

REMARKS BY SENATOR HUBERT H. HUMPHREY

TESTIMONY BEFORE THE SENATE COMMITTEE ON POST
OFFICE AND CIVIL SERVICE

OCTOBER 5, 1971

201-1909

MR. CHAIRMAN, IT'S A GREAT PLEASURE TO BE HERE TODAY TO DISCUSS THE EXTREMELY IMPORTANT ISSUE OF VOTER REGISTRATION BEFORE THIS VERY DISTINGUISHED COMMITTEE.

MR. CHAIRMAN, AMERICA IS TODAY EXPERIENCING A CRISIS OF CONFIDENCE OF GREAT MAGNITUDE.

DOUBTS IN OUR ABILITY TO SOLVE OUR PROBLEMS AND TO MEET THE NEEDS OF ALL AMERICANS ARE SO GREAT THAT THE FEELING OF DESPAIR OFTEN SEEMS TO SURPASS WHAT WAS FELT BY THE AMERICAN PEOPLE AT THE HEIGHT OF THE DEPRESSION OR DURING THE DARK HOURS OF THE SECOND WORLD WAR.

TOO MANY OF THE YOUNG FEEL ALIENATED, TOO MANY ELDERLY FEEL ABANDONED, TOO MANY OF THE MIDDLE-AGED FEEL WE HAVE LOST

OUR SENSE OF PURPOSE, *too many of the minorities - the Blacks, Chicanos, P. Ricans, Indians - feel they are systematically ~~being~~ excluded*

from the decision-making processes.

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AND AT THE CENTER OF THIS CRISIS OF CONFIDENCE IS "THE GOVERNMENT" -- WHETHER IT BE CITY, COUNTY, STATE, OR FEDERAL,

"GOVERNMENT HAS FAILED AND GOVERNMENT IS UNRESPONSIVE TO OUR NEEDS." -- THESE ARE THE TWO THEMES WE HEAR MOST OFTEN.

↳ BUT THE CRISIS OF CONFIDENCE IN GOVERNMENT IS OCCURRING AT A TIME WHEN MILLIONS OF AMERICANS HAVE ABANDONED THEIR ROLE IN ELECTING THOSE WHO LEAD AND GOVERN.

*IN THE PRESIDENTIAL ELECTION OF 1968, APPROXIMATELY 37 MILLION AMERICANS DID NOT REGISTER TO VOTE, AND THUS COULD NOT ENTER A POLLING BOOTH.

*TODAY, THERE ARE AT LEAST 48.5 MILLION UNREGISTERED VOTERS
IN AMERICA (THIS FIGURE IS OBTAINED BY ADDING THE 11.5 VOTERS
MADE ELIGIBLE BY THE 26TH AMENDMENT AND THE 37 MILLION
UNREGISTERED VOTERS FROM 1968.

WE KNOW THERE ARE MANY COMPLEX FACTORS CONTRIBUTING TO THE
FAILURE OF SO MANY MILLIONS OF AMERICANS TO REGISTER AND THEN
VOTE.

BUT I BELIEVE THAT REGISTRATION PROCEDURES AND PRACTICES
POSE A SERIOUS OBSTACLE TO INCREASING THE NUMBER OF AMERICANS
WHO PARTICIPATE IN OUR ELECTORAL PROCESS.

IT IS IRONIC THAT A DEVICE INTENDED TO PROTECT THE ELECTION PROCESS SOMETIMES BECOMES A BARRIER TO THE POLLING BOOTH FOR MILLIONS OF AMERICANS. AND UNLESS THE FEDERAL GOVERNMENT QUICKLY ESTABLISHES A WAY TO REMOVE THE REGISTRATION BARRIER AND STILL SAFEGUARD THE ELECTIONS, WE WILL BECOME A NATION OF GOVERNMENT BY THE MINORITY FOR THE MAJORITY.

