

## 2005-06 SESSION

### COMMITTEE HEARING RECORDS

#### *Assembly Committee on Campaigns & Elections (AC-CE)*

Sample:

#### Record of Comm. Proceedings ... RCP

- 05hrAC-EdR\_RCP\_pt01a
- 05hrAC-EdR\_RCP\_pt01b
- 05hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤ \*\*

➤ Clearinghouse Rules ... CRule

➤ \*\*

➤ Committee Hearings ... CH

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Executive Sessions ... ES

➤ \*\*

➤ Hearing Records ... HR

➤ 05hr\_sb0046\_AC-CE\_pt01

➤ Miscellaneous ... Misc

➤ \*\*

➤ Record of Comm. Proceedings ... RCP

➤ \*\*

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**SENATE COMMITTEE ON EDUCATION, ETHICS AND ELECTIONS  
HEARING ON SB 46**

March 2, 2005

I am Herman Holtzman, and I represent the 76.2% of likely Wisconsin voters (including 71% of Wisconsin Republican voters) who showed support for full public funding (CLEAN MONEY) of state elections in a poll conducted by Chamberlain Research in February 1999.

Our recent experience with the legislative scandals and passing an unconstitutional campaign finance reform bill should be a mandate to pass real campaign finance reform. I believe that if this poll was conducted today, the percentage for full public funding would be much higher.

I support some of the provisions of SB 46 to create meaningful reform. Unfortunately, SB 46 falls short in a few areas.

The Milwaukee Journal Sentinel on November 3, 2002 quoted Sen. Ellis as saying, "let's eliminate the influence of special interests by enacting real, honest and effective campaign finance reform". But SB 46 includes partial public funding of only 35% of the spending limit. How can legislators honestly eliminate the influence of money when they have to rely on private campaign contributions for 65% of the spending limit? Reducing possible corruption to 65% is not acceptable. "CLEAN MONEY" elections can only be obtained with full public funding.

You, Sen. Ellis, were quoted in Isthmus (10/29/99) as follows: "It's a goddamn money chase. Part of my job description as Republican leader of the Senate is to shake down everybody for money. The same is true of for all of the state Legislature's Republican and Democratic leaders. I've got a tin cup, Chuck Chvala's got a tin cup, Scott Jensen's got a tin cup, Shirley Krug's got a tin cup. And every time you go in and get some of their money (the special interests), they strip away a little more of your integrity, they strip away a little more of your independence. You give them a piece of what you are, and on your freedom to represent your constituents, to base your determinations on intellectual arguments..."

More recently (November 2002) Sen. Ellis said, "We cannot wait until the budget is passed. This state cannot afford to put another budget on the auction block. One of the reasons we have these huge deficits is that neither party felt they were able to step on the toes of those who funded their campaigns."

In view of the above statements, I request the Committee approve an amendment to provide full public funding? That is the only way to get rid of the tin cup.

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Please refer to the attached "THE CASE FOR FULL PUBLIC FINANCING"

- Reasons for full funding of elections certainly outweigh the reasons against.
- Do you have other reasons against full public funding?

Every function of government is paid 100% by taxpayers.

- TAXPAYERS pay 100% for the election process, not 35%.
- TAXPAYERS pay 100% for Constitutional Officers' and Staff's salaries, benefits and expenses (**including while they are campaigning**), not 35%.
- TAXPAYERS pay only 35% of candidates' campaign expenses.
- CANDIDATES pay for 65% of their campaigns thru contributions**

Election campaigns are one of the most important functions of government and therefore should be fully financed by taxpayers, as are other important functions of government. Again, I request that an amendment calling for full public financing is included in SB 46.

