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**National Commission on Federal Election Reform
Reagan Library Hearing**

PANEL 3: Citizen Participation

Witnesses:

Maxine Waters (D-CA)	United States House of Representatives
Rosalind Gold	Director of Policy, Research and Advocacy
	Nat'l Assoc. of Latino Elected and Appointed Officials
Kim Alexander	President/Founder of the California Voter Foundation

Dean Kathleen Sullivan: Ladies and Gentlemen, good afternoon and welcome to the afternoon session of the National Commission on Federal Election Reform. I am Kathleen Sullivan and I am very privileged to serve with Senator Slade Gorton as vice-chair. We welcome you on behalf of the Chairs who were unable to be here today. Before we begin the afternoon session, I would like to ask Duke Blackwood if he would say a word of welcome. The Commission is very grateful to the Ronald Reagan Presidential Library and Museum for its hospitality. Duke is the man in charge. Duke, would you like to say a few words?

Mr. Duke Blackwood: Yes I want to say thank you [remaining comments inaudible].

Dean Sullivan: Thanks for having us. It is a great place to be doing the important work we have to do today. We begin our afternoon panels with the first panel focusing on the issue of citizen participation. It is my very great honor and pleasure to welcome Congresswomen Maxine Waters, five-term Congresswoman from the 35th district of California and, most relevant to our proceedings today, the chair of the newly -formed Democratic Caucus Special Committee on Election Reform. Congresswoman Waters, welcome. We are eager to hear from you. Please proceed.

Congresswoman Maxine Waters: Thank you very much. I would like to thank the co-chairs and members of the National Commission on Federal Election Reform for inviting me to participate in this public hearing today here at the Ronald Reagan Presidential Library and Museum. I understand that this is the second public hearing held by the Commission to study election issues. I commend you for your efforts thus far on behalf of the American people.

The issue of election reform is a great passion of mine. It is an issue that transcends partisan politics because the right to vote is the cornerstone of our democracy. Earlier this year, I was honored to be appointed by House Minority Leader Richard Gephardt to chair the U.S. House of Representatives Democratic Caucus Special Committee on Election Reform. I am pleased to be joined on that Committee by a prestigious group of

representatives, including the ranking members of the House Administration and Judiciary committees.

The goal of our Committee is to insure the integrity of the election process while increasing voter confidence and participation. While the Florida experience is still fresh in everybody's minds, our Committee has begun a thorough review and analysis of nationwide voting practices and election laws in an effort to restore the confidence of the American people. We anticipate that our Committee will propose legislation designed to serve our goals, identify key areas where uniform national standards may be appropriate, and make recommendations to Congress on the implementation of changes at the state and local levels. We recognize that our election system involves a number of complex issues and that uniformity may not be the answer in all circumstances. Nonetheless, reforms are necessary to insure that eligible voters are afforded the opportunity to cast their ballots and to make sure their ballots are properly counted.

Last week in Philadelphia, the cradle of our democracy, our Committee began the process of reviewing our election process at the first in a series of public hearings we intend to conduct around the country. In Philadelphia and other states and jurisdictions around the country, our Committee heard from—and will continue to hear from—local election officials, civil rights organizations, voting reform organizations and commissions such as this, technical experts, and real citizens to begin the process of repairing shortcomings in our election system that were revealed during the 2000 post-election events in Florida.

During these hearings, the Committee will explore a vast number of issues in determining how to improve our election process. Some of these issues involve voting equipment. We learned last week, for example, that the city of Philadelphia has moved swiftly to upgrade its voting equipment from the old lever system to a new computer system, which they anticipate will be in place by the 2002 elections. However, we recognize that technological advances in voting equipment alone will not solve all of the problems with our electoral process.

While technology upgrades may be necessary in certain jurisdictions, our Committee understands that our electoral process fundamentally is a system run by humans, not machines. Election officials and poll workers must be trained in how to implement our system and voters must be educated in how to use our system. Therefore, our Committee strongly believes that reform proposals must address a host of issues, such as a national holiday for holding federal elections—or some other method for providing the time off to vote—the conduct of election officials, poll worker recruitment and training, voter education and participation, absentee voting problems, voting by overseas military personnel, ballot design, sensitivity to poorly educated voters and voters with physical disabilities, voting rights and voter intimidation issues, the need for provisional voting, and identification of appropriate areas for a nation-wide uniformity.

The issue of provisional ballots was particularly noteworthy in Philadelphia. In many jurisdictions, provisional voting provides a safeguard against erroneously denying voters the right to vote. In Philadelphia, voters' whose names do not appear on the pre-set

rosters are required to travel to police stations to see a judge to determine whether they have a right to vote. Voters then must travel all the way back to the polling location in order to cast their votes. We learned from local officials and ordinary voters that many voters who are confronted with this process end up not voting either because they are intimidated by going to the police station or because it is a logistical nightmare. The intimidation factor is particularly true in the case of minority voters.

