

## CHAPTER 17

# Treason, Electoral Fraud—Anything to Maintain Power

### *The Most Insidious of Traitors*

*Though those that are betrayed do feel the treason sharply, yet the traitor stands in worse case of woe.*

—William Shakespeare

The “*most insidious of traitors*”—these are the strong words that George Bush’s father, President George H. W. Bush, used to describe anyone who intentionally discloses the identity of an American CIA agent. Unfortunately, this description applies to those high-level officials in his son’s administration—including former Deputy Secretary of State Richard Armitage—who illegally disclosed to journalists that Ambassador Joseph Wilson’s wife, Valerie Plame, was an operative for the CIA. The “*most insidious of traitors*” label likely applies to Rove and Cheney, and very possibly to George W. Bush himself. At a minimum, they failed to cooperate in the investigation and were part of the cover-up. At a minimum, the Bush administration repeated and exploited the disclosure of Plame’s identity in order to attack a war critic and divert attention from their lying campaign to market their war on Iraq.

The traitors in the Bush administration outed CIA agent Plame in order to attack her husband, Ambassador Wilson, a patriotic American who told the truth about Bush’s infamous sixteen-word statement in his 2003 State of the Union address—“The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa”—and to deter others from criticizing the administration. What had inflamed the White House traitors was the July 6, 2003, op-ed piece, “What I Didn’t Find in Africa,” that Wilson had written for *The New York Times* (published July 6, 2003).

The CIA requested an investigation of the unlawful leak of Plame’s CIA identity, and Patrick Fitzgerald was appointed special counsel to head the investigation after attorney general John Ashcroft reluctantly recused himself from the case due to conflicts of interest. The White House, however, delayed and stonewalled the investigation with the hope of keeping the truth buried until after the November 2004 elections, which it successfully did.

In October 2005 Lewis “Scooter” Libby was indicted by a federal grand jury on five counts of obstruction of justice, perjury and making false statements to the FBI, and he resigned as Cheney’s chief of staff. On March 6, 2007, he was convicted on four of the counts. Although Fitzgerald alleged that at least two officials in the Bush administration told reporters about Plame’s CIA employment, Fitzgerald said following Libby’s conviction that he didn’t expect anyone else to be charged in the case. Obstruction of justice prevented him from formulating charges against anyone else.

Still pending is a civil lawsuit brought by Joseph and Valerie Wilson against Libby, Cheney, Rove and Armitage.

At a minimum, Bush and Cheney have material information as to the individuals who illegally blew CIA agent Plame’s cover. They have a higher duty to voluntarily step forward and let the American people learn what they knew. But Bush is part of the cover-up and stonewalling. He has not ordered his staff to disclose everything they know about the case. He refuses to say what he knows.

Bush had said that he would fire anyone involved in the leaking of Plame’s identity. He should immediately give the bad news to Rove and Cheney, who were both involved in the leak. He should also immediately look in the mirror. Speaking for the president, Bush’s press secretary Scott McClellan on September 30, 2003, said, “If anyone in this administration was involved in it, they would no longer be in this administration.” On October 6, 2003, Bush called the leak a “criminal action.” At a June 10, 2004, press conference, Bush was asked if he would stand by his pledge to fire anyone found to have leaked Plame’s name, and he replied, “Yes. And that’s up to the U.S. Attorney to find the facts.” Bush has not lived up to this pledge and is part of the cover-up.

In a May 12, 2006, court filing, Fitzgerald declared that it was Vice President Cheney who had told defendant Libby that Wilson’s wife worked at the CIA. But Cheney is still on the job. Fitzgerald referred to a copy of Wilson’s *New York Times* op-ed article “bearing handwritten notations by the vice president.” Cheney’s handwritten notes were made eight days before Plame’s identity was publicly exposed.

Bush also said during the same June 10, 2004, press conference, “I haven’t talked to the Vice President about this matter.” This undoubtedly was a bald-faced lie.

