

Australian Political Exchange Program

Commonwealth of Australia to the
United States of America

Delegation Report
March 26 – April 6, 2011

Delegation Members

Kelly O'Dwyer MP, Federal Member for Higgins
Matthew Canavan, Chief of Staff, Senator Barnaby Joyce
Sarah Casey, Media and Campaign Officer,
Liberal Party of Australia (Victorian Division)
Emily Johnson, Senior Adviser, Senator Sarah Hanson-Young
Jonathan Persley, Adviser, the Hon Wayne Swan MP
Ros Spence, Deputy Mayor, Hume City Council

Note from the Delegation Leader, Ms Kelly O'Dwyer MP

It was a great privilege for me to be given the opportunity to lead the 27th Australian Political Exchange Council delegation to the United States.

I am happy to report that not only did everyone on the delegation survive – but despite the divergent political views, we all got along very well.

Special thanks must go to the accompanying Australian Political Exchange Council (APEC) officer Mrs Kim Baker for her care and consideration throughout the program; and also to Mr Geoff Barnett from APEC who gave us a most comprehensive briefing before we departed.

Ms Kristin Rheberger from the American Council of Young Political Leaders put together a fantastic program for us in the United States, for which we are all very grateful. But more than that, she was a walking font of knowledge from everything from the quirks of the US political system, to less serious subjects like where to purchase the best Christmas decorations in Washington.

We look forward to following the media and political career of our host in Puerto Rico, Mr Armando Valdes-Prieto, who, we are certain, will hold political office in the not-too-distant future. He was extremely generous with his time and knowledge, and because of this each of us can now claim to be an expert on Puerto Rican politics.

Finally, our thanks to our hosts in Denver, the El Pomar crew led by Mike Buth with associates DJ Close, Darcey Struckoff, Libby Davis and Sam Maytag. Their enthusiasm for Colorado was infectious and their knowledge extensive.

Obviously, to all of the people who took the time to meet with us, we thank you.

Delegation Report

Monday 28 March, 2011

Washington DC

American Council of Young Political Leaders (ACYPL)

The delegation met with Ms Linda Rotunno, the CEO of the American Council of Young Political Leaders (ACYPL), to discuss the role of ACYPL, as well as the current issues facing the US and her experience as an ACYPL alumna of the Australian Political Exchange Program delegation to Australia in 2008 and to Algeria in 2010.

The ACYPL is a bipartisan, non-profit educational exchange organization, whose role is to foster relations between the next generation of political leaders. Around 32 exchange programs are undertaken each year, with over 100 countries either currently or previously involved.

Ms Rotunno explained that the intention of these programs is for participants to learn diplomatic skills, engage in dialogue on bilateral issues and to develop professional relationships not only through meetings and dialogue with those in their host country, but also between the participants on exchange. It is hoped that productive and professional relationships can develop between those on the delegation as well as with those who are met through the exchange.

The current issues facing the US that were discussed with the delegation included the budget deadlock and the potential for a government shutdown, unemployment, US and ally involvement in Iraq and Afghanistan, tensions within Congress and presidential campaign movements.

The Brookings Institute

The delegation met with Mr Thomas Mann, Senior Fellow, Governance Studies, and W Averell Harriman Chair.

The Brookings Institute is a non-profit public policy think-tank that conducts research and provides recommendations to policy makers that aim to strengthen democracy, the economy, social welfare, security and international relations. As Senior Fellow in Governance Studies, Mr Mann focuses on issues related to campaigns, elections, campaign finance reform and the effectiveness of Congress.

Mr Mann spoke to the delegation about his great respect for the Australian political system, in particular the requirement for compulsory voting. He also discussed important current matters in the US, noting, however, that foreign issues such as the recent tsunami in Japan can overshadow domestic issues.

He discussed the potential shutdown of the government due to the budget dead lock, the growing influence of the political right, the continuing economic difficulties in recovering from the global financial crisis and US involvement in Libya.

Regarding the economy Mr Mann noted that approximately 13 per cent of homes in the US remain vacant, and an ongoing problem exists in dealing with declining wages following a period of stagnation and high unemployment. He also noted that there remain concerns with the slow increase of employment and growth.

Current debate on the budget currently involves consideration of a \$30 billion cut in spending in areas such as research and other programs including food inspections. Both parties need to work together to reduce the deficit, which will continue to be a large problem in the medium to long term. Mr Mann said measures that allow for an increase in taxes would need to be included in a budget package if the deficit issue is to be resolved.