Over the coming months, the Committee will devote itself to addressing issues like this and coming up with solutions on a national level. Our next public hearing is scheduled next Friday April 20th in San Antonio, Texas. In fact, we have invited a representative of this Commission to participate in one of our panels at that event. Thank you for the opportunity to address you here today. I look forward to receiving the recommendations issued by this Commission following its public hearings. Thank you.

Dean Sullivan: Thank you very much Congresswoman. I would like to invite members of the Commission to address questions to you. I wonder if I could lead off by just asking you to just tell us—based on your views and the preliminary views of the Committee—what are the largest problems that concern minority voter registration and turnout and participation in federal election? What should we be recommending to address them?

Congresswoman Waters: First, let me try and paint a little bit of a picture that I think is important for all of us to understand about the concerns of minority voters. We come from a history, as you know, of not being able to vote and obstacles—such as poll taxes, literacy tests, and all kinds of intimidation—that were employed for many years in many jurisdictions. So immediately upon being confronted with an obstacle or hearing about the kinds of instances of intimidation that we have read about in Florida, we become very, very concerned. We try to work very hard to fix it: to find out why these obstacles are there, who is the cause of it, and what can be done to make it right. So you have probably seen a lot of passion coming from the civil rights organizations and minority members of Congress and other legislative bodies about this issue.

The first thing we must have is the feeling that there is not planned or contrived intimidation. You must not have police officers for any reason at polling places or people with badges looking as if they are trying to intimidate or stop someone from voting. The atmosphere must be one that we have confidence in. So we must remove all of those obstacles.

The second thing is that it is important is to have access to the polling place. For example, even in our recent election in Los Angeles—where I know both the county and the city worked very hard to have a good election, because we have to have a special election overlap with our city elections—we had consolidations. Consolidation of polling places creates a real problem for people who don't have transportation or who can't find those polling places. When you change them and you consolidate them you literally create problems for people.

Also, we want the ballots themselves to be clear. Even though we have all been focused on the problems with the butterfly ballot, there are other problems with the ballot. For example, in the state of California, we have tremendous number of issues on our ballot. We are an initiative state, with a lot of initiatives on the ballot. Often times it is very confusing. Not enough work is done to familiarize people with issues, even though we will print up information and we get sample ballots ahead of time. It is a tremendous burden on the average voters to negotiate all of that. So those are some of the issues.

We do believe that time off: a national holiday or something similar to what is being negotiated by some of the unions, such as in Michigan where they negotiated and put in their contracts time off for people to vote. In California, I think, employers are supposed to allow for people to have a couple of hours off, even though we don't hear an awful lot about it. So those are the kinds of issues that I think are very important.

Mr. Christopher Edley: Congresswoman, I want to ask you perhaps a broad philosophical or ideological question and that goes to the issue of local control: local control with respect to financing of the infrastructure for democracy, but also local control with respect to standards, technology, training—every piece of the implementation, a lot of policy making—versus, on the other hand, centralization at the state or indeed at the national level, the national standards you referred to in your opening remarks. Do you have a sense yet of how that balance should be struck? And also, if you will, how in the world do we grapple with this without it becoming an ideological, and indeed partisan, fight about local control versus national standards?

Congresswoman Waters: Well let me try to give it a shot. First of all, I am absolutely struck by the lack of support for voting infrastructure. The more I see, the more I realize how little attention we have paid to voting in this democracy, and voting is supposedly a cornerstone of a democracy. I am struck by the fact that we can't recruit workers for the polls. I am struck by the places we send people to vote—that if we can find a home in some places or a garage somewhere, if we can get a corner of a grocery store. I am struck that we have not come up with standards.

I have said to the people that I am working with that there ought to be an investment in portable units that will be placed on parking lots, maybe grocery stores, that will be high visibility where people will know that they can count on them being there. We should ensure they are well maintained, and that they are equipped with telephones and computers. We have to make an investment to ensure that people are able to vote and we are able to manage the system.

When I think about it that way, that leads me to the conclusion that we cannot rely upon local jurisdictions to do this alone. It is not a matter of whether or not we are trying to control what local jurisdictions do. I think we must have some standards. As far as I am concerned, if the federal government is going to allow cities and counties and states to manage election systems that include our responsibility for voting, we have to make sure that they comply with what we say they need to have.

