The Debate Over Teledemocracy

Tony Babeo

1. Introduction.

Research, development, and technology all are important aspects by which experts and observers alike judge the progress of a society. The effects of technology are imminent in the political world as well, and nowhere is the debate over those effects stronger than the debate raging over "teledemocracy." The idea of teledemocracy will lead the United States into a more directly democratic system; and the concepts of teledemocracy carry a strong emotional pull cutting clear across the political spectrum.

Teledemocracy, the use of computers, telephones, faxes, etc. as a medium for getting the ordinary citizens involved in the law-making process was recently brought to the nation's attention in the 1992 presidential campaign by H. Ross Perot, one of teledemocracy's leading proponents. Perot's idea of the electronic town hall is designed so that citizens might bypass the machinery of representative democracy and directly influence the government, thereby ending gridlock in Congress and abolishing special interest control over the legislature. In Perot's opinion, as well as numerous other supporters', this can be accomplished by presenting an agenda of issues ranging from taxes to health care by television and then having the American people vote via telephone, fax, computer modem, videophone, and two-way interactive cable TV. This, of course, would be a drastic step away from our representative system, replacing small deliberative bodies such as Congress with TV shows in which people vote using a push button phone. If these drastic steps are taken, are these new concepts in line with the views and goals set forth by our Framers in the Constitution?

With the current state of American politics, the idea of teledemocracy sounds appealing. As recent polls have shown, disinterest and disaffection with the American political system has never been higher. Eighty percent of those surveyed in a 1993 Washington Post/ABC News poll said that the "country needs to make major changes in the way government works." Also, in The Harris Poll conducted from Nov. 8-10, 1994, 88% of adults felt that political action committees which give money to political candidates have too much influence on Washington. At the same time, 82% felt that public opinion had too little influence on Washington. But is teledemocracy the
answer? Proponents of teledemocracy feel there is no better way to reinvolve the people than by placing them in charge of deciding the issues. After all, the essence of democracy is letting the people’s voices be heard. But problems with this new form of democracy exist and any rash, reactionary decisions could be irreversibly costly to our government. No one knows for sure which choice is right for our future, but one thing remains certain, teledemocracy is here and its methods and results should be considered so as to provide the optimal solution for running the United States government.

2. Why Teledemocracy Should Be Implemented.

The argument in favor of implementing the concept of teledemocracy is rooted in three basic arguments. These ideas include: (1) empowering the people and energizing the electorate, (2) ending the inefficiencies and gridlock within Congress, and (3) abolishing special interest control over the legislature. Each proposition carries considerable weight in favor of this technologically advanced alternative, while at the same time toting excess baggage.

2.1 Empowering the People and Energizing the Electorate.

The history of direct democracy began with town meetings in the ancient Greek polis, and later in the New England town meetings. Each of these systems enabled large numbers of people to have an active and direct role in their government. As such, this fulfills Abraham Lincoln’s definition of democracy as “a government by the people.” As Brian Beedham explains in The Economist, “The basis of modern democracy is the proposition that every adult person’s judgment about the conduct of public affairs is entitled to be given equal weight with every other person’s. However different they are from each other—financially, intellectually, in their preference between Schubert and Sting—all men and women have an equal right to say how they wish to be governed.”

A definition of democracy which clearly highlights the right of the people to have their voices heard throughout the government clearly welcomes the technological advancements that make teledemocracy possible. After all, now it is feasible to “take the pulse” of the electorate to see how it feels on each and every issue facing the United States today.

Protecting the democratic voice of the people was a concern for the Framers of the Constitution. But rather than allowing the people to use that voice directly, they entrusted the power to representatives of the people. Whether it was arrogance that created an incredible distrust of the people’s intelligence or not, the Framers did not trust the masses with making the necessary, and always difficult, decisions that face our legislature each day.
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Our government was based on a "rule by elites" which placed all the decisionary power in the hands of the well-educated, property owning, white males of 18th century America. But there is no longer much difference in the wealth or education of voters and their elected representatives as there was in the 18th and 19th centuries. No longer do we need to abide by the concept that the ordinary man's role in politics needs to be confined to the periodic election of representatives whose views he broadly agrees with, because the ordinary man is now more equipped to take on the hard practical decisions of government.

A hundred years ago fewer than 2% of Americans aged between 18 and 24 went to college; now more than a quarter do. This spread of education has been accompanied by an equally dramatic increase in the wealth enjoyed by today's Americans. In 1893, American GNP per head was $4000 at today's prices; a century later it is $24,000. Statistics like these point to a new era in American politics where people have the power to make the choices laid in front of them and grants them the opportunity to participate.