Mr Mann noted that there has been a significant change in relations between the Republican and Democratic Parties, which have become polarized to an extent that has not been seen since the late 1800s and early 1900s. As such, he considered that the legislature is becoming more like a parliament in its functioning, and an increasing focus on the need to be a good 'party person' for advancement in the legislature.

US Department of State, Bureau of East-Asian and Pacific Affairs

The delegation met with Adam Meier, Division Chief, Bureau of Educational and Cultural Affairs, Office of Citizens Exchanges; Laneice Brooker, Cultural Programs Coordinator, Office of Public Democracy; Jane Carpenter-Rock, Senior Officer of the Australia Desk; and a number of other representatives from the Bureau of East-Asian and Pacific Affairs.

The representatives discussed with the delegation the importance of the US-Australia bilateral relationship and the current challenges facing that relationship.

Regarding the importance of the relationship, the representatives discussed the commonalities between Australia and the US, including language, our roots in England and common law traditions, our similar wartime experiences, our common interests in human rights and democracy, and the role of the United Nations. They noted that these shared common interests translate to policy and understandings if not always agreement, and that our current positions were a bit out of step with regard to the issue of climate change and the means of addressing that issue.

As an example of the appreciation of the relationship, it was noted that Australian diplomats have free access to the US State Department and that Australian representatives are very active participants in many US Departments. It was also noted that Ambassador Kim Beazley was undertaking a strong consultative role and was highly valued in his position.

Another important current issue discussed was the future of the US in Asia and the importance of Australia in that regard, with Australia considered the United States' best friend in the area. In particular, the representatives discussed the US relationship with China and the desire to work more closely with China, and for China to become more democratic and to address humanitarian and human rights issues.

Regarding the challenges facing the US-Australia relationship, the representatives discussed the challenge of getting a new generation to understand the relationship and its importance. To address this challenge, several strategies are being implemented, including increased use of social media, exchange programs, virtual presence posts, scholarship/fellowship programs and the promotion of education opportunities in the US.

The representatives also discussed the importance of continuing to improve the relationship through areas such as science and technology, climate change and water conservation, a joint declaration on civilian use of space, cyber security, counter-terrorism in the region, and trade issues.

The Wine Institute

The delegation met with Ms Sally Murphy, Director of Federal Relations, who discussed the role and function of the Wine Institute, as well as lobbying and advocacy in the US. Ms Murphy also discussed her experiences as an ACYPL alumna to Japan in 1991 and Australia in 1995.

In regard to the role and function of the Wine Institute, the delegation was informed that the Institute is staffed by 35 employees and represents the interests of 6700 wineries in the US, most being very small and requiring a strong voice to represent their collective and individual interests.

In regard to lobbying in the US, the delegation was informed that there are three kinds of lobbyists, being Trade Associations, which industry members choose to join and to which they pay dues (such as the Wine Institute); corporate lobbyists, which represent the interests of one corporation; and firm-based lobbyists, which market themselves, are very aggressive and often represent single issues on an as-needs basis.

Ms Murphy noted that to be a good lobbyist, it is vital that product knowledge is high and mistakes are not made, as Members of Congress have faith in those lobbyists that they know and trust. The limitations imposed on lobbyists were also discussed, specifically in relation to the significant and often onerous fundraising and disclosure rules.

Ms Murphy also discussed the particular complexities and challenges faced in representing the Wine Industry. In particular, the wine industry is highly regulated, with different rules applying to the industry in each of the States, and in some circumstances even between districts.

NBC Universal

The delegation was hosted for dinner at the Central Michel Richard Restaurant by Mr Bob Okun, Vice President, Washington Office, NBC Universal.

Discussions with Mr Okun concerned his role at NBC Universal, his perspectives on the current issues in the US and his experience as an ACYPL alumnus to Australia in 1998.

Having joined NBC Universal in February 1995, Mr Okun's role is that of a corporate lobbyist, which involves coordinating the development of NBC Universal's policy positions on legislative and regulatory issues, and representing NBC's position to the Congress, the Administration and the Federal Communications Commission.

Mr Okun also discussed the current issues facing the US from his perspective as a long-time Republican. He considered the current push from Republican members to cut spending in the budget to be appropriate and believed the potential for a government shutdown was not an unlikely outcome. He rejected notions that the Republican Party was shifting to the extreme right through the increased representation and influence of the Tea Party movement.

Tuesday 29 March, 2011

Washington DC

Resident Commissioner of Puerto Rico

The delegation met with Mr John Laufer, the Legislative Director for Congressman Pedro Pierluisi, Puerto Rico's Resident Commissioner.

