

U.S. Labor Party Special Report

**CONCLUSIVE EVIDENCE
OF CARTER VOTE THEFT
Goes Before
Federal Court in
Ohio and New York**

December 9, 1976

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Introduction

December 9 — Documented in this pamphlet is the airtight evidence, now in the courts, to overturn the fraudulent election of Jimmy Carter, the candidate of fascism and thermonuclear war, as President of the United States.

Now docketed before federal and state judges in New York, Ohio, Wisconsin, Pennsylvania and elsewhere is evidentiary material on the patterns and facts of a nationwide ballot fraud conspiracy involving a range of interstate felony patterns which translated into **no fewer than seven to nine million** illegal votes "engineered" for the Georgia peanut farmer. From the standpoint of policy intent as well as sheer criminal brazenness the operation behind Carter's "mandate" can be viewed as a scaled-up version of the notorious 1922 staging for Mussolini of a March on Rome **after** the King and Liberal Party had already signed a secret agreement offering Il Duce the prime ministry.

It is this gruesome repetition of history, on the level of the probable obliteration of the human race itself, which constitutional forces in the United States, led by the U.S. Labor Party, have moved into the courts to stop. In the most advanced of the current cases, evidentiary hearings have been in progress this week in federal courts in both Ohio and New York, presenting massive evidence of the fraud which awarded those states' electoral vote to Jimmy Carter. The evidence before those courts—and before you in this pamphlet— shows without a doubt that, without fraud, the election would go to President Ford.

The USLP and its co-plaintiffs in these federal suits are asking, however, that the courts enjoin the certification of the two states' electors, on the basis of this massive contamination, and hold a new presidential election. A full trial on this evidence will begin in Ohio on December 11.

However, it is not sufficient that this evidence is before the courts. The same criminal Rockefeller apparat which engineered Carter's "election", **including** Attorney General Edward Levi's Justice Department, will stop at nothing in using its classic tactics of stalling, coverup, intimidation and other "plumbers" operations and worse to keep the courts from acting to defend constitutional democracy in the United States. The publication of this pamphlet, detailing the evidence thus far presented to judges, is intended to preempt any possibility that the Carter-makers can take advantage of a Rockefeller-ordered press blackout. This pamphlet will ensure that policy-making circles and the population generally in the U.S. and throughout the world are briefed on the quality of the case against Carter and can act to ensure both justice and survival.

The Scope of the Conspiracy

Evidence presented in court this week in New York proves that there was an order of vote fraud in

New York State of some 200 -300,000. In Cuyahoga County of Cleveland, Ohio alone, the demonstrated fraud runs higher than 10 percent of the 600,000 votes cast. The illegally bought, coerced and fraudulently processed "tombstone" votes in Pennsylvania and Wisconsin combined numbers in the several hundred thousand range. The proofs of committed felony and fraud extend to states actually "carried-by closer-than expected" margins by Ford. Media-concocted myths of a supposed Carter popular mandate rest on the foundations of a sophisticated "shaving and diminishing" vote fraud operation in Republican based areas primarily west of the Mississippi.

The totality of such frauds, exemplified by the election results in such states as Oregon and California, themselves contribute significantly to the overall arithmetic. When the Southern state fraud, of massive irregularities and electoral brutalities reported from Texas around the Gulf to Florida is added in along with the affirmed U.S. Labor Party disenfranchisement of approximately 3.5 million votes in itself, the overall magnitude of fraud in the 1976 presidential election minimally totals seven to nine million.

In many cases, this vast electoral heist was carried out "under the cover of law" by elected public officials, using the pretext provided by state legislatures which opened the door for fraud by passing "postcard registration" laws of extremely dubious constitutionality, such as those of Pennsylvania and New York. Wisconsin State Attorney-General Bronson LaFollette, New York City Board of Elections director Betty Dolan, New York governor Hugh Carey, New York City mayor Abe Beame, and Cuyahoga County (Ohio) Board of Elections director Virgil Brown are among those public officials who used their office to help manufacture the Carter "big vote."

The nationwide apparatus which engineered the fraud and is now systematically engaged in the coverup has been fully documented in the U.S. Labor Party's Special Report to the U.S. Population: Carter and the Party of International Terrorism. The investment necessary for running such a rampant conspiracy cost several hundreds of millions of dollars more than all officially released campaign "expenditures" combined. A Labor Party autopsy on the fraudulent San Francisco mayoral election of G. Moscone by franchising zombies gave USLP analysts the basic modus operandi of the fraud.

Patterns of crimes have been carefully gridded and analyzed from state to state as the basis for facts and proofs that the key machines utilized for the hands and feet of the operation were deployed from fascist **gerarca** (blackshirts within the union structures) networks on the one hand, and poverty-pimp, drug addict center **squadristi** (blackshirt terrorists) in the ghetto areas. Leonard Woodcock, Lane Kirkland, I.W. Abel, Victor Gotbaum, Jesse

Jackson, John Lewis, Percy Sutton, Ramon Velez, the National Council of Churches, the League of Women Voters and so forth were the key individuals and agencies criminally responsible for the 90 per cent plus vote totals for Carter registered in pretargeted union and inner city precincts.

The cover for running the election fraud was code-named "Operation Big Vote," which in the July-August period switched from computer simulated precinct-by-precinct fraud "scenarios" to the final phase of the operation. During the late summer and early fall the national Big Vote coalition coordinated massive illegal registration of tombstone voters which culminated in election day "busing" of fraudulent voters pinpointed to precincts followed by running a tally on computer. The AFL-CIO's Committee of Political Education (COPE) claims to have registered six or more million new registered voters above the 1974 level with over 80 per cent nationwide tallies delivered for Carter. Any individual informed of the political lessons of the Pennsylvania primary election last spring would recognize immediately the impossible statistical results.

The Issues at Law

Essential American basic rights and Constitutional legal issues underlie the federal conspiracy actions already filed in New York and Ohio, as well as the docketed state actions. The fundamental and "universal" character of these issues is indicated by the unprecedented fact that these are joint actions by members of the Republican, Conservative, American Independent and U.S. Labor Parties with the support of anti-Carter Democrats.

The New York action now before Judge Mishler in the Eastern Federal District is paradigmatic. It seeks to enjoin the Governor and Secretary of State of New York from certifying the presidential electors on December 13, because of the massive fraud contamination in the election. The legal authority stressed derives directly from the U.S. Constitution. The First Amendment guarantee of free political exercise is synonymous with the right to vote. The Fourteenth Amendment of the Constitution guarantees "equal protection of the laws" which in the fundamental electoral context demands adequate safeguards against fraud so that every individual vote counts equally; the other basis in the Fourteenth Amendment which may very well emerge as central to this election is the clause disbaring from official office any individuals engaged in "insurrection and rebellion" against the Constitution and government.

The third pillar of Constitutional law germane to the issues of the 1976 election is Article IV Section 4 of the main body of the document: "The United States shall guarantee to every State in this Union a republican form of government," which process is grossly and undeniably violated by such rampant vote fraud as occurred in November.

The New York and Ohio federal actions are brought under the jurisdiction of the famous Section 1983, or "Civil Rights Act of 1871," and its conspiracy correlate in Section 1985 (3) — both specified under Title 42 (Public Welfare and Civil Rights) of the United States Code. The Civil Rights Act prohibits depriving any citizen of his rights, privileges and immunities of the Constitution — such as denying of the First and Fourteenth Amendment by a **conspiracy to "dilute" the legitimate vote** of voting citizens through other, fraudulent, ballots.

Criminals who have conspired to commit violations of the Civil Rights Act and Constitution are felons subject to appropriate prosecution and imprisonment under U.S. Criminal Codes in Title 18. As well, they can be brought to trial for felonies committed against various state election laws.

Conspirators Countermove?

Informed political insiders anticipate that the backers of James Carter are very well thinking of parrying the air-tight vote fraud evidentiary cases by precipitating a Constitutional crisis. This option would take the form of the hiring of several nationally prominent Lower Manhattan law firms to work together with inside maneuvers by Carter supporter Attorney General Levi in the Justice Department. If the separate vote fraud law suits threaten to win fraud-free re-elections and thereby block electoral college certification of Carter, the conspirators are expected to utilize legal delaying chicanery as a first option and then to consolidate the cases outside of the court system and into the Congress.

The enemy's thinking rests upon their knowledge that the Congress is crawling with Fabian operatives from Ted Kennedy to Tip O'Neill, Hubert Humphrey, William Proxmire and so forth — political whores who played leading criminal roles in the vote fraud operation.

However, based upon the recent precedents set in the selection of President Ford, the first task before the Congress would necessarily have to be a competent examination of the candidate to hold office. It is widely understood that James Earl Carter would not be able to pass an examination of mental balance by a qualified psychiatrist.

The precise way for all anti-Carter forces to now impede the **cover-up** scenarios being played out by Jimmy's Plumbers Team inside and outside the current administration, is to escalate to consolidate the vote fraud cases nationally through a chain of relevant indictments and jailings of key vote fraud operatives. By pulling the chain of felons into court and prison, the nationwide conspiracy of interstate trafficking will be forced into the open.

Political conditions are favorable for such an offensive. The advance of the cases documented here in the courts has already smoked out into the open the collusion of an obscene alliance to forestall

the constitutional selection of the U.S. President—including the bulk of Democratic Party officials; the “right-wing” Buckley-Rusher-Viguerie, National Review crowd, who have become the major purveyors of anti-Labor Party slanders concocted in Wall Street’s “left” terrorist think-tank, the Institute for Policy Studies’ and the Rockefeller family in the first person, with the family’s private Wall Street law firm, Rogers and Wells, having been asked by the Democratic National Committee to “look into” the vote fraud suits.