2.2 Ending the Inefficiencies and Gridlock Within Congress.

"If the people are the sovereign from which all power originates, then why should their expression of will not carry more weight than the will of the legislature." That quote best represents the idea that teledemocracy will end the inefficiencies and gridlock within Congress by implementing the ideas presented above: empowering the people. The two concepts, of course, work together to meet the common ends of a more efficient governmental process. The hundreds of thousands of proposals posed to Congress each year move at a snail's pace through both houses. However, through the use of teledemocracy, the people could speed up the legislative process. Additionally, the electorate no longer needs to be concerned over misrepresentation of their true needs and wishes; the power is in its hands.

2.3 Abolishing Special Interest Control Over the Legislature.

Millions upon millions of dollars are spent each year by PAC's and interest groups as they jockey for position on the Capital steps. Corruption and ethical concerns have long been a concern for people when considering the role of government. The precursors of teledemocracy, the initiative and referendum, were developed by the Progressive Reform movement in response of to the widely perceived corruption and control of legislatures by corporate wealth. "The Progressives' remedy curbed legislators by placing corrective power in the citizenry. Direct votes on legislation, by circumvent-
ing the legislative framework, rectify corruption that impedes legislation." It is a sad fact that Americans are no longer assured that their true feelings are echoed by their representative when he or she votes in Congress. Instead, those feelings are being superseded by the concerns voiced by the interest groups. Nowhere in the definition of democracy is it described as “a government for big business and special interests,” but that is what it has become.

3. A Case Study of Teledemocracy at Work.

Because the implementation of teledemocracy would in all likelihood disrupt the current system of politics (for good or bad), many proponents suggest that teledemocracy be implemented in a layered system. This system functions through a process whereby the legislature works within the confines of a mandate granted by the people through teledemocracy. This proposal was put to work by the National Science Foundation (NSF) when it conducted an experiment testing the electronic town meeting. With the help of the League of Women Voters, the NSF organized people into groups of ten and conducted town meetings using conference calls. By implementing the procedure with the use of telephones, each group of ten held its own electronic town meeting. The groups chose a representative to take their agenda to the next level for discussion. The representatives then held conference calls and decided on a final agenda to take to the final level where policy decisions were made. Some special devices were used to run a more effective experiment. By quickly clicking the receiver button, members notified the chair’s phone that they wished to speak. This provided an effective queuing system so people were not talking at the same time. Another device was added so members could show approval or disapproval and the speaker received feedback. This was accomplished by allowing the subjects to move levers on a continuum showing agreement or disagreement. These levers showed an aggregate response by lighting an amber light on the speaker’s phone. At the conclusion of their study, through a survey of their subjects, they were able to determine that “every member was able to participate in the decision-making process, and yet the elected representatives were free, within an area indicated by those who elected them, to work out a league-wide consensus.”

3.1 Putting the Necessary Technology in Place.

Aside from experimentation, steps are already being taken to make teledemocracy more of a reality. The phone companies and cable-TV systems are jockeying for position in what each views as a potentially vast market. In April of 1994, the nation’s largest cable company, Tele-Communications, Inc., sharply accelerated the race to link the nation by unveiling a $2 billion plan
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to lay fiber optic cable throughout 400 communities by 1996. Tele-Communications is not alone; the more than 60 firms scrambling to get a to get a toehold in the interactive market come straight from the Fortune 500: Intel, Time Warner, Microsoft, General Instruments, NBC.\(^\text{10}\)

3.2 Teledemocracy Is Already Here.

To some degree, teledemocracy is already in place and being used in various forums throughout the country. Computer links on the Internet allow voters to communicate with each other by using message boards. On these message boards, voters take part in live conferences where they can post their views, discuss current public policy, and critique the job being done by the government. These discussions take place on a broad range of topics including the economy, taxes, and gun control. A recent canvassing of the bulletin board “internet. alt. politics” revealed that during one week (November 29 to December 5, 1994), over 75 topics were discussed on one electronic bulletin board. Some of the major topics during that week were social security reform, GOP control of the House and Senate, the possibility of a new political party, possible Republican presidential candidates for 1996, and the controversial views expressed by Senator Jesse Helms. These topics are all relatively new, “hot” issues on the political landscape, but there was also a considerable amount of discussion on “old favorites” like abortion, prayer in school, and gun control.\(^\text{11}\)

Not only is the Internet used to voice opinions, but it also allows voters to ask questions and get information. For example, one subscriber asked about the result of the referendum in Alaska that dealt with possibly moving the state capital. (The proposal failed by almost 10%). Another question asked about the outcomes of the close Congressional races cited before the election by Congressional Quarterly. This required a more detailed answer, and a comprehensive review of the results were provided. Another outlet that the message boards provide is for organization of groups or drives to notify representatives about the opinions held by their constituents. A recent drive was formed to notify Congress that their constituents wanted them to vote “no” on the $30 billion budget waiver for GATT/WTO. Along with discussion about why the bill should be stopped, there was a list of voice mail numbers and fax numbers for Congressman across the country.\(^\text{12}\) Of course, this was provided so people had a viable option to communicate with their representative.