After Ambassador Wilson wrote his op-ed piece, the Bush administration looked for ways to punish or discredit him. Attacking him directly was difficult because Wilson has had a stellar record of patriotic service to his country over more than two decades while serving in both Republican and Democratic administrations. In fact, Bush’s father, George H. W. Bush, appointed Wilson to be acting ambassador to Iraq prior to Gulf War I, a military action that Wilson supported.

On the eve of that war, shortly after Saddam invaded Kuwait in 1990, Wilson personally confronted Saddam in Baghdad, helped to free and evacuate over 120 American hostages, sheltered several hundred Americans at the embassy compound, and helped evacuate thousands of foreign citizens from Kuwait.

President George H. W. Bush appreciated Wilson’s courageous service and in 1991 called him a “True American Hero.” Bush senior also said, “Your courageous leadership during this period of great danger for American interests and American citizens has my admiration and respect. I salute, too, your skillful conduct of our

tense dealings with the government of Iraq. ... The courage and tenacity you have exhibited throughout this ordeal prove that you are the right person for the job.”

In February 2002 Wilson traveled to Niger—at the CIA’s request—to investigate allegations that Saddam Hussein had attempted to buy uranium from Niger for an Iraqi nuclear weapons program. This was an important question, and the CIA picked Wilson because he had the right background for the job. (Wilson had served as a U.S. State Department officer in Niger in the 1970s, was the U.S. ambassador to Gabon in the early 1990s, and later had numerous contacts with Niger when he served as the National Security Council’s senior director for Africa—all in addition to his exemplary service as acting ambassador to Iraq.) Wilson investigated the claim and concluded there was no valid basis for it. Two other investigators came to the same conclusion.

Wilson was later understandingly shocked when he heard Bush repeat the bogus claim in his 2003 State of the Union address. Wilson subsequently wrote his *New York Times* op-ed piece, “What I Didn’t Find in Africa,” setting forth the facts about his trip and his findings.

As a lesson to others, senior White House officials decided to harm Wilson in any way they could. The vicious “revenge and intimidation” recipe they cooked up was the unthinkable—they contacted several Washington reporters and illegally revealed to them that Wilson’s wife was a covert CIA operative. Robert Novak, a rightwing columnist and shill for the Bush administration, reported the leak in his column, and, in the process, apparently aided and abetted the Bush team’s criminality.

Several reporters contacted Wilson, and he was told that the White House was “coming after you.” Chris Matthews, another commentator, passed along a direct quote from Karl Rove: “Wilson’s wife is fair game.”

Wilson sets forth the truth in his book, *The Politics of Truth: Inside the Lies that Led to War and Betrayed My Wife’s CIA Identity: A Diplomat’s Memoir*. In it he reveals the dangers to the United States created and fed by the White House’s team of war-hungry officials, including Dick Cheney, Donald Rumsfeld, Condoleezza Rice, Paul Wolfowitz, Karl Rove, Lewis “Scooter” Libby, as well as Bush himself. The conspiracy to attack him also damaged national security.

Wilson believes that the Bush administration has turned on its head everything that Wilson worked for during 25 years of service—including democracy in the world and the rule of law—and that the United States must now work hard to regain its status as a world leader. Bush’s inept unilateral foreign policies, grounded in the lies of zealous ideologues, have created countless terrorists and made the world much more dangerous for the United States.

**SIDEBAR: The Niger Forgeries—Lies Kept Alive**

Let's digress from the main topic—the treachery of the Bush White House in punishing a truth teller by outing his covert CIA wife—and focus on the forged Niger documents at the center of this illicit affair and their manipulation by the neocons to provide propaganda supporting the invasion of Iraq.

Although the Plame affair has “impeachment” stamped on it, it unfortunately took the spotlight off the underlying Niger scandal, which history will regard as one of the most evil of the many Bush regime campaigns of lies, propaganda and impeachable offenses.