My second area of disagreement is the SB 46 spending limits that substantially increase the existing spending limits by 3.7 times for Governor, 1.6 times for Lt. Governor, 1.3 times for Attorney General and 4.3 times for Legislators. With full public funding and eliminating the approximate 25% cost of fund raising, the spending limits can be reduced substantially, while still providing an effective spending limit close to SB 46 high limits. See following comparison:

STATE-WIDE CONSTITUTIONAL OFFICES	SB 46 PROPOSAL 35% PUBLIC FUNDING		FULL PUBLIC FUNDING	
	SPENDING LIMITS	EQUIVALENT SPENDING LIMIT @ 25% FUND RAISING	PROPOSED SPENDING LIMITS	EQUIVALENT SPENDING LIMIT @ 25% FUND RAISING
GOVERNOR	\$4,000,000	\$3,816,667	\$2,750,000	\$3,666,667
LT. GOVERNOR	\$500,000	\$477,083	\$350,000	\$466,000
ATTY. GENERAL	\$700,000	\$667,917	\$480,000	\$640,000
SEC OF STATE	\$250,000	\$238,542	\$165,000	\$220,000
TREASURER	\$250,000	\$238,542	\$165,000	\$220,000
PUBLIC INSTR.	\$250,000	\$238,542	\$165,000	\$220,000
SUPREME COURT	\$300,000	\$286,250	\$200,000	\$266,667
STATE SENATE	\$150,000	\$143,125	\$100,000	\$133,333
STATE SENATE	\$150,000	\$143,125	\$100,000	\$133,333
ASSEMBLY	\$75,000	\$71,562	\$50,000	\$66,667

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My third area of disagreement with SB 46 is the lack of any financial support for candidates in primary races. In many districts the winner of a primary determines the winner of the general election. In the 2002 election only 8.7% of the incumbent legislators faced primary opposition. Full public funding will provide a portion of the spending limit for primaries.

A two-term legislator, Rep. Meg Burton Cahill from Arizona, who came to Madison to share her experiences with Arizona's highly-acclaimed CLEAN ELECTION" system said, "Ordinary citizens like me without much money can now run for office by showing sufficient public support to qualify for Clean Elections funding, and then we can run competitive campaigns." She also said, "competitive races makes her a better legislator."

Finally, the \$5 check-off, which is supposed to finance public funding, should be eliminated since it will not provide a sure way of fully funding grants and matching money. The cost of full public funding should be included in the budget as part of the cost of government as are other important government functions.

"CLEAN ELECTIONS" reform is not just a law, it's a revitalization of democracy," stated Chairman Marc Spitzer of the Arizona Corporation Commission, who ran clean and won.

One last quote that I'm sure you have heard before:

**Robert M. La Follette said, "I believe that half a loaf is fatal whenever it is accepted at the sacrifice of the basic principal to be attained. Half a loaf, as a rule, dulls the appetite and destroys the keenness of interest in attaining the full loaf. A halfway measure never fairly tests the principal and may utterly discredit it. It is certain to weaken, disappoint, and dissipate public interest."**

This Committee should not squander this opportunity to eliminate the tin cup Sen. Ellis once referred to raise money. The time is ripe. The majority of the people want it. Legislators should be embarrassed if they do not support "CLEAN MONEY" election reform.

It's ironic that anti-reform legislators who dismiss public financing as "welfare for politicians" or "socialized campaigning" had no problem being on the public dole and spending \$4 million a year on state offices called legislative caucuses that engaged in secret, illegal campaign activities to help them get re-elected. They also have no problem spending almost \$60 million more from the public treasury on their office accounts, mailing privileges and personal staffs. Their opposition to full public financing of campaigns is hypocritical to say the least. They support a very expensive system of public financing, but it only helps those in power and not candidates who seek to challenge them

# THE CASE FOR FULL PUBLIC FINANCING

## UNION HEADLINE

**"VOTERS MAY HAVE TRIED TO INFLUENCE THE LAST ELECTION"**

\*\*\*\*\*  
**SENATOR BOB DOLE SAID,**

**"People who give money to campaigns expect more than good government".**

\*\*\*\*\*  
**STATE SENATOR MICHAEL ELLIS SAID,**

**"Public policy should be determined on merits".**

\*\*\*\*\*  
**JOHN NICHOLS SAID,**

**"Consider how powerful the media and communication lobbies are in Washington, D.C., as they routinely use the campaign contribution scalpel to remove politicians' backbones".**

\*\*\*\*\*  
**Election campaigns should be independent of special interests, fair for the candidates, educational for the public, and simple to administrate.**