This meeting was incredibly informative for the delegation, particularly in understanding Puerto Rico's unique status in the American System as a US Territory.¹ It was also impeccable timing, with the President's taskforce releasing their report into the status of Puerto Rico, with a number of recommendations.

It is interesting to note that although the US Constitution and US Laws and Regulations apply in Puerto Rico, and they can vote in presidential primaries, the vote for President is denied to the territories.

The Resident Commissioner is a non-voting member of the United States House of Representatives and the sole representative of the more than 4 million American citizens who reside in Puerto Rico. The Resident Commissioner is allowed to serve on congressional committees, and functions in every respect as a Representative except being denied a vote on the final disposition of legislation on the House floor. The Resident Commissioner is also able to introduce, co-sponsor and debate bills, yet unable to vote on the Bill, even if it is their piece of legislation.

The delegation also learnt that although the current Resident Commissioner, Congressman Pierluisi, is a Democrat, political identification in Puerto Rico is not based on whether you are a Democrat or Republican, but on where you sit on the future of Puerto Rico.

The main political parties in Puerto Rico are:

- New Progressive Party (Pro- statehood)
- Popular Democratic (status-quo, with a few tweaks)
- Independence
- Sovereignty Union Movement (Grassroots movement)

The top three issues of concern to the people of Puerto Rico are jobs, health and education, although the future of Puerto Rico is something that drives and consumes the political debate in the territory. This introduction into Puerto Rican politics provided the delegation with an insight into the unique relationship between the US and Puerto Rico, and the challenges it faces with the question of self-determination.

National Republican Congressional Committee

¹ Other US Territories that have representation in Congress are American Samoa, the Virgin Islands, Guam and Northern Mariana Islands.

As the first political campaigning meeting of the trip, many members of the delegation were looking forward to hearing from Mr Mike Shields, Political Director, National Republican Congressional Committee, and the campaign director for all the Republican House of Representatives candidates.

Mr Shields spoke about the recent mid-term elections, which saw the Republican Party perform extraordinarily well, picking up 63 seats in the House of Representatives.

The sheer financing behind any political campaign in the US is extraordinary and is something that we do not see in Australia – nor do we see fundraising events staged on the same scale. For example, the Republicans spent \$44.4 million on 208 TV advertisements alone during the 2010 mid-term elections.

Given that the upcoming Presidential campaign will be the first time in history a president will have \$1 billion to spend, the Republicans know they have their work cut out for them to engage many of the 'first-time' voters who came out in support of President Obama in the 2008 election. Issues such as jobs and the economy, the level of spending and debt, higher taxes and health care will be a big part of the 2012 presidential race.

Mr Shields credited a large part of the Republicans' success in the mid-terms to the Obama Administration's failure to sell a clear message to the people of America, which has led to the view that once you get to Washington you forget your base. The slogan that the Republicans have begun to use is, "The Democrats are the party of DC and the Republicans are the party of America".

The question of the Tea Party's influence was raised during the meeting, and Mr Shields made the point that when you have a political movement that challenges business as usual and motivates change, there is no reason to prevent that voice from being heard. He identified that the challenge for the Republican Party would be to manage and compromise with the Tea Party and its supporters.

The delegation was also interested to hear about any predictions on who would throw their hat into the ring as a candidate for president. Unsurprisingly, Mr Shields kept mum on that one!

GMMB

The delegation met with Mr Jim Margolis, Senior Partner at GMMB, the advertising company behind President Obama's 2008 presidential victory.

Mr Margolis said the clarity of the message was the key to success for the Obama's 2008 victory. He said the strategic imperatives that were used during the presidential race included:

- Own change,
- Economy,
- Reassure voters,
- Expand the electorate,
- Expand technology ,
- Create a movement.

GMMB spent more than 20 months helping to direct strategy, developing and placing advertising, and executing campaign events around the country. The effect of online campaigning was huge. The campaign achieved:

- 3 million online campaign donors,
- 15 million registered email list members,
- 5 million friends on 15 social networking sites,
- \$745 million in funds raised,
- 69 million votes.

The magnitude of success from the 2008 presidential election will never be replicated again, but the way in which communication was used has changed the way in which technology has been adapted as a political tool around the world.

In the lead up to the 2012 presidential election, the Democrats and the Obama Administration need to be able to sell their achievements to the electorate. As an incumbent it is vital to control and sell the message in the midst of the big issues of the day. They will also be faced with a Republican unit that is better equipped to tap into key areas of the electorate that they were unable to effectively convey a message to in the 2008 campaign – particularly through the use of technology and social networking.