Much has been written about the Niger scandal, but the whole truth may never be known. One of the best accounts is an article in the June 2006 issue of *Vanity Fair* by Craig Unger, author of *House of Bush, House of Saud*. The article is entitled, “The War They Wanted, The Lies They Needed,” and its lead summary reads:

The Bush administration invaded Iraq claiming Saddam Hussein had tried to buy yellowcake uranium in Niger. As much of Washington knew, and the world soon learned, the charge was false. Worse, it appears to have been the cornerstone of a highly successful “black propaganda” campaign with links to the White House.

*Vanity Fair* interviewed many former intelligence and military analysts in the CIA, the State Department, the Defense Intelligence Agency (DIA) and the Pentagon. Some referred to the Niger documents as “black propaganda,” “black ops,” a “disinformation operation,” or “a classic psy-ops (psychological-operations) campaign.” The article notes, “But whatever term they use, at least nine of these officials believe that the Niger documents were part of a covert operation to deliberately mislead the American public.”

The officials are:

- 1) Milt Bearden, a 30-year CIA veteran who was a station chief in Pakistan, Sudan, Nigeria and Germany;
- 2) Colonel W. Patrick Lang, who served as the DIA's defense intelligence officer for the Middle East, South Asia and terrorism;
- 3) Colonel Larry Wilkerson, former chief of staff to Colin Powell;
- 4) Melvin Goodman, a former division chief and senior analyst at the CIA and the State Department;
- 5) Ray McGovern, a CIA analyst for 27 years;
- 6) Lieutenant Colonel Karen Kwiatkowski, who served in the Pentagon's Near East and South Asia division in 2002 and 2003;
- 7) Larry C. Johnson, a former CIA officer who was deputy director of the State Department Office of Counterterrorism from 1989 to 1993;
- 8) former CIA official Philip Giraldi;
- 9) Vincent Cannistraro, former operations chief in the CIA's Counterterrorism Center.

Here are salient points about the Niger caper:

The most important of the fake Niger documents was a two-page memo dated July 27, 2000, that supposedly was sent to the president of Niger regarding the sale of 500 metric tons of yellowcake uranium to Iraq by Niger.

- The forged documents contained several errors and appeared to be the work of amateurs. For example, a letter of October 10, 2000, was purportedly signed by Niger's minister of foreign affairs, Allele Habibou, but he had not occupied that office in more than a decade. Another letter dated July 30, 1999, referred to agreements that did not exist until a year later. The International Atomic Energy Agency (IAEA) was able to determine in a few hours that the documents were fake.
- Old documents from the 1980s, including documents from the Italian foreign intelligence service (the SISMI), were apparently mixed with forged documents to give the forged documents credibility. The Italian weekly *La Repubblica* reported in October 2005 that official stamps and letterhead stolen from the Niger embassy in Rome during a January 2001 burglary were used to prepare the forged documents. Although no one has proven who forged the documents, it was helpful to the caper that Silvio Berlusconi, Italy's rightwing prime minister, was eager to ingratiate himself with the Bush administration and help push the case for war in Iraq.
- There were many other problems with the Niger claim. The French who controlled the mining operations thought it absurd to think that 500 tons of yellowcake uranium could be transported without them knowing about it.
- Even if Iraq was trying to get uranium from Africa, as Bush claimed, the yellowcake uranium was just a raw material and many years away from constituting a nuclear threat. Also, Iraq already had a stockpile dating back to the Reagan years that could have been used. Former CIA analyst Ray McGovern notes, "The reports made no sense on the face of it. ... Most of us knew the Iraqis already *had* yellowcake. It is a sophisticated process to change it into a very refined state and they didn't have the technology."
- It has not been proven that officials in the Bush administration were complicit in any fashion in actually forging the documents. But whether or not complicit, the Bush neocons relentlessly *used* the forged documents to press their campaign for war.
- Whatever its successes and failures, the CIA became the Bush administration's principal scapegoat for the disastrous invasion and occupation of Iraq. Bush and the neocons positioned Iraq as an "intelligence failure" by others, rather than a strategic and leadership failure by themselves, which it was and always will be.
- Congressional Republicans, including Senator Pat Roberts and other intelligence committee members, cooperated in the campaign to blame the CIA and protect the White House. The Niger affair is evidence that the CIA was blamed, and subsequently gutted, not because its analysts were wrong but rather because they were right. Their sin was being truthful, rather than lying and telling the Bush White House what it wanted to hear.

