

To Restore Constitutional Elections In The USA

The following guidelines to restore constitutional elections in the USA were prepared by the staff of the Labor Organizers Defense Fund and released by the U.S. Labor Party last week for action by Congress.

The electoral reform proposals recently submitted to Congress by the Carter Administration constitute a gross intervention into those judicial proceedings currently underway in a number of states to ascertain the legality of the election practices that sent Jimmy Carter to the White House. Before the issue of fraud in the 1976 presidential elections is decided in the courts, the Carter-Mondale reforms will legitimize and institutionalize those successful fraud methods of November 1976 while simultaneously making fraud undetectable in future elections.

These proposals endorse the abolition of the Electoral College, monitoring of congressional campaigns by the Carter-controlled Federal Elections Commission, and unverified voter registration procedures. With the acceptance of these proposals, the Carter Administration intends to insure the outcome of every future election. Not coincidentally, simultaneous with the submission of these proposals, the U.S. Supreme Court has declared valid a Michigan law designed to eliminate third party electoral opposition by mandating run-off primaries between third party and major party candidates as a ballot status requirement for third parties.

Congress has the weighty responsibility to protect free and honest elections. Our unique government, a constitutional republic established on the principles of progress and development, derives its strength from an educated electorate which deliberates on fundamental questions of national policy and acts on these deliberations through the electoral process. Administrative safeguards are essential to the protection of the electoral franchise. Those safeguards must enhance the electorate's ability to make informed decisions on critical issues of economic importance to the nation rather than restrict and eliminate it.

We urge Congress to demonstrate its commitment to restoring the faith of the American people in constitutional processes by swiftly opening a full investigation of the abuses of the electoral process perpetrated during the 1976 presidential elections. The best deterrent to vote fraud actually lies in immediate investigation and prosecution of its perpetrators. From the perspective provided by a full investigation, we also urge Congress to establish federal safeguards to protect the electoral process from further encroachments. The U.S. Labor

Party and the Labor Organizers Defense Fund propose the following guidelines for those safeguards:

VOTER REGISTRATION

The Carter Administration has submitted a bill to Congress for implementation of Universal Voter Registration in federal elections which would provide every citizen of voting age with the ability to vote simply by appearing at the polls on election day. The implications of this proposal are clear. Rather than appeal to the deliberative processes of an electorate which weighs alternatives on policy questions of fundamental importance to the continued growth of the nation, universal voter registration opens the way to election campaigns based on slick public relations for candidates, herding to the polls of a demoralized electorate and ultimately, election padding through fraudulent registration and voting. The ultimate goal of the Carter Administration proposal for universal registration is the ability to cajole and coerce the voter to the polls or vote for him if he fails to respond to such inducements.

A sound policy which mandates that potential voters register *in person* at local board of election facilities and provide verification of their identity is the first step in insuring valid voter registrations. By terminating the period of registration two months prior to the election, an essential system of statistically sound spot verification checks of new and old registrants can be completed to further insure the validity of current voter registration rolls. Finally, copies of voters' signatures must be on hand at the polls on election day for identification purposes. Computer printouts of registered voters, as provided by some states, which are not accompanied by identifying voter signatures are insufficient in a final verification of voter validity.

Investigating Fraud

Currently, U.S. Attorneys have discretionary power to investigate vote fraud under 18 U.S.C.; 241, 242. Congress must mandate those investigations when complaints of fraud come under the jurisdiction of the federal courts.

Federal grants should be made available to assist the 50 states in implementing sound registration and verification procedures. These monies would also assist boards of election to expand programs of convenient, but supervised, personal voter registration.

THE ELECTORAL COLLEGE

For the first time in history, a President and Vice President of the United States have called for the abolition of the Electoral College. The Carter Admin-

Ghosts Vote In The Bronx

On the complaint of New York Congressman Edward Koch, the U.S. Attorney for the Southern District of New York, Robert Fiske, has authorized an investigation of illegal use of federal funds by Roberto Munoz and his heavily funded methadone program SERA (Hispanic Association for a Drug Free Society) in New York City. The U.S. Attorney's first reports charge that SERA, which receives \$3.2 million a year in federal, state and city funds, has been billing the government for hundreds of non-existent outpatients and residents. While the investigation is not yet complete, SERA now claims over 100 residents in treatment while census of patients could uncover only 29.

The New York Post aptly summed up the situation in a front-page banner headline April 6: "Bronx Drug Program: \$4 Millions Go To 'Ghost' Clients." But this isn't the first time SERA has been caught dealing with the netherworld. New York's Committee for a Fair Election investigated Munoz in November 1976 and found that SERA was involved in creating a great bulk of the thousands of tombstone registrants uncovered in the Bronx who "voted" in the November 2 presidential elections. In a series of interviews, Munoz and his associates revealed how they "registered" over 8000 people in the four-day period preceding the close of mail registration Oct. 4. Of the newly "registered" people who voted in Munoz's area of the South Bronx, a full 15 percent were verified as "tombstone" voters.

The following is an interview with Munoz by the Committee for Fair Elections in January 1977:

Munoz: Let me tell you how we did this, which is in effect, what I've done. I took my staff and I told them, "How many would like to volunteer in terms of we're not committed to any political structure, ok? After 5:00?" And I said for them to, first, orientate all the residents, get them registered to vote, in the house. Then we went out and we drafted the services for SERA. And we went door to door.

Q: What services for SERA?

