

Conyers Asks Senators to Object to Certification of Election - Cong. Jackson, 2nd IL District Joins Him

How many Americans are aware that the official overseeing the Ohio election was also running the Bush-Cheney campaign in that state?

That members of the U.S. House Judiciary Committee have held hearings looking into some of the many thousands of complaints from Ohio voters?

That the ranking Democratic member of that committee has written to the Ohio Secretary of State with 34 questions, of which he agreed in his response to answer zero?

That many scholars and statisticians have concluded that the discrepancy between the exit polls and the official results in Ohio, Pennsylvania, and Florida can only plausibly be explained by election fraud and/or discriminatory voter suppression?

That voters in highly Democratic precincts in Ohio often had to wait several hours to vote, while heavily Republican precincts had plenty of machines and workers in place?

That electronic voting machines malfunctioned in many precincts?

That in one precinct, a machine gave George W. Bush 3,893 extra votes out of a total of 638 votes cast?

How many people have heard that in Democratic areas in Ohio, voters were required to show identification even though they were not first-time mail-in registrants, that voters who requested absentee ballots and never received them were barred from voting in person, or that other voters were wrongfully purged from the rolls?

Who's been told, that 93,000 ballots were not counted in Ohio, not including unknown thousands of provisional ballots?

- 1. Call your IL Senators today. Ask them to object to the certification of the election results. This causes a 2 hour discussion in both the House and the Senate on the election irregularities.**
- 2. If you have time, let your Representative know that you have requested this service of the Senators.**
- 3. If you have time, call Jackson and congratulate him for objecting to the election results.**

You can find their phone numbers here:

<http://www.congressmerge.com/onlinedb/cgi-bin/newseek.cgi?site=congressmerge&state=il>

Congressman John Conyers Jr. (D., Mich.) has sent a letter to each of the 100 members of the United States Senate asking them to join with members of the House in objecting to the certification of the election results. ¹¹

Congressman Jesse **Jackson**, Jr. (D-IL) said he was joining with Congresspersons John **Conyers** (D-MI) and Stephanie Tubbs **Jones** (D-OH) to make public their 2005 New Year's Resolution - "***to object to the counting of the Ohio Electoral votes due to the numerous unexplained irregularities in the Ohio presidential vote when the Congress meets in a joint session on January 6 to certify each states' Electoral College votes.***

^[1] **Letter from Congressman Conyers to US Senators Calling for Congressional Debate on 2004 Elections**

December 30, 2004

Dear Senator,

As you know, on January 6, 2005, at 1:00 P.M, the

electoral votes for the election of the president are to be opened and counted in a joint session of Congress, commencing at 1:00 P.M. I and a number of House Members are planning to object to the counting of the Ohio votes, due to numerous unexplained irregularities in the Ohio presidential vote, many of which appear to violate both federal and state law. I am hoping that you will consider joining us in this important effort to debate and highlight the problems in Ohio which disenfranchised innumerable voters. I will shortly forward you a draft report itemizing and analyzing the many irregularities we have come across as part of our hearings and investigation into the Ohio presidential election.

3 U.S.C. §15 provides when the results from each of the states are announced, that "the President of the Senate shall call for objections, if any." Any objection must be presented in writing and "signed by at least one Senator and one Member of the House of Representatives before the same shall be received."¹ The objection must "state clearly and concisely, and without argument, the ground thereof."² When an objection has been properly made in writing and endorsed by a member of each body the Senate withdraws from the House chamber, and each body meets separately to consider the objection. "No votes . . . from any other State shall be acted upon until the [pending] objection . . . [is] finally disposed of."³ 3 U.S.C. §17 limits debate on the objections in each body to two hours, during which time no member may speak more than once and not for more than five minutes. Both the Senate and the House must separately agree to the objection; otherwise, the challenged vote or votes are counted.⁴

Historically, there appears to be three general grounds for objecting to the counting of electoral votes. The language of 3 U.S.C. §15 suggests that objection may be made on the grounds that (1) a vote was not "regularly given" by the challenged elector(s); and/or (2) the elector(s) was not "lawfully certified" under state law; or (3) two slates of electors have been presented to Congress from the same State.