The population’s profound disgust and outrage with Carter’s policies, along with hatred for the vile tampering with the electoral franchise, will motivate broad popular support for the locking up of the criminals involved in the conspiracy. This process is reflected in the ongoing rupture in the “detente” arrangement between forces controlled by Nelson Rockefeller and William Buckley. Profound political realignments are taking place in the United States as anti-Rockefeller-Buckley Republicans and Conservatives both are leaving their established political bosses to join with others from the Labor Party and the scientific and trade-union communities around the vote fraud fight.

There is Still Time

The world political community has its eyes fixed on these developing processes in the United States. If Carter were not certified president, they rightly conclude the world could proceed to the programmatic business at hand expressed in the creation of a new world economic order. Without such a course of events, world war, disease

holocaust and the havoc of total economic collapse will occur. To avoid such disasters, they are rapidly moving away from U.S. foreign and domestic policy postures in preparation for a total break with the United States if necessary. They are taking such a course based upon an assessment that the guts to do whatever is necessary to block a Carter presidency is not to be found in the current political leadership of the USA.

It is useful to bear in mind that Mussolini in 1922 traveled in leisurely fashion to Rome by a sleeping car from Milan three days after the secret treaties giving him the government had been signed. The Italian liberal press of the day, which was calling for the population to give this man a chance as things couldn’t get any worse, sent photographers to pre-arranged sites where Il Duce was photographed “marching” with his downtrodden supporters.

We now stand at five weeks since the U.S. presidential elections, and approximately five weeks before the scheduled inauguration in Washington, D.C. On Monday, December 13, electors gather separately in the 50 state capitals and the District of Columbia to cast their secret ballots for president. Placed in officially sealed envelopes, the Electoral College tally is opened three weeks thereafter in Washington by the President of the Senate. Despite the unprecedented urgency of time, our evaluation is that the legal, evidentiary and political preconditions now exist to block Carter’s certification through tactically escalating to the process of indicting and jailing key conspirators in the national vote fraud conspiracy.

The Statistical Methodology

By Which The Labor Party Proved Fraud

The following is drawn from the presentation made in Eastern District Federal Court before Judge Jacob Mishler by Dr. Steven Bardwell. The rigorous statistical methodology described is similar to that applied to the analysis of vote fraud in Ohio.

METHODOLOGY

To measure the extent of the irregular vote in New York State in the 1976 presidential elections, four populations were selected for random sampling:

1. The newly registered voters in one-half of the Assembly Districts of New York City.
2. The previously registered voters in one-half of the Assembly Districts of New York City.

3. The voters in the remaining one-half of the Assembly Districts of New York City.

4. The totality of voters in Buffalo, Erie County, Rochester, Albany and Syracuse.

The characteristics of these populations are summarized in Table 1. The designation of one-half of the Assembly Districts of New York City was made on the basis of previously high Democratic votes, sociological data, and economic data. Populations 1 and 2 were sampled specifically in an attempt to identify the specific sources and **modus operandi** of the irregular voting.

Populations 1 and 2 were singled out for study in an attempt to measure correlations, if any, among three factors: the socio-economic status of voters, the registration history of voters, and the degree of voting irregularities.

Table 1.

Population	Total Number of Voters	Sample Size
1	209,040	660
2	685,133	608
3	1,272,413	263
4	655,083	903

For the projected figure of approximately 7 per cent irregularities, a sample of 600 will yield a precision in the estimate of irregular votes of an absolute 1 per cent at a confidence of 95 per cent. That is, there is a 95 per cent certainty that irregularities will be within 1 per cent of 7 per cent of 600 voters. This also means that our sample size reproduces the actual percentage of fraud within 1 per cent, 19 out of 20 times.

To select the random sample of these four populations, a two level sample was prepared. The following methods were used for the indicated populations:

Population 1: Based on socio-economic mapping of New York City, 33 Assembly Districts were selected in which fraud was expected to be concentrated. Using the U.S. Department of Transportation's "Table of 14,000 Random Units," successive, two-digit numbers were selected. These two-digit numbers provided the Election District numbers for the above Assembly Districts. Two Election Districts were chosen for each Assembly District. This formed a set of 66 Election Districts. In each of these Election Districts the Registration Poll Record ("buff card") and other official tallies were examined, and the following data assembled:

a) Total machine counters (perpetual counter and public counter, both of which count the number of times the curtain on the machine was closed, i.e., someone entered the machine and could have voted).

b) Presidential vote breakdown.

c) The total number of "buff cards" which were signed, or otherwise indicated that the person voted.

d) The number of new registrants who voted (from a count of the "buff cards").

e) The names on "buff cards" of newly registered voters who voted (these names were taken from a list of newly registered voters, selecting every tenth voter, beginning with the voter with the number which is the last digit of the Election District number).

Population 2: Based on the same socio-economic mapping of New York City, and the same group of Election Districts as drawn in Population 1, the information recorded for Population 1 allowed the drawing of a sample of 608 previously registered voters. The names of these voters were taken from the list of formerly registered voters, selecting every 49th voter, beginning with the voter with the number determined such that the first voter selected was not more likely to be in any specified position on the list.

Population 3: A random sample of 33 of the 66 Assembly Districts in New York City was drawn using a different section of the same "Table of 14,000 Random Units." Of these 33 Assembly Districts, 19 coincided with the Assembly Districts drawn in Populations 1 and 2. The data from these Populations was used for those 19 Assembly Districts. In the remaining 14 Assembly Districts, a random sample of Election Districts was drawn as above. In this sample, every 49th voter was selected from the list of all voters in the Election District. In this case, the first voter in a given Election District was chosen by taking the second digit of the Election District number and multiplying by 6 (giving an equal probability of getting a number between 1 and 56).

Population 4: For the Upstate New York areas:

Area	Total Voting Population	Contribution to Sample
Buffalo	146,263	254
Erie County (except Buffalo)	301,343	204
Syracuse	66,903	109
Albany	50,349	98
Rochester	90,225	238
Total for Upstate	655,083	903

The sample in each area was drawn using the same random sampling techniques described above.

Verification

The same methods were used to verify voters in each population. Two overall categories were used. The first is a body of voting irregularities which results from any discrepancy between the number of signed "buff cards" and the machine counter. That is, in each Election District surveyed, the total number of signed "buff cards" was compared to the number of times the machine was actually available for recording votes. Any discrepancy between the two numbers was recorded. The second category of irregularity came from the field checks done on the sample of voters. The following checks were made to determine if a sample name was that of a validly registered voter:

- a) Visit to house. If a valid address, then
- b) Attempt to contact person by knocking on door, checking if they were at a neighbor's. If they or relative were contacted, requesting information on whether they voted and whether they signed their "buff card." If unable to contact, then
- c) Ask neighbor or superintendent (if apartment building) if such a person lived there. If affirmative, assume they voted validly. If unable to confirm the name, then
- d) Check mailbox and mailman if possible. If positive indication that the person lives there, then
- e) Try to contact by phone. First check the telephone directory and information. If such a name (at whatever address) try to call. If address corresponds but no answer, assume valid. If address different, check Cole's directory (which lists phone numbers by address). Try to contact name at that address and also neighbors by phone. If still not able to contact, assign to "Unable to confirm" category.

Thus, three categories were established for the results of the field checks made:

Confirmed fraud: this was applicable only if the name falls into one of the following categories:

- a) Address nonexistent.
- b) Building existent but abandoned, condemned, uninhabited, or apartment vacant at time of registration closing on October 4.
- c) Residents of apartment or house say that such a person did not live there on Oct. 4 (This category was interpreted liberally. There

were instances of relatives registered at a given house. This was not counted as fraudulent voting).

d) Superintendent of building says that such person never lived there, or moved out before October 4. Testimony of neighbors and mailmen to the same, if there was no question as to identity of the name, was also accepted.

e) Person exists but did not vote or did not sign their "buff card."

Valid: as the checks made above indicate, any indication that such person existed was taken as a valid registration if they could not be contacted. If they were contacted then they were asked if they had voted. The field investigators were instructed to "bend over backwards" to put people in the valid category, and to assign someone to the fraudulent category only if they would be willing to testify to their judgment.

Unable to confirm: in a significant number of instances none of the above methods was sufficient to put a name in either of the firm categories. If this was the case, then after a second phone attempt, the person was assigned to the unable to confirm category. (There was also one "dog would not cooperate" reason for the inability to contact a sample name.)

RESULTS OF SURVEY

The sample of votes taken provides statistically significant evidence for determining the percentage of fraudulently cast votes in populations representing 5,000,000 votes cast in the Presidential election. Table 2 summarizes the results from the samples taken:

Table 2

Population	Irregularity Unconfirmed: Larger Estimate of Irregular Votes (%)	Number of Votes tainted by Irregularity, Maximum	Irregularity Confirmed: Smaller Estimate of Irregular Votes (%)	Number of Votes tainted by Irregularity, Minimum
1	13.5	28,220	6.6	13,797
2	20.6	141,137	7.3	50,015
3	9.1	115,789	4.2	53,434
4	7.4	20,962	3.2	20,961
TOTAL	10.8	306,108	4.9	138,207

The category of Larger Estimate of Irregular Votes (%) deserves some discussion. The theory of random sampling depends heavily on its power and validity on the integrity of the sample. If the sample is changed in any way after it is drawn, it is no longer "random" even if there is no ascertainable bias that might be introduced. Thus, we have reasoned the following way. The figure of Smaller Estimate of Irregular Votes (%) represents a **minimum** figure for fraudulent votes which can be inferred in the populations sampled. However, the sample included a small number of names that could not be assigned, even after considerable effort, to either nonfraudulent or fraudulent categories. While the presumption might be made that these names are mostly fraudulent, such an assumption would invalidate the sample. Thus, we have provided a range of invalid votes; at the very minimum, the figures for Smaller Estimate are invalid votes. At the maximum, the fraud is given by the figures in the first two columns of the above table. It is probable that the truth lies in between these figures.