Not only do people communicate with average voters on the message boards, they also can communicate directly with representatives and officials of government. Electronic bulletin boards like http://www.lib.lsu.edu/gov/fedgov and http://thomas.loc.gov (in honor of Thomas Jefferson), exist for people to obtain information on every branch, agency, and action that takes place in their government. Information on recent votes and decisions,
as well as profiles of their representatives and districts are just a few ways electronic bulletin boards are being used to help the people become more directly involved in government. Not to be left behind, the Clinton administration has hooked up a White House phone line to record public sentiment, holds conference calls run by the president of families around the nation, and links the White House to computer bulletin boards.

The government is already using the message boards not only to answer the people’s questions and give them information, but also for its own advantage as well. Experts say the 1994 campaign marks the first time computers have become part of the campaigning process—helping candidates and voters connect without the media as a go-between. In 1994, many politicians provided electronic mail addresses and participated in electronic town meetings or Q&A sessions. Colleen Burkett, a candidate for the Pennsylvania legislature, logged into the Internet each Monday at 6 p.m. to answer questions from the voters. She explains, “It’s better than the 30-second sound bites people see or hear. They can help formulate a plan for you. And that’s what government’s all about—people making decisions. I think this is a new way of empowering the people.” Likewise, Ben Brink, a GOP congressional candidate in California’s Silicon Valley has made computer campaigning a priority. Seven of his staffers spend their time trolling the world of connected computers known as “cyberspace,” researching innovative ways of campaigning. In Brink’s opinion, his efforts netted him up to 5,000 votes in the past election that he might not have received.

Another dimension of the “virtual campaign” is the publication of position papers and qualifications over the message boards to inform the voters about particular stands or traits that qualify the candidate if elected. This was put to use by the GOP candidate for Senate in Pennsylvania, Rick Santorum. In the final few weeks preceding the election, Santorum’s opponent, incumbent Senator Harris Wofford, used a somewhat misleading ad concerning Santorum’s view of Social Security and the retirement age. Along with the usual avenues in the media, Santorum provided a detailed outline of his plan for Social Security over the Internet system. Although the effects provided by Santorum’s use of the Internet were probably minimal at best, this definitely shows the awareness that politicians now have of the “virtual campaign”.

Finally, as Colleen Burkett hinted, by communicating with the voters, politicians can formulate a plan for setting the agenda of the campaign. Although the Internet was not involved, Tom Ridge’s victory in the Pennsylvania gubernatorial race highlighted the importance of controlling the agenda when running a campaign. Not only can candidates get a better understanding of what is important by using communication on the message boards, but also by observing what is being discussed there. The candidate should attempt to align himself favorably with the key components of the campaign.
There are, however, drawbacks that exist with the current use of teledemocracy. The forum of the message boards is often misused by people to convey uninformative messages that either vent frustration or gloat in adulation. Of the 78 messages collected in my canvassing, 26 (or exactly 1/3) were used as an outlet to express extreme anger or enthusiasm. Samples of 29 messages were considered appropriate and informative, while the remaining 23 were considered somewhat useful without expressing an extreme opinion. Also, the language being transmitted is fairly unregulated and sometimes profane. Finally, who’s to say that it is actually the politician answering the questions in these electronic Q&A’s?

With these many developments in place and a being used by voters and politician alike, the future of teledemocracy seems bright, or does it? If the future is bright, is the implementation of teledemocracy the right step for the U.S. to take? Although teledemocracy may be coming whether we like it or not, some critics insist it will have negative effects on the political system and the fair workings of government.

4. Why Teledemocracy Should Not Be Implemented.

Opponents point to three short-comings of the system, including: (1) the violation of Constitutional concepts, (2) the need for Congress to protect minorities, and (3) the empowerment of special interest groups. As such, the spread of teledemocracy should be resisted, or else our political system will suffer.