The meeting with GMMB was an amazing opportunity for the delegation to not only understand the key elements behind a successful presidential campaign, but to also get a unique insight into how the 2008 Obama campaign utilised new media and technology unlike any other campaign in history.

EMILY's List

After meeting with both the Republicans and Democrats, the delegation met with Ms Amy Dacey, Executive Director of EMILY's List, and Ms Denise Feriozzi, Director of the WOMEN VOTE! campaign.

Meeting with EMILY's List provided an insight into the strategy employed behind electing and supporting pro-choice Democratic women to office.

Currently only 16 per cent of seats in the US Congress are held by women. Over the years, EMILY's List has helped elect 84 pro-choice Democratic women members of Congress, 16 senators, 9 governors, and hundreds of women to state and local office. The organisation has also raised \$87 million for candidates to run for office.

The WOMEN VOTE! campaign, run by Ms Feriozzi, was established in 1995 and reaches out to women voters in the days and weeks before election day, with messages to persuade them to vote for the progressive Democrats on the ballot. Evidence has shown that in the 2008 presidential race, young people and young women in particular were strongly behind Obama.

According to Ms Feriozzi, the WOMEN VOTE! campaign has also been instrumental in educating young women on running for office. EMILY's List also offers training seminars run by the best Democrat political operatives in the country to teach candidates and their campaign staff the finer points of grassroots organisation, media and messaging, and fundraising.

The meeting with EMILY's List provided the delegation with a greater understanding of how

the organisation looks for viable political opportunities and recruits strong pro-choice Democratic women candidates to run.

Wednesday 30 March, 2011

Washington DC

Department of the Interior

The delegation met with the following representatives from the Department of the Interior:

- Mr David Hayes, Deputy Secretary;
- Mr Brian Srenar, Chief of Staff to the Deputy Secretary;
- Ms Anne Castle, Assistant Secretary;
- Mr Tommy Beaudreau, Deputy Director; and
- Ms Gail Adams, Director of Government Affairs.

After introductions, an overview was given of the Department's responsibilities. The Department of the Interior (approximately 77,000 employees) is responsible for managing the natural resources and land management across the nation – approximately one-quarter of the country is national land. There is a strong focus on responsibility and conservation. Following the BP oil disaster in the Gulf of Mexico, the President created a sub-department to investigate the matter.

The delegation was given a run-down on each person's responsibilities within the Department, ranging from managing water resources to oil and gas development to working with internal and external stakeholders. The Department is vast in its jurisdiction, dealing with issues such as climate change, evasive species, water changes, indigenous affairs, resources and conservation.

The Department has a strong focus on water and the balance between supply and demand. An increasing population has meant there is strong demand, but due to larger factors (contamination, climate change, etc.) there are supply issues. The start of the 20th century saw a lot of creation of dams across the country, but this has largely stopped. This means the capacity of water to cities has changed significantly and has not kept up with demand. By the same token, the Department is also aware of what dam building does to local environments. The focus has now shifted to sustainability and 'water smart programmes', and there is a strong commitment to sustainable water supply.

The states are responsible for water control use and allocation, and the Federal Government provides incentives for water conservation (i.e. grant programs) to 'stretch' limited water supplies. The Department has been looking at water efficiency programs in Australia and how they might apply to the US.

The Department is also responsible for offshore drilling (there are approximately 3000 sites in the Gulf of Mexico) and, following the BP disaster, fundamental reforms of the regulator were announced to ensure a similar situation doesn't happen in the future. These included new policies and structures to minimise the chances of a reoccurrence.

Drilling is important to the state and national economies, but safety is paramount, and these changes to regulation will ensure that safety isn't compromised. There is an international

forum being held in the coming months with a focus on containment, which Australia will be involved in.

Australian Embassy in the United States

The delegation had lunch with representatives from the Australian Embassy, including Graham Fletcher, the Deputy Head of Mission; Jan Hutton, Congressional Liaison; Andrew Chandler, Defence; and Kathy Roper, Trade.

We were briefed on the relationship between Australia and the United States, particularly in relation to trade and defence, the United States' position on China, the US economy, climate change, immigration, the upcoming presidential elections, and the Middle East.

Unfortunately we missed the opportunity to meet with Ambassador Kim Beazley, who is well regarded in Washington. The Ambassador regularly meets with Congressmen and women and senators on specific issues. It is helpful when countries have similar political systems and speak the same language.