### REASONS FOR "CLEAN MONEY"

Eliminates corruption and the appearance of corruption  
Saves taxpayers many times the cost of public funding when the influence of money is eliminated from policymaking  
Provides financial help to encourage good candidates to participate in the primary election  
Eliminates dependence on special interests  
Eliminates fund raising and the spending arms race  
Eliminates the need for spending money to raise money  
Eliminates the time and energy spent by the candidate and staff for fundraisers  
Reduces the short radio and TV ads which are conducive to negative and distorting images  
Provides more time for candidate to study the issues, participate in debates and forums and respond to questionnaires  
Provides more free speech  
Encourages the public to attend political meetings knowing they won't be asked to contribute to candidates  
Encourages the public to learn about the issues since they won't be bombarded with misleading TV ads  
Eliminates accounting for contributions and submitting reports  
Eliminates auditing of contribution reports by Elections Board  
Eliminates confusion over who, where or when contributions may be made  
Eliminates accumulation of war chests  
Reduces public cynicism and engages people in the election process  
Restores the public's faith in the election process  
Restores Wisconsin's reputation for clean government  
Revitalizes Democracy

### REASONS AGAINST

Taxpayers should not finance elections of candidates they don't support  
  
Legislators don't want reform that may jeopardize their election  
  
Some reformers are willing to accept partial corruption

**IF THE ABOVE WAS A SCALE OF JUSTICE, WHICH REASONS WEIGH MORE?**

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TO: \_\_\_\_\_ DATE \_\_\_\_\_

Even with the scandals and convictions, the clouds of corruption still hang over the Capitol. To remove the suggestion "that every one is doing it" we must get private money out of the election process.

Full public funding is the only way. Assembly Bill 626 (still in committee) establishes a CLEAN ELECTIONS FUND to provide for full public funding but there is no money in the budget or in the Fund for its implementation. A positive source of money could be obtained if all statewide and legislative candidates contributed their campaign money, to the CLEAN ELECTIONS FUND.

**IF** Governor Doyle were to lead the way and contribute his campaign contributions to the CLEAN ELECTIONS FUND for the upcoming elections in September and November 2006, would you follow suit?

YES \_\_\_\_\_ NO \_\_\_\_\_

It is understood that if less than 90% of all candidates agree to contribute, the program is cancelled and no one has to contribute.

\_\_\_\_\_  
Signature

**INCLUDED IN AB 626**

OFFICE	QUALIFYING SIGNATURES	SEED MONEY	PRIMARY ELECTION SPENDING LIMIT	GENERAL ELECTION SPENDING LIMIT
GOVERNOR	3,000	\$50,000	\$1,000,000	\$2,000,000
LT. GOVERNOR	750	\$12,500	\$ 250,000	\$ 500,000
ATTY GENERAL	1,050	\$17,500	\$ 350,000	\$ 700,000
STATE TREASURER	375	\$ 6,250	\$ 125,000	\$ 250,000
SEC. OF STATE	375	\$ 6,250	\$ 125,000	\$ 250,000
STATE SUPT.	375	\$ 6,250	\$ 125,000	\$ 250,000
JUSTICE	450	\$ 7,500	\$ 150,000	\$ 300,000
STATE SENATOR	150	\$ 2,500	\$ 50,000	\$ 100,000
STATE ASSEMBLY	100	\$ 1,500	\$ 25,000	\$ 50,000

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**TESTIMONY BEFORE THE COMMITTEE ON  
CAMPAIGNS AND ELECTIONS  
MAY 18, 2006**

IT IS EMBARRASSING TO COME TO THIS COMMITTEE AND PRESENT THE SAME INFORMATION I DID IN SEPTEMBER 2001 AND MARCH 2005 REGARDING FULL PUBLIC FUNDING OF CAMPAIGNS.

I THOUGHT THAT WITH ALL THE SCANDALS DURING THE PAST FEW YEARS AND THE CLOUD HANGING OVER THE CAPITOL WITH REGARD TO WHAT LOOKS LIKE PAY-OFFS FOR CONTRACTS, PASSING FULL PUBLIC FUNDING OF CAMPAIGNS AND ETHICS REFORM WOULD HAVE BEEN A SHOO-IN. UNFORTUNATELY, YOU LET THE BILLS DIE. WHAT IS IT GOING TO TAKE TO GET THE PRIVATE MONEY AND POSSIBLE CORRUPTION OUT OF THE SYSTEM?