Since the Electoral Count Act of 1887, no objection meeting the requirements of the Act have been made against an entire slate of state electors.⁵ In the 2000 election several Members of the House of Representatives attempted to challenge the electoral votes from the State of Florida. However, no Senator joined in the objection, and therefore, the objection was not "received." In addition, there was no determination whether the objection constituted an appropriate basis under the 1887 Act. However, if a State - in this case Ohio - has not followed its own procedures and met its obligation to conduct a free and fair election, a valid objection -if endorsed by at

least one Senator and a Member of the House of Representatives- should be debated by each body separately until "disposed of".

Please contact me at 225-5126 to appraise me of your thoughts on this important matter. If your staff has questions, that may be forwarded to Perry Apelbaum or Ted Kalo of my Judiciary Committee staff at 225-6504. Thank you.

Sincerely,

John Conyers, Jr.

1 Id.

2 Id.

3 Id.

4 3 U.S.C. §15.

5 In 1969 Senator Muskie and Representative O'hara joined to file a objection against a "faithless elector" who cast a vote for George Wallace and Curtis LeMay instead of the candidate for whom he was expected to vote. The objection was debated and rejected by both houses. This the only objection that has been raised since the 1887 Act in accordance with its requirements.

Editor's Note | *A longer and more detailed version of this article is available [here](#).*

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Media Whites Out Vote Fraud

By David Swanson

International Labor Communications Association

Monday 03 January 2005

Part of the Media Blackout series on underreported labor stories.

There is strong evidence of vote theft in Ohio. That will be news to anyone who gets their news from a television or from most print media.

When forced to talk about ethics, media big shots often insist that they draw no conclusions. They endlessly reported Dick Cheney's claims that Saddam Hussein was behind the attacks of September 11, 2001, but it would not have been their place to label that a "conspiracy theory." When it comes to election fraud in Ohio and other U.S. states, on the other hand, the media has jumped straight to reporting that it's all a "conspiracy theory" before ever reporting any of the facts. The Bush Administration has recently presented the media with a nutty theory that our Social Security system is broken, which the media in turn has presented to us as established fact. But to anyone who reads more than just the news that's fit to print, it's our election system that has broken down.

Some voices in the media, including the New York Times' editorial page, admit that the election system is badly broken. But they insist that it also functioned quite acceptably in November. It's broken in the abstract,

as it were, but not in any concrete time or place.

As the ILCA reported on November 8th, the U.S. media has reversed its usual position on the value of exit polls. The media has always relied on exit polls to predict election outcomes and to question the accuracy of official vote counts, such as in the Venezuelan recall attempt or the Ukrainian presidential election. Exit polls in November predicted victories for Kerry in a number of swing states that swung, in the official results, dramatically for Bush. The U.S. media immediately declared the exit polls inaccurate. How they could be so far off has not been explained, and the networks' refusal to turn the raw data of the exit polls over to Congress doesn't help.

I did some searching in the Nexis database on New Year's Eve. I searched for "election fraud" in articles and transcripts from the past 60 days. It came back saying there were more than 1,000 articles, too many to display. Of course, most of these were bound to be about the Ukraine and other countries where the U.S. media likes to discuss election fraud. So I searched for "election fraud" AND Ohio. This time I found only 177 articles, many of them letters to the editor complaining about the lack of coverage. One article from the Rochester Democrat and Chronicle reported on a protest at its offices over the lack of coverage (but no coverage appeared from that paper). Several of the 177 were editorials, all of them dismissive of claims of election fraud, which in most cases the papers hadn't reported on. And Ukraine was here, too, showing up in Ohio newspapers. The Columbus Dispatch ran an editorial demanding a new election in Ukraine. The Plain Dealer reported in oddly respectful tones (considering its usual coverage of activists) on Ohioans involved in the Ukrainian election. And there were quite a few columns and "analyses" dismissing "conspiracy theories."

What about actual coverage of what the "theories" are about and what in them is solidly proven, what's speculative, what's disproved? Any of that? Wouldn't a conspiracy theory go away more quickly if you refuted it than if you avoided it and called it names? Hasn't over half the country stopped believing in the weapons of mass destruction in Iraq after only minimal discussion of the evidence and acknowledgement by the media that there weren't any weapons there?

Well, quite a few articles reported on protests and hearings and legal filings, but most of them didn't delve into the actual charges of fraud. Only about 10 articles contained any substance, even on a single minor allegation. One of these was from the Madison (Wis.) Capital Times, two were from Salon.com, one from Morning Star, one from a California chain of papers including the Oakland Tribune, Fremont Argus, and Tri-Valley Herald, one from the Village Voice, and three from the AP. The AP article that went into the most depth as a 492-word piece on an Ohio couple who had voted twice. Most AP articles have been short and dismissive, but the AP has provided more coverage than anybody else, judging by Nexis.

