

**AMERICAN UNIVERSITY**

**MEETING OF  
THE COMMISSION ON FEDERAL ELECTION REFORM**

**WASHINGTON, D.C.**

**APRIL 18, 2005**

**4:15 – 4:45 P.M.**

**PHOTOS, PRESS STATEMENT  
AND Q&A  
WITH:**

**JAMES A. BAKER III,  
FORMER SECRETARY OF STATE AND FOUNDER,  
BAKER INSTITUTE FOR PUBLIC POLICY, RICE UNIVERSITY**

**JIMMY CARTER,  
FORMER PRESIDENT AND CHAIR,  
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**ROBERT PASTOR,  
EXECUTIVE DIRECTOR,  
COMMISSION ON FEDERAL ELECTION REFORM**

*Transcript by:  
Federal News Service  
Washington, D.C.*

ROBERT PASTOR: Good afternoon everybody. My name is – For those who just arrived or just came for the press conference, my name is Robert Pastor. I'm the executive director on the Commission on Federal Election Reform and also the director of the Center for Democracy and Election Management here at American University, which is organizing the commission.

Today the College of Cardinals are meeting – (laughter) – to choose a pope. They might be wise to think back 25 years when they were deadlocked. Then a cardinal came forward and suggested that the way to break a deadlock is to take a poll. That was a pun. (Laughter.) But it was a good idea for them, and it's also a good idea and it's the basis of the idea of our commission, which is to make sure that our polls are not just free and fair but perceived as such.

My honor is to introduce our two co-chairs. I also had the great honor of working with both of them to monitor elections in Nicaragua in 1996 when they worked very successfully together and helped Nicaragua towards free and fair elections. Their charge today and with this commission is to help improve our system of elections.

President Carter, as you know, was not just governor and president but his work as chair of the Carter Center earned him a Nobel Peace Prize and the admiration and respect of the world.

James A. Baker III was chief of staff, secretary of Treasury and secretary of State and now as founder of the James A. Baker III Institute for Public Policy at Rice University he understands, as very few do in America, the critical relationship between politics and diplomacy, between competition and the rule of law, which is at the heart of our exercise here.

I'd like to ask both of them to make brief statements and then they will take questions on the work of the commission.

PRESIDENT JIMMY CARTER: Well, first of all that me say that I'm delighted to be working with Jim Baker and the other members of our commission. My top choice as my co-chairman was Jim Baker. He's a person in whom I have absolute and total confidence. He knows the political scene of this country, and he's personally very compatible with me. As a matter of fact, there's only one Republican I think more of and that's my former chairperson four years ago, and that's Gerald Ford. So we have a good partnership here and I believe we will do some good.

One of the things that I might point out is that the Carter Center is deeply involved in a holding elections or monitoring elections around the world. I'll be going to Ethiopia next year. It will be our 55th election that we have monitored and then later

we'll be gone in July for our 56<sup>th</sup> election which will be to choose the parliament members of the Palestinians.

Gerald Ford and I four years ago headed up a similar commission and we analyzed the situation in our country following a very deep disillusionment of American people in the 2000 election. And I think out of that came some recommendations that have now been adopted – many of them – by Congress and passed into the Help America Vote Act, which is HAVA.

HAVA has some limited responsibilities but very important ones. They are trying now to have uniform voter registration, for instance, in all 50 states and they're moving toward a more dependable system of voting above and beyond the punch cards and that sort of thing, as you know, high technology. This will be an extremely important development. What our commission will try to do is to look beyond HAVA and see how we can make recommendations that will apply to two entities. One is the U.S. Congress, and that might be very few recommendations, and the other one will be to analyze complex but very important issues and make recommendations that might be accepted by the Democratic and Republican party leaders or by state legislatures or by secretaries of state in the different 50 states that we have.

As you all probably know, there's some reason why 40 percent of qualified Americans do not vote and we hope to address that basic question. How can we have more access by people to register and to vote and how can the votes be counted accurately so that people will have confidence in them? How can we minimize any allegations of fraud? How can we deal with absentee ballots or early balloting or military balloting with our people overseas? Those of the kind of questions that we will be addressing and I'm very delighted to have Jim Baker with me, he'll now be making a comment and then will try to answer your questions.