Finally, the "reliability" of the results that have been measured must be assessed. Table 3 summarizes the results from an analysis of the statistical accuracy of the samples.

Table 3

Statistic	Description	Standard Deviation
6.6	% fraud new registrants, Population 1	.63
7.3	% fraud old registrants, Population 2	.38
4.2	% fraud in Population 3 voters	2.78
3.2	% fraud in Population 4 voters	1.39
Total Sample: 4.9		1.29

The standard deviation is a measure of the expected precision of the indicated statistic. It gives the range, in either direction, which would contain the results of 68.3% of similar random surveys done on a given population. Thus, the results presented show that the range of fraud indicated by this sample, taking only confirmed cases of fraud is 138,207 to 306,108.

NEW YORK

Donahue, et al. v. Board of Elections of the State of New York, et al.

OVERVIEW

At an evidentiary hearing before Eastern Federal District Judge Jacob Mishler, Dec. 8 and 9, witnesses for the plaintiffs in the federal civil rights and conspiracy suit in New York state presented evidence sufficient to declare the state's Nov. 2 presidential election null and void. The legal action was filed Nov. 22 by lawyers for the U.S. Labor Party, the Rockland County Conservative Party, GOP candidates, a Conservative Party elector pledged to President Ford, a Republican committeewoman, and several individual citizens to enjoin certification of the 41 electors credited to James Earl Carter and to order a new presidential election in the state. A ruling is expected on the evidence by Judge Mishler Dec. 10.

Labor Party investigators conducted a statistical investigation into the fraudulent registration and voting procedures in the state and carried out exhaustive field checks of registrants and voters. Commenced immediately after the Nov. 2 election, the investigation has determined with a 95 per cent degree of confidence that, at minimum, 138,200 voters out of a population of 2.822 million voters — 4.9 per cent — cast fraudulent votes on Nov. 2.

THE STATISTICAL METHOD AND RESULTS

USLP investigators surveyed a randomly chosen sample of the New York urban electorate for the incidence of irregularly cast votes. Beginning first with evidence of pre-election irregularities in the conduct of the state's postcard registration procedure and then with confirmed reports of election day irregularities at the polls, certain "fraud-contaminated" assembly districts and subsumed election districts were targeted, with a control group established to ensure that the sample was not skewed. The population sample, which encompassed 42 per cent of all who voted on election day, was then divided into four sub-groups: Newly registered voters in one half of the 66 ADs in New York City; other registered voters in the same ADs; old and new registered voters in the other half of the 66 ADs in New York City; and registered voters in the upstate urban areas of Buffalo, Erie County, Syracuse, Rochester, and Albany. The population sample was further refined by a method of choosing

election districts within each assembly district based on a list of random numbers.

Labor Party investigative teams surveyed targeted election and assembly districts, checking the validity of registrants' addresses on computerized sheets. Individuals registered at abandoned buildings and empty lots were cross-checked with Board of Elections records of who voted Nov. 2. This evidence was then double checked to avoid error. At the same time, individual voters were visited at their homes to determine whether the voter existed, and if he had voted in the election. House visits were double-checked with follow-up phone calls; non-forwardable letters were mailed. Registration rolls were also checked for multiple and incorrect registrations.

Once a sufficiently large random sampling had been surveyed and subjected to statistical validity checks, the sample was extrapolated to determine what the election totals would have been in the sampled urban populations, discounting provable fraud. On the basis of these procedures, 138,200 votes were proven fraudulent, invalidating 4.9 per cent of the vote primarily in areas which swung the vote to Carter. When incidents of unconfirmed irregularities in the voting are included in the total, 10.8 per cent or 306,100 votes are called into question — more than enough to enjoin certification of electors in the state and to order a new presidential election.

The Evidence

SYNOPSIS OF NEW YORK CITY EVIDENCE

Immediately following the state's General Election, which swung 41 electoral votes to the Carter column, Labor Party investigative teams ran a preliminary check on voter registration, targeting the state's illegal postcard registration procedure. In the South Bronx' 79 Assembly District, three streets were selected in five election districts; 52 addresses were compared to registration rolls. Four alleged registrants lived in uninhabited buildings, two lived at non-existent addresses or vacant lots, and 73 were registered to vote from the SERA methadone maintenance center run by local Carter supporter and poverty



1010-1014 Hoe Avenue the SERA drug rehabilitation center Bronx. 73 names of new registrants appear under these two addresses with ten names appearing twice.

czar Ramon Velez. In another sampling in the 77 AD in the Bronx, four streets were selected in eight EDs. Three registrants lived on empty lots, three lived in abandoned buildings, two were registered at a school and convent, and three registrants were unknown to residents of the building.

Also in the South Bronx, a Labor Party team spot-checked four random election districts in the 59 AD looking for abandoned buildings and vacant lots. In the 13 ED, two individuals were registered in two buildings which have been abandoned for 12 months; in the 14 ED, one individual was registered at a building abandoned for nine months; in the 15 ED, two individuals, one registered twice, were registered at an abandoned building, and one individual was registered at a vacant driveway.

In Brooklyn, 30 names were spot-checked in the 57

AD, Nov. 7. Eleven were residents of an institute for the mentally retarded; one was registered at a warehouse; two had moved out of the district prior to Nov. 2; two registrants did not exist; and one voter, registered for three years, received a second voter registration card from the Board of Elections.

In Manhattan, three apartment houses representing 66 voters in the 70 AD was surveyed, Nov. 9. Five voters were multiply registered, one voter was registered at an abandoned building, and six voter-registrants did not reside at the address listed. Similarly, of 372 new voters in the 64-68 ED in the 70 AD, 17 votes were cast by seven persons registered with separate card numbers and 16 voters were registered twice with the same card number.

The following eight irregularities were presented in court as evidence of the extent of illegal or non-



Vacant lot shown above is 1742 Bathgate Place Bronx. One voter is registered here.



Abandoned Building — 634 Fox Street Bronx. Domingo Acevedo and Jeromino Pena are registered to vote under this address.



1725 Fulton Avenue Bronx. The first of a block of boarded-up and abandoned houses listed as addresses for four or five registered voters. The house has been marked by the New York City Housing Authority as officially abandoned.

existent registrants also voting on election day:

* Inez Verdejo, 71 Lenox Avenue, 70 AD 27 ED, an abandoned building.

* Ruperto Padillo, 160 East 190 Street, 72AD 37ED, an abandoned building.

* Matilde de Jesus, 1968 Third Avenue, 71 AD 37 ED, lives in Puerto Rico.

* Daryl Arner, 685 West End Avenue, Apt. 19D, 69 AD, 44ED, neighbors state that there is no such person living there, the building has only 17 floors.

* Ralph Pennington, 45 Bartlett Street, 56AD 15ED, an abandoned building.

* Louis Turner, 75 Henry Street, 52AD 5ED, he has lived in Chicago for three years.

* Jeanette Thompson, 828 68 Street, 49Ad 12ED, arthritic, daughter said that she did not vote Nov. 2.

* Zoe Bassett, 75 Henry Street, 52AD 5ED, according to her cousin, she was in California at the time of the election and did not vote.

UPSTATE URBAN AREA EVIDENCE

In the upstate urban areas of Buffalo, Erie County, Rochester, Albany and Syracuse, the sample population consisted of 655,000 voters. Statistical investigation has thrown out a baseline 21,000 fraudulent votes. The upper limit of confirmed and unconfirmed irregularities totals 49,000 votes.

Labor Party investigators directed a field check of the postcard registration procedure, targeting the high-fraud election districts in Buffalo. There are 550,000 registered voters in Buffalo of which 10 per cent registered this year by postcard. Evidentiary affidavits have been secured which testify to the fact that 10,000 of these mail registration forms were diverted to the offices of Buffalo State Assemblyman Arthur O. Eve, the Minority Caucus leader in the state Assembly. Eve coordinated the Democratic Party's "Operation Big Vote" in the entire upstate area with assistance from the United Auto Workers. In the 6 ED of Eve's 143 Assembly District, eight to twelve per cent of the vote has been found irregular. The district also has the largest percentage of abandoned buildings used for addresses for voter registration.

The Operation Big Vote machine allocated \$6,000 to pay city high school students 50 cents apiece to get out and collect mail registration forms. Discotheques gave 50 cent prizes to anyone who registered to vote at the door.

Also in Buffalo, the deceased George Fagan at 207 Purdy Street was "born again" to vote on Nov. 2.

In Syracuse, evidentiary affidavits attest to the disenfranchisement of Republican voters whose postcard registration affidavits were diverted from delivery to the Board of Elections until after the deadline for registration.

