

sentatives most vociferously opposed to the Carter energy plan have left this policy of destroying research and development unchallenged.

This callow disregard by congressmen for long-range consequences to the nation was most reflected in the fact that the Dept. of Energy, already widely identified as creating an extraconstitutional "fourth branch" of government, breezed through committee in both House and Senate May 9. Not one Senator on the Government Affairs Committee voted against the bill, and its House counterpart rubber-stamped the legislation 37 to 2. The only significant alteration to the Administration's bill was the addition of a "regulatory board," a body hand-picked by Carter to set natural gas prices and divert criticism away from Schlesinger. While the House version jabbed here and there at some of the bill's more outrageous features, such as the provision allowing Schlesinger to recruit an energy SS of "volunteers" outside any other government control, the core of Carter's extralegal apparatus remained untouched.

All sides are now predicting easy passage when the bill reaches the floor of both houses sometime within the next two to four weeks. Although some Congressmen are planning to wage a fight over specific aspects of the bill, particularly the role and organizational location of the Federal Power Commission, only a handful are ready to reject the legislation as a whole.

Similarly, the Energy Research and Development Administration's order to destroy 250,000 booklets on nuclear energy has gone uncontested in Congress. The rationale for the bookburning is that the booklets contained "errors" — they favorably describe the "efficient and

economical" energy potentials of plutonium reprocessing and the fast breeder reactor.

Edwin Stokely of ERDA's Office of Public Affairs explained the decision to destroy the booklets was made the week after Carter condemned the advanced nuclear technologies as "dangerous" and contrary to his no-growth energy plan. Asked why such preemptory action was taken while policy on reprocessing and the breeder is still being debated in Congress, Stokely answered, "I'm just a civil servant doing my job." The only publicized reaction to this lawless action to date appeared in the May 12 issue of the *Knoxville Oak Ridger* which called Schlesinger's suppression of the ERDA report "Hitlerian."

In related Congressional action and inaction, the House Appropriations Subcommittee on Public Works voted overwhelmingly May 10 to restore 17 of 18 water projects cut by Carter and to begin new construction on 12 additional projects.

The following day a House Health Subcommittee sniped at Health, Education, and Welfare Secretary Joseph Califano on the Administration's proposal to slash hospital costs by drastically cutting back health care. Reps. Rostenkowski (D-Ill), Pike (D-NY), and Gradison (R-Ohio) all expressed reservations, with Gradison observing, "We're being asked to buy a pig in a poke."

In two instances this week — votes on Carter's consumer agency legislation and Carter's on-site registration electoral reform bill — last-minute arm-twisting by Vice President Mondale in the early hours of the morning saved the Administration from "certain" defeat. Before Mondale's intervention, a congressional rebellion had been widely touted by the President's opponents.

Carter Vote Bill Debate: A New Watergate?

Voicing the growing sentiment on Capitol Hill that the Carter Administration is suppressing opposition to its program, Senator Mark Hatfield (R-Ore.) this week termed the Justice Department's handling of its testimony in favor of the Administration's Universal Voter Registration bill a "cover-up that has all the earmarks" of a new Watergate. Such claims by Hatfield and other Senate Rules Committee members led the White House to deploy Vice President Mondale to personally pressure committee members to support the faltering bill. The bill was subsequently reported out of committee on May 13 by a vote of 5-4.

Mondale is credited with having swung the vote of Sen. Claiborne Pell (D-R.I.) against a resolution presented by Sen. Hatfield and Sen. Griffin (R-Mich.) to cross-examine Attorney General Bell and other Justice Department officials on the cited cover-up of internal Justice Department memos warning against the bill. Pell admitted receiving "several phone calls" from Mondale,

resulting in his promise to help the bill leave the committee despite his claim that "I have no commitment to support it on the Senate floor." The arm-twisting of Pell resulted in a 5-4 vote against the Griffin-Hatfield resolution and the later favorable vote on the bill itself.

White House pressure tactics have angered committee members and other congressmen who have charged that the Administration has not acted in good faith. Soon after the Rules Committee voted on the bill, members of the Senate Judiciary Committee were discussing undertaking their own investigation of the cover-up charges. Griffin, Hatfield, and Sen. Allen (D-Ala.) have pledged to take the fight, including their evidence of material which was suppressed from the committee, onto the floor of the Senate.

