by Susan Reefer
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When the Senate passed the Help America Vote Act of 2002 early in October, it was one of those good news, bad news situations.

The legislation had already been passed by a wide margin in the Republican-controlled House, and the Democratic-controlled Senate passed it 92 to 2. The President, a Republican, has pledged to sign it into law. So the bill will be born into law with no lack of bi-partisan parentage. And that's good news.

The Help American Vote Act includes $3.86 billion in federal aid over the next four years to state and local governments to help them improve and upgrade current voting methods. The law includes stipulations to ensure that registered voters who show up at polling places will be allowed to vote that day, even if their names do not appear on the voter registration rolls. There are several provisions to address voter fraud and keep voting rolls accurate. There are timetables to ensure that within four years, statewide voter registration systems will be computerized and linked to state agencies for issuing driver's licenses. There are plans in place to allow voters the chance to correct balloting errors before the ballots are officially cast.

It is a comprehensive, timely, sweeping set of reforms designed to ensure that every eligible voter has the chance to cast a vote, and that the vote will be counted accurately. As I said, good news.

But as is often the case, New York City finds itself in a unique set of circumstances. That voting reforms are needed here in the city is a fact that few in government or public policy would dispute. But the two votes against the legislation in the U.S. Senate were both from the New York delegation: those of Senator Charles Schumer and Senator Hillary Clinton.

The reasons any legislator has for casting a vote either for or against a given piece of legislation are complicated. It can be difficult to say with certainty that even two Senators from the same party and the same state had all the same reasons for casting the same votes.

But a recent report by the Century Foundation, a non-partisan think tank, shows that the newly passed Help American Vote Act may not address every problem, particularly here in New

York City.

In other words, the bad news.

The report looked at several campaigns that took place in 2001. It compared governor's races in New Jersey and Virginia, and mayoral races in New York and Los Angeles. The report concluded that while voting technology was important, it was not as important as voter education, sufficient numbers of trained poll workers, and the availability of translators.

As an example, the report points to the fact that in New Jersey, there were more uncounted votes in 2001 than in 2000, even though the state upgraded its punch card ballot machines between the elections.

In New York City, the use of lever machines that constantly break down or otherwise malfunction was blamed for the city's tremendous numbers of lost, unmarked, or uncounted votes in the 2000 elections. Indeed, the number exceeded the lost votes cast in the rest of the nation combined. No one would argue against improving and modernizing the equipment. But just one year later, in 2001, the city had more complicated problems: lack of trained poll workers, lack of translators, and other problems resulting in barriers to non-English speaking voters.

This report may parallel some of the concerns that New York's two Senators had when they cast the only two voters against this otherwise widely popular legislation. Maybe they thought it would be a reminder that no matter how well intentioned or well-funded, any reform can be ineffective or even destructive if it is not carefully tested and monitored.

The Help America Vote Act -- The Good News and Bad News For NYC

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Bruce Schaller is Principal of Schaller Consulting, which provides research and analysis to government, business and non-profit groups seeking to identify and meet customer needs in the transportation sector. He is also a Visiting Scholar at the Center for Transportation Policy and Management at New York University.