*Boarded up (right)
— 957 Washington
Buffalo. Dorothy
Bobb is a registered
voter under this ad-
dress.*



*Open-abandoned —
287 Mulberry Buf-
falo. Theodor Wis-
ner is a registered
voter under this ad-
dress.*

SYNOPSIS OF EVIDENCE OF ELECTION DAY BALLOT STUFFING

Labor Party and Republican Party witnesses testified at the hearings that in addition to the chaos created by the state's postcard voter registration system, the sheer number of "voters" flooding the polls on election day made it impossible for election officials to determine just who was entitled to vote. Such chaos resulted in illegal entries on the public counter of up to 10 per cent in the presidential race and 15 per cent overall in some election districts. One Syracuse resident has submitted an affidavit attesting to the fact that she never registered to vote, did not vote, yet there is a signed buff card in the Board of Elections' records.

Four affidavits from Republican poll inspectors were submitted to the court as evidence of election day chaos. Republican inspector Donald Small from the 46 AD, 70 ED testifies that at PS 288 in Brooklyn "there were over 700 voters as opposed to the usual

200 or so." Some were unknown, not registered or registered more than once. In some cases, "friends" and "relatives" crowded into the polling booth with the voter.

Judy Collazo, a Republican poll inspector for the 76 AD 9 ED testifies that at PS 114 in the Bronx, there was a general atmosphere of confusion with individuals claiming to be registered but having no proof.

Roy G. Vanasco, the Republican candidate for State Assembly from the 57 AD surveyed four election districts on Nov. 2 — the 27, 28, 29 and 30 EDs. His affidavit testifies to total chaos at the polls, unregulated access to the machines, political literature inside the polling area, and crowds of 50-60 standing around talking loudly.

A team of Labor Party investigators conducted a check of unauthorized extra votes on the voting machines, comparing the total number of votes on the public counter to the total number of signed buff cards which is the Board of Elections on-file copy of

voter registration which must be signed before a voter enters the polling booth. A notarized affidavit from Marie Worthy, a Republican inspector for the 30 AD, 55 ED, testifies that at PS 21 in Brooklyn "the public counter on the machine was always 2-3 higher than my count of people voting."

In 62 sample election districts in New York City, an average 3.1 per cent of the votes were unauthorized. In the 55 AD 1 ED, 63 votes were stuffed in the ballot box totalling 12.2 per cent of the total votes cast in that ED.

In the presidential tally, 15 out of the 62 sample districts registered more presidential votes on the machine than legal votes cast. Even taking into account this year's drop off in votes for President due to "Watergate" cynicism and lost votes for Labor Party candidate Lyndon H. LaRouche, Jr., there were 273 illegal votes cast for President in these 15 districts, representing an average four per cent padding of the vote total. In some cases, like the 36 AD 51 ED and the 36 AD 2 ED, there was a ten per cent padding of the vote total.

Prepare Criminal Indictments

As part of the investigation into vote fraud in New York state Nov. 2, Labor Party investigators compiled information and conducted telephone interviews with a number of those persons responsible for the proper conduct of the election as well as spokesmen for organizations involved in the Democratic Party's Operation Big Vote. The following is a partial list of those individuals:

New York Governor Hugh Carey — as a Democratic Party official and the state's top governmental official, he was responsible for the overall enforcement of the state's election law. Carey is a defendant in the federal court suit.

Secretary of State Mario Cuomo — also a top Democratic Party official, Cuomo is the highest state official directly charged with enforcing the state's method of choosing presidential electors. He is a defendant in the case.

New York Mayor Abraham Beame — a top Democratic Party official in the city and Carter supporter, Beame met with Elizabeth Dolan and other Big Vote officials immediately prior to the election to plan voter turnout for Jimmy Carter.

Elizabeth Dolan, Chairperson of the New York City Board of Elections — Dolan is charged with overseeing the enforcement of the state's registration and voting procedures in the city of New York and is a defendant in the case. In the pre-election period, she instructed New York County Board of Elections officials not to send out first class letters to 280,000 out of 600,000 postcard registrants in violation of the state's election law Article 7, Section 153 Number 7A.

Dolan extended the deadline for receipt of postcard registrations to October 8 from October 4 — a violation of the election law which requires closing the registration period 30 days prior to the election.

At a meeting to instruct designated poll inspectors at a date within ten days of the election, Dolan instructed them to "not turn anyone away from the polls."

Robert Kelly, the chief clerk at the Brooklyn Board of Election told Labor Party investigators that approximately 1200 mail registration forms were received from the 80 Varick Street center Oct. 14. He was instructed to send buff cards with a xerox copy of the registration form to the polling places.

Dolan stated over two radio stations the day before the election that anyone who had ever registered was eligible to vote Nov. 2.

Attorney General Louis Lefkowitz — the state's top law enforcement official upheld in State Court of Appeals the legality of the state's postcard registration law pushed through the state legislature by Democratic Senator Carl McCall. The suit was brought by Republican officials in the state.

Gerard Doherty, New York City coordinator for the Carter for President campaign committee — Doherty held regular planning sessions on the Democratic Party's "Get Out The Vote" campaign with Basil Patterson, Vice Chairman of the Democratic National Committee and member of the Council of Black Elected Officials, Arthur Barnes, President of the New York Urban Coalition, David Dinkins, delegate to the Democratic National Committee, District leader in the 74 AD, and member of the Council of Black Elected Officials, Percy Sutton, Manhattan Borough President and member of the Council, and Arthur O. Eve, Buffalo Assemblyman and member of the Council. The Council overwhelmingly endorsed Jimmy Carter for President in June of 1976.

Doherty also held regular meetings with spokesmen for the AFL-CIO's Committee on Political Education (COPE). COPE committed the following unions to Operation Big Vote: the Longshoremens union, Local 1199 Hospital Workers, Albert Shanker's United Federation of Teachers, the International Ladies Garment Workers Union headed by Sol Chaikin, and Victor Gotbaum's AFSCME. These unions provided union funds to support the vote getting for Carter operation and supplied volunteers to Elizabeth Dolan to work in the Board of Elections.

New York City Councilman Ramon Velez — informed a Labor Party investigator of several ways to multiply register and register non-existent people without getting caught by the Board of Elections. He claims personal responsibility for registering 20,000 new voters four days before the close of the registration period. It is in his district that the greatest number of fraudulent registrations at abandoned buildings and of multiple registrations were found. The area went overwhelmingly to Carter.

TABLE 1. ILLEGAL VOTES IN NEW YORK CITY

ED	Number of Buff Cards	Signed Buff Cards	Number of Illegal Votes	% of Illegal Votes *
14	4	710	38	5.3
20	457	434	24	5.3
31	559	550	9	1.6
37	597	584	13	2.2
40	449	404	45	9.0
46	286	258	28	10.8
53	9	214	14	6.5
62	16 (Man.)	471	19	3.8
69	50	442	4	0.9
52	5	829	34	4.5
71	37	313	3	0.9
72	37	176	7	4.1
72	46	311	24	8.4
74	30	528	6	1.1
77	9	525	5	0.9
TOTAL:	6942	6670	273	4.0 (Average)

Additional ED's sampled:

55	1	552	36	7.0
60	27	810	8	1.0
62	16 (S.I.)	838	25	3.0

*Figure (4), the percentage of illegal votes, is derived by taking the number of illegal votes as a percentage of the legal votes, (3)/(2).

SAMPLE OF ILLEGAL VOTERS ENTERING MACHINES IN NEW YORK CITY

	Signed Buff Cards	Illegal Additional Votes	% of Additional Votes
A. 62 Election Districts from sample	26,192	814	3.1
B. 14 Election Districts from Patricia Levitt affidavit, Exh. 1.	3,498	162	4.1
C. Miscellaneous ED's:			
46 AD 56 ED	573	20	3.4
46 AD 70 ED	131	9	6.0
55 AD 1 ED	516	63	12.2
55 AD 6 ED	247	3	0.1
56 AD 6 ED	259	9	0.3
62 AD 16 ED (S.I.)	813	25	3.0
TOTALS:	32,229	1104	3.4

NEW YORK CITY-DISCREPANCY GRID OF PUBLIC COUNTER NUMBERS
vs. REGISTRATION POLL RECORD SIGNATURES (Each E.D.)

<u>A.D.</u>	<u>E.D.</u>	<u>Public Count Number</u>	<u>Signed Buff Cards</u>	<u>Votes Not Accounted For</u>	<u>% Discrepancy</u>
77	9	549	520	29	5.2
77	12	162	160	2	1.2
77	22	236	233	3	1.2
77	24	250	244	6	2.4
77	43	312	300	12	3.8
77	52	277	250	27	9.7
78	12	201	197	4	1.9
79	3	383	377	6	1.5
79	5	829	814	15	1.8
79	20	150	121	29	19.3
79	22	179	169	10	5.5
79	30	117	113	4	3.4
56	6	268	257	11	4.1
56	41	197	193	4	2.0
TOTAL, ALL ELECTION DISTRICTS SAMPLED 4110			3948	162	3.9

**SUMMARY OF RESULTS
OF STATISTICAL SAMPLE NEW YORK STATE**

A random sample of 42 per cent of the voters in New York State was taken to estimate a minimum number of invalid or irregular votes cast in the Presidential election in New York State. 58 per cent of the State's voters were not studied at all in this sample. The sample was designed according to standard techniques to provide an unbiased estimate of a minimum number of irregular votes.