I don't want to just improve the federal part of it. I want to improve it all. That means resources, setting standards for what is acceptable—what makes for a good process and then having to fund it—having to provide appropriations right in the budget to make sure that these jurisdictions have what is necessary to meet the standards that we will set. I don't think that we can leave this most important cornerstone of our democracy to jurisdictions that say: "Well I would like to do it, but it is just too expensive. We don't have the people to manage it." I think we can do a lot better than this. That is why we are looking at talking about setting some standards.

Let me just conclude by saying that the business of recruiting polling workers catch-as-catch-can, and getting what you can has got to stop. This has got to be part of our education system. The universities have to be involved in this. We have to give credit to people who want to serve and want to work. We have to make sure that the people who work on our polls are trained, prepared to answer the questions and treat the system with the kind of support and respect that it deserves, if in this democracy you really want to have a strong system of voting and participation.

Congressman Leon Panetta: First, I would like to welcome a former colleague from the House. It is a pleasure to see you again Maxine. And I certainly welcome you here and welcome your testimony. Following the Florida vote, there was a lot of concern in both parties about the need to address issues with regards to election reform. There seemed to be, at least at that point, a very strong possibility that a consensus could develop between the administration and Congress about some sort of broad set of reforms with regards to election reform. In the past few months, that seems to have changed. My question to you is if you could give us a sense of whether or not there is hope to try to develop a plan—based on either based on the recommendations of this Commission or internally within the Congress—and what the chances are for a consensus—or this basically going to be come just another partisan issue?

Congresswoman Waters: Well I have to tell you Leon that I am disappointed that we were not able to form a bipartisan effort in the House. We thought we would be able to. We worked very hard to get that done. But in the final analysis, the Speaker told us that his Caucus would not support the idea of an evenly constructed or divided committee, that the Republican side had to have the majority. We could not agree with that because we did not think that there needed to be a veto vote or possibility for the work that was done. If you didn't do it and form a consensus, you were not really getting at what you needed to get at.

Because we were not able to come together, our Caucus decided that we had a responsibility to form a reform committee and go out and listen to people and do the kind of work and come back with the recommendations. Now this is what I believe is going to happen. I believe that the American public would like very much to see us fix this system. It is broken. It is not simply minorities or liberals or conservatives. I have discovered as I have talked with many, many people who have called the office or some I have met in my travels that most people do not want to believe that their vote does not count. They don't want to think that somehow they can go cast a vote and something

happens to it. It gets lost in the machine. It is kicked out. Someone stopped somebody from actually casting a vote. People don't like that. So when we come back with recommendations, we will have no choice but to come up with something that is sensible in the Congress of the United States. Both sides are going to have to come up with a product that is credible. I believe that our work will pay off despite the fact we were not able to do it together and to gather the information together.

Ms. Colleen McAndrews: Congresswoman, in regards to the specific product, I would like you to comment on two specific ideas that were presented in the Georgia hearing and then touched on this morning. One is the idea of moving Veterans' Day, which is now on a Monday in early November—around November 11—moving that State and federal holiday to the first Tuesday after the first Monday in November, which is the federal election day as mandated by the Constitution. We would have to do a constitutional amendment to change that to Saturday or Sunday or another day. So if we just stick with the Constitution and that day—and move Veterans' Day every four years to that day and have it be a national holiday—it would improve the pool of people to work. Schools would be out. You would have students, government workers, and a lot of people who are not available now to be poll workers. I wonder if you could comment on that because I understand that there has been a specific bill introduced into Congress on this issue.

And then the second idea was, and we had some talk this morning, about the problem we have here in the West—which I am sure effects minority and majority communities, liberals and conservatives; it cut both ways in 1980 and 2000—of the exit polls being announced before the polls are closed here in California. One of the ideas that was mentioned here this morning was to have some sort of embargo on election officials announcing any sort of results in the East and Midwest until the polls have closed in California—withholding the information the pollsters need to validate their exit polls as part of their formula for calculations. I just wonder if you think this would have any resonance in Congress: those two specific proposals as part of your program.

Congresswoman Waters: Just hearing about this, let me just speculate for a minute. Of course, anything that has the word “veterans” attached to it gets a lot of support in the Congress of the United States. I am very cautious about amending the Constitution.

Ms. McAndrews: It wouldn't require an amendment; that is the appeal of the idea. If you were going to change Election Day to a Saturday or a Sunday, that would require an amendment. That would be a multi-year process. People would also object to having a new holiday: the cost to business if we just gave everybody a new holiday. People are already getting Veterans' Day, so if you move that to election day in November every four years for federal elections. The idea, I think, came from a member of Congress who testified in Georgia. He said you could spin it as the veterans fought to defend our right to vote so this is a way to honor them by encouraging everybody to go out and vote.

