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**Panel Discussion:
“Election Reform: A Systematic Business Solution”**

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Moderator

Mark Gerencser, Vice President of Booz Allen Hamilton and co-author of **strategy+business'** *Toward Digital Democracy: A Strategist's Plan for Fixing Flawed Elections*

Panelists

David M. Walker, Comptroller General of the United States

Ron Thornburgh (R), Secretary of State from Kansas and president of the National Association of Secretaries of State (NASS)

Sharon Priest (D), Secretary of State from Arkansas and President Emeritus, NASS

Dr. Norman J. Ornstein, Resident Scholar, American Enterprise Institute

John D. Mayer, Vice President of Booz Allen Hamilton

Ed Rodriguez of Booz Allen Hamilton, co-author of *Toward Digital Democracy: A Strategist's Plan for Fixing Flawed Elections*

MARK GERENSCER, Moderator, Vice President, Booz Allen Hamilton: I will now ask each panelist to present a two minute overview on their perspective, and then we will engage in a discussion and dialog. I expect the dialog will either converge or conflict, and we'll see where that goes.

David Walker, would you mind beginning please?

DAVID M. WALKER, Comptroller General of the United States: Voting access and reliability is obviously essential in order to have a healthy democracy. We all know what happened in the controversy associated with the Presidential election in Florida last year. I personally could deal with it directly because I've lived in Florida for a number of years. I lived in Dade County, Broward County, Duvall County. I voted butterfly ballots, punch card ballots and I knew the demographics of all the counties that were in controversy. So I could deal with it directly.

We were actually asked to do some work, GAO, during that controversy, but declined. But we've done a tremendous amount of work after the election was over with and resolved, and most of that has already been published.

I think what's important to note is a lot of people have been on the playing field doing work in this area. But our work is directly for the Congress of the United States. It's bipartisan and bicameral in nature, and our work is based upon a statistically valid sample, for the most part.

A lot of people have done work, but we pulled a statistically valid sample of 100 counties throughout the United States in order to try to be able to draw broad conclusions based upon our work, rather than anecdotal evidential matter.

In that regard we found, among other things, that there was a wide diversity that's not unexpected. The elections are primarily the responsibility of the counties and the states. And as a result it's very decentralized and it's very diverse in how it's being handled.

We found that the problems were not just technology, which some people would lead you to believe. It was a combination of people, process and technology challenges, and that, to be effective, you must address all three.

Importantly, the federal government does have a role to play, because under the Constitution of the United States, the federal government has a direct right to promulgate standards as it relates to Congressional elections, and from a practical standpoint that has a ripple effect throughout.

In summary, we found that one size does not fit all, and that in looking at reform in this area, there are four criteria to keep in mind. What's the appropriate role of the federal government; the need to balance accessibility with

the integrity of the result; the need to integrate and coordinate people, process and technology considerations; and the need to make sure that whatever reforms are enacted are both affordable and sustainable. Thank you.

MR. GERENCSEK: Thank you, David. Norman, could we get your perspective, please.

DR. NORMAN J. ORNSTEIN, Resident Scholar, American Enterprise Institute: Defying conventional wisdom, we have a real chance of actually getting something enacted in this Congress. It's not going to happen this year, but it's moving in a way that over the last three months or so most observers would have said just isn't going to occur at all.

Let me just make a few bullet point observations about the nature of reform and some of the things we need to focus on. The first and most important point really is that, as in so many other areas, money is the key to all of this. The fundamental reality is that local officials, when faced with allocating scarce dollars to filling potholes and improving sanitation or to improving their election processes are going to go for the former every single time. It is compelling politically when you know that you've got people, large numbers who will complain if the former aren't done, very few every couple of years who will complain about the latter. It will happen that way.

So it's got to be adequate sums of money to deal with this problem and it can't be, as, for example, the Ford/Carter Commission suggested, a 50/50 match. That's not an adequate political incentive. It's got to be overwhelmingly federal money in this case that's going to provide what is necessary. It is a necessary but not sufficient condition, admittedly, for reform.

We have, with the panoply of commissions that have been created and discussed these issues over the last year, along with people who followed elections for years and years, a pretty good consensus on a core series of things that really need to be done and for which the money will serve as the grease. Registration systems have to be brought up to date, coordinated, and there has to be a process where you can communicate between central registration places and polling places, as well as motor vehicle places, so that you've got a core of those who are registered.

Nobody who comes to the polls and has a legitimate claim of a right to vote should be turned away from the polls. There has to be a good, systematic, and, I would argue, uniform system of provisional voting in place.

And we have to do whatever we can to make voting and, I would stress, voting on election day - which is an extremely important part of this - a pleasant and relatively easy experience for people. That means we've got to have machines that work and work consistently, adequate numbers of trained personnel, adequate numbers of polling places, and adequate hours. You find all sorts of

complaints when we have shortened hours and people who work early in the morning come home at the end of the day, find when they get out there are, even a couple of hours before they have to go to work, long lines. That's a problem really in this case of money and some will in providing all of these things.