The findings of this sample are summarized in Table 1:

Table 1: Summary

<u>Number of Voters in the 42% of New York</u>	<u>Larger Estimated % Irregular Votes</u>	<u>Larger Estimated Number Irreg. Votes</u>	<u>Estimated Minimum % Irregular Votes</u>	<u>Estimated Minimum Number Irreg. Votes</u>
2,821,669	10.8%	306,100	4.9%	138,200

The larger estimate of irregular votes comes from the voters who could not be confirmed as validly registered using all means at the samplers' disposal. The estimated minimum comes from voters who were positively confirmed as invalidly registered.

The above estimates are based on a random sample of 42 percent of the voters in New York State. These estimates are subject to what is technically called "sampling error." Estimates of this sampling error are given in Table 2:

Table 2: Sampling Error

<u>Larger Estimated Number Irreg. Votes</u>	<u>Sampling Error (95% Confidence)</u>	<u>Estimated Minimum Number Irreg. Votes</u>	<u>Sampling Error (95% Confidence)</u>
306,100	47,400	138,200	36,400

The sampling error means that had a census of all 2821669 voters in the 42 per cent of New York State been taken we would expect (with 95 per cent assurance) that the results of this sample would not differ from the census result by more than the amount of the sampling error.

OHIO

Conn et al, v. Ted W. Brown et al.

OVERVIEW

On Dec. 9 Judge Joseph Kinneary of the Federal Southern District Court of Ohio handed down a Memorandum Opinion and Order in the U.S. Labor Party-GOP-American Party lawsuit to overturn the Nov. 2 presidential election in Ohio finding that the team of Labor Party investigators probing the Ohio fraud had compiled statistical evidence to prove that at least 12,000 votes cast on Nov. 2 in the cities of Cleveland, Cincinnati, Toledo and Columbus alone were fraudulent. James Earl Carter's margin in Ohio is now unofficially set at approximately 11,000 votes.

Although Judge Kinneary today denied the USLP and co-plaintiffs their requested emergency relief of a Temporary Restraining Order, he has set the date for a final hearing: Saturday, Dec. 11 at 9:00 a.m. This will permit the opportunity to complete judicial relief prior to the meeting of the Electoral College Dec. 13.

In setting forth his denial of the Restraining Order, Judge Kinneary held that "the court finds that certain irregularities did occur (in the general election) that cannot be condoned." However, Judge Kinneary raised doubts as to the conclusive nature of the evidence thus far presented, and therefore declined to grant emergency injunctive relief.

EXCERPTS FROM THE EVIDENCE

Judge Kinneary's Findings of Fact, which he prepared following a preliminary hearing on the Labor Party's evidence in court action are excerpted here:

"On Nov. 16, 1976 Jeffrey Steinberg was sent by the U.S. Labor Party to the state of Ohio to coordinate an investigation into voting and registration irregularities within that state with a view toward establishing in a court of law that the results of Ohio's presidential election held on Nov. 2, 1976 were fraudulently obtained. He was told that initial efforts would be focused on the cities of Cleveland, Cincinnati, Columbus, and Toledo.

"Mr. Steinberg was instructed to determine a random sample of voting irregularities, and on Nov. 30, 1976 he was directed to use the following methodology: in each of the four cities he was to target certain wards thought to have a high probability of fraudulent voting. Targeted wards included those wards having a high black population, a high working-class population, and a high incidence, based on preliminary investigation, of voting by persons whose addresses appeared to be abandoned

buildings. Ten precincts within each such ward were randomly selected and a random sample of the persons actually voting in each such precinct was determined by randomly selecting a starting point in the poll books for the precinct and choosing every 15th voter thereafter.

"Teams of investigators, made up primarily of members of the U.S. Labor Party and persons interested in the investigation then checked the addresses of the voters selected. Those voters whose addresses were verified were placed in a category captioned valid. Those voters whose addresses proved to be abandoned buildings or vacant lots were placed in a category captioned fraudulent. Similarly placed in the fraudulent category were those voters determined by the investigators not to have resided at the address used by them on Nov. 2, 1976. Finally, those voters whose names and addresses appeared in the poll books as having voted on Nov. 2, 1976 but who told the investigators that they had not in fact voted, were placed in the fraudulent category. Those voters established as neither clearly valid nor clearly fraudulent were placed in a category captioned unconfirmed. Mr. Steinberg appointed others to help coordinate the sampling and these others, in turn, chose as investigators persons thought capable of understanding and effectuating the outlined methodology. It appears that none of the investigators had previous sampling or investigative experience. As a result of this investigation, Mr. Steinberg concluded that 29 instances of fraudulent voting occurred in Cleveland, that 29 instances of fraudulent voting occurred in Cincinnati, that 27 instances of fraudulent voting occurred in Columbus, and that 16 instances of fraudulent voting occurred in Toledo. Mr. Steinberg testified that he was not entirely familiar with Ohio's election laws. He further testified that the results of the investigation had been reported to the boards of elections for the appropriate counties and that investigation has been undertaken by some of the boards themselves.

"Dr. John Chamberlain of the University of Michigan testified that on Dec. 6, 1976, he reviewed the findings of the investigation coordinated by Mr. Steinberg, for the purpose of applying a mathematical evaluative sample. Based upon the findings by Mr. Steinberg's staff, of 29 instances of alleged confirmed fraudulent votes in target wards in Cleveland, Ohio, Dr. Chamberlain estimated that 4,376 fraudulent votes were cast in the target wards on Nov. 2, 1976. Similarly, Dr. Chamberlain estimated that based on the 29 instances found by Mr. Steinberg's staff, 2,990 instances of fraudulent

voting occurred in the target wards of Cincinnati during the presidential election. From the 27 instances of fraudulent voting discovered by Mr. Steinberg's staff in Columbus, Dr. Chamberlain estimated that 2,657 fraudulent votes were cast in Columbus target wards. Finally, Dr. Chamberlain estimated that 1,824 instances of fraudulent voting occurred in Toledo's target wards as projected from the 16 instances discovered by Mr. Steinberg's staff.

Dr. Chamberlain testified that his total estimate of 11,847 represents an unbiased, conservative projection of fraud, that has been based only upon the confirmed instances of fraud as found by the Steinberg staff without reference to all those votes placed by the Steinberg staff in the unconfirmed category. Were one to base an estimate upon both fraudulent and unconfirmed categories according to Dr. Chamberlain, one could project 20,943 instances of fraudulent votes for the target wards in the four cities.

"Dr. Chamberlain testified that based upon his calculations, actual investigation would reveal that the number of fraudulent votes in the target wards would, with 95 per cent probability, fall into the range of approximately 5,950 to 17,650. Although Dr. Chamberlain stated that the methodology followed by the Steinberg staff was one that experts could reasonably rely upon in determining voting irregularities, Dr. Chamberlain admitted that his calculations are entirely dependent on the raw data compiled by Steinberg's staff...

Dr. Chamberlain testified that prior to this action, he had never participated as an analyst in a voting fraud case, nor had he ever participated in an analysis that depended for its conclusions upon the failure to contact the individuals involved. He further testified that, although he knows of no other voting fraud investigation in which the methods followed by the Steinberg staff were relied upon, the method followed in this action is standard and would be appropriate for use in many analysis.

Allen Friedman is the Ohio chairman of the United States Labor Party, and he coordinated the investigation into fraudulent voting in Cleveland, Ohio. Apart from the random sampling investigation for purposes of statistical analysis described above, Mr. Friedman and others conducted additional investigations into voting irregularities in that city. After obtaining a list of registered voters from the Board of Elections of Cuyahoga County, Mr. Friedman's staff located abandoned buildings and vacant lots within the city. Cross-checking the on-site investigation with the voter registration list, Mr. Friedman's staff compiled a list of the registrations reflecting such locations as residences. After cross-checking this information with the poll books listing those persons who actually voted in the Nov. 2, 1976 election, Mr. Friedman's staff concluded that 542 persons listing such residences actually voted in Cleveland.

Subsequent investigation revealed that no such persons resided at those given addresses. Similar investigations conducted in Cincinnati and Toledo revealed that 324 persons who listed as addresses either abandoned buildings or vacant lots located in Cincinnati actually voted in the Nov. 2, 1976 presidential election, and 148 such persons actually voted in Toledo.

Investigators in Toledo conducted a further inquiry using the city's own list of abandoned buildings. It was determined through this procedure that 69 additional persons listed as residents in abandoned buildings voted in the Nov. 2 election.

Voter Registration

Mr. Friedman testified to yet a third method of investigation carried out in Cleveland. Suspicious of the concentrated voter registration drive conducted in Cleveland during the six months preceding the election that resulted in the registration of 95,000 new voters, Mr. Friedman's staff obtained from the Board of Elections of Cuyahoga County computer tapes containing the lists of new registrants in certain selected wards. Letters to 3,200 randomly selected registrants were mailed on Dec. 2, 1976. As of Dec. 6, 1976, 215 of those letters were returned undelivered. After checking the poll books of voters Mr. Friedman's staff determined that 122 of those persons whose letters were returned were listed as having actually voted in the Nov. 2 election.

Finally, Mr. Friedman testified to irregularities in certain voter registration drives conducted in Cleveland. Working from a list of deputy registrars appointed by the Board of Elections in Cuyahoga County, Mr. Friedman determined that many more deputy registrars listing their political affiliation as Democratic were appointed than those listing their affiliation as Republican. Further, Mr. Friedman determined that, in some instances, registration locations were not open to the general public nor was notice of registration at such locations published, and in some instances, registrations were not taken in the presence of two persons from opposing political parties. Mr. Friedman was unable to state how many persons registered to vote at such locations actually voted on Nov. 2, 1976. He was further unfamiliar with the voting qualifications of such registrants apart from the conditions of the registrations.