AT THE SENTENCING OF SCOTT JENSEN, JUDGE STEVEN EBERT SAID, "THIS ENTIRE SORDID AFFAIR HAS BEEN AN EXTREME AFFRONT TO WISCONSIN'S DEMOCRATIC TRADITION' AND SHOWS A FLAGRANT ABUSE OF TRUST BY ASSORTED PUBLIC OFFICIALS." NOT PASSING A FULL PUBLIC FUNDING LAW AFTER ALL THAT HAS HAPPENED PUTS THE LEGISLATURE IN THE SAME CATEGORY.

IF YOU DO NOT PASS FULL PUBLIC FUNDING OF CAMPAIGNS AND ALLOW PRIVATE MONEY TO CORRUPT THE SYSTEM, YOU ARE CONDONING BRIBERY, PAY TO PLAY, AND A WINK AND A NOD.

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TESTIMONY BEFORE THE COMMITTEE ON CAMPAIGNS AND ELECTIONS  
SEPTEMBER 13, 2001

WELL, HERE WE ARE AGAIN, ANOTHER HEARING. WHY ARE WE WASTING ANY MORE TIME ON THIS? EVEN IF YOU VOTE IN FAVOR OF "IMPARTIAL JUSTICE" OR THE RISSER-POCAN FULL PUBLIC FUNDING BILL, THEY ARE NOT GOING ANYWHERE. WHY?

SPEAKER SCOTT JENSEN WON'T LET IT. AND THIS COMMITTEE AND MANY OF THE OTHER LEGISLATORS WILL NOT DO ANYTHING ABOUT IT, AS WAS THE CASE IN THE LAST SESSION WHEN THE SENATE PASSED "INPARTIAL JUSTICE" BY A 30-3 VOTE AND SCOTT JENSEN REFUSED TO SCHEDULE IT FOR A VOTE. IF THERE WAS ANY ATTEMPT TO FORCE JENSEN TO SCHEDULE A VOTE, IT FAILED. WHY IS JENSEN SO POWERFUL?

MONEY

JENSEN SPENT OVER \$300,000 AND RECEIVED 70% OF THE VOTE IN A VERY SAFE DISTRICT IN THE LAST ELECTION. HE HAD TOKEN OPPOSITION FROM A YOUNG STUDENT WHO SPENT ONLY \$10,000. HE SPENT ABOUT \$135,000 JUST ON MAILINGS. WITH ALL THAT MONEY, COULD HE HELP OR HINDER YOUR RE-ELECTION?

SCOTT JENSEN SAID, "THE PEOPLE WANT JUDGES TO BE IMPARTIAL, BUT CONTRIBUTORS WANT JUDGES TO BE PARTIAL". DO JENSEN'S MANY CONTRIBUTORS EXPECT IMPARTIAL LEGISLATION? THE PEOPLE ALSO WANT LEGISLATORS TO BE IMPARTIAL AND THE ONLY WAY TO GET IT IS TO PROVIDE FOR FULL PUBLIC FUNDING OF ELECTIONS.

TV CHANNEL 3, ON THEIR MAY 31, 1999 EDITORIAL STATED, "THERE MUST BE COURAGEOUS LAWMAKERS WHO WILL DO WHAT'S RIGHT RATHER THEN WHAT CHUCK CHVALA OR SCOTT JENSEN TELL THEM TO DO.



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I DISTRIBUTED A HANDOUT AT YOUR HEARING LAST SESSION TITLED THE CASE FOR FULL PUBLIC FINANCING. APPARENTLY IT WAS IGNORED. IT LISTED 20 REASONS IN FAVOR OF FULL PUBLIC FUNDING FOR CAMPAIGNS AND ONLY ONE REASON AGAINST, WHICH I NOW CHANGE FROM 'SOME LEGISLATORS WON'T VOTE FOR IT' TO, "SCOTT JENSEN WON'T LET YOU VOTE FOR IT".

I ADDED A QUOTE FROM JOHN NICHOLS' BOOK, IT'S THE MEDIA STUPID, "CONSIDER HOW POWERFUL THE MEDIA AND COMMUNICATION LOBBIES ARE IN WASHINGTON, D.C., AS THEY ROUTINELY USE THE CAMPAIGN CONTRIBUTION SCALPEL TO REMOVE POLITICIANS' BACKBONES".