- Unger offers this perspective: “For more than two years it has been widely reported that the U.S. invaded Iraq because of intelligence failures. But in fact it is far more likely that the Iraq war started because of an extraordinary intelligence success—specifically, an astoundingly effective campaign of disinformation, or black propaganda, which led the White House, the Pentagon, Britain’s M.I.6 intelligence service, and thousands of outlets in the American media to promote the falsehood that Saddam Hussein’s nuclear-weapons program posed a grave risk to the United States.”
- Although intelligence officials disagree as to why the Niger documents were forged, many intelligence officers believe a simpler explanation. “They needed this for the case to go to war,” says senior analyst Melvin Goodman, a former division chief at the CIA and State Department. “It serves no other purpose.”
- During a period of two years, the Niger documents were recycled and re-spun through various channels in several countries including Italy, Britain, France, Niger and the United States, and arrived at the CIA at least three times. Numerous reports and comments along the way helped create the illusion that multiple independent sources were corroborating the story. But there was no such corroboration. In fact, the story was repeatedly rejected. Nevertheless, the Republican Party, the Cons, kept the fairy tale alive.
- In August 2002 the White House Iraq Group (WHIG, also called the White House Information Group) was set up by the Republican Party to market the war through its friends in the media. Karl Rove chaired it, which is a clue that skull-duggery was afoot. WHIG’s well-resourced campaign featured horrific images of various WMDs, including nuclear, chemical and biological weapons, and the Niger caper was an important element in that campaign of fear and deception.
- During the orchestrated campaign to market the war, the Bush administration especially adored the threat of a “mushroom cloud” as an effective tool to promote fear. Test marketing of the pitch started on September 8, 2002, when Condoleezza Rice told CNN that they “didn’t want the smoking gun to be a mushroom cloud.” This fear-mongering pitch proved so popular in the mainstream corporate media that Bush, Cheney and others immediately began using a similar theme. By the time the war started, the Bush regime’s lies had convinced 90% of Americans that Saddam was developing WMDs and was an imminent threat.
- Michael Ledeen is one of the neocons mentioned most frequently in connection with the Niger affair. He is a central figure at the extreme rightwing American Enterprise Institute, which helped shape Bush’s foreign policy and provided more than 20 neocon officials to the Bush Administration. Ledeen also played a key role in the Iran-Contra Affair in the 1980s, helping to set up the illegal arms-for-hostages deal with Iran, the biggest scandal during Reagan’s administration. Ledeen was a fiery orator for the neocon warmongers during several years leading up to the Iraq invasion.