"Robert Greenberg, a former employee of the United States Labor Party and the coordinator of the Toledo investigation, testified that of the 134 deputy registrars appointed to conduct voter registration drives in that city, 84 were Democrats, 4 were Republicans, 26 revealed no political affiliation, and 17 were not registered to vote in the county. Although most of the registration drives in Toledo were authorized by the Lucas County Board of Elections, Mr. Greenberg testified that one drive was conducted in an unauthorized site and that public notice for the drive was not given..."

THE LABOR PARTY ACTION

The Labor Party-GOP-American Party action was filed on Nov. 26 in Southern District, Eastern Division Federal Court in Columbus, Ohio charging violations of Title 19, Section 1893 of the Federal Civil Rights Law. In addition to requesting the temporary injunction against certification of the election which Judge Kinneary today denied, the suit calls upon the court to establish a master commission to permanently enjoin certification of the election results and to supervise a new election. Kinneary will consider these requests following Saturday's hearing.

On Dec. 8, Ohio Secretary of State Ted Brown announced from his office in Columbus that he will undertake a statewide investigation into vote fraud in the Nov. 2 contest. Brown has appointed George Ferris, a former undersecretary of state for Ohio, to

head a team of investigators in the probe, which sources at the state capitol say could take up to two years and will include criminal indictments. Brown, who ordered on Nov. 29 a complete recount of the Ohio vote, will request up to \$695,000 in state appropriations for the investigation.

The plaintiffs are now making final preparations for the Dec. 11 hearing. On that occasion, Dr. George Bardwell is scheduled to present the scientific basis for statistical evidence which challenges the election results. Dr. Bardwell has just completed testimony in a similar court challenge in New York.

In the event that an appeal of the Dec. 11 decision is necessary, the plaintiffs will continue to pursue relief in the Sixth Circuit in Cincinnati. A precedent established in a 1960 case in Hawaii allows for electors to be disqualified or changed even after the meeting of the Electoral College.

Mail Study of Fraudulent New Registration in Cuyahoga County

There were, according to official Board of Elections reports, approximately 94,000 new registered voters in Cuyahoga County (individuals who registered to vote between July 1, 1976 and October 4, 1976). In order to determine the extent to which fraudulent registration occurred through the registration of individuals at incorrect addresses that do correspond to actual existing buildings, the Committee for Fair Elections conducted a mail study involving a target population of 3,200 new registrants in 10 Wards in Cuyahoga County. The following procedure was employed.

1. The Committee for a Fair Election obtained from the Cuyahoga County Board of Elections the official computer tapes listing all newly registered voters by name, address, ward and precinct.

2. The following Wards were targeted based on high expectation of fraudulent registration: Wards 5, 8, 10, 11, 12, 16, 17, 18, 24 and 25.

3. Mailing labels were printed directly off of the Board of Elections' computer tapes totaling 3,200. These names were selected by printing every second name on the tape. Every Ward with the exception of Ward 25, therefore represents a 50 per cent sample of the total number of new registrants. Because the computer printing of the labels stopped at exactly 3,200 labels, Ward 25 (the final Ward) may not necessarily represent exactly 50 per cent.

The grid below gives a breakdown of the returned letters received from a mailing sent out on December 3-5: "Voted" — through checks at the Board of Elections, determined that the person voted, "Did

Not Vote" — determined through the same process, that the person did not vote in the election on Nov. 2, 1976; "No Record" — either no record of the person having registered or the person's identity was not determinable.

Wards	Voted	Did Not Vote	No Record
5	14	14	1
8	25	20	1
10	27	8	4
11	0	6	2
12	17	15	2
16	18	8	0
17	4	3	0
18	9	2	1
24	6	0	1
25	2	4	1
Totals	122	80	13

4. The post master general and the bulk rate handler were contacted on the nature of the mailing. On Saturday, December 4, 138 letters were returned, and on Monday, December 6, 77 letters were returned.

5. 56.7 per cent of letters returned belonged to individuals who voted. Out of the total sample this is 3.8 per cent to date.

6. Of the sample wards, 5, 8, and 31 are predominantly white.

Cuyahoga County Deputy Registrars

The following is a list of all the trade unionists in Cuyahoga County (Cleveland) empowered by the County Board of Elections to act as Deputy Registrars and register voters at their work places. The list demonstrates an overwhelming Democratic Party bias (22 Democrats versus 3 Republicans out of 33 Deputy Registrars), the listing also shows the effort by the officially pro-Carter United Auto Workers — who have been cited as being heavily implicated in fraudulent registration in several court cases — to get out the vote: of 33 trade union registrars, 5 were UAW officials or trustees; of these 9 were Democrats, 3 Republicans, and 3 were unconfirmed, unaffiliated or not registered in the county.

Name Political Affiliation	Location
James Bielecki Democrat	Ohio Bell 20 West Bagley Road Berea 44017
Lilly Holt Democrat	Ohio Bell 700 Prospect Cleveland
Joseph P. Byrne Democrat	Ohio Bell 32000 Aurora Road Solon 44139
Robert D. Thiel Democrat	Ohio Bell 32000 Aurora Road Solon 44139
Melvin J. Witt Democrat	United Labor Agency 3100 Euclid Avenue Cleveland 44114
William Lett Democrat	USWA 14600 Detroit Avenue Suite 700 Lakewood 44107
Thomas Barberic Democrat	USWA 14600 Detroit Avenue Suite 700 Lakewood 44107
Peter Rehus Democrat	USWA 14600 Detroit Avenue Suite 700 Lakewood 44107
John Sahayda Democrat	Regional Office - UAW Region 2 601 Rockwell, Room 301 Cleveland 44114
Norman L. Richards Democrat	Ford Local 1250 17250 Hammel Road Brook Park 44142
Emily Bryant Democrat	Ford Local 1250 17250 Hammel Road Brook Park 44142
Larry W. Ramsey Democrat	Ford Local 1250 17250 Hammel Road Brook Park 44142
Carl W. Fox Democrat	Local 1005 5615 Chevrolet Boulevard Parma 44130
Robert W. Linko Not Registered to Vote in Cuyahoga County	Local 1005 5615 Chevrolet Boulevard Parma 44130

Name Political Affiliation	Location
Charles Smith Unconfirmed	Local 1005 5615 Chevrolet Boulevard Parma 44130
James Summers Democrat	Local 1005 5615 Chevrolet Boulevard Parma 44130
Robert E. Dezort Republican	Fisher Body Division East 140 and Coit Road Cleveland
Doris B. Pickens No Party Affiliation	Fisher Body Division East 140 and Coit Road Cleveland
Ronald N. Kasekanev Democrat	Fisher Body Division East 140 and Coit Road Cleveland
Jean T. Esposito Democrat	Fisher Body Division East 140 and Coit Road Cleveland
Gerald Hurd Democrat	Fisher Body Division East 140 and Coit Road Cleveland
Kent M. Holcomb Republican	Fisher Body Division East 140 and Coit Road Cleveland
Donald E. Bunge Republican	Fisher Body Division East 140 and Coit Road Cleveland
Margaret E. Gagen Democrat	Joseph and Feiss 2149 West 53 Street Cleveland 44102
Mike Arnold Democrat	Picker Xray Corporation 595 Miner Road Highland Heights 44143
William J. Oberbacker No Party Affiliation	Picker Xray Corporation 595 Miner Road Highland Heights 44143
Frank Vaccarello Democrat	Leece Neville Company 5109 Hamilton Avenue Cleveland 44114
Lillian Sarone Not Registered to Vote in Cuyahoga County	IBEW - Local 1377 3043 Superior Avenue Cleveland 44114
Jill Carissimi No Party Confirmation	Ohio Bell 750 Huron Road Cleveland 44115
Edward Phillips Unconfirmed	Ohio Bell 750 Huron Road Cleveland 44115
Patrick W. Cleary, Jr. Democrat	Ohio Bell 750 Huron Road Cleveland 44115
Elaine Moore Unconfirmed	Ohio Bell Erievue Plaza Cleveland
Theodore E. Karabinus Democrat	Ohio Bell 7205 Southington Drive Parma 44129

*Registered and Actual Votes From
Vacant Lots and Abandoned Buildings
in Cleveland*

(determined by onsite inspection over a one-week period)

WARD-PCT	REGISTERED	VOTED	WARD-PCT.	REGISTERED	VOTED
10	23	11			
U	13	6	Q	32	20
O	5	1	K	3	0
R	5	4	E	3	2
			B	16	7
11	369	157	N	5	2
O	21	9	L	5	3
E	26	9	J	40	16
D	9	5			
N	11	7	18	173	75
B	12	6	J	25	14
J	106	38	I	10	3
C	44	14	D	24	4
K	38	17	F	36	14
H	16	9	C	2	1
I	7	4	O	7	0
L	15	8	M	10	6
A	11	6	H	8	4
G	12	7	L	6	3
M	47	17	G	12	8
			B	4	2
12	208	88	E	1	1
S	1	1	A	15	8
P	9	5	R	9	4
T	18	9	P	4	3
B	25	13			
D	32	3	20	33	14
N	15	9	H	11	5
H	23	11	M	3	2
O	12	4	E	1	1
R	35	25	I	18	6
Q	38	8			
			25	26	13
16	50	23	S	4	2
V	1	1	F	13	8
T	29	13	R	9	3
K	4	3			
W	1	1	28	27	21
M	2	1	L	19	16
N	6	2	C	7	4
Q	1	0	O	1	1
U	3	1			
H	3	1	29	49	18
			N	14	7
17	292	120	R	5	0
G	26	8	M	4	2
F	32	10	F	9	4
H	20	12	J	8	3
C	27	10	L	3	0
P	27	13	K	4	2
M	9	6			
A	11	3	31	10	3
O	20	4	B	10	3
D	13	4			
P	3	0	TOTAL	1252	542

WISCONSIN

The U.S. Labor Party and American Party entered a three-count vote fraud case before Wisconsin State Supreme Court on Dec. 9. The action, **H.W. Jim Porter v. State Board of Elections**, asks an alternative writ of mandamus to compel a statewide re-count of the Wisconsin vote, contains a petition for a re-hearing on the USLP and American Party suit to bar certification of presidential electors that was dismissed by the Supreme Court on Dec. 4, and asks for a stay of the ruling of Circuit Court judges in Milwaukee and Waukesha counties denying recount petitions by the two parties.