Now, beyond that, I think we need to focus in an area that has proved to be one of least resistance for a lot of local election officials and now some state officials, which is the desire to move more and more towards vote by mail, early voting, no excuses absentee voting. Because it takes the pressure off on election day.

We're now discovering, sadly with the anthrax scare, that vote by mail is a much more complicated and difficult process than we imagined. But what we also know is that beyond all the questions of what it means for elections when you get large numbers of people voting days or weeks before the actual election day, when you take away the sanctity of election day and the actual process of going to the polls to vote, that virtually every election that has a large number of people voting early or voting by mail will take days or weeks to resolve.

Elections in Washington and Oregon, where they have moved overwhelmingly to this, now you are not going to get an election that is within any kind of close margin that will be resolved, except for weeks after that date. It's an enormous burden and a problem in terms of our civic culture, and one in which we're swimming against the tide, because every state and local election official that I have found, practically, thinks that this is the greatest thing since sliced bread. That's another battle we're going to have to fight on this terrain.

MR. GERENCSEK: Thank you, Norm.
Could we hear from Ron, please.

RON THORNBURGH(R) Secretary of State, Kansas and President,
NASS: I think I will start off with something that may be somewhat shocking, in that I'll state that last November I think was a great success for democracy, in and of itself.

Understand that the election procedures themselves need vast updating. But all these phrases we heard about a crisis last November, I think we have to be very careful about that. Because there were no tanks rolling down Pennsylvania Avenue. We had a peaceful transition from one administration to the next. So democracy, itself, flourished.

Having said that, let me also state that the process itself, we need a tremendous amount of work on. But it's going to take more than just simply plugging in new voting systems throughout this country. One size does not fit all, as we've heard a couple of times. What works for New York City is not going to work for Byrd City, Kansas, population 827.

We have to understand that it takes a variety for that to work, and the states need that flexibility. It needs more than just simply new technology going in. We also have to focus on voter education.

I would propose that the voting systems that are in place today are highly incredibly accurate, within one error per million votes cast is generally the acceptable standard for voting technology in use today.

However, the education of the voters is going to be of a tremendous high priority. I would just throw out as an example, I believe it was West Palm Beach County that had a special election in the December following the November election of last year, 30 days after the Presidential election. In that election, they used the same technology, they used the same punch cards. 15,000 votes were cast. Not a single vote was not counted because the chad was not completely removed from the ballot.

Now, that tells me that voter education, because those folks had obviously had a great education in the last 30 days, that tells me that voter education will go along way towards resolving a number of these issues. But, in addition to that, the public confidence is shot on the election process and we have to do a great deal of work to insure the American voting public that the systems are accurate and that they're safe and that they're secure.

Lastly, I would just close by saying there are some difficulties that come in counting every single vote on election night. And I think that's one of the greatest fallacies of the election system, that every vote is counted on election night. There are always the provisional ballots, there are always the absentee ballots that are going to be counted over the next several days. We have to do a better job of educating the American public that democracy does not necessarily mean expediency. It's more important that we get it right and get it accurate and determine the proper winner than it is that we have it done by the time the evening news comes on.

MR. GERENCSE: Thank you, Ron.
Sharon?

SHARON PRIEST (D), Secretary of State, Arkansas and President Emeritus, NASS: I'm going to say that I'm very pleased that it appears that everybody on the panel has read and agrees with the Secretaries' preliminary February resolution that it is a process of people, process and technology. And I think that we are in a very precarious situation right now, because I think people are, the American people, when they go to vote in '02 they are going to expect some changes. And the massive change that they're expecting is not going to be there. And I think that that is going to put all of election officials at risk, because we're raising a level of expectation that can't be met. It can't be met because at this point while state and local governments are working very hard to make some of the process changes, the technology changes require a great deal of money and most of

that money is going to have to come from the federal government. It's the only way that locally we're going to be able to deal with it.

I think the other challenge that we're going to be facing is consistency. I know that's one of the big challenges that I'm dealing with now in Arkansas as we're trying to look at the process of elections and ensuring that county by county, even though it's not the same equipment, that the law is interpreted the same way, that poll workers are trained the same way. I think that will help improve the process. It's not going to change everything, but at this point I'm not sure it's possible to have the massive changes that the American people are probably expecting for '02.

MR. GERENCSEK: Thank you, Sharon.
Jack, if we can get an industry perspective.

JACK MAYER, Vice President, Booz Allen Hamilton: When we look at the idea of election reform, we think that a lot of the principles that are applied in business can be enacted with the goal toward increased performance in the system.