HOW DOES REGISTRATION LIMIT SUFFRAGE? THERE ARE MANY

ANSWERS:

-- A BLACK WOMAN IN TALLAHATCHIE COUNTY, MISSISSIPPI IS AFRAID TO REGISTER.

-- AN ELDERLY MAN IN PHOENIX, ARIZONA, HAS NO WAY TO GET TO HIS PLACE OF REGISTRATION.

-- A HOUSEWIFE IN DETROIT DOESN'T KNOW WHERE TO REGISTER.

-- A BUSINESS EXECUTIVE IN NEW YORK WAS TOO BUSY TO LEAVE HIS OFFICE TO REGISTER.

-- A MILL WORKER IN RHODE ISLAND MISSED THE STATE REGISTRATION DEADLINE, WHICH IS 60 DAYS BEFORE THE GENERAL ELECTION.

-- A COLLEGE STUDENT FROM TEXAS CAN'T REGISTER IN OHIO WHERE HE ATTENDS SCHOOL AND HAS FORGOTTEN TO OBTAIN AN ABSENTEE BALLOT.

-- A YOUNG COUPLE NEWLY ARRIVED IN LOS ANGELES CANNOT REGISTER BECAUSE THEY HAVE NOT MET THE STATE'S RESIDENCY REQUIREMENTS.

STATISTICS DEMONSTRATE THAT AMERICANS WHO DO REGISTER ALSO VOTE, FIGURES FROM 1968 SHOW THAT 80.8 PERCENT OF THOSE WHO REGISTERED CAST THEIR BALLOTS.

THE DEMOCRATIC NATIONAL COMMITTEE'S "FREEDOM TO VOTE TASK FORCE," REPORTING A GALLUP POLL STUDY OF REGISTRATION, FOUND THAT RESIDENCY AND OTHER REGISTRATION QUALIFICATIONS -- NOT DISINTEREST ON THE PART OF THE VOTER -- PROVIDE THE GREATEST BARRIERS TO VOTING.

AND ON THE BASIS OF A CENSUS BUREAU STUDY OF THE 1968 ELECTION, THE TASK FORCE SAID THAT "THE HIGHEST PROPORTION OF THOSE NOT REGISTERED AND/OR NOT VOTING FALL AMONG BLACKS, THOSE WHO DID NOT FINISH HIGH SCHOOL, MANUAL AND SERVICE WORKERS AND THOSE OF LOWER INCOMES."

IN 1968, 66.2 PERCENT OF BLACKS ELIGIBLE TO VOTE REGISTERED. THIS FIGURE IS NEARLY 10 PERCENT LOWER THAN THE WHITE REGISTRATION LEVEL.

SEVENTY-TWO PERCENT OF FAMILIES WITH INCOMES FROM \$5,000 TO \$7,500 REGISTERED TO VOTE IN 1968. HOWEVER, 82.7 PERCENT OF FAMILIES WITH INCOMES OF \$10,000 TO \$15,000 REGISTERED.

WHITE COLLAR REGISTRATION IN 1968 WAS AT A LEVEL OF 83.5 PERCENT. ONLY 69.1 PERCENT OF MANUAL WORKERS REGISTERED.

IT IS CLEAR FROM THESE FIGURES THAT THE REGISTRATION BARRIER IS NOT EASILY SURMOUNTED BY LOW INCOME, POORLY EDUCATED AMERICANS.

THIS ECONOMIC DISCRIMINATION IN OUR ELECTORAL PROCESS
IS A RELIC OF THE 1890-1920'S WHEN STATES DEVISED ELECTION
REGISTRATION PROCEDURES DESIGNED TO LIMIT THE REGISTRATION OF
WORKERS AND LARGE NUMBERS OF IMMIGRANTS IN RAPIDLY GROWING
CITIES.

IT IS CLEAR TO ME THAT CURRENT REGISTRATION PROCEDURES
DENY MILLIONS OF POOR AMERICANS OF ALL RACES THE OPPORTUNITY
TO SHARE IN GOVERNING THE LAND IN WHICH THEY LIVE. THESE PROCEDURES
MUST BE QUICKLY CHANGED IF THIS FUNDAMENTAL FLAW IN OUR DEMOCRACY
IS TO BE ELIMINATED.