ANOTHER HANDOUT IS AN ARTICLE I WROTE FOR MATURE LIFESTYLES TITLES "WHAT HAPPENED TO CAMPAIGN FINANCE REFORM ON THE WAY TO THE 2000 ELECTION? NOTHING! PLEASE READ IT.

FINALLY, A GUEST COLUMN APPEARED IN THE WISCONSIN STATE JOURNAL ON OCTOBER 26, 2000 AUTHORED BY REP. FREESE AND REP. TRAVIS WHICH CONTAINED THE FOLLOWING STATEMENTS: "THE ONLY WAY CANDIDATES CAN BE REQUIRED TO ABIDE BY SPENDING LIMITS IS TO RECEIVE PUBLIC CAMPAIGN FINANCING AND THE MONEY THE PUBLIC WILL SAVE BY AVOIDING POLITICAL PAYBACKS WILL FAR SURPASS THE MODEST AMOUNTS A SENSIBLE PUBLIC FINANCING PROGRAM WOULD COST. MAYBE AFTER THE- UNDER-THE TABLE SPENDING ORGY WE ARE ABOUT TO SEE OCCURS, THE PUBLIC AND LEGISLATORS FROM BOTH PARTIES WILL BE WILLING TO REVISE OUR QUARTER CENTURY OLD CAMPAIGN FINANCE LAWS". YOU DON'T STATE FULL PUBLIC FUNDING, BUT THAT IS THE ONLY WAY TO ELIMINATE THE UNDER-THE-TABLE SPENDING ORGY.

AS YOU CAN SEE, I'M NO YOUNGSTER AND I HAVEN'T THE TIME TO WAIT WHILE THE LEGISLATORS PLAY GAMES. POLLS HAVE SHOWN THE PUBLIC HAS ALREADY SPOKEN. WILL THE LEGISLATORS? PLEASE VOTE FOR AB 295 AND AB 303.

# The Capital Times

## NEW CAMPAIGN FINANCE REFORM BILL PROPOSED

Date: Thursday, November 21, 2002  
 Section: LOCAL/STATE  
 Edition: SECOND  
 Page: 7A  
 Byline: By Anita Weier The *Capital Times*

State Sen. Michael Ellis, R-Neenah, and Sen. Jon Erpenbach, D-Middleton, today launched a bipartisan effort to overhaul campaign finance laws.

Joined by Rep. Julie Lassa, D-Plover, and Jay Heck of Common Cause at a State Capitol press conference, the senators said it is imperative that a serious *campaign finance reform* bill be enacted by June 1.

"We cannot wait until the budget is passed. This state cannot afford to put another budget on the auction block," Ellis said. "One of the reasons we have these huge deficits is that neither party felt they were able to step on the toes of those who funded their campaigns."

One proposal would bar all campaign fund raising by incumbents from the time the governor introduces the state budget bill until the time it is signed into law.

Erpenbach said the bill is aimed at leveling the playing field so candidates don't have to seek special interest sponsorship.

"This Legislature recognizes we have a real problem in this state," Erpenbach said. "For the good of democracy, this is something we have to do."

Ellis said the measure corrects problems with the bill passed during the last session that is now before a federal court. He said that bill was designed to fail constitutionally.

Among other things, the new bill would:

- Grant candidates who accept spending limits public money equal to 45 percent of the limit.

- Establish larger voluntary statutory spending limits for statewide and legislative elections indexed to inflation. These would range from \$2 million for governor to \$100,000 for a senator to \$50,000 for a representative.

- Provide to a candidate who complies with the spending limit a dollar-for-

dollar match for every dollar raised by his or her opponent above the spending limit.

Provide a candidate who complies with the spending limit a match for every dollar spent by an independent expenditure organization or individual above a certain threshold.

Compensate a complying candidate who is the "victim" of an issue ad that depicts the name or likeness of a candidate, the candidate's office to be filled, or his political party, within 60 days of the general election or 30 days of the primary.

Require that independent-expenditure and issue-advocacy groups depicting candidates within 60 days of a general election or within 30 days of a primary election report to the State Elections Board the amount they intend to spend within 24 hours of committing the funds.