What do I mean by that? Well, the first thing I think is to recognize that elections are really about the people. And the people who are involved in the organization of people need to understand that they need to be customer focused. The American people are the customers. It's not the political parties. It's not the people in office. It's not the people who are the elected officials in the state running the elections. The elections are about the people, so you need to make sure that this is approached from a customer focus perspective.

How would you do that? Well, we said not one size fits all. We agree with that. If you look at customers, you're not going to say that the people in Seattle are the same as the people in West Virginia. They're not. And you're going to be able to ensure that the process that you have, although it was aimed at the same goal, is oriented towards your customer.

It should be driven by the customer segments. This really allows for the idea that it be decentralized, that it be down at the state, at the county, at the township level and not in a centralized location.

Second is that you would go ahead and look toward making the process a performance focused process, and employing that philosophy. That would argue that you don't immediately assume that it's a technology solution, which many have done and which is a real danger in terms of the way people want to throw money at things. It is much more, as everyone has stated up here, a people process and technology solution.

The first thing you know you have to do in each location is assess what is the issue there. David said that they did the sample of 100 different locations for this. I'm sure that not every one looked exactly the same, that they were all

different. So you have to assess what the local situation is.

Then you have to develop a plan for that in order to address it. Don't just leap to one. Start at the beginning. What are the things that we need to be able to do? Revise the processes if necessary, before you do the technology. See what can be done differently in order to help those customers.

Then, after you've done this, you want to look in securing the enabling technologies. What are the ones that are going to work? Is the fact that the punch cards didn't work, is it because it was purely an education level, and if you improve the education and the process then the systems will actually work, or the system's fundamentally wrong. Even if you change the processes, if you don't have the degree of confidence that you need, then you need to have a different system. And what is the appropriate system for the people in that individual location? Are punch systems, lever systems, sensitive touch systems the appropriate one? What are the people in that location going to be able to use and what can you afford?

Finally, people need to be looking at continuous improvement and evaluation, which requires you to be able to measure performance. So we need to be able to look at the end of each election process how we did by individual location. How people did in that individual location. Based on that review be willing to revise the process we've got. Not accept the process we've got. Constantly be looking for improvement so that the next election process is better for the customers in that area.

MR. GERENCSEK: Thank you, Jack.
An Ed, if you can wrap.

ED RODRIGUEZ, Senior Associate, Booz Allen Hamilton: As Mark noted, I'm principally a technologist. And as such you might expect that I come here and kind of argue the merits of the quick insertion of technology.

In fact, I'll join the chorus here and cite that this is just one of the three major dimensions that you have to consider. Technology, when you do find the right spot, needs to be introduced in a concerted and thoughtful manner.

However, this doesn't necessarily mean in terms of the debate here that there aren't some important and explicit topics associated with technology. And I'd like to address a few of those.

First of all, if you take a look at the landscape of standardization, there is a lot of activity going on out there. There's been a lot of discussion regarding the revision of standards that were produced back in 1990 by the FEC to address computer-based voting systems. There's a lot of commentary out there, many participants throughout industry, academia. Vendors have commented on them. And what we're going to find is that the landscape of how these systems get evaluated will change tremendously. You're going to see an emphasis, I believe, in

terms of stronger testing, introducing the user into the equation. Interestingly, to date there are no usability standards associated with the equipment that's out there now. So when we hear about issues on chads and people not having a positive, effective experience, it's really no surprise, since the equipment wasn't evaluated against that.

The FEC, however, isn't the only organization that's out there taking a look at standards. There is Oasis, and even the IEEE are now looking at developing standards.

How all of this is going to wind up is unclear, but I think certainly there's a lot of dedicated engineering and technical focus being given to when we do produce this equipment out there that it's going to be done using best practices and the best kind of experience that we have out there.

The second technology topic is a little controversial. And that basically is associated with the use of digital certificates and tokens and biometrics. As we migrate as a society towards greater and greater and even ubiquitous use of the Internet for everything – work and home and personal purposes – we need to find a means by which we're going to be able to associate a person with an electronic identity in a very strong manner. The advanced mathematics and technology associated with digital certificates and the cryptography associated with it offers that promise, but again, this isn't going to happen overnight. You know, just as it took us a while to get used to credit cards and online banking, similarly it's going to take quite a while before we feel comfortable with the concept of digital certificates and any such electronic mechanism to help prove who we are out in the Internet.

The last item is something that kind of I've been associated with for three years, and that was Internet voting. To read a lot of the public debate on this you find that there are a lot of folks who feel very strongly that we should not be doing this. My position is, yes, there's a lot of dangers, there are a lot of concern. However, that doesn't mean that we stop all progress in that area. What we do is take a concerted engineering approach. We look at the risks associated with it. What are they? What are the consequences of them? And then we proceed forward in a concerted, careful, well-deliberated manner in terms of managing those risks.

If we were to stop in any instance whenever we encounter risk, progress would never get anywhere in terms of our society or technology. Thank you.