MR. CHAIRMAN, THIS COMMITTEE NOW HAS THE OPPORTUNITY TO
PERMIT THE NATION TO TAKE THE BIGGEST AND MOST IMPORTANT STEP
IN ENLARGING THE AMERICAN ELECTORATE SINCE WOMEN WERE GIVEN
THE VOTE IN 1920.

I BELIEVE THAT A SYSTEM OF NATIONAL VOTER REGISTRATION IS THE NEXT LOGICAL STEP FOR THE CONGRESS TO TAKE IN EXPANDING THE AMERICAN ELECTORATE. THIS PROCESS STARTED WITH THE 19TH AMENDMENT 50 YEARS AGO, CONTINUED WITH THE 24TH AMENDMENT, AND THE VOTING RIGHTS ACTS, AND RECENTLY WITH THE 26TH AMENDMENT LOWERING THE VOTING AGE TO 18.

IT WAS MY BELIEF IN THE FUNDAMENTAL AND URGENT NEED TO ELIMINATE REGISTRATION AS A BARRIER TO VOTING THAT LED ME TO INTRODUCE S.2445, THE NATIONAL FEDERAL VOTER REGISTRATION ACT.

I WANT BRIEFLY TO TELL THE COMMITTEE ABOUT MY PROPOSAL.

THE NATIONAL FEDERAL VOTER REGISTRATION ACT WOULD ENABLE ALL CITIZENS OF THE UNITED STATES TO REGISTER TO VOTE IN FEDERAL ELECTIONS AT THE TIME THEY COMPLETE THEIR INCOME TAX FORMS.

MY BILL DIRECTS THE SECRETARY OF THE TREASURY TO MAIL ALL TAXPAYERS WITH THE 1040 FORM TWO VOTER REGISTRATION FORMS WHICH THEY COULD COMPLETE TO OBTAIN A FEDERAL CERTIFICATE OF REGISTRATION. THE TAXPAYER AND HIS DEPENDENTS OVER 18 COULD TAKE ADVANTAGE OF THIS CONVENIENT REGISTRATION PROCEDURE. BUT IT WOULD BE OPTIONAL. NO COMPULSION IS INVOLVED.

IN TAX YEAR 1969 WITH FORMS FILED IN 1970, THE INTERNAL REVENUE SERVICE RECEIVED 75,856,703 RETURNS ACCOUNTING FOR 196,750,468 INDIVIDUALS OR EXEMPTIONS. THE IRS REACHES 95 PERCENT OF THE AMERICAN PEOPLE. I BELIEVE THAT IT IS AN EXCELLENT ORGANIZATION TO CARRY OUT THIS VITAL FUNCTION.

THE INTERNAL REVENUE SERVICE HAS A DESERVED REPUTATION FOR RESPONSIBILITY, EFFICIENCY AND CONFIDENTIALITY, ALL OF WHICH ARE NECESSARY IF A NATIONAL VOTER REGISTRATION SYSTEM IS TO WORK.

THE ASSOCIATION OF THE INTERNAL REVENUE SERVICE WITH THE REGISTRATION PROCESS WOULD BE IN THE BEST TRADITION OF TAXATION WITH REPRESENTATION.

I REALIZE THAT MANY PEOPLE DO NOT FILE AN INCOME TAX FORM, BUT ARE ELIGIBLE TO VOTE. FOR THESE PEOPLE, THE LEGISLATION SPECIFIES THAT REGISTRATION FORMS MAY BE OBTAINED AT LOCAL POST OFFICES TO BE MAILED TO THE APPROPRIATE REGIONAL IRS OFFICE. THE BILL ALSO DIRECTS THE TREASURY SECRETARY TO ADVERTISE THIS PROGRAM -- EVEN ON A BI-LINGUAL BASIS FOR NON-ENGLISH-SPEAKING CITIZENS -- TO ALL NON-TAXPAYERS ADVISING THEM OF THEIR RIGHT TO REGISTER.