- Ledeen wanted to wage war in, or destabilize, the Middle East—not just in Iraq, but also in Syria, Lebanon, Iran and Saudi Arabia. In 2002 he wrote, “One can only hope that we turn the region into a cauldron, and faster, please. If ever there were a region that richly deserved being cauldronized, it is the Middle East today.” “Faster, please” became his catch phrase that he frequently used in his columns for the conservative *National Review*, and it is frequently referenced by other neocons. He argued that the United States must be “imperious, ruthless, and relentless” until there has been a “total surrender” by the Muslim world. Along with a host of other neocon wingnuts, Ledeen had the ear of the White House and the GOP.
- The Pentagon’s new Office of Special Plans (OSP) run by neocon Undersecretary of Defense Doug Feith apparently helped introduce the forged documents to the White House. The OSP was set up by the Bush neocons to circumvent the CIA and State Department and to create and develop alternative sources of “intelligence” that would support the desired war against Iraq. The OSP was adept at cherry picking “intelligence” both from the real world and its own alternative universe.
- As for the identity of the culprits behind the forgery, the OSP and the Italian SISMI are frequently mentioned as prime candidates. Michael Ledeen effectively served as a liaison between the two groups, and he also had special access to the Bush White House and the National Security Council, including Cheney, Rice and Stephen Hadley, assistant to the president for national security affairs.
- One reason the full truth about the Niger affair remains in the dark is that the Con-controlled Congress refused to investigate the Bush administration. By abdicating its constitutional oversight responsibilities, the GOP became part of the criminal conspiracy. Fitzgerald’s limited investigation regarding the Plame affair focused on the leak, not on the forged documents, not on why they were created and by whom, and not on their misuse by the Bush White House. The ranking Democrat on the Senate Intelligence Committee, Jay Rockefeller IV of West Virginia, in a letter of March 14, 2003, to the head of the FBI, Robert Mueller, requested an investigation because “the fabrication of these documents may be part of a larger deception campaign aimed at manipulating public opinion and foreign policy regarding Iraq.” However, the Republican committee chair, Pat Roberts of Kansas, declined to co-sign the letter.
- In late 2002 and early 2003 the Niger uranium deal repeatedly appeared as a popular talking point in various media. In coordinated fashion, Bush, Cheney, Rice, Rumsfeld and other warmongers kept alive the myth that Iraq had tried to buy uranium from Niger. Finally, the Pentagon asked the National Intelligence Council (NIC), which oversees the various agencies in the U.S. intelligence community, to review the matter. In a January 2003 memo that went to Bush and his team, the NIC answered clearly that “the Niger story was baseless and should be laid to rest.” That should have been the final nail in the coffin. (That was actually about the *tenth* final nail in the coffin.) But the GOP neocons would not take reality for an answer.

- A week after Bush's State of the Union address, the Bush administration reluctantly sent copies of the Niger documents to the IAEA with, incredibly, a note saying, "We cannot confirm these reports and have questions regarding some specific claims." One month later, on March 7, 2003, the Director General of the IAEA reported to the Security Council that the documents were fake. Nevertheless, on *Meet the Press* on March 16, 2003, Cheney said the IAEA was wrong, adding, "And we believe he [Saddam] has, in fact, reconstituted nuclear weapons." Unbelievable.
- Three days later, on March 19 the Bush warmongers eagerly pulled the trigger, and Bush's bloody quagmire in Iraq began. "Liar, liar, pants on fire." Or more accurately: "Liar, liar, Iraq's on fire."
- On at least 14 occasions before Bush's infamous State of the Union speech, serious doubts about the forged Niger documents were raised by analysts in the State Department, the CIA, and other governmental agencies. On each occasion they were turned aside by Bush officials who wanted to use the documents. "They were just relentless," says Larry Wilkerson, who helped prepare Colin Powell's UN presentation, "You would take it out and they would stick it back in. That was their favorite bureaucratic technique—ruthless relentlessness."
- Not interested in the truth, the Bush neocons never took no for an answer. "That was their favorite technique," says Wilkerson, former chief of staff to Secretary of State Powell, "stick that baby in there 47 times and on the 47th time it will stay. At every level of the decision-making process you had to have your ax out, ready to chop their fingers off. Sooner or later you would miss one and it would get in there."
- Even before ambassador Wilson's trip to Niger, the Niger reports had already been discredited several times, including by the French, by the CIA in both Italy and the United States, by the State Department on at least two occasions, by Pentagon analysts, by the American ambassador to Niger, and by the consortium that ran the uranium mines in Niger.
- Another example of the Bush warmongers' antipathy towards any reality-based intelligence that disagreed with their worldview was their reaction to a major intelligence coup of the CIA—namely, the successful "turning" of Iraq's Foreign Minister, Naji Sabri, which took place just prior to the war. According to Tyler Drumheller, the CIA's chief of operations in Europe until his 2005 retirement, the Bush White House was initially ecstatic that Saddam's inner circle had been penetrated, but that reaction changed dramatically when Sabri told the CIA that Iraq had no WMD program. Drumheller, who headed the operations that penetrated Saddam's inner circle, told *60 Minutes* (April 23, 2006) that he was taken aback by what happened: "The [White House] group that was dealing with preparation for the Iraq war came back and said they're no longer interested. And we said, 'Well, what about the intel?' And they said, 'Well, this isn't about intel anymore. This is about regime change.'" Drumheller told *60 Minutes*, "The policy was set. The war in Iraq was coming, and they were looking for intelligence to fit into the policy, to justify the policy."