A: All of the services. Treatment of addicts, jobs for people, the health clinic care, etc. We had a small little giveaway that we put under the door. If no one would answer, we always took females with us. We would knock on the door and say, "Look, we're from SERA, these are the services we're providing, if any one's sick, or affiliated with drugs, etc., you can call this number, we'll have you picked up. By the way..."

Q: What does that have to do with registering people?

A: ...are you registered to vote?" Get it? We're out there, knocking on doors, particularly with females cause our people to open doors. "Oh, by the way would you like to register to vote?"... "Look, I don't even — I don't understand. I only come over here a short time. Look, I'm on welfare, I don't know if I want to be bothered." "Listen, if you are on welfare, you should be registered to vote."

The best thing that happened now is that you had these mail-ins. You seen the mail-in ballots? That was fantastic. We would just tell the person, "Well, look you haven't voted in a long time. So now you've got to register again. We'll do it all for you. Call us if you don't get your card in the mail." We just did it door by door. Those what would open the door.

Q: How many people did you register?

A: We registered something like a little over 8,000 people... "Let me tell you the importance of voting. Get out there, get counted. Do you expect any subsidies? Any programs that's coming in, get out there and do your thing... There are two sources of power — economic power — which we're limited to because of education... the other is the greebie, it's the power of the vote, that you can have if you just register and vote and do the right thing." And that's how we sell them.

Q: Vote for the right person.

A: Exactly. Pool your vote, don't give it away... We have a list of people who we registered... we divided them up among coordinators... these are all staff persons here... The idea was to get them registered, find out who they were, and pull in the vote. That was the key. Pulling the vote — we had all our people here request some time. You know, vacation time, or time they had coming, on Election Day. The agency — I think three-fourths of the people were out on the street... then you wait for them in front of the polls and you tell them what to do when they walk in... What happens when we were losing in a certain area, we would just send five guys in here (as pollwatchers), that's all. Anybody that walked in — 'Hey don't forget, do the right thing.'

Q: Those guys were —

A: pollwatchers, which is illegal so —

The Committee for Fair elections has arranged to present its evidence on Munoz's use of federal funds to generate thousands of fraudulent postcard registrations and to facilitate illegal vote herding on election day November 1976 to the U.S. Attorney for further investigation.

istration has wholeheartedly endorsed an amendment before Congress to abolish the "indirect" and "outdated" Electoral College, substituting direct election "by a simple majority of the popular vote" in its place. One might wonder why Carter challenges the "winner take all" advantages of the Electoral College system when it so usefully determined the level of vote fraud necessary to insure his questionable election. The answer lies in a closer examination of his current proposal to abolish the Electoral College altogether.

A system of direct popular voting for presidential contests totally eliminates the ability to isolate voting irregularities in contaminated areas for investigation before the victor is certified. Under a popular vote system there would be no constitutional provisions to decertify a President who was elected by means of vote fraud.

The Founding Fathers in their deliberations, including the U.S. Constitution, established the Electoral College voting system with a clear view to neutralizing the threat of fraud. The Electoral College system places the final decision in a presidential election before a mediating, deliberative body qualified to judge the legality of the balloting process. In a tainted election, the Electoral College functions to postpone certification while isolating contaminated regions of fraud for investigation.

The Electoral College is far from archaic or outdated. The reasons for its creation are far more valid today, following the vote fraud documented in the 1976 General Election, than in any other time in the nation's history. Carter's proposed abolition of the Electoral College would eliminate the final safeguard which the Founding Fathers deemed fundamental to the protection of the electoral process. Any attempt to abolish the Electoral College or weaken its functions must be prevented by Congress.

CAMPAIGN FINANCE LAWS AND THE FEDERAL ELECTION COMMISSION

The Carter Administration has called for an extension of the Presidential Campaign Finance Laws of 1976 to congressional campaigns. This, it asserts, will eliminate the influence of "special interest groups" on all federal

campaigns. Contrary to popular myth, the 1976 Presidential Campaign Finance Laws were established to legitimize a built-in Watergate capability, while restricting selective campaigns of major and minor party candidates by drying up support from their pro-industrial constituencies who feared selective Watergate prosecution under arbitrary financial contribution disclosure laws. In the political vacuum that resulted, the practical consequences of the Finance Laws were the proliferation of pseudo-public interest groups whose unrestricted spending limitations allowed them to seize the opportunity to place voters in a position of defining political issues in the narrowest terms of self-interest.

The Federal Election Commission, created by Congress to guarantee honest campaign practices, abrogated that responsibility and was instead complicit in covering up fraudulent election practices and creating the Watergate environment necessary to control pro-industrial programs and candidates in the 1976 elections. The FEC complicity could not have been more obvious with the appointment of Michael Hirschman, a professional Watergater who is now leading the Carter Administration's KCIA scandal against Congress, to oversee campaign contribution practices.

The practices of the FEC have been grossly arbitrary and malicious. According to a former FEC employee, no candidate has fulfilled the multitude of regulations under the 1976 Presidential Campaign Finance Laws and therefore prosecution can only be highly selective. To this day, the FEC has refused to investigate the highly irregular Carter Campaign expenditures which fell under the heading, "Get Out the Vote." Yet, the FEC mounted a vicious campaign of harassment against contributors to the Committee to Elect Lyndon LaRouche, culminating in a denial of Federal Matching Funds for which the Committee had fully qualified.

Congress must initiate an immediate investigation of *the Federal Election Commission's own unfair campaign practices* in the 1976 presidential election. That investigation will establish beyond doubt, the illegal methods and operating procedures of the FEC. With that knowledge Congress must abolish the Commission and the Presidential Campaign Finance Laws to restore active participatory elections in this country.