MR. GERENCSE: Thanks, Ed.

I think what we heard is a high degree of convergence around the people, process and technology and how that might integrate together. And since that's converging, I don't think that's of interest to debate.

What we will talk about, though, is Dr. Ornstein and Secretary Priest, you both mentioned the need for additional funds to get the job done. The question I have for you is what kind of strings should come attached with those funds from the federal government, if any.

MS. PRIEST: Of course, we would all like to find a bird nest on the ground and have funding without conditions. But I think that that's impractical and I think, in fact, if we did that, we would be asking Congress to violate their fiduciary obligation. So I do think that minimum standards of some sort ought to be set. I think again, in terms of the issues of consistency. There isn't any secretary of state in this country who would tell you that they want a federal ballot or a federal system of voting that would be consistent across the country. But they would also probably tell you they don't want any mandates.

But minimum standards like, for example, some of the things we're talking about now, for military and overseas voters. That those votes will be counted, that they will come in but they'll be counted. I think the centralized voter registration database is an important part and something that I would like to see. And I think there are other minimum standards that would be accepted and can be accepted by state and local government.

MR. GERENCSE: Great. Dr. Ornstein?

DR. ORNSTEIN: Well, this is one of the major fault lines, obviously, in what's going on in Congress. Money will be another one. I mean, there will be some money forthcoming, but obviously we are no longer awash in surpluses, and for anything that represents a public good now there's going to be more intense competition.

The real fault line in the bills emerging in the House and Senate is what level of mandate. The current House bill that will probably pass the House, really does not have any significant mandates beyond, at this point, at least, a fairly limited set of minimum standards. The bill that emerged from the Rules Committee in the Senate, the Dodd bill, is filled with mandates and would basically divide along partisan lines. It wouldn't get through the Senate. But it represents very intense feeling on the part of minorities especially that without some protection coming through mandates in a lot of places they will end up once again getting the shaft.

So the question is whether you can strike an appropriate balance that includes the kinds of things that Sharon is talking about, and some fairly stiff requirements that may not be one size fits all but that really require meeting standards, including standards for provisional voting and making sure that people are not intimidated.

And now, because of the strong Republican concern about fraud, we may get tougher anti-fraud provisions pushed by Senator Bond, matched with a

somewhat more modest set of standards. But there will be standards and there is absolutely no doubt that any election bill that passes, if it's going to involve federal money, is going to involve significant federal standards.

MR. GERENCSEK: Thank you.

Secretary Thornburgh, how do you feel about the notion of mandated standards?

SECRETARY THORNBURGH: Boy. I think we have to be careful and identify what we mean by mandates versus what we mean by standards. And, quite frankly, that's a debate that took about six months of the election community and the civil rights community coming together to figure out what we were saying to each other, actually.

And the mandates, at least in my vision, the mandates are simply when the federal government steps forward and says, this is what we expect you to do and this is how you're going to do it – oh, by the way. Whereas standards are the minimum output standards that would say, if you have this type of voting system, or regardless of what type of voting system you have, you need to insure that a voter casting a vote in Detroit does not have a greater opportunity for their vote to not be counted than someone using a different system in Kansas.

So if we can ensure that the standards are there for all systems, whether it be a hand-counted paper ballot or the latest touch screen systems, if we can ensure that the standards are in place that every single voter in America can be assured that their vote is going to be counted and accounted for in the way they intended to cast it, then I think those types of standards are acceptable.

The minimum standards of providing for a provisional ballot on election day is an acceptable standard. A standard that we provide for statewide voter registration systems is an acceptable standard. A standard that we insure that military and overseas voters have their votes counted is an acceptable standard.

MR. GERENCSEK: Thank you.

Question to Mr. Walker or Mr. Mayer, do we think that standards by themselves can get the job done?

MR. WALKER: Not by themselves. Based upon the work that we've done, it seems that, frankly, the people issue is the number one issue. The process issue is the number two issue. And the technology issue is the number three issue.

They're all important. But if I had to put them in a priority order, that's the order I'd put them in. And I think it's important to recognize that the public may have a perception that the biggest problem is the punch card system, because that's what they saw on television. But in reality it was the people and the process issues that really caused that problem, as evidenced by the election that

ended up occurring less than a month after the Presidential election in that same jurisdiction that caught so much attention.

I think from a practical standpoint you are going to see some minimum standards, and the question is how many of the minimum standards will be standing alone and how many of them will be linked to funding. For example, "if you do this you can get this money;" "You don't have to do this, but you're not going to get the money if you don't do it," versus the ones that will minimize standards by themselves, that won't be linked to money. And most of the proposals that I've seen, including the current one going in the House, allocate a lot of money to get rid of punch card equipment. There's a perception that that's the problem. It's largely perception. But nonetheless there's a lot of money being talked about to be allocated to that, as well as much more grant money to be used by the states for people, process and technology issues coupled with some minimum standards.

