

**Testimony Before Commerce Committee Hearings on Election Reform
Wednesday, March 7, 9:30 a.m.**

- C Thank you, Mr. Chairman. I want to commend you and Senator Hollings for convening this first hearing in the Senate on the subject of election reform.
- C This is an issue that demands our close and sustained attention, and I know that you care deeply about it, as I do and as so many of our fellow Americans do.
- C More than three decades ago, Justice Hugo Black wrote that “no right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.”
- C Yet our last election demonstrated that this precious right now rests precariously on a foundation of rusting equipment, avoidable human error, and official neglect.
- C Last week, Governor Jeb Bush’s task force on election reform in Florida released its final report.

- C The report demonstrated that punch card machines in some counties had an error rate so high that nearly 10% of the voters failed to have their votes recorded.
- C In my own state of New York, lever machines have a lower error rate, but are so old that they frequently break down, leaving long lines of fuming and frustrated voters.
- C I first voted in 1969, and I used the same type of machine -- it may have even been the same exact machine -- this year.
- C Just because we're the world's oldest democracy doesn't mean we have to use the world's oldest voting technology.
- C But the problem doesn't end with the machines.
- C Inadequately maintained registration lists, ballots designed so poorly they would flunk a High School design course, phone lines too jammed to confirm the registration status of voters.

- C And basic human error by poll workers and voters alike.
- C Poll workers are paid little and trained less. They are difficult to recruit and even harder to retain.
- C Many who don't bother to attend even minimal training are allowed to work anyway, since precincts are so desperate to have them.
- C Is it any wonder that they tell voters they aren't registered when they are, or that they can't change a spoiled ballot when they can?
- C Voters, too, are poorly informed. Far too many wake up on election day without knowing where to go, what the ballot looks like, how to use the machines, or what to do if they have questions.
- C As one member of Governor Bush's task force remarked -- and Florida is far from alone in this -- "the State spends \$30 million annually to instruct people on how to buy *lottery tickets* but allocates nothing for statewide voter education programs."

- C Mr. Chairman, there has to be a better way.
- C Shortly after the November election, I and Senator Brownback came together behind bipartisan election reform consisting of a study of the problems and a grant program to help states make needed changes.
- C We were able to work together because fixing the machinery of our democracy is not a partisan matter – it is a matter of basic civic responsibility far deeper than party or political gain.
- C We have now refined the bill and reintroduced it in this Congress with broader support from both Democrats and Republicans. In addition to introducing your own bill on this subject, which I commend, you have co-sponsored our bill as well.
- C Our bill – the Federal Election Modernization Act – creates an independent blue ribbon panel to study the way we vote and make recommendations on better voting machines, expanding mail-in voting, voting on the Internet, and other new ideas.

- C The commission will recommend how we can make sure that the polls are accessible to everyone, including disabled voters and people serving overseas in our Armed Forces, and how we can guarantee that the lists at polling sites include all registered voters, so no one is mistakenly turned away.

- C To make voting easier for people who work or care for their families, the commission will explore whether to expand the days and hours when we vote, and whether to have an election day holiday, as many other countries do.

- C The commission will also consider how best to educate voters in the use of election equipment and other aspects of voting. Indeed, counties that took the trouble and spent the money to educate voters about voting experienced far lower error rates and far greater voter satisfaction.

- C Finally, the commission will consider how the federal government can -- on an ongoing basis -- best help states and counties administer elections, so that we don't just throw some money at this and walk away from other problems that could pop up 10 or 20 years down the road.

- C When the commission finishes its study – which will be by the end of this year -- the bill provides for grant funding to help states and localities implement the commission's recommendations and upgrade their election systems.

- C Every year, for five years, we will offer states up to \$500 million to buy new equipment, train poll workers, educate voters, and implement other changes recommended by the commission.

- C Because we recognize the constitutional prerogative of states in this area, the bill doesn't force anything on states or counties, but lets them choose what aspects of their systems they want to reform and makes funds available.

- C In conclusion Mr. Chairman, I want to echo the words of President Bush in his State of the Union address, when he called for fair and balanced election reform.
- C We believe we have answered the President's call in our bipartisan bill -- as you have in yours -- and it is important for all of us to redouble our efforts and keep the attention of this body focused on repairing the nuts and bolts at the heart of our self government.
- C Holding these hearings is the right way to begin, so I think you again for convening them and look forward to the important record for reform that you will begin to build here today.