One, Two, Many Memos

Despite White House claims to the contrary, at least three memos have circulated within the Justice Depart-

ment which warn against the potential for a massive increase in successful vote fraud attempts were the Carter bill to become law. The first memo (printed below), requested by Sen. Griffin, was initially withheld on grounds of "executive privilege" by Deputy Attorney General Flaherty, and subsequently released. The second memo was released to the Senate Rules Committee, where it was entered into the hearing record. That memo was written by Thomas Henderson, head of the Criminal Division's Public Integrity Section, in the form of a telegram to all U.S. attorneys. The third known memo, whose existence is denied by White House liaison in the Justice Department's public information office, Bob Havel, was written by the Civil Rights division. In an interview, Havel blustered "there may be more memos" but claimed that "we don't have to make public every internal memorandum that comes along." Sources on Capitol Hill reveal that Havel may be right about additional memos in the form of reports written from the field by U.S. District Attorneys warning against the bill.

The reasons for the Administration's reluctance to produce the memoranda publicly is clear; not only do they plainly contradict Administration assertions regarding the bill, but the question of vote fraud in the 1976 election is open, and if pursued intelligently would lead to im-

peachment and criminal proceedings against Carter, Mondale, and most of the Administration.

The "Griffin memo," published below, authored by Craig Donsanto, for the first time publicly links the indictment of 25 election workers in Louisiana to the new "easy registration" on the books there. The Administration beat a hasty retreat on the Louisiana case: illegally elected former Rep. Richard Tonry (D-La.), whose campaign staff led the Carter vote drive there, tendered his resignation from the Congress on the very day that the cited memorandum was released. A week later, on May 12, Tonry was indicted by a Federal grand jury for soliciting illegal campaign contributions and his subsequent attempts to "cover-up."

The fraud issue and Administration's cover-up of opposition to its bill has drawn fire from other quarters which have raised the 1976 election Sen. Robert Dole (R-Kan.), Gerald Ford's running mate, spoke before a New Jersey GOP meeting and reported that vote fraud had been found on a large scale in Milwaukee, Wisconsin, a state where the on-sight registration is already in effect. Dole went on to charge that a "cover-up" had been made of such evidence by the new Administration in an effort to expedite its own legislation.

Justice Dept Memo Warns

Vote Bill Would Make Fraud Easy

The following is the full text of an internal Justice Department memorandum dated April 1 and commenting on the proposed testimony of Attorney General Bell on the subject of House bill H. R. 5400 on voter registration. Also reprinted here is a copy of the letter accompanying the memo which was sent by Deputy Attorney General Flaherty to Senator Robert Griffin of Michigan; similar letters were sent to Senator Howard Cannon, chairman of the Senate Rules Committee, and Rep. Frank Thompson, chairman of the House Administration Committee.

DATE: 4-1-77

TO: Raymond S. Calamaro, Acting Deputy Assistant Attorney General-OLA

FROM: John C. Kenney, Deputy Assistant Attorney General, Criminal Division

REMARKS: Attached are the comments you requested on H.R. 5400. While Mr. Civiletti has not personally read the memorandum, he is aware that it emphasizes the need for the Attorney General to be aware that enactment of this legislation will probably create substantial enforcement problems for the Criminal Division. It may be that the Attorney General will consider it appropriate to make some recognition of these potential enforcement problems during the course of his testimony. Accordingly, it is suggested that a copy of the attached memorandum be made available to the staff of the Attorney General in connection with any revision of the Attorney General's proposed testimony.

Raymond S. Calamaro
Acting Deputy Assistant Attorney General
Office of legislative Affairs

Benjamin R. Civiletti
Assistant Attorney General
Criminal Division

Comments on H.R. 5400 Testimony by Attorney General

At your request, we have reviewed the testimony which the White House has apparently suggested that the Attorney General give before the House Administration Committee on April 6 during hearings on H.R. 5400. This bill is the Administration's proposal to do away with pre-election registration requirements which the vast majority of the 50 states presently impose as a prerequisite to the exercise of the federal franchise, and substitute in their place a system permitting otherwise locally-eligible electors to register at the polls on the day of an election.