March 11, 2009

Senator Bennett opening statements during Rules Committee hearing on voter registration

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I think it's appropriate that we air these issues. And I would take slight issue with one comment you made in your opening statement, Chairman Schumer. I think there are still Whigs around. I will go no further as to identify where or who, but my study of history and the attitude of the Whig Party lead me to believe there are those who still hold that ideology.

Now, we have two compelling and sometimes competing interests with respect to this whole question. We want everyone who is legally qualified to vote to be able to vote; and we want him or her to be able to vote as easily and smoothly as we possibly can. At the same time, the whole purpose for having people register in advance is to create some kind of mechanism that will allow election officials to prevent those who are not legally qualified to vote from voting. And sometimes this becomes a tradeoff. In an effort to get everyone to vote, we relax registration requirements, and thereby open the door to vote fraud or controversy. In an effort to prevent vote fraud, we tighten registration requirements and thereby run the risk of keeping people away who belong there.

This is not a new issue. When I was a member of the Governmental Affairs Committee we had a hearing on this issue. One of the witnesses on that occasion was Dr. Larry Sabato, the director of the University of Virginia's Center for Governmental Studies, and one of the more well recognized names when it comes to these issues. I would like in my opening statement to quote a few things from Dr. Sabato and then would ask unanimous consent that his entire opening statement be included in the record. He makes the same point I've just made. He says that – "When we look at the registration system and voting process we have to balance two conflicting values; one, the goal of full and informed participation of the electorate, and two, the integrity of the system." He then goes on to say, "to the extent that we keep expanding the participation rate and make it easier and easier for people to register and vote, we almost certainly increase the chances for voter fraud. So, in a sense it is a trade off. To move completely in the direction of one value as opposed to the other is foolhardy."

And he then goes on to list a number of examples of people in the 2000 election who cast illegal votes. If I might, they are the kinds of corresponding one on one personal observations that you just cited of people who ran into difficulty with registration. He says, "It doesn't stop with Florida and Wisconsin, and as I suggested, fraud didn't just appear with the 2000 presidential election. Just a glance at the past decade shows many examples of electoral fraud." And then he goes on to list some, "Extensive absentee ballot fraud in Alabama, hundreds of phony registration forms in California, nearly a thousand illegal votes in New Jersey, including some by people who are unregistered and others who are dead, significant absentee ballot fraud in Philadelphia, votes stolen from the elderly and infirm in Texas," and the list goes on and on. Then he says in a separate quote, "Whether fraud is Democratic or Republican or located in the north, south or the west, the effect on American democracy is similar. While electoral hanky panky affects the outcome in only a small proportion of elections, mainly in very tight races, one fraudulent ballot

is one too many for the integrity of the system and the confidence that people have in the system."

So, this is the balance that we have to address. As I said, we want registration to be as open and as easy as it can possibly be for those who are entitled to vote. But at the same time we want registration to be effective enough that those who are interested in controlling fraud have the tools that they need to deal with that. And that's the balance that I hope we will strive to strike as our legislative activity goes forward following this hearing and other hearings you may have scheduled. I appreciate your diligence in addressing the problem and we'll do whatever we can to have as productive and probing a hearing as possible.