I WOULD HOPE THAT THESE PROVISIONS FOR NON-TAXPAYERS WOULD BEGIN TO BRING INTO THE POLITICAL PROCESS THOSE WHO HAVE BEEN EXCLUDED BECAUSE OF THE INCONVENIENCE OF THE REGISTRATION PROCEDURES.

I WOULD LIKE TO POINT OUT THAT THE NATIONAL FEDERAL VOTER
REGISTRATION ACT DOES NOT ELIMINATE STATE REGISTRATION LAWS.
PERSONS ARE ELIGIBLE TO REGISTER THROUGH THE IRS FOR FEDERAL
ELECTIONS ONLY IF THEY ARE ALSO ELIGIBLE TO REGISTER THROUGH
THE STATES' OWN REGISTRATION SYSTEM. AN INDIVIDUAL'S REGISTRATION
WILL CONTINUE AS LONG AS REGISTRATION IS IN EFFECT UNDER THE
APPLICABLE STATE LAW. CONSTITUTIONAL RESIDENCY REQUIREMENTS
REMAIN IN EFFECT.

MY BILL DOES NOT INTERFERE WITH THE RIGHTS OF THE
VARIOUS STATES TO MAKE THEIR OWN ELECTION LAWS. IT IS DESIGNED
TO MAKE REGISTRATION A CONVENIENCE RATHER THAN A HINDRANCE.

NO NATIONAL REGISTRY OF PERSONS WILL BE COMPILED OR MAINTAINED. INDIVIDUAL PRIVACY WILL BE PROTECTED. THERE ARE ADEQUATE PENALTIES IN THE BILL TO SAFEGUARD THIS PROGRAM FROM FRAUD OR ANY ATTEMPT TO DENY A PERSON HIS RIGHT TO REGISTER.

MR. CHAIRMAN, I CONSIDER THIS LEGISLATION AS ONE ALTERNATIVE -- ONE MECHANISM -- AMONG THE SEVERAL BEFORE YOUR COMMITTEE. IT WAS FIRST DRAFTED FOR INTRODUCTION AS A SENATE FLOOR AMENDMENT. I DO NOT CONSIDER IT TO BE A COMPREHENSIVE PEICE OF LEGISLATION THAT TOUCHES UPON ALL THE QUESTIONS WITH WHICH YOUR COMMITTEE MUST DEAL. IT WAS INTENDED TO BE A FIRST STEP IN WHAT MUST BE A THOROUGH EXPLORATION OF THE VOTER REGISTRATION ISSUE.

add -

I HAVE COSPONSORED YOUR BILL, SENATOR MCGEE, BECAUSE
I BELIEVE THAT IT FORMS A STRONG FOUNDATION ON WHICH AN
EFFECTIVE SYSTEM OF NATIONAL VOTER REGISTRATION COULD BE BUILT.

IT IS MY HOPE THAT THE POST OFFICE AND CIVIL SERVICE
COMMITTEE WOULD REPORT OUT A BILL THAT WOULD BE A SYNTHESIS
OF MY BILL AND THE LEGISLATION INTRODUCED BY YOURSELF, SENATOR
KENNEDY, AND SENATOR INOUE.
for no way

ALL OF OUR PROPOSALS HAVE THE SAME IMPORTANT OBJECTIVE
AND EACH IS WORTHY OF PARTIAL INCLUSION IN A FINAL PIECE OF
LEGISLATION.

THE RESPONSIBILITY NOW LIES WITH THE CONGRESS TO ENACT
LEGISLATION WHICH WILL OFFER THE GREATEST NUMBER OF PEOPLE
A WAY TO VOTE.

