

Committee on House Administration

Subcommittee on Elections

March 26, 2009

Hearing on “*The 2008 Elections: What Went Right & What Went Wrong*”

Chairwoman Zoe Lofgren

Opening Statement

Good morning and welcome to the first hearing in the Committee on House Administration Subcommittee on Elections. It is only fitting that as we move forward in the 111th Congress we first take the time to reflect on the past. Today’s hearing on the November 2008 Elections, What Went Right & What Went Wrong, will set the stage for our hearings in the Subcommittee on Elections this Congress. We are going to learn from the past and see what this Committee can do to build on the successes, ensure that the failures are not repeated, and address any unresolved issues for future elections.

Going into the November 2008 election I think we were all holding our breath, waiting to see if we would have systemic problems due to an anticipated increase in voter turnout. The good news is, we did not and many problems were averted. The bad news is, the problems voters and election officials faced, are ones that we have been aware of and still have not improved upon.

The election system was tested in 2008, with 130 million Americans voting- the highest turnout in 40 years. There was also an encouraging increase of 3.5 million newly registered voters- up 64% from 2004. However, many of those voters never had the chance to cast their ballot and have it counted. An estimated 4 million registered voters were unable to vote because of administrative problems in the election system.

The challenges the election systems faces begin with the voter registration process. According to newspaper accounts, tens of thousands of eligible voters were removed from the voting rolls or blocked from registering. Our witnesses today will account for some of these instances, including, the illegal purging of voter rolls by some states and rigid matching requirements. At the polling location, voters faced photo ID requirements that caused significant confusion for both the voter and the poll worker. Confusion over this issue plus the increase in voters, new voter registration databases, and the use of provisional ballots resulted in delays at the polls. Voters casting absentee ballots also struggled to have their votes counted because they never received their ballots or could not meet the procedural requirements, particularly our military and overseas voters.

The successes from the November 2008 election are many and election officials should be applauded for their work. Jurisdictions were prepared- they hired more poll workers, implemented contingency plans, leased voting equipment, and extended voting hours. One of the major successes was the increase in the number of states that allow early voting either by no excuse absentee voting or in-person early voting. In November 2008, nearly 1/3 of the general election voters cast their ballots before Election Day. This eased the pressure off the system on Election Day, which is why we had so fewer problems in those states with early voting. Ten states also eased strain on the system by allowing Election Day Registration.

We have much to learn from the November 2008 election and need to applaud and thank the election officials who made the process more successful than expected. However, we cannot sit back and say the system is fixed because the election was without major incident. In light of this, I have introduced H.R. 1719, The Voter Registration Modernization Act. This legislation allows any eligible citizen to register to vote up to fifteen days before Election Day over the Internet for all federal elections occurring after January 1, 2014. It also allows registered voters to update their registration over the internet at any time, including at the polling place on Election Day.

The Election Assistance Commission needs to pay close attention to the testimony today and determine their next steps, what the EAC can do to better assist election officials in their efforts to improve election administration. While we can have hearings and pass legislation, but in the end it is up to the EAC to ensure that they can fully support, through information and standards, election officials in their duties.

I want to thank all the witnesses for testifying and look forward to a very interesting hearing.