

**STATEMENT OF SENATOR ERNEST F. HOLLINGS
HEARING ON ELECTION REFORM
MARCH 7, 2001**

Democracy -- which provides that the power of government ultimately rests with the people -- unquestionably is the best form of government that we know today. We, as Americans, pride ourselves on being the world's number one adherents of this great principle. Indeed, it was our enormous dedication to the creed of Democracy that led to the fight for this nation's independence; to the establishment of our revered constitution; to the right to vote without regard to property qualification; to the right to vote without regard to race; and to the right to vote without regard to gender. In other words, it is the principle of democracy that has held our nation in tact for over two centuries.

Nevertheless, for democracy to work effectively, not only must citizens have the right to vote, the system must be constructed so that their votes count. Unfortunately, this is not always the case. As this past election revealed, there are regrettably human and mechanical flaws in our voting systems. Last November and December stories of overvotes, undervotes, and hanging chads flooded the media. Many voters complained that confusing butterfly ballots led them to make unintended choices, while others claimed they were denied the opportunity to vote by being left off of the registration rolls or through intimidation.

Although many were stunned by these revelations, unfortunately, these problems are not new. The fact is that we've had difficulties using punch cards and other machine-readable ballots for more than 30 years. As the record shows, federal officials were made aware of these issues as early as 1978, by a National Bureau of Standards study, *Science & Technology: Effective Use of Computing Technology in Vote-Tallying*. That study -- and another in 1988 -- found difficulties in

vote-tallying stemming from management failures, technology failures, and human operational failures. The 1978 report noted major difficulties in several key metropolitan areas. One of the vital recommendations was the elimination of the pre-scored punch card, similar to the kind used in Palm Beach County's Votomatic machines.

Even though the 2000 presidential election leveled unprecedented attention on Florida's problems, as I'm sure we will hear today, Florida is not alone with respect to the prevalence of voting system flaws. Today's witnesses will outline many of the same difficulties evidenced in Florida. However, they will also highlight problems unique to their states or constituents. The final picture that emerges will undoubtedly be complex, requiring a multi-faceted solution.

Senator McCain and I have put forward one part of that solution – the American Voting Standards and Technology Act. This legislation would direct the National Institute of Standards and Technology, "NIST" to: (1) facilitate the development of voluntary standards governing the performance of voting systems; (2) conduct a study of factors impacting voter participation by individuals and groups; and (3) implement a program making grants available to states and local governments to aid in the updating of voting equipment and to conduct voter educational programs.

Other Senators have their own bills which offer reforms such as uniform poll closing times, same day registration, overseas military voting reforms, and reaffirmation of the Voting Rights Act, among others. Undoubtedly, this hearing is the first of many hearings that the Senate will hold on this matter. Election reform is a complex problem. Senator McCain and I realize that our American Voting Standards and Technology Act is only one piece of the pie. In that regard, we look forward to working with other Senators who are examining other aspects of the electoral system.

In conclusion, I feel that I would be remiss if I did not say that though we should move expeditiously on the issue of election reform, we do not need to rush. In the coming weeks, the Senate is poised for a debate on campaign finance reform. The Chairman has his proposal; I have my Constitutional Amendment. We have already held numerous hearings, meetings, and discussions on campaign finance reform. So, let's keep our eyes on the prize and proceed with both efforts: campaign finance reform immediately, and election reform as soon as possible.

As noted, the right to vote is the most fundamental right bestowed upon Americans by the U.S. Constitution. Sadly, there are millions of Americans who lost faith in the guarantee and exercise of this fundamental right due to the circumstances of the last election. Senator McCain and I do not claim to know how to restore the American people's faith in our voting systems. However, we do believe that setting basic performance standards, helping election officials acquire systems which meet those standards, and helping voters use those systems will go a long way in ensuring more consistency and reliability in our voting systems.

As I stated earlier, Democracy is the best form of government we are familiar with today. However, we must work continuously to make it work effectively. Indeed we must always strive to make our democracy better. Unfortunately, I think maybe we have rested on our laurels, and each of us is now hearing from our constituents that they are not happy about it. I look forward to hearing from each of our witnesses on how we can make our system better.