According to the staff at the Australian Embassy, Prime Minister Julia Gillard's visit to the US was considered a great success, and the Prime Minister extended an invitation to President Obama to visit Australia.

Thursday 31 March, 2011

San Juan, Puerto Rico

The delegation met with politicians from the various parties in Puerto Rico on Thursday, including the Hon Eduardo Bhatia (Senate Deputy Minority Leader, Popular Democratic Party), the Hon Alejandro Padilla (Senator, Popular Democratic Party and 2012 Gubernatorial candidate), the Hon Jennifer Gonzalez (Speaker of House of Representatives, New Progressive Party), Mr Angel Schwarz (Sovereignty Union Movement) and the Hon Kenneth McClintock (Secretary of State and former President of the Senate, New Progressive Party).

There were three strong themes from the delegation's meetings in Puerto Rico:

- Puerto Rican politics is dominated by the question of its relationship with the United States;
- Everyday Puerto Ricans are highly engaged in politics;
- Although a relatively wealthy country in the Caribbean, Puerto Rico remains much less well off than the United States.

Background

Puerto Rican politics remains dominated by its history as a Spanish colony and then United States territory (after the Spanish-American War). Puerto Ricans were granted US citizenship in 1917. Around 4 million people live in Puerto Rico and around another 4 million Puerto Ricans live in the United States.

The statehood question

The question of Puerto Rico's status dominates politics so much that the major parties are divided on this issue. This means that Democrats and Republicans work together within both the 'pro-statehood' party (the New Progressive Party) and the party that seeks to maintain or enhance Puerto Rico's 'Commonwealth' or 'Free Associated State' status (the Popular Democratic Party). A third party (the Independence Party) seeks nationhood status for Puerto Rico and they receive about 4 to 5 per cent of the popular vote.

Senator Eduardo Bhatia lamented this situation. In his view, continuing squabbles over Puerto Rico's status took oxygen away from the more important issues such as attracting jobs and investment and improving education outcomes.

In contrast, after a slight delay in meetings, Ms Gonzalez argued that these issues cannot be solved without Puerto Rico becoming a state. For instance, statehood would provide secure and long term federal funding for health and education.

Mr McClintock argued that only becoming a state would resolve the debate so that the focus could return to other issues. The 'statehood' party received the most votes in the last election and Ms Gonzalez argued that young people increasingly support statehood.

There have been four plebiscites on the statehood question in the last forty years. Statehood has not received a majority in any of these elections. A recent report by the President's taskforce on Puerto Rico recommended that a new federally sanctioned plebiscite be held "as soon as practicable."

Although we did not get to meet with the smaller Independence Party, we did meet with the newly formed Sovereignty Union Movement (MUS) who are campaigning for independence. According to Mr Schwarz the United States will never give Puerto Rico statehood.

The MUS has been formed because the Independence Party are losing voters. They intend to become a party but need 97,000 signatures first.

Politics and campaigning in Puerto Rico

Interest in politics is a daily topic of conversation in Puerto Rico. It dominates newspapers and participation in elections is high at over 80 per cent.

The New Progressive Party recorded a big win in the 2010 elections, mainly on the back of the issue of the large deficits presided over by the Popular Democratic Party. In response, the new government has imposed large spending cuts which have caused it to fall precipitously in the polls.

Senator Padilla remarked that in a Latin country personal contact with voters is very important. For example, if you don't kiss people you will receive a reputation that "you don't like old ladies". He is already regularly visiting the local pubs and meeting places ahead of the November 2012 gubernatorial election. Ms Gonzalez commented that politics is like a seven day a week party in Puerto Rico.

As the minority leader of his party in the Senate, Senator Bhatia finds it very difficult to caucus because, on every question other than statehood, the party will split broadly along Republican and Democratic lines. Similarly, in presidential elections, members of the same local party will be involved in the separate Republican and Democratic primaries. Puerto Ricans, however, do not directly vote for the President as they provide no delegates to the Electoral College.

Economic development of Puerto Rico

Puerto Rico's average income is around US \$20,000 per year. While relatively high for the Caribbean, its average income is a third lower than the poorest US state (Mississippi).

Traditionally an agricultural economy based on sugar and coffee, Puerto Rico's main sectors are now manufacturing and tourism. Puerto Rico successfully attracted many pharmaceutical manufacturers through a range of federal tax incentives in the 1970s.

These tax incentives have now been removed, and there are concerns about the sustainability of manufacturing investment given increased competition from Mexico and other central and South American countries. Puerto Rico's tourism sector is also facing increased competition from Cuba.