A hearing date for the case will be set on Dec. 10.

The USLP and American Party are also preparing to file Federal Court action in Wisconsin under two provisions of the Civil Rights Act, Section 1983, and the "one-man-one-vote" doctrine.

The Dec. 9 motions are aimed at cracking cover-up efforts by high state officials, including Democrat Governor Patrick Lucey and Attorney General Bronson La Follette, and national Democratic Party and Carter campaign officials to block investigation of fraudulent voting and unconstitutional registration procedures which permitted the signing up of phantom votes which many number over 100,000.

As in the Watergate scandal, the efforts by La Follette and others to prevent investigation of the fraud have added a new dimension to the Wisconsin vote scandal. Evidence points to their use of procedures in violation of state law to certify Wisconsin presidential electors, and tampering with the court procedures which the USLP and American Party have undertaken to redress the fraud.

Fraud charges in Wisconsin were initiated on the night of the election, when former Republican Governor Warren Knowles appeared on television to charge that "they're voting twice" for Carter in wards controlled by the AFL-CIO.

The fraud was conducted under the dispensation of ten-day residency requirement procedures instituted by fiat of Attorney General La Follette, in violation of provisions of the State Constitution. Under La Follette's ten-day residency requirements, an astounding 175,000 "same-day" registrations were filed on Nov. 2, 70,000 in Milwaukee County alone, under conditions of complete chaos and absence of any semblance of verification procedures.

Very early in the day, polling officials ran out of the official affidavit forms provided for "same-day" registrants to sign, and tens of thousands of subsequent registrants were signed up on scrap paper, the backs of sample ballots, etc. Preliminary evidence indicates that AFL-CIO and UAW officials using computerized lists of union members, sent

squads criss-crossing the city signing up and voting.

Recount Petition

In a preliminary move to untangle the fraud, Attorney Joseph Weigel, representing the U.S. Labor Party and the American Party, filed Nov. 12 for a recount of the Milwaukee County vote, and a similar petition in neighboring Waukesha County Nov. 15.

The recount petition cited 18 counts of fraud, mostly centering on the "same-day" registration procedures:

- 1) illegal and improper registration;
- 2) persons allowed to register the same day as the election;
- 3) aliens and non-citizens allowed to register;
- 4) persons voting at two or more polling places;
- 5) persons voting at the wrong ward or wards;
- 6) persons voting under fictitious names or names of deceased persons;
- 7) persons allowed to vote more than once in the same voting booth;
- 8) failure of election officials to investigate violations;
- 9) failure of election officials to ensure that voting machines were functioning properly;
- 10) failure to observe Wisconsin's six-month residency requirement;
- 11) failure to check voter qualifications;
- 12) allowing persons to claim temporary residences as voting residences;
- 13) failure to require affidavits from persons registering on the day of the polling;
- 14) failure to follow proper procedures for absentee ballots;
- 15) failure to supervise the election process;
- 16) failure to station at least one policeman at each polling location;
- 17) failure of polling officials to compare the figures for the total number of votes shown on each machine with the total vote for president shown on each machine;
- 18) allowing "same-day" registration as if a referendum question to permit "same-day" registration, which was on the ballot Nov. 2, had already passed.

The USLP and American Party are still trying to obtain that recount. After initially accepting the recount petition, the Milwaukee County Elections Commission reversed itself on a straight party-line

vote, and rejected the petition, using a technical pretext recommended by Milwaukee County corporation counsel George Rice.

The USLP and American Party then went to State Court, to obtain a ruling compelling the Milwaukee County Elections Commission to hold a recount. The judge, in a transparently political decision, ruled that the recount motion was not properly filed because it was not signed by USLP Presidential candidate Lyndon LaRouche, ignoring an alternative provision in state laws which permits one of the parties to file in person — USLP Vice Presidential candidate Wayne Evans was in the courtroom. "If LaRouche had signed, the judge would have asked for Evans in court," Weigel commented afterwards.

Motion To Bar Certification

On Dec. 1, the USLP and American Party filed motions in State Supreme Court to bar certification of presidential electors for Carter, and to compel a statewide recount. On Dec. 4, the two parties petitioned the State Board of Elections for a recount.

Late in the evening on Dec. 3, the Wisconsin Supreme Court astoundingly declared the actions moot and dismissed them on the grounds that the State Board of Elections, State Board of Canvassers, State Attorney General Bronson La Follette, and Governor Lucy, having fulfilled procedures mandated by state law, has already certified the elections and sent the certification of the electors to Washington, D.C. Announcement of the certification of the electors was not made public, and was revealed to attorney Weigel by a reporter for the Associated Press.

The Dec. 9 petition for a rehearing of that ruling was prepared when evidence was uncovered indicating that the Supreme Court was deliberately misled when it ruled that the electors had been properly certified.

The Supreme Court ruling specified that the State Board of Elections had acted to certify the lists of electors as specified by Section 7.07.5B of the State election law. But James Klauser, a Republican member of the State Board of Elections, has signed an affidavit testifying that no meeting of the State Board of Elections has taken place since Nov. 27, which was prior to the Dec. 1 meeting of the State Board of Canvassers which certified the vote results. Only an Elections Board meeting subsequent to Nov. 30 could have submitted lists of electors based on the certified results to Governor Patrick Lucy as required by Section 7.07.5B, and no such meeting took place.

La Follette Cover-up Role

The investigation into the events leading up to the Dec. 3 Supreme Court decision has raised new questions concerning the propriety and legality of the

role being played by La Follette, other Wisconsin Carter supporters, and the Carter machine nationally in the efforts to quash the Wisconsin vote fraud case. Sources have revealed that on Wednesday, Dec. 1, the day that the State Board of Canvassers met to certify the vote results, Wisconsin Attorney Robert Freibert, a member of the Democratic National Committee, acting in capacity as attorney representing the Committee, phoned La Follette, one of the three members of the Board of Canvassers (all three are Democrats), to ascertain that the Board did intend to certify the results.

Sources have further revealed that on Friday, Dec. 3, the day on which the USLP and American Party filed a petition to compel a recount with the State Board of Elections, a State Board of Elections attorney, Robert Whitney, telephoned Assistant Attorney General John Murphy, who serves as counsel to the Board, to advise him that the State Board was rejecting the petition on the grounds that the State Board of Canvassers had already certified the results. Murphy, the sources report, promptly telephoned George Rice, the Milwaukee County Corporation counsel, to advise him and secure his advice on the decision. Rice, the sources report, concurred in the State Board action. Rice then proceeded to telephone Freibert and Ralph Gerson, the Democratic National Committee counsel who retained Freibert to monitor the USLP-American Party case and develop strategies to combat it, to advise them of the decision.

Sometime between Dec. 1 — when the USLP-American Party suit to block certification of electors — and Dec. 3 when the State Supreme Court ruled that the suit was moot because electors had already been certified, the Supreme Court Justices were informed that procedures to certify the electors, including a submission of three lists of electors to the Governor by the State Board of Elections, as provided under Section 7.07.5B had been completed, if a meeting of the Board of Elections did take place, the Republican members were not informed or in attendance, a fact which casts doubt on the legality of the meeting and of which the Supreme Court Justices should have been informed in issuing their ruling on Dec. 3. If no meeting took place, who misinformed the Supreme Court Justices that such a meeting had occurred?

In either case, the evidence so far indicates that state officials have forsaken their responsibilities to the people of Wisconsin and are acting as partisans of Jimmy Carter and the Democratic National Committee.

The evidence of the cover-up scandal uncovered so far, if the Supreme Court makes an unbiased ruling on the facts, is sufficient to compel the Court to reverse its ruling and bar certification of the electors from Wisconsin.

PENNSYLVANIA

Moss v. Barr

OVERVIEW

On Dec. 8, attorney for the U. S. Labor Party John Bradley filed with the state court of the Commonwealth of Pennsylvania appealing a Dec. 3 lower court decision which blocked the Labor Party's legal bid to overturn the Nov. 2 election from trial because the party lacked a \$50,000 bond to cover possible investigatory expenses. Bradley, who ran for Congress on the Republican Party ticket in Pittsburgh's 14th congressional district on Nov. 2, also filed the original action on Nov. 22 in state court in Harrisburg.

The suit seeks to "void the November 2, 1976 General Election with respect to the selection of presidential electors," on the basis that Pennsylvania's recently enacted postcard voter registration law is illegal under provisions of the Pennsylvania State Constitution which require verification of all such registrants before election day.