4.1 Violation of Constitutional Concepts.

Much of current legislation and judicial review focuses upon the concept of the “Framers’ intent.” At the heart of the Constitution lie the basic principles of American government as was set forth by those Framers over 200 years ago. As Philip Elmer-Dewitt explains in *Time*, “the Founding Fathers did not have computers or cable TV. But they did have some experience with crowds and mass behavior . . . checks and balances guard against popular whims and demagoguery.” As such, the government was set up for rule by elites, in which the masses voiced opinions through elected representatives. It was the framers’ belief that the masses could not grasp the specifics needed to run an effective government, while also protecting “life, liberty, and property.”

Not only is the mass public incapable of handling the responsibilities of “enlightened government,” but it is also easily swayed and makes harsh, rash decisions in response to emotional issues. It is this idea that James Madison
had in mind when he wrote in *The Federalist* No. 63, "when the people stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament," government must provide "safeguard[s] against the tyranny of [such] passions."¹³

Proponents of teledemocracy hold the opinion that beliefs held by the Framers, like the one expressed by Madison, are outdated. Recent history tends to support Madison. Since the extreme forms of teledemocracy are nothing more than technological advanced direct democracy, California presents evidence that the masses can have a negative influence over government. California provides a useful model when analyzing direct democracy at the state level because citizens there have voted on more ballot initiatives—more than 200 since 1912—than anywhere in the nation. As Tom Markos explains in *The Economist*, "The explosion in voter initiatives is a form of direct democracy that has got out of control over the past ten years. Propositions and earmarked taxes, individually tailored by special-interest groups, are placed on the ballot; many are rejected, but those that get through, often bolstered by multi-million-dollar campaigns, are dumped into state law without opportunity for debate, revision or compromise. Also, they sometimes contradict one another, creating an extraordinary mess within representative government."¹⁴ The problems facing California not only highlight the inefficiencies present with direct democracy, but lead to the point that it is also inherently unfair. As Madison pointed out, the gap between the will of the majority and the voice of the legislature is there by [Constitutional] design.

The implementation of teledemocracy would open the door to more inequalities in the voting system because of a voting paradox, in which the outcome of a vote is decided, not by majority sentiment, but by the manipulation of the voting system in handling the agenda. For example, the true voice of the masses may not truly be represented in the final outcome of their vote. Legislatures, however, have a variety of structures, rules, and norms that ameliorate voting paradoxes.

### 4.2 United States/Minorities Need Representative Government.

As the problem with voting paradoxes implies, the United States needs a representative government, but this is just the beginning of the forces behind keeping the role of our Congress intact. Perhaps the most overlooked problem with teledemocracy is the absence of debate in deciding the policy. How do you conduct a meaningful discussion with thousands or millions of people? "It takes time to present all sides of a complex issue fairly, and the answers depend on how and when the questions are posed. In the ideal electronic forum, a problem like balancing the budget or reforming health
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care should be raised and thoroughly debated by many people over a period of weeks. You have to allow time for information to penetrate the social fabric,” explains Lloyd Morrisett, President of the Markle Foundation, which specializes in studying the role of the media in politics. This thorough debate can only take place in Congress or another deliberative body. If the means by which to have a debate are accomplished using teledemocracy, the debate will not be meaningful because people are more likely to express anger or enthusiasm when there does not exist a countervailing opinion. It is much easier to take an extreme, exaggerated opinion.15

Because of the absence of Constitutional checks and balances, and of deliberation by enlightened representatives, the rights of minorities will in all likelihood suffer in a system of teledemocracy. As Madison wrote in The Federalist, “If a majority be united by a common interest, the rights of the minority will be insecure.” Teledemocracy facilitates that “tyranny of the majority.” Furthermore, evidence indicates that people who vote on propositions are disproportionately well-educated, affluent and white. Minorities, the poor, and the uneducated are thus doubly underrepresented in the plebiscite. Proponents of teledemocracy must understand that economically disadvantaged people do not have internet systems like CompuServe or Prodigy and many have limited access to cable television and telephones.

Not only is the voice of the minority lacking in sheer numbers, but the majority opinion is not always considered the best alternative for society. The following examples are presented by Christopher Georges in his article “Perot and Con.” If the majority enacted laws of its own choosing, America would: sentence anyone who commits a murder to death, send all occasional drug users to military style boot camps, not allow any group to use a public building to hold a meeting denouncing the government, ban movies with foul language or nudity, outlaw the use of obscene gestures towards public officials, and ban library books that preach the overthrow of the U.S. government. Laws like these were surely not in the minds of the Framers when they outlined our government, but protecting the minority was, indisputedly, one of its key concerns.