Unemployment, at over 16%, is the biggest obstacle to lifting living standards. Only one in four Puerto Ricans participate in the labour force – apparently the lowest rate in the world.

Other issues

Crime has risen rapidly in recent times with the increasing influencing of the drug trade mainly to blame. Puerto Rico is also struggling to retain highly qualified locals. The population of Puerto Rico fell by 100,000 over the last ten years.

Public schools are in a poor state, with over 85 per cent of students failing. Senator Bhatia put this down to a lack of accountability for teacher performance.

Senator Padilla argued that there were "no simple solutions to complex problems", but the debilitating effect of excessive welfare played a part. In addition, investment has been slowed by the imposition of increasing regulatory barriers to establishing and running a business.

Mr McClintock lamented that Puerto Rico had been a remarkably stable place, at least compared to the US, where there has been a revolution, a civil war and civil rights over the last three centuries. However, perception is reality, and Puerto Rico is not seen as an attractive investment location. In Mr McClintock's view, becoming a state would change these perceptions and lower Puerto Rico's cost of capital and also drive increased tourism.

It was a fascinating visit listening to the various arguments for and against statehood. In a post trip poll, views differed among delegates on the issue, with three for statehood and one against. The statehood issue will likely dominate Puerto Rican politics for some time yet.

Friday 1 April, 2011

San Juan, Puerto Rico

Informal tour of Old San Juan

As a result of some free time opening up in the morning's program, delegates were afforded the opportunity to explore Old San Juan at a relatively relaxed pace. The morning started with something which had become somewhat of a scarce commodity, not just in Puerto Rico but the entire USA – a properly made flat white coffee in a manageable serving.

Having only recently opened, the café was one of a kind in Old San Juan, with ground beans grown on a family coffee plantation. The owner of the café was presented with a 'Nationals' cap as a token of the group's appreciation for providing possibly the best coffee during the delegation's trip.

Following breakfast, the delegation set off on a walking tour around Old San Juan. Learning of the area's rich cultural and political history was of much interest to the delegation. Now one of Puerto Rico's most expensive and sought-after residential precincts, contemporary Old San Juan is certainly a far cry from its original beginnings.

Puerto Rico Bar Association

The delegation met with the President of the Civil and Constitutional Rights Commission of the Puerto Rico Bar Association (PRBA), Mr William Ramirez.

By way of background, the PRBA was established in 1840 with membership being mandatory until recently. This change led to the PRBA losing some of its functions.

The PRBA is facing a crisis when it comes to human rights in Puerto Rico. The PRBA has argued that Colony's Administration, since coming to power in 2009, have presented many challenges to upholding basic human rights. For example, many Puerto Ricans are afraid to participate in protests as they fear the heavy-handed response of law enforcement agencies. The PRBA has argued that concerted attempts have been made to cut off all avenues of public dissent available to the people of Puerto Rico. They have claimed that police brutality was a big issue in many parts of Puerto Rico.

In one example, 30,000 Puerto Rican public servants lost their jobs, which resulted in protests under 'Law Number 7'. Police were sent out to break up the demonstrations, effectively taking away their right to protest. In another example, 300 University of Puerto Rico (UPR) students were arrested for staging protests in relation to the university's administration. The Colony's Administration directed the UPR's dean to prohibit mass gatherings or activities on campus.

According to the PRBA, in 2009 the President of the Senate shut off all access to the public galleries. The PRBA refuted the President's reasoning that it was not safe to open the galleries, and instead argued that it was yet another example of the erosion of democracy

and human rights in Puerto Rico. According to the PRBA it takes approximately four weeks to gain access to legislative transcriptions.

The PRBA has argued that, due to the precarious nature of Colony's status, it was much harder to have the voices of Puerto Ricans heard around the world. For example, they have no ability to access international courts of law. Moreover, the PRBA asserts that judges of Puerto Rico's Supreme Court have publicly indicated their will to obey the political direction provided by the Puerto Rican Legislature.

Although, as US Citizens, Puerto Ricans do have a the right to pursue matters in the United States supreme courts, the PRBA claims that there are many risks involved with this process. Legal costs also present a fundamental barrier to many Puerto Ricans accessing the legal system at any level.

This is compounded by a situation where the publicly funded free legal service was the target of government savings as part of the Governor's agenda to rein in Government spending.

Caño Martín Peña Project

Delegates met with representatives from the Caño Martín Peña Project (CMPP), a community land trust charged with implementing development and land use plans.

Comprising eight similar but distinct communities, the CMPP is responsible for an area approximately 3.5 miles long, located on a complex network of estuaries.