MR. GERENCSEK: Thank you.
Jack?

MR. MAYER: I think that when you talk about standards and you get them enacted so they become mandated standards, there are some real dangers in that, depending on the way you do it.

So, for instance, in the Congress if in negotiations on any bill the standards are established in such a way that you only accept those that you can all agree on, then you would get some standards that I think will probably be acceptable and can be used. If, on the other hand, in order to get the bill through, you get the standards that each side wants, then you run the risk of having some unacceptable standards that can create some problems in the process.

So I think you've got to be real careful when you look at the standards. There are going to be some standards. But I think you want to minimize those at the national level.

The other thing that I think you really need to be able to focus on when you're looking at these is that you don't get so involved in the standards and the process that you forget what this is all about. I'll use an example from the recent report that was done on what happened in Florida. They talk about some of the ballots that were thrown out that counted as double votes, where there was a mark for a candidate and then someone also wrote in the same candidate's name. Now, it's very clear what the intent of the voter is in a situation like that. But because of the rule that's established, that vote can't count.

When I talk about customer focus, you need to be able to have a process that allows you to look and determine what the intent of the customer is, and if it's a very clear intent, then you should be able to adjust, be able to accommodate that. What you don't want to do is to have a standard when you're interpreting intent.

MR. GERENCSEK: Thank you. Great.
Yes, Norm?

DR. ORNSTEIN: Just a couple of points. One related to that. We may end up with a standard that basically is you have to have a kind of voting system that gives a voter a second chance at the polls, where you kick a ballot out if it is not filled out correctly. That doesn't mean just the touch screen technology or the very expensive stuff. What we've found is that the most accurate in the past was the kind of optical scan – there are different kinds of optical scans. But the optical scan that got a second going over and gave a voter a chance if that kind of mistake was made. It's not terribly expensive to do but you can eliminate an enormous amount of headaches that way.

And just one other point. We're going to find the events of September 11 and election reform coming together in odd ways. I know in our own deliberations in the Constitution Project, when we brought up the issue of an identification card, it caused a firestorm. All of a sudden the notion of a national ID card has taken on a completely different coloration.

And if you have a national ID card, you know, some of the same problems. And it was on both sides. My own judgment was that for minority voters, many of whom are intimidated away from the polls by poll workers saying you don't have adequate ID, but who felt that this would be used in the other way, that you could actually provide protections if you can get past some of the concerns, and make sure that there are adequate civil liberties sensitivities here.

But if we had identification cards, and those that use a very sophisticated technology, for other purposes, it will change some of the dynamic of election reform and what we think about in terms of fraud or what we think about in terms of making sure that the people who get to the polls are actually given the opportunity to vote.

MR. GERENCSEK: That's great.
Yes, Ed.

MR. RODRIGUEZ: You know, the concept of a national ID card to many Americans seems like a foreign thing. It's right out of science fiction. But the reality is there are many other nations in this world that are right now moving towards having a national ID card. The difference between them and us is really a cultural thing based on a long-term belief in terms of us treasuring our privacy, our concern about whether or not the government is an intrusive entity.

So as we see cultural concepts and predispositions change because of 9/11 and where we need to trade off privacy versus our own personal security, I think you will see some growing folks supporting that concept.

MR. GERENCSEK: Any other points?

SECRETARY PRIEST: I think you're optimistic in terms of a national ID card. I just don't believe that, cultural or otherwise, Americans are ready to give up all the privacy issues that they have now because of the attack on September 11. I'm sorry, I just don't see it happening.

Now, I do see a card, a Smartcard type of thing for people to vote. That could be like your driver's license. But I don't see a national ID card. I think that's optimistic.

MR. RODRIGUEZ: Today I understand that. In the future, who knows what will be coming out?

MR. GERENCSEK: Any other views on national ID card?

SECRETARY THORNBURGH: I would agree with Sharon. If I were to go home to Kansas and propose a national ID card, I think I could just start packing my bags and move elsewhere.

SECRETARY PRIEST: Think of it. We're not even allowed, at this point, to ask for proof of citizenship for voter registration. We're not allowed to do that under NVRA [National Voter Registration Act]. So for us as local election officials, it would be actually kind of handy to be able to put Social Security number with a name. We can't do that. We can't ask for ID. We can't ask for proof of any - we can't even ask for proof of who you are.

So I think we're getting ahead of ourselves if we're talking about a national ID card.

MR. GERENCSEK: Clearly we have a lot of dynamics happening here and it's hard to predict what will happen in the near term. But to pick up on a point that Mr. Walker made earlier, of the people, process and technology, people is really one of the key issues. As I see it, that breaks down into two areas: the customers - the voters - and the poll workers.

