



Congress on a slow track

Urban legends and partisan politics are dampening the enthusiasm Congress showed early this year for election reform. Instead of tackling problems raised by the close presidential election, some members seem to be turning reform into a partisan and racial issue.

After what appeared to be a fast start, action has stalled in the U.S. House of Representatives. Speaker of the House Dennis Hastert, R-Ill., made a splash early in the 107th Congress by announcing his intention to create a special committee on election reform. Hastert tapped Rep. Roy Blunt, R-Mo., who has both local and state election-administration experience, to chair the committee. Unfortunately, members of the two parties could not decide on the committee's makeup, and it has gone the way of the dinosaur.

The speaker has confirmed that election-reform legislation will go through the House Administration and House Judiciary committees and will not be considered by the full House until fall. The House Administration Committee held its first hearing on election-reform issues at the end of April.

Inaction in Congress stems partly from credibility given to claims of election shenanigans, such as the contention that police roadblocks kept voters

from polling places. Such claims have been repeated so often that they have become accepted as fact despite never having been proven. State election officials, despite their best efforts, have been unable to track down any specific instances of voters being kept from polling places or kept from voting based on their race. Even investigations by the national newspapers that reported the allegations have turned up empty.

Another problem is that members of Congress and the media are seeking quick fixes to the issues raised in the last national election. Some have decided that simply getting rid of the punch-card machines is the answer. Unfortunately, like most complex issues, it is not that easy. The fact is, the situation in Florida turned as much on the lack of a clear definition of a "vote" and the lack of a clear recount procedure as it did on poor voting equipment. Add to the mix voters who did not know how to ensure their votes were clearly marked, and one can see the problem is bigger than just replacing equipment.

While election reform also has stalled in the Senate, at least three bills still had some life as of early May. These include:

S 379: This bill would create a na-

The rush to make changes in election administration seems to have slowed down on the federal level.

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tional commission to study the modernization of voting equipment and report to Congress by the end of the year. Sponsored by Sens. Charles Schumer, D-N.Y., and Sam Brownback, R-Kan., this bill seemed to be the front-runner as of April. The bill would create a program within the Department of Justice to give states matching grants for implementing any of the commission's recommendations. These might include purchasing new equipment, hiring employees and training poll workers. It also would give state organizations such as the National Association of State Election Directors and the National Association of Secretaries of State the opportunity to name a nonvoting member to the commission.

S 218: This bill would establish a commission with a one-year mandate to study election administration, develop and adopt performance standards for voting systems, and develop voluntary procedures for improving the election process. The bill also would establish a matching-grant program for state and local governments. Sponsored by Sens. Mitch McConnell, R-Ky., and Robert Torricelli, D-N.J., this bill received a great deal of attention initially but lost momentum in April. McConnell is also the chair of the Senate Rules Committee — the committee with jurisdiction over election administration — so some aspects of the bill will probably be included in the Senate's final bill.

S 368: This legislation, sponsored by Sen. John McCain, R-Ariz., would put oversight of election administration within the Department of Commerce, which is under the jurisdiction of the Senate Committee on Commerce, Science and Transportation, which he chairs. It would require the National Institute of Science and Technology to develop new standards for voting equipment, give grants to improve voting methods and voter education, and establish a committee to research best practices in election administration.

The bill may not be the best ap-

Where CSG stands

The Council of State Governments, at its spring meeting in Santa Fe, adopted the following policy resolutions on election reform:

1. Supporting the Federal Election Commission's request for supplemental funding to update voting-system standards. The FEC has sought increased funding from Congress to hire more staff at the Office of Election Administration — a grossly underfunded federal department that acts as support to state election offices — to both increase the level of support available to states and to finish an ongoing project of updating voting equipment standards. This resolution was initially passed by the National Association of State Election Directors and is supported by the National Association of Secretaries of State.

2. Urging all states to adopt their own voluntary voting-equipment standards and to require that all equipment meet voluntary national standards. NASED has developed a comprehensive testing process for voting equipment based on the voluntary national standards. As of April, 32 states had adopted a testing program based on the NASED process, and CSG strongly encourages other states to follow suit. For more information, visit NASED's Web site at www.nased.org or the FEC's Web site at www.fec.gov.

3. Adopting the NASS resolution on election reform that elections must move toward improved accessibility, accuracy, reliability and consistency. CSG supports the efforts of NASS and NASED to improve election administration, and the efforts of state legislatures to clarify state law and procedures for election administration. CSG also strongly supports the retention of election administration as a state and local function and cautions Congress to avoid aggrandizement of its constitutional powers.

4. Urging the media to act responsibly when calling elections based on results of exit polls in the East so as not to influence the outcome before polls have closed in the West.

The Western Region of CSG supports uniform poll-closing times nationwide. That approach has not proven viable so far, due to a host of practical issues. However, CSG national adopted a revision of the West's resolution supporting the use of alternative voting methods such as early voting and absentee voting.

CSG has established a national subcommittee on election reform that met at the Spring Meeting in Santa Fe, N.M. The subcommittee consists of secretaries of state, state election directors and state legislators. It urged CSG national to hold a workshop at the Annual Meeting in Anchorage, Alaska, for state officials who are seeking to improve voting processes.

For additional information on the resolutions passed by CSG national, or on any of the topics covered in this article, contact Dave Scott in CSG's Washington, D.C., office at (202) 624-5460.

proach to improving the process, however. As noted in The Council of State Governments' resolution passed at this year's spring meeting in Santa Fe in April (see sidebar), voting-equipment standards were developed 10 years ago and are currently being updated to keep up with changing technology in a joint project between the Federal Elections Commission and NASED. Bringing another federal agency into the mix would waste time and money.

As of early May, the Senate Rules, Government Reform, and Commerce Committees had held hearings on election reform issues.

In short, it appears any bill that eventually passes the Senate will include a commission to study how states administer elections, a matching grant program and perhaps a new federal agency, separate from the FEC, with responsibility for election-administration support and oversight. ★