Congresswoman Waters: Like I said, the mention of veterans usually gets a lot of support. I don't know if that is the right thing to do. I do think that the idea of a national holiday is attractive. It is costly. It will not be adopted easily. I do think that even if we

start with time off, a couple of hours, as I think we have in law in the state of California. I do not know the best way to do a national holiday, but I think that it is an attractive idea. And of course, the veterans would have a lot to say about whether or not we are hijacking in their holiday. I think the members of Congress will immediately back down from that if the veterans say they don't want us to it.

On the exit poll. I think there is a lot of support for getting rid of the announcement of exit polling because it does impact what goes on in the West. I think generally people are not happy with that. Of course the press does not enjoy a broad level of support on these broad issues, anyway. I think that we could get something adopted on that.

Dean Sullivan: Are there any further questions? Mr. Seigenthaler.

Mr. John Seigenthaler: Just to ask you for a general reaction. President Carter said when we met in Georgia—I guess having misquoted him a number of times with his career, so he won't mind if I paraphrase and perhaps misquote him again—he said that we look upon ours as the oldest democracy in the world but fail to recognize that it is basically a flawed democracy. The flaws are great when you look at the way we cast our ballots and count our ballots. He said that having observed elections all over the world, having set criteria that must be met by governments before he will go in and observe elections, he said that were the United States to ask him to conduct an observation of the validity of our elections, we could not meet the test. We could not pass the basic criteria that many newer democracies must meet in order to get him to come. It says what many of us may not realize, and many of our citizens don't realize, that the system is broken.

We look at the last election and we think that this is Florida's problem. You have had a chance to look at it much more broadly than even we have and we have been looking at it as broadly as we could. Just how broke is the system? How flawed is it? How widespread is the abuse? We hear from election officials and they seem relatively well satisfied with the way the system works in their communities as long as it is not a close election and not a scandal. Florida did not have the opportunity to feel that way about it. What is your sense about how widespread the problem is in this country?

Congresswoman Waters: I tend to believe that it is widespread problem. Just as I attempted to describe to you what takes place in Philadelphia with provisional balloting, I must also share with you that when I talked with a member of Congress about Philadelphia prior to going, he started to describe to me what took place. He saw nothing wrong with that – at all. It never occurred to him that there was something wrong. When I first asked him “Do you really require people to go to police stations to cast a provisional ballot?” He said “No problem. We organize a labor union and they help to drive them there.” And I said, “No. I think it is a little bit deeper than that. It is not just a matter of the transportation. It is a deterrent to voting to say to people that this is where you must go when, in fact, many of those police stations do not enjoy a lot of support. There may be friction. People may think that maybe their backgrounds are being checked out if they go.” He says, “I never thought about that.”

I tell you that story because I don't think all of the problems are simply problems of neglect – because people don't care. Some of the problems are problems because people don't understand what it takes to support participation. They think that because it is easy for me and I wouldn't have any problems with that, they don't know the history of a lot of people and voting in this country. They don't understand obstacles as well as they should be understood. They won't be understood unless we do this kind of work. It will be flushed out in so many ways. You are going to hear things you never thought you would hear.

Even in the Florida elections, I saw things I never thought I would see. For example, one person being able to make an important decision about the design of a ballot—Democrat and Republican parties who sign off without even looking at it or knowing what they are looking at to begin with. I was surprised at the power of election officials. I was shocked by the idea that someone could walk into an elections officials' office, take out the absentee ballot forms that people use to request the absentee ballot, and fix them. I was literally shocked. I was shocked that they could go in the back room and fix them. It doesn't matter or not whether their “fixing” could determine the outcome of the ballot or not. What shocked me was the access to the elections office and all that goes along in it, by strangers who were totally unknown to the people who make the decisions. The casualness of it all really stunned me. I think that it is widespread and comes in every shape and form. As we look at these systems throughout the nation, I think most of us are going to be shocked that certain things are going on. I agree with President Carter that this is really broken.

Dean Sullivan: Thank you very much.

Senator Rudy Boschwitz: I don't think it is really broken. I think that is too much to say. If somebody wanted to lead me off to the police station to figure out if I had the right to vote or not, I would find that very, very objectionable. I am happy to say we do not do that in Minnesota. I am not even aware that there are police at the polling place, that you mentioned earlier in your testimony, perhaps there are some somewhere.

Congresswoman Waters: There are polling places in police stations.

Senator Boschwitz: There are in fire stations. That was mentioned this morning. Do you object to the idea of having them in supermarkets or parking lots? Did you say that earlier?