America's democracy and constitutional form of government demand the immediate impeachment of Bush and Cheney. They slimed America, and impeachment is a modest price for them to pay. No other action would help more to restore worldwide confidence in America and the rule of law.

## Electoral Fraud

Electoral fraud has a solid tradition in American politics, and many books have been written about its impact on America's democracy. The states of Texas, Florida, Illinois and Ohio occupy prominent positions of notoriety. For over a century after the Civil War, Southern whites worked diligently to deny blacks the right to vote, and many still do. They are now called Republicans—Cons for short. During the 2000 non-recount presidential election in Florida, the Republican Party sent goons to Florida to intimidate election officials, and the Florida Secretary of State, Republican Katherine Harris, stopped the recount—just two of many undemocratic steps along Bush's sordid trail to the White House. In Ohio, Kenneth Blackwell and other GOP elected officials over the years abused the public trust by introducing numerous irregularities into the voting system, which systematically reduce the voting rights of poor people and minorities.

For years GOP officials have suppressed the legitimate voting rights of blacks and other minorities under the guise of reducing "voter fraud"—a nonexistent problem, but one of the GOP's favorite Orwellian terms. After the purging of the nine U.S. Attorneys by Bush's Justice Department in December 2006, it came to light that America's heretofore independent prosecutors had been illegally pressured to bring more "voter fraud" cases—i.e., cases to disenfranchise as many blacks and other eligible progressive voters as possible—and cases against Democrats. Although the focus of the U.S. Attorneys scandal is on the several prosecutors who were fired, there also needs to be investigation regarding the prosecutors who were *retained*. How many of them succumbed to unlawful outside pressure to carry out a GOP political agenda, including especially the targeting of Democratic candidates and the suppression of black votes in the swing states identified by Rove.

Bush destroyed the Justice Department's long history of *protecting* voting rights of traditionally disenfranchised minorities by appointing rightwing ideologues dedicated to denying the ballot to groups of Americans likely to vote Democratic, especially poor people and racial minorities. His anti-voting rights appointments even include the head of the Voting Rights Section of the Justice Department's Civil Rights Division, John Tanner, who could not even restrain himself from making racist and bigoted comments about minorities.

In every election during Bush's watch, zealous ideologues in the Bush White House and their extreme supporters have done whatever it takes to keep Bush and other Cons in office. In the process, they have driven voter distrust to new levels.

"A black man voting for the Republicans makes about as much sense as a chicken voting for Colonel Sanders." These words of wisdom are from the father of J. C. Watts, the former Republican Representative (1995-2003) from Oklahoma who was then the only black GOP member of Congress.

The recent push to broaden the use of electronic voting machines created the real possibility for rightwing extremists to nullify the vote and again deliver the White

House, as well as the U.S. Senate and the U.S. House of Representatives, to the Republican Party.

A study by MIT and California after the 2000 election concluded that between 1,500,000 and 2,000,000 votes were not counted due to defective equipment and confusing paper ballots. To try to solve the problems, the federal government passed the Help America Vote Act of 2002 (“HAVA”), which authorized \$3.8 billion in federal funds primarily to replace punch card and lever voting machines. One effect of this “pro-voting” act was to put the wolf in charge of the henhouse.

Under the GOP’s skillful mismanagement of HAVA, another key part of America’s democracy was privatized—or *pirate-ized*—by rightwing corporate interests. Once again, “privatization” meant GOP fraud.

Although HAVA provided substantial funds for states to upgrade their voting machines to new computerized electronic voting machines, the legislation only increased controversy regarding fraud in America’s elections. The principal vendors of the new electronic devices are Diebold,<sup>134</sup> Sequoia Voting Systems, and ES&S, which control about 90% of the market for these electronic machines and have questionable ties to the GOP and rightwing causes, in addition to being involved in a host of civil and criminal legal proceedings. Testing of their systems by independent third parties (versus vendors testing their own systems) has identified significant security risks and vulnerabilities. Fraudulent assertions by the vendors regarding their machines have not helped matters, and many lawsuits have been filed.