The Labor Party charges that the Pennsylvania postcard registration law was applied unconstitutionally as the gateway for massive fraud by coercion and bribery in the elections. The unconstitutional registration of over 600,000 voters by postcard in the months before the November election should be nullified, the party argues, and their votes discounted. Carter won the state by an unofficial margin of 130,000 votes, which the Labor Party has documented was largely accumulated through the voting of illegal postcard registrants.

Pennsylvania voters have joined in the USLP court action contesting "the election of the Democratic presidential slate of electors pledged to James E. Carter and Walter F. Mondale." Pennsylvania has 27 electoral votes now credited to Carter.

A hearing on the U. S. Labor Party petition was set for Dec. 3, and the party filed papers for the appearance in court of Pennsylvania Secretary of State Dolores Tucker, the state's highest election official, to answer charges of illegal registration, and election day machine tampering and voter coercion within her jurisdiction. On Dec. 3, however, the Labor Party's action was summarily dismissed by the court, after it was informed that the party could not post a \$50,000 court-ordered bond. In yesterday's appeal, Bradley stated that full arguments should be heard in this critical case, and assured the court that meritorious grounds can be demonstrated why the \$50,000 bond should not be required as a precondition for a hearing on the evidence by the state.

EXCERPTS OF THE PETITION TO VOID THE ELECTION

"On or about July 1, 1976, the Election Code of the Commonwealth of Pennsylvania was amended by the passage of Acts Numbers 122 and 123 of the 1976 Legislative Session of the Pennsylvania General Assembly... (which) modified the voter registration procedure by authorizing non-personal enrollment of voters through the 'postcard registration' device...

"...the final date for mail receipt of postcard registration forms was October 4, 1976"

The amendments required a notification stub to be sent by the County Election Board via U. S. Mail to the residence with a supplementary requirement that the County Election Board investigate or reject registrations for which notification stubs are returned marked 'undeliverable'.

"...The Attorney General for the Commonwealth of Pennsylvania authorized County Election Boards to accept postcard registration forms that were received by hand-delivery by October 4, 1976 or by U.S. Mail by October 8, 1976...

"The County Election Boards were not able to and did not perform the types of verification procedures...

"...Plaintiffs had personally observed and were in receipt of reliable reports that irregularities in the postcard registration process and other factors indicated a high probability of massive vote fraud on election day.

"...Evidence of bribery and coercion of voters and election officials, abusive and threatening language against certain voters and officials, tampering with voting machines and other related offenses in and around polling places were observed and/or reported to Plaintiffs in Philadelphia, Montgomery, Delaware, Bucks, Erie and several other counties throughout the Commonwealth of Pennsylvania.

"Acts Nos. 122 and 123... are unconstitutional on their face... a denial to (the state's) citizens of their Constitutional rights to... a meaningful vote in federal elections... denies the Citizen equal protection under the law, also guaranteed by the Fourteenth Amendment of the United States Constitution.

"Plaintiffs... request relief in the form of a declaratory judgement that... Acts Numbers 122 and 123... are unconstitutional, and that... the election of

presidential electors on November 2, 1976 which was conducted under such election laws was null and void and of no legal effect (and) do further request... relief by a mandatory injunction directing the appropriate Election officials to show cause why a Special Election should not be held to choose presidential electors...

"The massive extent of voter coercion...multiple registration and voting, machine tampering and other serious electoral fraud renders it impossible to determine which slate of presidential electoral candidates received a plurality of votes on November 2, 1976.

...Plaintiffs...request relief in the form of an evidentiary hearing...to show that the unofficial vote totals...are not an accurate indication of the will of the voters...and further relief in the form of a court order directing the holding of a new election..."

EXCERPTS FROM THE EVIDENCE

1. Thirteen duly sworn affidavits are affixed to the Labor Party's suit testifying to coercion and bribery in the pre-election period and on election day.

Henry Moss, Coordinator of the Pennsylvania Labor Party organization: "I called Mr. Jim Heslin from Falls Township who lost the local race for State Representative and he told me, 'Everyone knows that very big money...much bigger than ever before, was poured into the Bristol-Ben-Salem area by the Democratic Party and the AFL-CIO to buy the election. The money was disbursed by a Mr. Flatch of C.O.P.E. organization associated with local AFL-CIO.

"...a Mr. Doug Morlando of Bristol, a campaign worker at the polls... confirmed Mr. Heslin's estimation, indicating that he knew of cases where upwards of \$2,000 in walking money was going to Democratic workers on election day in a single precinct...

"Mr. Morlando said that...Democratic pollwatchers outside the polling places (in Bristol) numbered up to eight and nine per poll, with each shouting at prospective voters...

"I would estimate that at least 50 per cent of the election divisions in Philadelphia City, 25 per cent of the divisions of Montgomery, Bucks, and Delaware counties were contaminated with illegal coercion, and far more money than would be necessary to pay even a large staff of campaign workers on election day..."

Frances Podhorn: "I called a Rich Chapman from a group called Independent Citizens for Carter...(who indicated) that they had requested over 40,000 (registration) cards from the Board of Elections in Philadelphia, had passed them all out, and took responsibility for either mailing in, or bringing in in-bulk, between 5 and 10,000 of the said cards."

Mrs. S, Republican committeewoman in Phila-

delphia's black ghetto area for six years:

"In late August and September I was unable to carry out my usual attempts to register voters into the Republican Party due to a campaign of harassment and intimidation by neighborhood Democrats.

"I feared for my physical safety and that of my family.

"In late August my son was assaulted by members of the Brookins and Favors families both of Wyalusing Avenue.

"When I went to the aid of my son I was also assaulted by the same people.

"I required hospitalization due to severe abrasions of the face and near respiratory failure.

"I was advised by my doctor that if I underwent another such attack with the accompanying duress that I would most likely not survive the respiratory failure which would result due to high blood pressure.

"My house was robbed in late August and some stolen items seen in the homes of the Brookins and Favors families.

"Incidents from August until November continued including threats.

"On November 2, 1976, I was unable to transport Republican senior citizens from Steven and Smith Towers to the polls as I always do on election day because Democrats driving six cars blocked my way into the Towers and physically barred me from going in or allowing senior citizens to come out and go into my single car.

"I was unable to visit Republicans in the neighborhood on election day since I feared for my physical safety.

"I request my name be kept in the confidence of attorney John Bradley and the Commonwealth of Pennsylvania judge and U.S. Federal judge who may be involved in any court actions.

"I felt that these incidents were related and politically motivated against me as a Republican committeewoman."

Sixto Mendez, Jr.: "I spoke to the Reverend William H. Grey of the Bright Hope Baptist Church in Philadelphia...(he) said that 'some ministers set up church action committees to register the congregation or made voter registration materials available at the church offices...Many ministers got up in the pulpit and told people to vote and some ministers told their congregation who they were voting for..."

Henry Moss: "I was informed by a social worker named David Murphy in the State and Federal Mental Health work area, that the Pennsylvania Association of the Mentally Retarded was making it a practice to sign up individuals who would be classified as insane from the standpoint of the Pennsylvania State Constitution, to vote."

Gregory L. Williams voter from Allegheny County, Pennsylvania:

"I am an active member of the U.S. Labor Party,

and participated in their campaigns in the general election in 1976.

"As such a representative, I have contacted numerous people since the election as part of the U.S. Labor Party's examination of the election returns.

"From these, I gathered several written and signed statements of electors who voted for the Labor Party candidates.

"I, and other campaign representatives, examined the Allegheny County returns and found several instances where these people's votes appeared not to have been recorded in the official returns.

"In at least six separate instances, the official returns showed that these people's votes were not recorded...

"On this basis alone, I believe there is substantial indication of fraud in the election returns..."

2. Three duly sworn affidavits are affixed to the Labor Party's suit testifying to the disenfranchisement of U.S. Labor Party voters.

Anton Chaitkin, state-wide campaign coordinator for the Pennsylvania Labor Party: "...the official results of the 1975 mayoral race for the Labor Party mayoral candidate Donald Taylor was over 1,000 votes or 12 per cent of the vote in the electoral area covering Wards 46 and 51 in the West Philadelphia area of the city...In a sample area of 90 households covering parts of Wards 46 and 51...over 10...said they voted for Labor Party Presidential candidate Lyndon LaRouche...Mr. LaRouche received only 19 votes in the entirety of the Wards 46 and 51..."

Lyn Herzon: "...On November 2, 1976, I cast my

vote in the 1st division of the Langhorne District of Bucks County...

"When I arrived at my polling place I was immediately surrounded by no less than six campaign workers for Jimmy Carter, some with insignias identifying them as from the area AFL-CIO..."

"These campaign workers were standing in front of the door of the polling place making passage difficult and began shouting at me to vote for their candidate..."

"Several of them followed me directly into the polling place continuing to shout slogans at me..."

3. One duly sworn affidavit is affixed to the Labor Party's suit testifying to the unenforceability of the postcard voter registration acts.

Henry Moss: "I spoke with Mr. Migatz from the Voter Registration Division of the Philadelphia Board of Elections and he informed me that the late rush of postcards into the Board and the order by Attorney General Kane extending the voter registration period by four days made it impossible for the board to comply with regulations requiring an investigation of the individuals who had registered to vote by postcard.

"An official at the Bucks County Board of Elections told me that it would be impossible for them to check late registrants, so they informed the Attorney General's office that they would not comply.

"...no more than about three per cent of the state-wide postcard registrants were checked in accordance with the provisions of the current Election Code."

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