Congresswoman Waters: What I tried to describe is a way by which we could have polling places that were pretty standard—with parking opportunities—in cooperation with something like a supermarket, where they have large parking lots and spaces to accommodate. But the actual voting apparatus would be in portable units that are used by the elections divisions for election purposes and election purposes only. That is my ideal.

Senator Boschwitz: That is too expensive.

Congresswoman Waters: Democracy can't cost too much.

Senator Boschwitz: But you have to be practical, Maxine. I think that people are very accustomed to going into the supermarket or any place like that. I certainly don't think they should be in police stations.

And Veterans' Day, if I may comment on that. I am a retailer so I like more holidays because lots of people come into the store on holiday. But we employ hundreds of people and we give discretionary days off. We give sick days and days on which they don't really have to work. Believe me if you make it Tuesday off, you are going to have a lot of people taking Monday off.

Dean Sullivan: Well the framers were not thinking that when they came up with the Tuesday idea. Congresswoman, thank you very much for testifying before us today. We will look forward to whatever results your Committee reports on and hope that they will aid us in our efforts. Thank you very much for your presence today.

Congresswoman Waters: Thank you. We look very forward to working with you.

Senator Slade Gorton: The second part of panel three will include Rosalind Gold of the National Association of Latino Elected and Appointed Officials and Kim Alexander from the California Voting Project. We had looked forward to the presence of Rod Pacheco from the California State Assembly but the electricity problem has kept him and the rest of his colleagues in Sacramento, and so apparently he will not be with us. For this part of the program, Ms Gold, we will start with you.

Ms. Rosalind Gold: Good afternoon. Co-chairs Gorton and Sullivan, members of the Commission, fellow panelists, and other invited guests, I am Rosalind Gold and I am the director of policy, research and advocacy for the National Association of Latino Elected and Appointed Officials Educational Fund. I wanted to thank the Commission for the invitation to testify today.

The NALEAO Educational Fund is a non-profit and non-partisan organization. We work to empower Latinos to participate fully in the American political process. In recent years, we have conducted several programs to educate Latinos about voting and participation in their neighborhoods and communities. From our experiences, we believe that it is absolutely critical that election reform be accomplished in a manner that preserves and enhances opportunities for full Latino electoral participation. We believe the goals of federal election reform—accurate and fair elections—are completely consistent with those of full participation. In my testimony, I would like to offer some recommendations about how we can achieve these goals.

First, we want to strongly urge that any changes in federal election law and regulation complement and strengthen the protections offered by the Voting Rights Act, especially with respect to the language assistance provisions for language minorities. The Voting Rights Act has served as a very powerful tool to eliminate barriers to Latino voting.

Things like poll taxes, arbitrary changes in residency requirements, capricious literacy requirements; these have all been barriers to Latinos. Additionally, there has been incidents of harassment and intimidation of Latino voters. We want to make sure that opponents of the Voting Rights Act do not use election reform as a pretense to dilute its protections.

We are also very aware that proponents of election reform are advocating a host of changes to election procedures and voting technology. These proponents are going to modernize and standardize federal election process. As you look at these proposals, as you examine them, we would like you to keep two recommendations in mind. First, there is an urgent need for reliable and accurate data about the impact of these proposals on citizen participation in elections. This research specifically needs to look at and consider, and take into account, the experiences and needs of Latinos and other minority voters.

This is particularly true for election technology. In the wake of the November 2000 election, there has been a lot of discussion about the problems of punch card ballot systems. Policy makers have raised questions about whether those systems disenfranchise Latino and other minority voters. We have seen some research that says that Latinos are more likely to live in jurisdictions where there are punch card systems. This is primarily due because Los Angeles County uses punch card systems widespread, and one out of eight of the nation's Latinos live in Los Angeles County.

We have also seen some data suggesting that punch card systems have higher overvote or undervote rates than other technologies, but it is really still unclear exactly why that it is. It is not clear whether it is due to poor equipment maintenance or poor chad removal, the lack of any kind of a system to allow voters to tell if they voted inaccurately, or just voter ignorance about how to use the system. So it is very important that we gain a better understanding of whether technical improvements—in and off themselves—are going to lead to more accurate and more accessible voting systems.

In this connection, we would like to make our final recommendation. Any efforts to reform voting procedures—voting standards, technologies, changing standards—have to be accompanied by a comprehensive program to improve the training of election officials, to recruit and train poll workers, and to educate voters about the practical mechanics of voting.

One of our own earliest voter education efforts was a hotline we operated on election day to allow Latinos to call in and report if they had been harassed or intimidated at the polls. To our surprise, we actually had very few calls to that effect. Most of the calls were about the basics: How do I find my polling place? How long are the polls open? I showed up at my polling place and they said I was not registered. What can I do? What is a provisional ballot?