I KNOW THAT I EXPRESS THE SENTIMENTS OF ALL THE MEMBERS
OF CONGRESS PRESENT HERE TODAY THAT THIS IS A NON-PARTISAN
ISSUE.

NEITHER POLITICAL PARTY AND NO MEMBER OF CONGRESS CAN BE
IN A POSITION TO TELL 25 MILLION NEW VOTERS AND MILLIONS OF OTHER
AMERICANS WHO REGULARLY PARTICIPATE IN THE ELECTORAL PROCESS
THAT THE FEDERAL GOVERNMENT SHOULD NOT FACE THE PROBLEMS OF
REGISTRATION, RESIDENCY AND ABSENTEE BALLOTS, AT LEAST AS THEY
APPLY TO THE FEDERAL ELECTIONS.

I BELIEVE THAT THE FEDERAL GOVERNMENT MUST ESTABLISH A MECHANISM TO BRING INTO THE ELECTORAL PROCESS APPROXIMATELY 3.5 MILLION AMERICANS WHO TURN 18 EVERY YEAR.

IF WE ABDICATE OUR RESPONSIBILITY HERE, WE WILL DIRECTLY CONTRIBUTE TO THE CRISIS OF CONFIDENCE THAT PLAGUES OUR NATION TODAY.

I RAISE THE ISSUE OF PARTISANSHIP ONLY BECAUSE I SENSE A FEELING ON THE PART OF THE ADMINISTRATION THAT IT WOULD LIKE TO KEEP A SAFE DISTANCE FROM LEGISLATION ON NATIONAL VOTER REGISTRATION.

ADDRESSING THE NATION'S SECRETARIES OF STATE ON SEPTEMBER 1, ATTORNEY GENERAL MITCHELL SAID THE JUSTICE DEPARTMENT "WOULD ASSUME NO ROLE IN SHAPING STATE RESIDENCY LAWS AS APPLIED TO NEWLY-ENFRANCHISED VOTERS UNDER 21 YEARS OLD." HE ALSO REFUSED TO HAVE HIS DEPARTMENT ISSUE GUIDELINES TO THE STATES ON THE 26TH AMENDMENT BECAUSE HE FELT THAT "THE JUSTICE DEPARTMENT COULD PRE-EMPT THE LEGISLATIVE ROLE OF CONGRESS" IF IT ISSUED GUIDELINES FOR THE STATES ON A CONSTITUTIONAL AMENDMENT.

ALTHOUGH THE ATTORNEY GENERAL'S ACTIONS IN THIS AREA ARE JUSTIFIED, IT IS MY HOPE THAT THEY ARE NOT INDICATIVE OF THE ADMINISTRATION'S ATTITUDE TOWARD A MUCH NEEDED SYSTEM FOR NATIONAL VOTER REGISTRATION.

I CALL UPON PRESIDENT NIXON TO PLACE THE GREAT WEIGHT OF HIS ADMINISTRATION BEHIND THE VOTER REGISTRATION BILL WHICH THIS COMMITTEE WILL REPORT TO THE SENATE FLOOR. IF PRESIDENT NIXON IS SILENT ON THIS ISSUE OR OPPOSES IT, THEN IT WILL BE DIFFICULT FOR THE CONGRESS TO ENACT LEGISLATION WHICH WILL OFFER THE GREATEST NUMBER OF PEOPLE A WAY TO VOTE.

IT DOES NOT SERVE THIS NATION WELL TO PRETEND THAT ANY AMERICAN MAN OR WOMAN OVER 18 CAN VOTE IN 1972 IF HE OR SHE WISHES TO DO SO. POVERTY, IGNORANCE, OLD AGE AND UNREASONABLE STATE LAWS STAND TO OBSTRUCT THE POLLING BOOTH FOR MILLIONS OF AMERICANS.

I URGE THIS COMMITTEE TO REPORT OUT QUICKLY, LEGISLATION
WHICH WILL ELIMINATE REGISTRATION AS A MAJOR BARRIER TO TRUE,
UNIVERSAL SUFFRAGE.

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