

The following is taken from the Congressional Record, May 14, 1981.

LEGISLATION INTRODUCED TO
AMEND VOTING RIGHTS ACT

Mr. AuCOIN. Mr. Speaker, a vote is a precious thing to give, and to lose. Today I am introducing a bill that amends the Voting Rights Act to assure Americans who live in the West that their votes in Presidential elections really count.

The amendment provides a pragmatic, practical, and nonintrusive solution to the problem caused by early release of Presidential elections.

As determined by public opinion polls following the November election, thousands of registered voters in the West did not cast ballots because they were discouraged by early projections and by an early concession hours before the polls officially closed.

Under the approach we are offering, States would be free to decide when to open the polls. Our amendment would mandate that all polls close no later than 11 p.m. eastern standard time, and it would prohibit release by election officials of Presidential election results until all polls are closed.

In Oregon and other Western States, this approach has been enthusiastically received by publishers, legislators, election officials, and groups such as the League of Women Voters, because of the problems it avoids. I commend it to my colleagues and urge their support.

Let me summarize briefly the advantages of this approach:

It does not move election day to a Sunday, where it would conflict with religious and recreational activities;

It does not declare a voting holiday, thus averting the enormous costs of shutting down commerce for a day;

It does not involve a complex, unwieldy plan for a split-day voting or impose a uniform opening time that would open polls in the West as early as 5 o'clock in the morning.

It does not pose a confrontation with the first amendment over the broadcasting of election results.

A useful measure of the significance of the problem is shown by a Field Institute survey conducted recently for the California Secretary of State. The poll found that more than 400,000 registered voters in California--Democrats, Republicans, and others--did not vote because of the early election news reports and an early concession speech.

It can be readily deduced from the numbers that State, local, and congressional races easily could have been affected by the early disclosure of election results while the polls were still open. In my own State of Oregon and throughout the West, the problem was the same.

First amendment protections must be a prominent consideration in any legislative solution. For that reason, the "Canada solution," which outlaws publication or broadcast of voting results before the polls close, is not adaptable to the United States. There would be a clear confrontation with the Constitution. The amendment proposed today poses no threat to free speech or press.

For all these reasons, Mr. Speaker, I urge my colleagues to join me in voting for this amendment.