In the Latino community there are many voters who are young or who are immigrants. Casting ballots is a new experience for them. They may be first time voters in a lot of cases. That is why the training and recruitment of bilingual poll workers is so important.

Poll workers are on the front lines of providing information and assistance to the voters. It is important that they know about the needs of the peoples in their precincts.

We know and are aware that many jurisdictions do have difficulties with recruiting and training poll workers. But we encourage them to work with community-based organizations in those efforts. We have had a program where we work with jurisdictions in helping to recruit poll workers to stress the importance of that public service. That has been quite successful.

We also believe that public and private institutions can create effective partnerships to provide voter education. Our own efforts have included community presentations where we actually bring mock voting booths and mock voting equipment out to community locations like adult centers, parent education locating skills centers and we show people how to use the equipment. We show them how to punch the cards. Show them what the voting experience is like. We find that the participants greatly benefit from this kind of hands-on experience.

If we decide to make any kind of substantial investments in new technologies or comprehensive changes in voting procedures, we have to make a similar investment in voter education. Members of the Commission, if we make that kind of commitment we will be able to have election systems that are more accurate and fair but also more accessible. Starting last month, the Census Bureau started to release its Census 2000 data, which revealed that the Latino population increased by 58% last decade. Latinos are no longer just living in the traditional urban areas of concentration. This is a sterling opportunity for the Latino community and the nation as a whole.

If federal election reform strengthens the participation of Latinos and all of our citizens, it will help to revitalize our democracy and insure that it remains vigorous and responsive to all of our voices. Vice-chairpersons, members of the Commission, thank you again for the opportunity to testify.

Senator Gorton: Thank you very much. Ms. Alexander.

Ms. Kim Alexander: Good Afternoon. I am Kim Alexander, President and founder of the California Voter Foundation, which is a non-profit, non-partisan organization I founded in 1994 to advance new technology to improve democracy. Our organization has pioneered voter information on the Internet and we have also helped shed digital sunlight by advancing Internet disclosure of campaign finance data. Our web site is www.calvoter.org. This is a free, non-commercial web site where voters can find reliable information about California elections and politics. We have copies of my remarks up there on the table. I am not going to hit them all. I am just going to hit on some highlights here.

As a voter educator, I have found there are four key ingredients to voter participation: information, context, incentive, and time. My remarks today will focus primarily on information. One of the reasons I started Calvoter was because, as has been mentioned

several times already today, others and I are deeply frustrated with how difficult and time consuming it is for voters in this state to access reliable information and make informed choices. We spend a lot of time bemoaning low voter turnout in our country but what about the people who are showing up at the polls. What kind of experience are they having?

We need to look at voter participation from the perspective of the voter and not just that of the federal government, the state government, or local governments. As a California voter, I have 22 elected representatives who represent me at the three levels of government. I typically have a dozen statewide ballot measures to consider plus local measures. Even people who are regular voters have a difficult time preparing to vote. People are busy, confused, and they don't know where to turn to find reliable election information.

How do people currently get informed? As was mentioned earlier today, we rely upon the political sector to provide most of the information that we call voter education. This is material that comes from candidates, parties and political campaigns. A lot of it is not very reliable. It is designed to often manipulate voters, confuse voters, and scare voters. We also are relying on the commercial sector to inform voters through news coverage and news analysis. Unfortunately, the commercial information that is available is becoming less and less as the news industry grows more focused on ways to maximize profits and reduce costs. Now what we have is the voter information pie, and the two biggest sectors – the commercial sector and the political sector – in total make up the greatest bulk of voter information. Yet really what is being made available is not as reliable or as trustworthy as what the voters want.

When the Internet came along the rules changed. Suddenly, money was no longer the barrier that it used to be. It has become possible to share lots of information with lot of people at a very low cost. Suddenly, there is a way to make information available to people at their convenience, on demand, 24 hours a day, seven days a week. Because of this, the voter information pie is changing. The other two sectors involved in voter education are the charitable sector – non-profit groups like mine – and the government sector. Because of the Internet, it is possible now for these other two sectors to do a much more effective job to get reliable information out to voters that previously was very difficult to make available.

In fact, we found in the last election that all fifty states had voter information online in the last election. There was a great deal of variety about what was available. We were encouraged to find that every state in the country provided some sort of voter information on the Internet. Maybe it was just telling people: “We have an election coming up, folks” or maybe it was much more detailed information about what was on the ballot, but this is a good start.

We also found that many states do not produce any kind of official voter guide like the one Secretary Jones showed you this morning. It is really incredible to think that we are asking people to go to the polls, to vote on candidates, ballot measures, constitutional

amendments, not every one has an initiative process but everybody votes on bonds and constitutional amendments, and we are not giving voters any kind of official material to help them prepare to vote. This is not a satisfactory situation.