Specifically, the plan which the trust is charged with implementing involves preparing the community, made up of approximately 20,000 people, for the large scale dredging planned for the area. It is intended that the dredging will allow for the restoration of the estuary system. This process involves relocating families from their homes, with 500 families having been relocated so far.

The area is of a very low socio-economic standing, with many people living on or below the poverty level. Following a verbal briefing at the Caño Martín Peña Project's headquarters, delegates were provided a tour of the community.

The poverty and disadvantage that exists in this community was obvious. We were told that 3,000 homes were without sewage. The basic provision of safe roads and other basic infrastructure seemed almost non-existent. On top of this, dilapidated homes, rubbish strewn across properties, and horses and animals caged in small areas made for a pretty eye-opening tour.

Notwithstanding these problems, it was abundantly clear that the representatives from the CMPP were very proud people. They appeared to understand the challenges ahead but were also quite buoyed by the successes which they spoke of. They indicated that crime rates in the area were no greater than other parts of Puerto Rico, but conceded that drug use – mainly heroin – was an issue.

The young representative from the CMPP continued the tour on a boat which took us from the enclosed waterways out into open waters, heading in the direction of San Juan airport. The focus of this leg of the tour highlighted the different forms of flora and fauna which relied on the waterways. The dredging of the canals not only means a better future for those living in proximity, but also means the strengthening of the local ecosystem.

Monday 4 April, 2011

Denver, Colorado

Native American Panel

The delegation met with Mr Darius Smith, Director of the Denver Anti-Discrimination Office; Mr Ernest House, Director of Government Affairs, Colorado Springs Chamber of Commerce; and Mr Troy Ide, former US Attorney for the Colorado District.

After introductions, the delegation was given a briefing on Native American issues in the State of Colorado. Colorado is home to the Ute tribe, of which Ernest House is a member. Eleven per cent of the population of Colorado comprises Native Americans.

There are 565 recognised Native American tribes in the United States, with many more seeking recognition. The process for recognition is not an easy one, requiring many years and a lot of money, and ultimately approval from Congress. Three per cent of the land base in the United States is Native American land.

Native American tribes are defined by the US Supreme Court as having domestic dependence sovereignty. The tribes generally deal more with the Federal Government, not the States, and federal law is still supreme over state law. Tribes have their own laws, particularly in relation to environmental protection, child welfare, courts and jurisdiction over tribal members.

We were advised that generally Native Americans don't have a heavy involvement in politics, and elections see a low turnout rate. Recently, however, a voting place was introduced on the Ute reservation.

Secretary of State

The delegation met with the Colorado Secretary of State, the Hon Scott Gessler. Mr Gessler gave an overall briefing on the State of Colorado and how his office fits into the political system.

Currently Colorado has a state legislature with a Republican majority in the House (33/32) and a Democratic majority in the Senate (20/15). At a federal level there are seven representatives to the US Congress (four Republicans and three Democrats), and two US Senators (both Democrats). At a local level the Governor is a Democrat, but the three office bearers under the government are all Republican, including Mr Gessler.

The Secretary of State's office runs election logistics – ballots, voting places, etc. The office also certifies voting machinery and ballot designs. In Colorado there is a robust campaign finance system, which means public requirements dictate only so much money can be donated and contributions are publicly disclosed. Lobbyists in the state are required to register with the office. The office is also responsible for business registration and is

currently working towards an online only system, with 99 per cent of new entries made online.

The Colorado state legislature is a part-time legislature which sits 120 days each year. It can be difficult to attract good people to run, particularly as employers are not willing to let people take part of the year off work. To some degree this gives more power to the bureaucracy.

Lunch with state legislators

The delegation had a lunch meeting with representatives from the state legislature. Issues discussed included water rights, immigration and Indigenous affairs.

Liberty Common Charter School

The delegation was invited to attend an assembly at the Liberty Common Charter School in Fort Collins. Kelly O'Dwyer MP gave a short speech on the group and Australia, and answered questions ranging from Australian culture to our time in the US.

The delegation was given an extensive tour of the facilities by Principal Bob Schaffer. The school caters to years 7-10, and the current year 10 students will progress with the school until the end of year 12 and be the school's first graduating class. The school's teachers are non-union and receive pay based on their performance. Current teachers include former academics with PhDs. The school is one of the top schools in the state and the curriculum is based on 'classical education' with a key focus on maths, science, history and art.

Ten per cent of students in Colorado are enrolled at a charter school and increase in student's grades has also seen other schools in the district responding to the challenge and are getting better results.

