

multaneously fulfill our respective enforcement mandates under the Act are bound to create conflicts which will prove detrimental to overall law enforcement in this critical area.

V. CONCLUSION

While we naturally support the fundamental objective of making it easier for citizens to exercise their federal franchise, we would have preferred that a method be devised which would minimize the opportunity for electoral fraud while at the same time maximizing the opportunity for citizen participation in the electoral process. If we had more opportunity for consideration of the general con-

cept and, particularly H.R. 5400, presumably we could make some more constructive comments. Having received this package yesterday afternoon without even a copy of the bill, we have done our best to indicate some of our concerns. I assume that the Administration as a matter of policy is going to support the concept embodied in H.R. 5400. However, if the Attorney General testifies on this bill, he should, in my judgment, qualify his support thereof with the caveat that despite the favorable experience in several states, the experience of the Criminal Division in enforcing the federal election laws indicates that there is a tremendous potential for fraud in H.R. 5400.

'One Person, One Vote'

Statement of Testimony by Thomas J. McCrary of Gainesville, Ga., National Chairman of Committee on Fair and Honest Elections, National Chairman of American Independents on Issues, before the Senate Rules Committee.

I appeared on May 6 before the Senate Rules Committee, which was conducting hearings in connection with the Carter Administration's proposals for new election laws. The proposed laws contain controls over state election laws by requiring registration of voters at the same time they vote. Other restrictive measures for controlling states' rights in the election process are also contained in the Carter proposal.

On the way to the Senate hearing, I read a first page article in the Washington Post stating that the House Administration Committee, which was holding hearings on the Federal Election laws, had hastily passed the Carter election bill, with all Democrats on the Committee voting in favor and all the Republicans opposed. This legislative action gave the appearance that the election bill was purposely designed to perpetuate political control of the United States government from now on by the Democratic Party machine.

That Democratic Party machine, which controls the House Committee, also made sure that the Department of Justice report, prepared by the election divisions of the Criminal Division in that Department was not presented to the House Committee before the vote. The Democrat Party Attorney General, Peter F. Flaherty, blocked the presentation deliberately. Since he declared executive privilege as the reason why he blocked it, undoubtedly the persuasion of that decision came from the White House. It is an unsavory, customary, tight political maneuver, which took place too often during the Carter governor administration in Georgia with which many of us who live in Georgia are very familiar.

Attorney General Griffin Bell, a close friend of Carter and his appointee, endorsed the Carter election bill, even though his own staff, after extensive research of massive evidence of fraud in past elections, particularly in the last general election in the states of New York and Ohio, made the statement "voting without prior registration is

meaningless, and can lead to potential or extensive fraud in the election process."

At the Senate hearing the press releases on the above were referred to by many witnesses. Also, portions of the copy of the Justice report were read by Sen. Griffin of Michigan which left a deep impression on all participants in the room. Obviously, the House panel Democrats had egg all over their faces.

It is imperative under the circumstances that such collusion between the Justice Department and the White House to keep critical evidence from particularly the House Committee should be investigated by the Congress. In light of the revelations within the Justice Department memorandum, the House Administration Committee should reconsider its hasty vote — an action which I would applaud.

As speaker for the National Committee on Fair and Honest Elections, I represented many national and state independent parties (those which are not manipulated or under financial control of various special interest or power centers), along with those independents in the Democrat and Republican parties, and just individual independents who have no party persuasion. I presented the following views on which most independents agree.

Foremost, voting rights are sacred to a democratic society and any violation thereof is akin to treason.

Secondly, the Federal Government should not interfere with states' rights as is stipulated clearly in the Constitution and the election process.

Thirdly, while liberalization of the election process is to be enacted and encouraged, it should be in the facilitating of registration. This can be done by dispersing registration locations using mobile units such as school buses and so forth, and issuing extensive information on these locations and other information concerning the election process.