The case of Diebold is instructive. Both Diebold, which is one of the largest suppliers of electronic voting machines, and its chief executive officer, Walden O’Dell, are extremely partisan rightwing Republican supporters. Between 2000 and 2002, Diebold donated at least \$195,000 to the Republican Party. In 2003 O’Dell even attended an election strategy meeting at Bush’s Texas ranch for wealthy Bush contributors—the so-called *Pioneers* and *Rangers*—who each had raised at least \$100,000 for Bush’s reelection.

O’Dell later wrote a fundraising letter for Bush in which he stated that he was “committed to helping Ohio deliver its electoral votes to the president next year.” Having been caught red-handed, O’Dell later said it was a “huge mistake” to have expressed support for Bush in the letter, given that he is the head of an electronic voting machine company. In reality, his only “huge mistake” was getting caught. In any case, there was no shortage of GOP operatives willing to do whatever it took to get Bush reelected, including electoral fraud, and they succeeded.

O’Dell actively raised lots of money for the Ohio Republican Party. Ohio’s Republican Secretary of State, Kenneth Blackwell, favored Ohio awarding a contract to Diebold to supply touch-screen voting machines for most of Ohio.

In April 2004 the California Secretary of State, Kevin Shelley, decertified all electronic touch-screen voting machines in California, citing security problems and deceitful practices by Diebold. Shelley forwarded evidence to California’s attorney general supporting possible criminal and civil charges against Diebold for fraud. In October 2004 the State of California ordered that 15,000 new Diebold voting ma-

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<sup>134</sup> In August 2007 Diebold changed the name of its election systems subsidiary to Premier Election Solutions.

achines would not be used in the November 2004 presidential election, citing major flaws with the machines and “absolutely deplorable behavior” by Diebold. California Attorney General Bill Lockyer in September 2004 announced plans to sue Diebold for fraud regarding Diebold’s aggressive marketing and fraudulent claims regarding its equipment. Diebold settled the matter three months later by agreeing to pay \$2.6 million and implement certain reforms.

In August 2007 California Secretary of State Debra Bowen decertified several electronic voting systems including Diebold, following a “top-to-bottom review” of voting machines previously certified for use in California.

There have been numerous other complaints and actions against Diebold in other states. There have also been numerous studies showing that the Diebold machines are poorly designed, weak from a security point of view, and prone to computer hacking. One of the many problems is that the machines don’t provide a verifiable paper record of the votes, making recounts impossible. Another major problem is that the vendors do not want to disclose their machines’ software including source code.

Voting machine vendors typically pay the testing labs, which presents an obvious conflict of interest, and at least one leading testing lab was unable to meet federal testing standards. At a minimum, the U.S. government should select and pay the testing labs for their services.

The serious problems with electronic voting machines and the rightwing companies that design them have given rise to the term “black box voting,” which has been defined as follows:

*Black box voting:* “Any voting system in which the mechanism for recording and/or tabulating the vote is hidden from the voter, and/or the mechanism lacks a tangible record of the vote cast.” ([www.blackboxvoting.org](http://www.blackboxvoting.org))

When it comes to electoral fraud, however, Diebold and the other vendors of electronic voting machines constitute only a small piece of a much larger rotten pie.

Electoral fraud occurs in many other areas of the electoral process, including:

- obstacles to voter registration
- improper purging of voter registration rolls
- voter suppression, including voter “caging”—a favorite illegal tactic of the GOP to deny the vote to the poor, minorities, college students and other citizens likely to vote Democratic
- ballot stuffing, ghost voting, and “overcounting” (with votes counted exceeding voter signatures in election poll books)
- weaknesses in other voting machines, not just electronic voting machines
- absentee ballots
- provisional ballots
- obstacles to recounts
- and, of course, the financing of election campaigns

In words attributed to Soviet dictator Josef Stalin, “Those who cast the votes decide nothing. Those who count the votes decide everything.”