4.3 Empowering Special Interest Groups.

The most conspicuous misconception of teledemocracy is that it will empower the people by eliminating the force that special interest groups exert on legislatures. By eliminating the legislature, or simply deemphasizing its role in law making, proponents of teledemocracy, in reality, empower the interest groups even more. Rather than “taking America back” as Ross Perot advertised, teledemocrats hand it over to the special interests. Merely because they can not bribe or cajole every voter, the interest groups hold an even greater influence over the people than they do the legislature. There are many
reasons for this hold the special interests have over the masses, the first of which involves money.

Money is the "mother's milk of politics" and, all things being equal, is the single most important factor in determining direct legislation outcomes. California once again provides a useful model. In California, more money was spent—through ad campaigns, ballot signing drives, and get-out-the-vote efforts—to influence California voters on initiative measures than was spent by all special interests to lobby California legislators on all other legislation. Who has the money to spend on these influencing efforts? The special interest groups. In California, it is not unusual for monied interests to outspend their opponents by factors of 20 to 1.16

With that greater wealth and organization, special interest groups participate in the most blatant misuse of the direct democracy. The use of propaganda to confuse and influence the voters into sometimes voting exactly the opposite way of which they feel. Look at it this way: If you are a salesman trying to sell a car to an 80-year-old woman, would you rather deal with her, or her representative—her son the lawyer. Special interests use two clever techniques to influence the voters in their favor; these are presenting the voter with an information overload or confusing the voter through deceit and misrepresentations. Each of these two devices are explained by Julian N. Eule, a professor of law at UCLA, in his article in the *Yale Law Journal* entitled, "Judicial Review of Direct Democracy."17

In regard to the information overload, Eule explains how he felt when he moved to Los Angeles from the east coast: "No one prepared me for Election Day. Sometime in mid-October a massive booklet arrived in my mailbox. At first I thought it was the local phone directory. Closer examination revealed it to be a 'Ballot Pamphlet' from various special interest groups. Its contents included a staggering array of bond acts, proposed constitutional amendments and statutory initiatives. The pamphlet contained the complete text of each ballot measure, summaries prepared by the State's Attorney General . . . the 1988 version ran 159 pages." If a law professor found these measures complicated, imagine how the average voter felt. This was a definite ploy by the special interests to take advantage of the fact that voters, when confronted with a massive amount of detailed information about an issue, simply vote "no".

Eule continues that not only was the pamphlet exhaustive, but, in his opinion, the motivating factor was aimed at confusing the voter about the significance of a "yes" or "no" vote. Other methods to confuse voters include false, or misrepresentative advertising, and adding competing propositions to the ballot that often leave the voters completely baffled about what to do; it has been proven that when voters are confused, they will simply vote no. Eule goes on to explain that, "considering the complexity and obtuseness of some measures, it's a wonder that anyone knows what he or she is voting on." The only people or groups able to accomplish this manipulation of voters
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(through its greater wealth and organizational abilities) are the special interest groups.

5. Conclusion.

The empowerment of special interests, as well as the need for a fully functional Congress and strict Constitutional interpretation, make teledemocracy politically dangerous. The costly side effects that accompany the implementation of teledemocracy far outweigh its positive features. Teledemocracy’s use in making a more informed electorate through direct communication between the electorate and their representatives serves a legitimate purpose, but teledemocracy seriously hinders the fair workings of our government. The use of a “leveled” system with mandates by the people, as was experimented with by the National Science Foundation, could provide a unique and effective twist to our sometimes stagnant political process; but dealing with a few members of the League of Women Voters is far different from incorporating the mandate of the entire country. Even if the necessary devices were in place to run a “nation-wide experiment”, this would still endanger minority rights and be open to propaganda campaigns. In the end, there may be no effective way to implement teledemocracy into our system without distorting and subverting the intent of the Framers and the government they provided.

Notes

11. Refer to Graphs & Charts at conclusion
12. Refer to Figure 1 at conclusion
16. “Perot and Con”
FIGURE 1

1. First fax and call your own two Senators against the budget waiver for GATT. At this point faxes are preferable to calls. For the call, use (800) 929-GATT (you will need a zip code from your state to be transferred to the Senate offices) at least once a day for both of your Senators until the Senate votes.

2. Then pick as many of the following as you care to fax and/or call. Our message is:

"DON'T BUST the Budget for CLINTON'S GATT BILL. Vote NO on the $30 BILLION dollar BUDGET WAIVER for GATT/WTO."

The update Senate targets on the budget waiver for GATT are:

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*Some of the fax numbers may have changed
**Use the zip codes for the FREE (800) 929-GATT phone number connection to the Senate offices.
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Selected Topics on Bboard

New GOP House and Senate