Bar a candidate who receives a fully funded public grant from receiving any political action committee money, and limit the amount of committee money non-complying candidates could accept. Conduit contributions would continue to be considered as individual contributions, but would be subject to the same cumulative limits that apply to committees.

Treat legislative campaign committees, currently controlled by legislative leaders, as regular PACs.

Specify that if the provision pertaining to the treatment and public funding match for targets of independent expenditures is struck down by the courts, the provision pertaining to issue advocacy would be severed as well. The rest of the measure would still be in effect.

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**Public Financing of Election Campaigns**  
**TABLE 4 – Tax Refunds, Credits and Deductions for Political Contributions**

	<b>Description</b>
<b>Arizona</b> §16-954	Income tax credit of up to \$550 or 20% of tax amount, whichever is higher, for voluntary donations to the Clean Elections Fund Taxpayers may also mark a \$5 <sup>a</sup> check-off, which is transferred to the fund.
<b>Arkansas</b> §7-6-222	\$50 <sup>a</sup> credit against state income taxes allowed for contributions to candidates, PACs and parties
<b>Hawaii</b> §11-226	\$500 income tax deduction for contributions of \$100 or less to candidates who agree to adhere to spending limits or to a party central or county committee
<b>Minnesota</b>	\$50 per year refund for contributions to political parties and candidates who agree to spending limits
<b>Montana</b>	\$100 <sup>a</sup> per year income tax deduction for political contributions
<b>North Carolina</b>	\$25 per year income tax deduction for contributions to candidates and newsletter funds
<b>Ohio</b> §5747.29	\$50 <sup>a</sup> credit against state income taxes owed for contributions to candidates
<b>Oklahoma</b>	\$100 per year income tax deduction for contributions to a candidate or political party
<b>Oregon</b>	Income tax credit equal to the lesser of \$50 <sup>a</sup> or the tax liability of the taxpayer for contributions to major or minor parties, party committees, candidates who agree to spending limits, political committees organized and operated exclusively to support or oppose ballot measures or questions to be voted upon within the state
<b>Virginia</b>	Income tax credit equal to 50% of the amount contributed to a local or state candidate. Maximum credit \$25 <sup>a</sup>

(a) amount may be doubled for joint returns

(A) A system of file maintenance that makes a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters. Under such system, consistent with the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), registrants who have not responded to a notice and who have not voted in 2 consecutive general elections for Federal office shall be removed from the official list of eligible voters, except that no registrant may be removed solely by reason of a failure to vote.

(B) Safeguards to ensure that eligible voters are not removed in error from the official list of eligible voters.

(5) VERIFICATION OF VOTER REGISTRATION INFORMATION.—

(A) REQUIRING PROVISION OF CERTAIN INFORMATION BY APPLICANTS.—

(i) IN GENERAL.—Except as provided in clause (ii), notwithstanding any other provision of law, an application for voter registration for an election for Federal office may not be accepted or processed by a State unless the application includes—

(I) in the case of an applicant who has been issued a current and valid driver's license, the applicant's driver's license number; or

(II) in the case of any other applicant (other than an applicant to whom clause (ii) applies), the last 4 digits of the applicant's social security number.

(ii) SPECIAL RULE FOR APPLICANTS WITHOUT DRIVER'S LICENSE OR SOCIAL SECURITY NUMBER.—If an applicant for voter registration for an election for Federal office has not been issued a current and valid driver's license or a social security number, the State shall assign the applicant a number which will serve to identify the applicant for voter registration purposes. To the extent that the State has a computerized list in effect under this subsection and the list assigns unique identifying numbers to registrants, the number assigned under this clause shall be the unique identifying number assigned under the list.

(iii) DETERMINATION OF VALIDITY OF NUMBERS PROVIDED.—The State shall determine whether the information provided by an individual is sufficient to meet the requirements of this subparagraph, in accordance with State law.

(B) REQUIREMENTS FOR STATE OFFICIALS.—

(i) SHARING INFORMATION IN DATABASES.—The chief State election official and the official responsible for the State motor vehicle authority of a State shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the motor vehicle authority to the extent required to enable each such official to verify the accuracy of the information provided on applications for voter registration.

(ii) AGREEMENTS WITH COMMISSIONER OF SOCIAL SECURITY.—The official responsible for the State motor vehicle authority shall enter into an agreement with