

**Testimony of Senator Hillary Rodham Clinton
on the Ballot Integrity Act
Before the Senate Committee on Rules and Administration**

July 25, 2007

Thank you very much Madam Chairman and Ranking Member Bennett. I am delighted to have this opportunity to testify on this issue that goes right to the very heart of our Democracy: the right to vote.

I want to commend the Chairman for her dedicated work on this issue, and I am very honored to be a co-sponsor of her legislation the Ballot Integrity Act. Under the leadership of the Committee, I hope we can move toward real reform to fix our broken electoral system and restore the integrity of our elections.

There are a number of problems that have to be addressed but election reform, it seems to me, is fundamental not only to the sanctity of our democracy but to really restoring confidence in our government. No matter which way the election turns out, people should feel that it was conducted with integrity, that it was executed competently, and that the results can be accepted completely.

It really does come down to a basic value that every citizen should have a fair chance to cast a vote and know that his or her vote will count. We have had a long struggle, as Senator Bennett alluded to, opening the circle of opportunity and enfranchisement to all Americans. Certainly when we started back in those early elections that he was referencing, very few Americans were given the franchise. Thankfully, because of the Fourteenth, Fifteenth, and Nineteenth Amendments to our Constitution, and our civil rights legislation, particularly the Voting Rights Act, we have certainly provided a broad circle of opportunity and constitutional rights. But we have not yet removed all of the barriers to voting, and therefore I think you could not be more timely with your concern about this, and with your legislation.

As we all know, in the last two presidential elections, we have seen citizens in urban neighborhoods forced to wait in line for five hours or more to cast a ballot, while just down the road voters in suburban neighborhoods would cast their votes in five minutes.

I'm joined here by Congresswoman Stephanie Tubbs-Jones, who with me introduced the Count Every Vote Act in 2005 and again in 2007. Congresswoman Stephanie Tubbs-Jones and I held a hearing in Cleveland after the 2004 election where we heard very gripping and really disheartening testimony about how hard it was for registered voters to be able to exercise their right. Voters would arrive at the polls to discover their names mysteriously absent from the voting rolls. They were unable often to register due to arbitrary rules and barriers in the registration process. Voters were afraid, and with good cause, that their vote wouldn't count because the machines they were using had neither voter-verified paper records nor other safeguards.

The process itself gives citizens pause. Elections administered by political officials who not only administer the elections but serve in official positions supporting campaigns of candidates, and issue rulings that appear to favor their candidate, certainly doesn't inspire confidence. And we have seen that the brunt of many of the problems in the election process fall especially hard on people of color, not in just widely reported cases in Florida and Ohio but in state after state. Similarly, we have seen problems with elderly voters. We've seen problems with college students. So this is not about one district or one state; the problems unfortunately are found across our country.

Therefore, I think it is imperative that we once again, as the world's oldest democracy, be a model democracy.

I believe meaningful reform must achieve three important goals.

First, we have to have twenty-first century reforms to ensure that twenty-first century technologies help enfranchise voters, not disenfranchise them.

We should require the use of voter-verified paper records to guarantee voters do have the opportunity not only to verify and correct, if necessary, any error made by a voting system before the permanent voting record is preserved. This voter-verified record will also serve as the official ballot for recounts and audits.

We can safeguard the legitimate privacy interest of the community of people who have disabilities, and minority-language speakers, and ensure they are given the opportunity to cast a

secret, independent, and verifiable vote. And I believe we can give states and localities the resources they need and deserve to improve their voting systems.

Both the bill introduced by the Chairman and my own require manual audits of election results. They improve the transparency and independence of testing laboratories. They establish a set of security standards for voting machines. They include a ban on undisclosed source codes and a prohibition on the use of wireless communications devices in voting systems.

And too many voters cast their votes and never know if their ballots failed to count due to a faulty ballot or machine design. Our bills establish a performance benchmark for these residual votes.

The second goal for any reform is making voting fairer and easier by enacting long-needed common-sense reforms to the registration and election process. We need uniform standards for provisional ballots. We need to make it easier to vote by absentee ballot. We need to facilitate early voting. We have to strengthen poll worker training, and we have to recruit younger people to be poll workers.

I don't know about where all of you vote, but where I vote it's retirees. The last time we voted in an election, one of the gentlemen told me that he couldn't keep doing this; he was in his late eighties. He said, "Can't you help me, Senator? Find some younger people to come in and do this important work." We need to protect citizens from unjustifiable and inaccurate purges of voters from state registration lists.

Finally, the third goal of election reform must be to protect voters against political interference and foul play in our democracy. This includes prohibiting chief state election officers from engaging in activities that present a conflict of interest, and establishing fair standards to allow impartial elections observers into polling places.

I think it's interesting to note that a few years ago, India had an election in which the polling and prognostication before the vote certainly did not predict the outcome. In fact, the ruling party at the time, the BJP Party, was expected to be returned to power. But in a total surprise to most observers, the Congress Party won back the parliament in India, and it was shocking to people in the country and around the world.

There were no complaints, and I asked people, "Well, how did that happen? Because certainly if something so unexpected did happen in our country there would be all kinds of concerns about the integrity of our electoral system." And the response I received was that India had the equivalent of what we would consider a Federal Reserve Board running their elections, taking it out of political parties completely, overseeing that how it was conducted really would be above reproach. They voted on computers. I'm not sure exactly what kind, but they had a computer system that had several fail-safes in it, both in the local voting place, at a regional server center, and nationally so that there were no questions that whether you were a dot-com billionaire in Mumbai or an illiterate peasant in Rajasthan, you were voting in a way that guaranteed confidence in the outcome.

Well, I am confident that under the leadership of Chairman Feinstein and Ranking Member Bennett, and hopefully with a bipartisan commitment to ensuring the integrity of our electoral system, we will undertake the reforms needed to ensure the accuracy and fairness of elections.

Every citizen should have his or her right to vote protected. We must count every vote so that every vote counts. We must return integrity to our ballot process, and I thank you for the honor of testifying before you.