And so the question I throw out to the whole group is, should we come up with either a federalization of poll workers or a professionalization of poll workers.

SECRETARY THORNBURGH: I wouldn't mind touching on that one. I think it's probably safe to assume I would be opposed to the federalization of poll workers, that I think that would just be fraught with difficulty and problems.

However, we do need to do a much, much better job of training our poll workers. Part of that is going to come through the standardized set of what are the rules in place on election day, insuring that every precinct, at least to the state

level, every precinct within that state is treating every issue the same. When a voter comes and presents a certain set of problems, if they're not on the registration list or if they are, they use a different name, whatever the case may be, that every precinct treats that situation the very same. So we have to work on professionalization of our poll workers.

Another great crisis that we're going to see, that we are seeing now and we will see in the very near future even more directly is that the average age of our poll workers today is somewhere between 70 and 80, I would guess. We are losing most of our poll workers, and the next generations are not coming up and filling those slots right now. And so as we continue to lose our poll workers the problems we're having today are going to become that much more exacerbated.

DR. ORNSTEIN: This is, I think, a huge problem. And what I've found is that when you talk to local election officials their biggest headache is getting poll workers. And one of the major reasons for this impetus towards vote by mail and no excuses absentee voting is the headaches of getting poll workers.

I would put more money into poll workers almost than I would into equipment at this point, and I think we have to do it in other and more creative ways. It's not going to come through federalization, but there are a lot of things that can be done. An awful lot of polling places are schools. The schools get the day off. We should have a major effort made to get teachers as poll workers, to even have the local school districts give them credit for serving as poll workers. We ought to relax in a lot of places the rules against having students as poll workers. There is an army out there of people who I think would be willing to do it if you pay them a little bit or if you find other ways to make them do it. But we are mired in the past on this one.

It's going to take money, it's going to take some creativity. But if we don't make the experience on election day a reasonable one with people who are there adequately manning these stations and knowing what they're doing, then we're going to end up with what I think is an awful process. And it's a process where we lose the sanctity of the private voting booth. I don't care how much technology you have where you can identify the person who's voting in a remote spot. That doesn't keep it from having a spouse looking over their shoulder and saying, "No, no. You've got to vote this way." Or having a shop steward or any other person or group of persons, a pastor, saying, "Let's all vote together."

We're going to move to a very different kind of system in which we lose some of the fundamental elements of voting in our democracy unless we can make that experience at the polls a reasonable one. And if we don't provide money and other ways of creating adequate poll workers, that's the direction we're going to go in.

MR. WALKER: Our work would say that it's primarily a training and pay issue when you're dealing with poll workers. Not inadequate training and

inadequate compensation for what you're asking them to do, especially given the hours involved and things of that nature.

SECRETARY PRIEST: But if we do a good job of recruiting poll workers, we don't have to have POVs, what I call prisoners of voting. Because on election day in many cases we're holding poll workers prisoner for 15 hours. And it doesn't have to be. In many cases they can work in shifts. You have students. You could have all kinds of combinations of things to make it a whole lot easier to have people work the polls on election day.

MR. GERENCSEK: One last question before we open it up to the audience, and I'll give you all an opportunity to provide a 30-second wrap-up, if you like.

Dr. Ornstein, you noted the benefits of voting by mail. You then also noted the complications of remote voting, for example over the Internet and issues of privacy and issues of fraud potentially.

The question I have is, how would you rate the integrity of voting by mail.

DR. ORNSTEIN: Not very highly. We have to provide, obviously, absentee ballots for people who are unavoidably away from home on election day. I'm all for looking for creative ways, including Intranet possibilities, networking local areas where you might be able to vote near your place of work as opposed to your home.

But if you go back through the history of the country, go back and look at why we had the wave of election reforms at the turn of the century. It was because of a very substantial amount of fraud. The fraud in vote by mail, inherent in it, the possibilities of fraud are enormous. In some places those possibilities have not been seen or reached because of the culture. In Oregon I would say very little evidence of any significant amount of fraud. Florida has had fraud in election after election.

Because when you have substantial amounts of vote by mail absentee ballots, the possibilities of going to people and saying, "Give me your ballot," filling it out for them, of stealing ballots, of having ballots sitting around precincts for weeks with opportunities to do something to them is very, very great, and nobody's watching. And it's a very major problem. Not to mention the one that I suggested earlier, that the sanctity of the private booth, walking in as an individual, closing a curtain, having a zone of privacy around that polling place within hundreds of yards, where once you're there you can't be pressured, is enormous in its significance in this country. And you lose all that if we move away from voting at the polls on election day, which is, perhaps inexorably, the way in which we're going.

SECRETARY PRIEST: I'd like to make a point to that, because I know, Norm, that you really focus on election day voting. But we're talking about treating the voter as a customer. And, in fact, I believe very strongly that we in government don't do enough to treat people as customers. We're in the service business. That's all we have to give, is service. And I, for one elected official, am tired of saying I'm from the government, I'm here to help you, but only between 8:30 and 4:30. That is not fair, that is not what people want.