SECRETARY JAMES BAKER: Thank you, President Carter.

Ladies and gentlemen, I'm equally delighted to be here and to be co-chairing this commission with President Carter, who after all is a proven leader in this field both internationally through his work in other countries and domestically through his work with President Ford, as he mentioned, to recommend legislation that was included in the Help America Vote Act in 2002.

We meet in 2005, and you might take the cynical view, I suppose, that the easy, bipartisan recommendations were all included in HAVA and that – (laughs) – the low-hanging fruit has been picked, if you will. (Laughter.) But I remain confident that there is more that we can do.

Our purpose in addressing election reform should not be to push one agenda against another nor to sharpen the differences between the parties. They are plenty sharp as we meet here today with a country that is pretty evenly divided and with increasing difficulty in getting things legislated that have anything to do with elections. So I think

we both are of the view that we should strive to recommend needed changes that will improve the system and that will generate as broad bipartisan support as we can accomplish.

We can do this only if we are able to reach consensus on changes that will benefit the voters of this country. If we can't find common ground, then we will not have succeeded in my opinion and therefore I hope and believe we will find some common ground. For these reasons; that is, the idea that we should not take on the really volatile issues with respect to which we have no reasonable chance of success, we have agreed that the issues of the Electoral College, redistricting, and voting rights for the District of Columbia will not be on our agenda. There are plenty of other issues for us to consider – President Carter just mentioned some of them – without spinning our wheels on these three issues.

In closing let me say, ladies and gentlemen, I was encouraged to participate in this commission by President Bush and by the leadership of the Republican Party. I agreed to do so with high hopes that the commission will agree upon recommendations that increase the integrity of our federal voting system so that all Americans can gain confidence in that system.

Thank you.

MR. PASTOR: Now we'll take questions. Yes, stand up and please identify yourself. Yes.

Q: President Carter and Secretary Baker, I just wanted to ask, what –

MR. PASTOR: Please identify yourself first.

Q: Will Lester (sp) with AP. Forgive me. I just want to ask what areas of consensus is there now on what the problems are and if you can be specific on what you've seen in 2002–2004 that point to those so you kind of know what you're starting with on areas that are common ground.

PRES. CARTER: Well, the overall concern is twofold, speaking in generic terms. One is that 40 percent of the American people don't vote. Secondly, there's a great deal of doubt in our country about the integrity of the electoral process. Those are the two basic issues.

What can we do to address them? Obviously we want to have more access by Americans to the voting privilege, and secondly we want to make sure that the electoral process has integrity; that it's not shot through with fraud. Many people have alleged that this is kind of a Republican versus Democratic pair of issues. The Democrats want everybody to vote whether they might be qualified or not, and the Republicans want to restrict voting to exclude minorities and others who are not inclined to vote. That's not true at all. Those two are not incompatible.

Obviously, we don't have yet a way to shift from punch card ballots and lever pulls to the electronic type of voting, which has greatly reduced the amount of errors in the process. At the same time, with an electronic style of voting you have a black box that's mysterious to a lot of people and it arouses some doubt about whether it can be manipulated by electronic technicians and so forth or illicitly. So another question is, as you cast your ballot on a touch screen or a digital system, does it also give a paper ballot that will let you confirm the way you just voted and you put the paper ballot in the box and later if there's a doubt about it, you can check the paper ballots against the electronic ballot with certainly a representative sample.

Those are the kind of things that we will be addressing. Some states, as you know, like Oregon, has completely mail voting. Washington State has moved toward that direction even earlier than Oregon did. So those are the kind of questions that we'll be trying to resolve.

Jim, you can always add.

Q: Secretary –

SEC. BAKER: Well, I wouldn't – I don't – I have no disagreement with what the president said. I do think that many times the issue revolves around the question of access versus integrity and I really don't think that's – that those two things should be juxtaposed against each other. I think both parties frankly would like to see the widest possible access consistent with ballot integrity.