The high points in what was turned up in this Nexis search were, sadly, sound bites on Fox News. Although on December 3rd, Fox brought on a guest to attack Jesse Jackson in absentia, on the ninth, Hannity and Colmes allowed Hillary Shelton of the NAACP to make a few points and did not attempt to dispute them. And on the 29th, Sheila Parks of the Coalition Against Election Fraud made several points, refusing to allow the interviewer to cut her off. He did not attempt to discuss the points she'd made. And, although it didn't turn up in this search, on the 23rd, Hannity and Colmes had on David Lytel of ReDefeatBush.com who began to make a case for election fraud before the hosts cut him off and changed the subject.

The other place where this story has squeezed into the corporate media is on MSNBC and the MSNBC website, through the reporting of Keith Olbermann - and the Newsweek website which posted an interview of Jesse Jackson Sr. Olbermann has been to the media the closest thing to what John Conyers has been to the Congress: a clear indication that there's life there without having to feel for a pulse. Olbermann has given credence to some claims and rejected others, and explained why. On December 27, for example, his blog post treated with all the seriousness that it seems to merit the Green Party's contention - backed up by many other observers - that the Ohio recount has been an illegally conducted farce making virtually no attempt to actually recount anything. (But, with typically bizarre media smugness, he then questioned the motivations of those protesting, as if concern for democracy could have nothing to do with it.) And in the same post, he continued an argument against giving credence to the claims by a Florida programmer that he had been asked to write a vote-switching program.

The New York Times, to its credit, on December 15, did print a short article on a particular allegation of fraud in the Ohio recount made by Congressman Conyers. But the Times has avoided most of the story.

Sadly, so has most of the labor media and other progressive media. You'd think that labor, after spending more than \$200 million on the election, would want to make sure it got its money's worth on the vote count. Unfortunately, like its candidate, John Kerry, most of the labor movement has so far dropped the ball on this one. A handful of established outlets and newly minted organizations have carried the ball. A collection of much of this coverage can be found [here](#).

Not a one of the "alternative" media outlets named above has published anything as inexcusably self-certain and wildly false as the "mainstream" media's reports that Iraq had vast stockpiles of weapons of mass destruction and plans to use them on the United States. The corporate media was wrong to cheerlead for the War on Iraq by uncritically parroting Bush Administration lies. The New York Times admitted some of its mistakes in this regard. Most media outlets did not. The same media outlets are behaving as poorly on the election fraud issue, and someday one or more of them may even acknowledge as much, but should the rest of us wait for that before speaking and acting? Or do we have a duty to fill in where the corporate news has become too corporate and not enough news?

Well Documented Fraud and Areas for Further Investigation:

1. The manufacturers of voting machines who have made them easy to hack and impossible to verify by a meaningful recount, as well as making clear their loyalty to Bush.
2. The U.S. Congress and President, who have failed to make obvious corrections to our election system following the 2000 election, including requiring paper trails and non-partisan officials.
3. The television networks that have refused to release the exit poll data and refused to cover the story, all companies with a clear - and in several cases, clearly stated - interest in having Bush, rather than Kerry, control the FCC.
4. Bush-Cheney Ohio Campaign Co-Chair / Ohio Secretary of State Kenneth Blackwell, whose undisputed public actions before, during, and since the election have served to disenfranchise thousands of citizens.
5. A group of Republicans, claiming to be from Texas, who made illegal calls in Ohio to scare off potential voters. (This, I think, offers a fun, human interest story should an editor be in search of one).
6. Ohio judges who have refused to require that evidence be preserved and have refused to admit challenges to the election, including a judge whose own election could be affected but who refused to recuse himself.
7. Election workers in various counties, hired by Blackwell, who failed to open polling places on time, failed to equitably distribute machines and workers, directed voters to the wrong lines, resulting in the elimination of their votes, wrongly required identification, wrongly denied voters provisional ballots, shut observers out on grounds of "homeland security," failed to randomly select precincts for the recount, etc.
8. Activists who sought to intimidate voters outside of polls or distributed flyers sending people to the wrong polling place or telling them the election was on the wrong day.
9. Triad, a company that has admitted it tried to rig the Ohio recount.