Some of the information that is being made available online—which could increase as more information is made available online from the government sector—is the lists of candidates and measures, texts of the ballot measures, links to official campaign web sites, instructions for how to register to vote, vote absentee and cast a ballot, looking up your polling place online, a lot of counties are doing this now, and voting records.

A lot of development is happening in the charitable sector as well with the Internet coming along, and that has been very encouraging too. There were nineteen states in the last election that had non-profit, non-partisan voter guides similar to the type that we produce at the California Voter Foundation. The non-profit sector, the charitable sector, is also serving as a catalyst for improving the government sectors delivery of election information because we are setting high expectations and we are working in collaboration with the election agencies.

Right now, Congress appropriates \$31 million every year to the National Endowment for Democracy to advance democracy abroad. But we don't spend any money to advance democracy at home. We have many reasons to be proud of our democracy, but what has been missing for far too long is access to reliable election information. Now we have a tool, the Internet, to help us make great advancements in preparing our citizens to vote.

This is, of course, not the only way we can help voters, but it is a great place to start. If we provide reliable information on the Internet, this is the most important, cost-effective, and least controversial reform to improve voter participation. We should start with voter information but we should not stop there. We should take elections as seriously as we take the Census. Last year for the first time, the Census Bureau spent money on paid advertising to encourage the public's cooperation with the count. That \$160 million advertising campaign has been credited with helping to increase the public's participation in the Census by two percentage points above the 1990 level and 6 percentage points above the projected 2000 level.

Let us have a nation-wide outreach strategy like we have for the Census. Let us send people out door-to-door to make sure that everyone who wants to vote is registered. Let us revive civic education in our schools. Let us spend at least as much money promoting democracy at home as we do abroad. Most importantly, let us stop enduring our elections and start enjoying them. Thank you for listening.

Senator Gorton: Thank you. Questions?

Congressman Panetta: Ms. Gold, what is the principal barrier to voting that you see for Latinos?

Ms. Gold: Well there are a few very important ones. First and foremost is lack of basic information about the democratic system and how it works. What do the different levels of government mean? What does it mean if I am voting for a city council member as opposed to voting for a state assembly member as opposed to voting for a member of Congress? When you look at Latino voting rates, you find some trends that are very similar for other minority groups. Because Latinos are proportionally less educated, less wealthy, and younger, their voting rates are less than populations that are wealthy, older, and more educated. When you do analysis and take those factors out, then Latinos with education, wealth, and age have the same voting participation as other voters.

We have done election forums and we have talked to people about what got them to vote for the first time. I still remember one gentleman telling us: “Well I have a tree in my front yard that the city put there and it is growing all over the sidewalk. I kept talking to my city councilman over and over again and he didn’t do anything about it. I noticed a city council election was coming up and I was going to get in there and vote and get rid of that guy. We noticed not only in California, but in other states, that in the ‘90s you had a real upswing in participation by Latino immigrants because there was a debate going on about immigration. Latino voters did not like the tone and tenor of that debate and they wanted to have a chance to make themselves heard. So first, like I said, it is just education about the system itself.

Secondly, as I said, the specifics and the mechanics are very, very important for voters to learn about. Some Latinos come from nations or countries where voting can be a very dangerous prospect. To overcome that fear, they need to know that, if you go into a polling place, it will be a secret ballot, nobody else to look over your shoulder, and there will be someone there to answer your questions if you run into problems.

Finally, barriers of time, I think, are also important. I don’t think that is true just for the Latino community. I think it is true for the nation as a whole. The Census Bureau in its last voting and registration study asked people who were registered but didn’t vote: “Why didn’t you vote?” The main reason was: I was too busy. Now we know for some people they were indeed too busy. But we also know from some people that it is a way of saying voting was not as important as doing something else for me on that particular day. Really getting people to feel that there is enough of a stake in the system or enough of a stake in the election is also very important.

Ms. McAndrews: You don’t mention language requirements.

Ms. Gold: Well absolutely, that is part of the mechanical barriers. Again, as we have mentioned, the need to have not only the written materials, but like I said, someone right there at the polling place that can speak the native language of the voter is very important.

Congressman Panetta: Los Angeles I think used some touch balloting that included language capabilities. Were you familiar with that and do you know how that worked with the Latino population?

Ms. Gold: We haven't had an opportunity to assess the success of that.

Ms. McAndrews: I think the idea of using the Internet for information is intriguing and it certainly happened in the year 2000. Do you have any anecdotes, however, as to the problem of misinformation on the Internet? A good example is a registration affidavit that somebody downloads that doesn't conform to official requirements. How do we address that so that the Internet does not become a problem of misinformation rather than solving the things you have identified?