MR. PASTOR: Yes, over there?

Q: Pam Fessler with National Public Radio.

Mr. President, you headed a commission that addressed a lot of these issues a few years ago. At this point -- do you think that this commission at this point will be able to have much more impact than the last one did?

PRES. CARTER: Well, I wouldn't say it would have more impact than the last one did, but I think additional steps are needed. Just to give you two or three examples: one is HAVA. The Help American Vote Act was basically a result of the four-year-old commission that President Ford and I headed, and that's very good. What HAVA has done so far, for instance, is to allocate a lot of money – two and half billion dollars or more – to the states to bring their voter registration lists out to a certifiable point and that's really within each individual state. That doesn't mean that that state is compatible with the adjacent state or with the other 49 states. That's a step that needs to be taken in the future.

Another question is – that I've already discussed – electronic voting. With the touch-screen voting or other systems of that kind, the error rate has been reduce down

usually below 1 percent, whereas in Florida and in Georgia in the year 2000, the error rate was 2 or 3 percent; so it's been dramatically reduced. But they – when HAVA has ordained that people – that each state has a better voting system, they haven't yet gone to the point of advocating or requiring specific specifications including, say, a paper trail. So that's another step that needs to be taken in the future.

SEC. BAKER: And if I might add, we are looking at the implementation to date of HAVA – one of the things that we're looking at because the implementation of that legislation is somewhat behind schedule. So it's not a case of whether we're going to come up with more recommendations than the earlier commission.

PRES. CARTER: Another thing is that for the first time in the history of this nation, the federal government put money into the electoral system through HAVA. Should this be a one-time thing or should the federal government continue to help with financial assistance as the states make more uniform their procedures and improve their procedures with improving technology?

Another very serious question that hasn't been resolved is do we have a uniform way of registering voters on a national basis; a voter registration card or a citizenship card that can be used to reduce dramatically the problems that relate to some elections. Those are the kind of questions that haven't yet been addressed by our commission in a definitive way, but which we are discussing.

Q: I'm Mark Plotkin from WTOP radio and a political analyst here. I'm just wondering – I'm really curious and wondering why, as the co-chair of this commission, you agreed, as Mr. Baker has stated, to negate voting rights for the District of Columbia? When you were the president of the United States, as you full well know, there was a voting rights amendment which you pushed that passed in both two thirds of both the House and the Senate, went out to the state legislatures, and was, as you well know, was only ratified by sixteen states.

In your statement, you talk about what you've learned from democracies all over the world. Mr. Baker, in his statement, says American democracy is the backbone of our society, but as a human rights champion you full well know that human rights right here where you're meeting, in the nation's capital, don't exist. Senator Kennedy has said that they suffer from the “four too's” here: too liberal, too urban, too democratic, and – not insignificantly – too black. So my question is, why did you agree to delete this really human rights issue while you're the co-chair of this commission?

PRES. CARTER: Well, we are not deleting it at all. I think both Secretary Baker and I both agree that the people of this District of Columbia ought to have a right to vote.

Q: Does he? I've never heard him say that?

PRES. CARTER: Well, there are different ways to do it. (Laughter.) One is to have a separate vote of the District of Columbia, the other is to let District of Columbia

people vote in Virginia and Maryland. Another way is – there's some other ways as well. But we've got enough on our plate with just three meetings and make a final recommendation in September, so we don't need to get involved with this commission in how do you go about the District of Columbia vote, which requires a constitutional amendment. How you go about changing Electoral College, which would require a constitutional amendment as well? Those kinds of things we decided to postpone to other – that doesn't come under our purview and when I – when we decided to remove them from our agenda, it's just to make room for other things because we can't address those definitively.