The financial industry now has banking 24/7, not because they think that it's easier for them, not because it's more convenient for them or cheaper for them to operate. It's because we as consumers have demanded service. And I think we as consumers are demanding that voting be made more convenient for us, whether that's through early voting, no excuse absentee voting, voting on election day, or Internet voting. We get a lot of requests, why can't I vote on the Internet.

People are looking for more convenient ways to vote. They want to participate, but if you limit their time between 7:30 a.m. and 7:30 p.m., for example, you've limited them and you're not giving them the opportunity that they need to get to the polls.

DR. ORNSTEIN: Let me answer that, Sharon. I don't want to make voting a boot camp experience. I'd like to reduce all the barriers for registration that we can. I would be all in favor of – my own feeling is we ought to have a 24-hour voting period from, say, noon on Saturday to noon on Sunday dealing with all the Sabbath problems, knowing that that would be expensive and difficult to do.

Customers, absolutely. But that's not the only criterion. And if all we do is blind ourselves to any notions of civic responsibility or a civic culture by saying the only thing we want to do is make it easy for people to vote, then we are making a huge mistake and we are throwing away our civic culture. Make it easy for them, but there are other things that matter.

We have had a long tradition in this country of having a minimal civic responsibility of going to the polls and voting. Do away with that and you lose something very, very important. And I'm afraid too many election officials are so focused on just making it easy for people to vote that they don't look at the down side.

MR. WALKER: I want to address the write-in ballots in Oregon. And one of the things that I know a lot of people commented on as a result of the last Presidential election is Oregon has write-in ballots for everybody. And look how long it took Oregon to be able to figure out who won the Presidential election.

So when you have a close race and you have significant percentages of write-in ballots, it's not just an issue of the integrity. It's also an issue of the timeliness of when you're going to be able to know who won.

Ultimately, as has been said, you want to get it right. But you don't want it to drag out over weeks.

DR. ORNSTEIN: By the way, Oregon, we now have a number of studies, the notion that all vote by mail sharply increases turnout is simply wrong. The Oregon Secretary of State has been more disingenuous on this than anybody I've seen. He repeatedly says we had an 80 percent turnout in Oregon compared to a 50 percent turnout for the rest of the country. He's using the numbers in Oregon that are as a proportion of the registered voters, and for the rest of the country as a proportion of all voters. And of course this was right after Oregon had done a purge of their voting rolls, so that you had an even sharper increase.

Everything that we've seen suggests that in some local elections vote by mail does increase turnout. But otherwise there is no increase in turnout. People don't vote just because it's a matter of convenience. It's something else that's deeper.

SECRETARY PRIEST: I'd just like to speak to the issue of how long it takes to get results.

Where is it in the Constitution that we have a right to know two hours after the polls close who won the election? It took us a month to find out last year who won the Presidential election. We want to know. As a candidate, heck, I want to know three seconds after the polls close whether or not I've won or lost. Our responsibility is to insure that people have fair, honest and accurate elections, not to insure that they end up getting the result the same night as election night.

MR. WALKER: I agree. However, there's a big difference between hours and weeks. And the fact of the matter is the President used to not take office until March. Now the President takes office in January. And when you're talking about things stretching out for weeks, there is a very big negative from the standpoint of trying to be able to get your administration in place and get going.

So you're right. Accuracy is the key. However, there's a big difference between hours and weeks.

MR. GERENCSE: Jack, you were going to make a point.

MR. MAYER: I find the discussion really interesting here, because what it does is it gets at some of the real complicated issues of talking about election reform. And even though we do want to make it something that is very customer focused and easy, there are a lot of checks and balances that need to go in there, because fraud is a really critical issue that everyone is going to care about. And solutions that may be great alternatives at the superficial level, the very top level, as soon as you start going deep into them you can start finding out some of the problems of them and things that you have to be able to address.

So it isn't an easy issue when you look at it. You can't say, well, we'll just do this and we'll just do that. It does take a lot of work to be able to figure out exactly what are some of the steps that you need to be able to do to make it a better process. You have to do it incrementally and you have to be willing to constantly review and revise that. It can't be just one great leap.

[AUDIENCE Q&A]

MR. GERENCSEK: What I'd like to do now is turn it over to the audience for questions and answers.

...

SECRETARY THORNBURGH: The question, if you couldn't hear it, is what type of centralized voter registration system are we talking about at the statewide level under the federal legislation that's proposed.

And you're right. There are difference standards out there today. There are some states that simply have a depository voter registration from all the counties. The numbers and the names are never mingled and never checked. You can buy just basically a list of every registered voter in the state.