Ms. Alexander: That is a great question Colleen. We were really happy when Secretary of State Jones and his staff put up an online voter registration process, where you can't register to vote online but you can use the Internet to facilitate voter registration. The way that works is the voter goes online, types in their address, zip code, and all of the their registration information, prints it out, signs it, and mails it in. So it is somewhere in between online registration and paper registration. Before that was available, the only place voters could go to do that was at commercial web sites, which might have been, and I suspect many were, collecting that data to use for commercial purposes and marketing purposes.

There is not requirement if you are using a commercial site that they actually fulfill their end of the obligation and send you the card. This is a great example of how we can't rely on the political sector to perform all of these services and we really need the government sector to step in and fill in those information gaps and provide those services so that there can be an official, reliable record that everybody can turn to and pull their information from.

The other thing, and I think you and I have talked about this before, that we need is there is a lot of disinformation out there that comes from the political sector -- whether it is on the Internet, on TV or in the mail. We need the same communication identification requirements that we have on commercials and mail on the Internet, so that if someone puts up a web site and it is sponsored by an official political committee that committee name and identification number must be listed on the web site, just as it would be listed in a TV ad or a printed ad. Those are some of the very simple reforms that we could do to give voters the reliability that they need in all media, including the Internet.

Senator Gorton: For each of you, start with you Ms. Alexander. If there were just one or two recommendations that this Commission could make to Congress with a practical opportunity of getting them adopted, what would they be?

Ms. Alexander: I talked with the Census Bureau in preparation for this hearing and found out that initially they had appropriated \$67 million for this paid advertising campaign and Congress was so impressed with how well the Census Bureau's paid advertising campaign was going that they appropriated another \$100 million to further support that effort. I suspect that, based on that history and the results that came out of the Census Bureau, that some money spent on commercial advertising, public service

announcements, by the federal government -- these would remind people that an election is coming up, and ensure that everybody gets informed, not just the people that the campaigns and consultants want to get informed. That would be a really simple and not necessarily a very expensive thing that we could do. That would be number one.

Number two. We need to create incentives to get all election agencies – state, federal and local – to start providing voter information on the Internet. One way you might think about doing that is for the federal government to reimburse local governments—as some county election officers have been suggesting—for the costs of federal elections. Maybe you could earmark those reimbursements for voter education efforts, or for going out and performing demonstrations on the voting machines in the community, whatever they want to do to help spread out voter education. The counties and the states, as Secretary Jones said, are doing the best the can with very limited resources to use – free media and groups like ours to get the word out. It is just not enough. With just a little bit more money and effort and enthusiasm, we could do a lot more.

Ms. Gold: I certainly agree with Kim’s recommendation with respect to funding for voter education and outreach. Again, using the Census Bureau as an example, one of the reasons the Census Bureau’s outreach was so successful is because the Bureau did work with private organizations. There were several Latino organizations, several organizations in the Asian community and African-American community that established partnerships with the Bureau, not only for the public service announcement part but also a lot of the door-to-door work, a lot of preparations of bilingual materials. If there is outreach, if there is money spent, it needs to be in a manner in which we create effective public and private partnerships. The private entities are often the ones that are the most knowledgeable about their communities.

The second recommendation has to do with better training of poll workers and election officials – better recruitment and training.

Senator Gorton: Any other questions for this group?

Congressman Panetta: Just one question. With regards to the Internet, one of the concerns is obviously the digital divide between those that have access to computers and the Internet and many of those that can’t afford it and don’t have access to it. How do you bridge that gap in terms of the information system?

Ms. Alexander: The gap is already being bridged with time. We are finding that an increasing number of people are getting access to the Internet and that access is becoming more democratic as we move forward. One thing I really like about the Internet is that it is not only a place where an individual voter can get informed, but it is a place where people who inform voters can get informed. So we have a lot of TV stations that come to our web site and rely on our analysis, our top ten donors of the propositions to help follow the money. They report the information that they get through the Internet to a much wider audience.

I also think that a lot of people turn to their friends and neighbors for help when they get prepared to vote. Even if everybody doesn't have access to the Internet, those who do—when they are approached in their workplace and someone says: “Hey Leon, you are following elections and politics, you know what is going on..”—are prepared. You have gotten on the Internet, and you are going to be able to share that information much more effectively with other people. I really think of it as an exponential tool for informing people both on a one-by-one basis and also through the broadcast media and the wider media.

Senator Gorton: I want to thank you both very much for constructive additions to our deliberations. The third panel that will come forward will take a minute or so. The cameraman needs to replace film.