Q: (Off mike) -- Mr. Baker, are you for voting –

SEC. BAKER: I would – and I would suspect that you will see when the final recommendations of this commission come forward – I don't know this for certain – but I would bet that you would see a number of recommendations – maybe not a number, but a few anyway, for federal legislation; a number of others that are broader that we do not think should perhaps be looked at right now in terms of federal legislation. But I don't think you're going to see any having to do with – that require constitutional amendments, that I can think of.

Q: I just –

PRES. CARTER: But let me go on the record now: I am for – (laughter) – still, a constitutional amendment or whatever is necessary to let the District of Columbia people choose members of Congress, but that (is not ?) something that I believe that this particular commission can address.

Q: Since we're in an academic institution, I want to foster understanding and learning. (Laughter.) There is a present plan to give representation in the House by Republican Congressman Tom Davis and also that could be done not by a constitutional amendment, but just by statute. And such liberal academicians as Kenneth Starr have testified in favor.

PRES. CARTER: We're not a – I personally am not against that at all, but we decided that we would not address these three issues in this particular – and that includes changing the procedure by which you redistrict within states. Those things are just above and beyond what we can do in this short period of time.

MR. PASTOR: Yes, right over there? What's your –

Q: I'm Larry Arnold from Bloomberg News. I wanted to ask you, do you anticipate that among the recommendations will be something as specific as you recommend touch-screen over optical scan or vice versa, or you recommend a touch-screen with a paper trail or without? And if so, given the timing of this report, won't states and counties have had to make some important decisions by then?

PRES. CARTER: I would guess that we wouldn't recommend exactly which kind of electronic system you would use. We might very well, though, recommend that an electronic system be combined with a paper trail. That's the best guess I can make in advance. We've only had one meeting and so we just discussed basic questions today, not answers. Maybe one more question and then I have to leave in order to get an airplane.

MR. PASTOR: One more? Yeah.

Q: I'm Martin Schram, I write a syndicated column for Scripps-Howard. You've talked about nations around the world, other democracies, being able to show the United States a thing or two we could learn from them. One of the things that they do – many of these European democracies especially, is limited TV advertising to the last weeks of campaigns and having some agreements about how much free television should be available to the candidates. Do you see this commission going there?

PRES. CARTER: I doubt that, Marty. I said a number of times, maybe I hate to say it in this forum, but I guess I should be consistent. The Carter Center, as I said, has monitored 54 elections. We would not monitor the United States elections because United States would not qualify. We don't have a fair system in many ways. We require that a foreign country, first of all, have a central election commission so that everybody in the country votes the same way with a paper ballot or whatever – exactly the same way. In our country we have, some people have said, 7,000 different local organizations telling people how and when and where to vote. That's one basic thing.

We also require that a foreign country have all of the candidates who are qualified to run under the constitution and laws be given relatively equal access to the public news media without paying for it, and this applies, I believe, in every European nation as well. In our country, there's no way for a candidate to become qualified to represent the Democratic or Republican Party these days unless you can demonstrate an ability to raise, I would say, a minimum of a \$100 million; given to you by special interest groups and also by very well-meaning citizens and then you spend that money for television.

I think and have long felt – helped with a commission headed by Walter Cronkite and me and Gerald Ford – that the television networks ought to give free television coverage. So those things are anachronisms still in modern-day elections in the United States. We have to deal with what we've got here. And as you know the basic problem is a constitutional one and that is that our federal government only has legal capabilities or authority that have been granted to the federal government by the states with a few minor changes to that and the states are independent, so we have to deal with that. And in the states quite often the counties are independent, and we have to do that. That confuses the issue. We would not go in to a foreign country under these circumstances.

SEC. BAKER: And we faced this in every issue we discuss in here, Marty, and every issue we're going to discuss on June 30<sup>th</sup> at the Baker Institute at Rice University. Whether the degree and extent to which – whatever we recommend is one further step

toward federalizing elections in this country and a lot of people are opposed to the idea of federalizing our elections. There're many improvements we think can make; many of them have been – some of them have been done in HAVA, but we faced the issue in every – we face that problem in every issue we discuss here.

PRES. CARTER: And it's a problem, it's a real problem.

Thank you all very much. (Applause.)

(END)