And I think we have to get to a minimum standard that is truly an interactive voter registration database from county to county that is centralized with the state's chief election official. Because only with that type of interactive system and only with that type of integrated system are you truly going to be able to address some of the issues of fraud and multiple voter registration, if a person moves from one county to the next. Quite frankly, I don't think they're trying to impose fraud upon the system. We just don't have the means to do those double checks right now. And only with an integrated system are we going to have that opportunity.

SECRETARY PRIEST: We have a centralized voter registration database in Arkansas. It is not, however, interactive. And there clearly, one of the things that has not come up here today is list maintenance and making sure – I mean, that's a huge, huge problem for elections officials.

And in Arkansas, as in many states, when you move from one county to the next you have to re-register. So if the form is not properly filled out and you don't notify your former address, then you are virtually registered in two counties.

Now, most people are not doing that for the purpose of committing fraud. It's just an oversight on their part or oversight on the part of whoever is dealing with the form. So I tend to favor transferring voter registration the way you would transfer your driver's license.

I think it does two things. It helps with the accuracy of the list and it

also does not inflate the statistics on new registrations.

That said, I think that I advocate centralized voter registration, because I think it would help a whole lot with list maintenance. Right now in our office we can't cancel voters, we can't add voters. That is strictly the purview of the country clerk. So I think there's some work to be done there, and I'd like to see centralized voter registration.

MR. WALKER: A little bit off point, but first, obviously, to the extent that you have the centralized voter registration, that's going to help not only the access but the integrity. All I can say is, it's a good thing that there's somebody that doesn't mandate things for the federal government. Because the federal government is terrible with regard to having free-standing, independent, non-integrated systems in every major department and agency, virtually.

So this is something that needs to be done, but it is a major challenge. It requires a considerable amount of money and it's not an easy thing to do.

DR. ORNSTEIN: There are three things that we need to consider here. The first is, if it's going to work, it's got to be interactive. And that means you've got to have money available to have computers at every polling place that can link into the central registration system.

The second is that you've got to have some provisional process where if somebody mistakenly shows up at the wrong polling place because they've moved, that they can cast a provisional ballot and a set of rules in place where at least the votes that they cast that are appropriate for that spot can be counted, if maybe they can't vote for some local offices. We want to make it easy for people, where people are not doing this for fraudulent means but just because they don't know.

The third is, short of a national ID card, which will only happen for reasons that have little to do with voting, we need to develop a different criteria, because for local officials the amount of overlap, people who have the same name, often who have the same name and the same birth date, it becomes an enormous headache.

One way to do this is simply to use the last four digits of the Social Security number, so that you're not using the Social Security number, which frightens an awful lot of people, but at least a portion of it so that you can make sure that you're matching the right name with the right person when they show up at the polls.

If you did those things, and the first is the most important, which is computers at the polling places, which is pretty expensive, you're going to go a long way towards reducing the problems in the system.

SECRETARY PRIEST: And you're right, Norm. It is expensive, but when you start looking out into rural states, in some cases where counties don't even have Internet service providers, some counties don't even have phones, it becomes a real challenge to do that. I favor that, but it's a real challenge.

MR. GERENCSEK: Ed, you had a point?

MR. RODRIGUEZ: Yes. Unless we're prepared to envision a fairly standard or fixed number of registration systems throughout the country as well as a fixed number of voting components, like the tabulation system and all that, basically a very strong factor in being able to facilitate the vision that we're hearing here is going to be the effective development of standards that are going to allow registration system, A, work with the individual counties, unless we're going to propose that each county gives up their individual registration and their voting systems right now.

So there's a great amount of work ahead of us if we're going to institute that kind of vision and do it in a cost effective manner in which an investment in one state's going to be able to be leveraged elsewhere where different equipment is deployed.

...

SECRETARY THORNBURGH: If I can touch on that very briefly, I believe what you heard us nearly chanting over the last year was no federal mandates. And again I go back to the distinction between mandates and standards, in that we understand that if there's going to be federal funding there are going to be some types of strings attached. Mandates again are those areas in which they not only establish what is to be done, but the exact mechanism and the way in which it's going to be accomplished, whereas standards are the minimum outputs that will be allowed in order to accept federal funding, and that we agree that we can, as long as the states have the flexibility to implement, to reach those standards, then we can live with that. But the mandates of determining how we will accomplish it are unacceptable.

...

SECRETARY THORNBURGH: Personally, I would not even be willing to accept funded mandates. I think, again, the mandates are the wrong approach on this. Unfunded mandates are especially repulsive.

I think we have to be very careful when we distinguish between mandates and standards. We agree that there have to be outcomes that insure that every voter has the opportunity to have their vote counted as they intended to have it cast. And we understand that there are provisions, like provisional voting, that are going to be important to allow that to happen. And we're willing to work with those standards, but not willing to have the federal government tell us how to do what we do very well.

[END]