authorization Act for Fiscal Year 2002

(Public Law 107-107; 115 Stat. 1274) upon the enactment of that Act.

AMENDMENT NO. 2894, AS MODIFIED

(Purpose: To require the Election Administration Commission to study the advisability of establishing an election day holiday)

At the appropriate place, insert the following:

SEC. . ELECTION DAY HOLIDAY STUDY.

(a) IN GENERAL.—In carrying out its duty under section 303(a)(1)(G), the Commission, within 6 months after its establishment, shall provide a detailed report to the Congress on the advisability of establishing an election day holiday, including options for holding elections for Federal offices on an existing legal public holiday such as Veterans Day, as proclaimed by the President, or of establishing uniform weekend voting hours.

(b) FACTORS CONSIDERED.—In conducting that study, the Commission shall take into consideration the following factors:

(1) Only 51 percent of registered voters in the United States turned out to vote during the November 2000 Presidential election—well below the worldwide turnout average of 72.9 percent for Presidential elections between 1999 and 2000. After the 2000 election, the Census Bureau asked thousands of non-voters why they did not vote. The top reason for not voting, given by 22.6 percent of the respondents, was that they were too busy or had a conflicting work or school schedule.

(2) One of the recommendations of the National Commission on Election Reform led by former Presidents Carter and Ford is “Congress should enact legislation to hold presidential and congressional elections on a national holiday”. Holding elections on the legal public holiday of Veterans Day, as proclaimed by the President and observed by the Federal government, may allow election day to be a national holiday without adding the cost and administrative burden of an additional holiday.

(3) Holding elections on a holiday or weekend could allow more working people to vote more easily, potentially increasing voter turnout. It could increase the pool of available poll workers and make public buildings more available for use as polling places. Holding elections over a weekend could provide flexibility needed for uniform polling hours.

(4) Several proposals to make election day a holiday or to shift election day to a weekend have been offered in the 107th Congress. Any new voting day options should be sensitive to the religious observances of voters of all faiths and to our nation's veterans.

AMENDMENT NO. 2926

(Purpose: To improve State recount and contest procedures in elections for Federal office)

On page 54, strike lines 22 and 23, and insert the following:

necessary to provide such assistance;

(I)(i) the laws and procedures used by each State that govern—

(I) recounts of ballots cast in elections for Federal office;

(II) contests of determinations regarding whether votes are counted in such elections; and

(III) standards that define what will constitute a vote on each type of voting equipment used in the State to conduct elections for Federal office;

(ii) the best practices (as identified by the Commission) that are used by States with respect to the recounts and contests described in clause (i); and

(iii) whether or not there is a need for more consistency among State recount and contest procedures used with respect to elections for Federal office; and

(J) such other matters as the Commission

Mr. DODD. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Madam President, let me indicate to the Republican Senators that it is our bipartisan goal to finish this bill tomorrow night. We estimate we have maybe 8 to 10 amendments that may actually require a vote—maybe fewer—but in any event, we intend to press through the day tomorrow and wrap this bill up as early as possible tomorrow.

Mr. DODD. Madam President, that is all we have.

MORNING BUSINESS

Mr. DODD. Madam President, I ask unanimous consent that the Senate proceed to a period for morning business.

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

READ ACROSS AMERICA

Ms. COLLINS. Madam President, I rise today with my good friend and colleague from Rhode Island, Senator REED, to encourage parents and schools throughout our country to celebrate National Read Across America Day by reading to children. The resolution we submitted on February 15th asks parents to read to their children for at least 30 minutes on March 2, the birthday of Dr. Seuss. The resolution also honors Dr. Seuss for his success in helping to open children to the joys of reading.

Five years ago, the National Education Association conducted the first Read Across America Day by providing teachers with resources to celebrate reading. The day was intended to promote reading activities not just on the day of the celebration, but throughout the year. Dr. Seuss' birthday was chosen for the celebration because, in the words of the NEA, “he epitomizes a love of learning and his use of rhyme makes his books an effective tool for teaching young children the basic skills they need to be successful.”

In the last 5 years, more than 40 national education and reading associations have joined the NEA in making Read Across America the largest celebration of reading in the world. Groups such as the American Library Association, the Boys and Girls Clubs of America, the International Reading Association, Reading is Fundamental, and the Screen Actors Guild all have assisted in raising the profile of reading education and making this day a tremendous success.