The curriculum of the school is designed by parents in conjunction with the board and teachers and at its inception the school looked externally to the highest performing education system and based programmes on other countries – i.e. the maths programme is based on one from Singapore which had the highest performance.

The school receives all of its funding from the State, but unlike public schools they also have to cover capital expenditure which accounts for approximately 20% of their costs. They also undertake private fundraising to bolster accounts.

Students are also able to participate in extracurricular activities, including sports, music, photography, drama, debate, robotics, chess and Spanish.

El Pomar North Regional Council

The delegation had dinner hosted by Mr Schaffer with members of the El Pomar North Regional Council, Fort Collins. Members of the Council in attendance were Mr Bob Schaffer, Mr Gordon Thibedeau, Ms Kathay Rennels and Mr Bob Moore.

Tuesday 5 April

Denver, Colorado

Arrupe Jesuit High School

The delegation visited Arrupe Jesuit High School. Arrupe's mission of preparing economically disadvantaged students is in no way unconventional, but the means in which it achieves this certainly are.

The school was established in 2002-03 and derives almost 50 per cent of its funding from donations, with the remaining costs being met from salaries the students earn from part-time work. Approximately 90 per cent of Arrupe's students are Latino.

With a model based on Chicago's successful Cristo Rey School, Arrupe seeks to combine mainstream academic teaching for four days per week, while sending students off to work in real jobs one day per week. The aim of this approach is to provide the financial means needed for the school to operate, while more importantly providing practical real-life learning experience – arguably more important in some cases for students from economically disadvantaged backgrounds.

The relatively short meeting at Arrupe Jesuit High School involved a briefing from the school's President, Rev Timothy McMahon, and a number of other staff. Clearly very proud of their achievements, the delegation heard of a number of their individual success stories as well as being provided with a statistical top line summary of the school's achievements. Of particular interest was the fact that 60 per cent of students were the first in their family to graduate from high school, while 90 per cent were the first in their family to attend college.

Wednesday 6 April, 2011

Colorado Springs, Colorado

El Paso County Clerk and Recorder

The delegation met with Mr Wayne Williams, the Clerk and Recorder, who has responsibility for overseeing elections in the El Paso County.

The regulation of elections has changed considerably in the United States with the passage of the *Help America Vote Act 2002*. This Act significantly increased federal regulation of US elections in response to anomalies that occurred in the 2000 elections. Among other things, the Act requires:

- A standardisation of voting mechanisms, involving a choice between paper ballots or touchscreens;
- Counting of provisional votes; and
- Statewide databases of voter registration to avoid duplication.

The major issues facing the El Paso County Clerk and Recorder include state legislation that moves forward primaries, partly to help comply with federal regulations which require an earlier mail out to the military. The expansion of different voting techniques is also an issue. Although these are not directly part of the El Paso Clerk's responsibility, the local government has just conducted the first full mail-based ballot for mayor. El Paso is also trialling online ballots for absentee votes.

There are differences between government involvement in elections in Australia compared to the United States. Public authorities do very little education on how to vote. It is left to the parties to 'get out the vote'. Also, there are many more issues voted on in the US, including Congress, school districts, judges and propositions on individual issues.

Mayor of the City of Colorado

The delegation met with Mr Lionel Rivera, who has been Mayor of Colorado Springs since 2003. His term as Mayor finishes this year and elections for a new mayor were ongoing during our visit.

The Colorado Springs local government has responsibility for three main areas:

- Municipal activities, police, fire, roads and transportation;
- Utilities, water and electricity; and
- A hospital, with a 60 per cent market share in Colorado Springs.

The mayoral position has been described as a 'weak mayor' because it is part-time (paid only \$520 per month), and the Mayor shares his or her powers among five other commissioners.

The next mayor, however, will be a strong mayor who is full-time, can hire and fire a number of senior government appointments and will have more control over the budget. This change has been necessitated by the financial stresses of the global recession and the growing population of Colorado Springs.

Infrastructure – in particular water supply – has been the biggest issue during Mr Rivera's time as mayor. He has advocated a 62 mile pipeline from Pueblo to bring 780 million gallons of water a day to Colorado Springs. This was a tricky project because it required federal approval, negotiations with the Pueblo community and an increase in water prices to fund the project. Prices are set by the Colorado Public Utilities Commission which also owns the water assets.

Mayor Rivera has dealt with a number of environmental issues including pine beetle infestation, as well as implementing a 6 MWh solar array, increasing solar power rebates and creating incentives for commercial buildings to become more energy efficient.

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