Fourthly, along with the above-mentioned liberalization process, stronger safeguards are needed to ensure each voter a one-person, one-vote guaranteed in the Constitution. These safeguards should include registration to be held to permit a sufficient period of time to monitor the accuracy and integrity of the submission by the voters. And this should be done in a space

and time before the election. All voting districts should check on at least 15 percent of the voters before the elections. We generally oppose postcard registration. Under no circumstances should it be ordered for all states by the Federal government. The following information should be required of all voters by the Government: (1) full name and residence, (2) name of owner or renter under whose name the residence is recorded or leased, (3) name of closest relative or occupant living at the same residence if any, (4) social security number, (5) driver's license if any, and (6) signature and thumb prints which should be done before the registrar.

Fifthly, election officials should be selected by lot, from jury lists or grand jury lists, for each locale. Other advisors, personnel with election experience, can be used as election assistants. It is also believed that dispersing taxpayers' money through federal donations to can-

didates or parties should be discontinued for it helps those incumbents already in power more than the challenger.

The electoral college system should be retained.

Examples of extensive fraud in the last general election in New York and Ohio state, plus those in recent city elections in Madison, Wisconsin, are attached to this report. These investigations were performed by the U.S. Labor Party, submitted to the Justice Department, and have been used in legal suits now pending before the federal court.

In the final analysis, there is sufficient evidence to indicate that registration before elections is absolutely essential to prevent fraud. We believe that every measure should be taken to make it easier to vote, but, at the same time, to also provide the proper safeguards to insure the one-person, one-vote principle that our Supreme Court has ruled is intended by the United States Constitution.

Pennsylvania Republican Documents 1976 Vote Fraud

A Committee for Honest and Fair Elections spokesman called for a complete investigation by the Justice Department of allegations by Thomas O'Connor, a Republican committeeman from Spring City, Pa. that mental patients were herded to the polls to vote for Carter. O'Connor has documented "a conspiracy to commit election fraud" by voting Democrat-registered mental patients, inmates of Pennhurst Center, on Nov. 2, 1976. In a statement released May 3, O'Connor detailed how "patient voters were herded to the polling place ... in state-owned vehicles, driven by state employees, and attended by state-employed attendants ... their voting card calling for assistance."

This evidence was given to the Committee for Honest and Fair Elections on May 11.

Excerpts from the statement follow.

To the people who viewed this disgusting exposure of the Pennhurst patients, it was very evident that they were incapable of completing the necessary request card to become registered to vote. I have been accused of assuming my attitude toward Pennhurst voting because most of them registered with the Democrats. I can assure everyone that these Pennhurst voters did not, could not, and would not register in any way. I do not believe they could even *express* a desire to register or vote. Some person or persons filled out the necessary forms and mailed them. This is one of the evils of registration by mail.

The patient-voters were herded to the polling place on Election Day, in state-owned vehicles, driven by state employees, and attended by state-employed attendants. Their voting card called for assistance, and the following assistance was granted:

Assistance to Enter the Polling Place: Some were led, some on wheel chairs, and others on wheeled contrivances permitting the patients to lie flat.

Assistance to Know Why They Were There: Some asked where the ball game was, another when the boat ride started.

Assistance to Identify Themselves: Many had to be told to present the registration card to the election board, then only by word of the attendant was it possible to determine whether the name on the card and patient were one and the same.

Assistance to Sign or Make a Mark on Voting Card: Some could sign in some fashion, others could print if spelled for them, and in many it amounted to placing a pen in their hand and the assister taking their wrist and marking an "x".

Assistance to Accept Ballot: Many times when the ballot was presented by the judge of election, the patient voter stared dumbfoundedly and would not accept the ballot. The assister then took the ballot.

Assistance to Mark the Ballot: Arguments in the booths were easily heard. "No, don't put the X down there, put it up here." "Who do you want to vote for?" Silence. The question was repeated, more silence. The voting booths are designed for one person, standing, making it impossible for an assister and a patient on a wheeled device to enter at the same time, so the curtain hung nearly wide open. The election board, myself and many other East Vincent electors watched while the