Many Republican leaders know that God is on their side in the war against poor people, minorities and others who they believe are not qualified to vote. The Cons are much more comfortable with “one dollar, one vote” than with “one person, one

vote.” For them, “one black, one-tenth vote” and “one poor person, one-tenth vote” might be an acceptable compromise. Let’s just call it “black tithing” vote counting—Southern style, Confederate style, GOP style.

Although black Americans constitute about 12% of the population, more than 50% of the “spoiled” (i.e., uncounted) ballots in the 2000 presidential election (1.0 million ballots out of a total of 1.9 million) were submitted by blacks. Ballots can get “spoiled” in many ways. For example, optical reading machines reject ballots that have stray marks that cannot be read properly.

However, the main reason why a disproportionate percentage of black votes get spoiled is not that blacks don’t know how to mark ballots as well as whites, but rather is because of the *intentional design* of the system. This is *intelligent design*, GOP style.

Consider how this can work to the advantage of officials who do not want black votes counted. Greg Palast, investigative reporter for the British Broadcasting Corporation and author of *Best Democracy Money Can Buy*, reports one scenario in Florida. Gadsden County in Florida has both the highest percentage of black voters in Florida and the highest rate of uncounted votes, about 12%. The voters in Gadsden County who submitted spoiled ballots in 2000 never knew their votes were not counted. However, in nearby predominantly white Leon County, each voter placed his or her ballot directly in the optical scanner and was informed on the spot if the ballot was spoiled. If the ballot was spoiled, the voter received another ballot and could correct the problem, and therefore the spoilage rate in Leon County was virtually zero. The net impact is huge: in predominantly black Gadsden County, if you made a mistake, your vote was not counted and you never even knew it, whereas in predominantly white Leon County, if you made a mistake, you received another ballot, and your vote was counted.

The risk of electoral fraud continues to be very high in Florida where Jeb Bush, the president’s brother, was governor, and GOP operatives in the style of Katherine Harris run the system. One problem is the increasing use of voting machines that leave no paper trail. In a state where voting fraud is as common as oranges, many parties have requested that the state permit independent auditors to review the integrity of the new machines. However, Governor Bush refused, saying he had “every confidence” in the state agencies in charge. What he really had was confidence in the ability of his handpicked bureaucrats to make sure that any mistakes made would be in the favor of the GOP. Blacks have been the victims of Jim Crow election laws and fraud in Florida for over 150 years, including during the 2000 and 2004 presidential elections.

Consider the so-called “felon list,” which in both 2000 and 2004 was an election fraud issue in Florida, where felons do not have the right to vote. After the 2000 election it was determined that thousands of Florida voters were denied the right to vote when their names were erroneously placed on a felons list, with black voters being disproportionately affected by the “mistake.” In 2004 Florida paid Accenture to prepare a similar list to be used to purge the voter lists for the 2004 elections. This time around many people asked for copies of the list, but Governor Bush’s office refused, with subsequent events showing clearly why. It took a court order for the list to be made public. The *Miami Herald* discovered that over 2,000 people were im-

properly placed on the “cannot vote” list. Later the *Sarasota Herald-Tribune* discovered that there were only 61 Hispanics on the list of 47,000 who couldn’t vote. The net effect was that lots of blacks who had the right to vote and tend to vote Democratic were going to be denied that right, while thousands of Hispanic felons who did not have the right to vote and tend to vote Republican were going to be given that right. Caught with their pants down and their hands in the voters’ shorts, Republican officials first denied that there was any problem, and then they later changed their story to say it was just a mistake.

Regarding election “mistakes” and the use of suspect electronic voting machines, Paul Krugman, columnist for *The New York Times*, hit the nail on the head:

Let’s not be coy. Jeb Bush says he won’t allow an independent examination of voting machines because he has ‘every confidence’ in his handpicked election officials. Yet those officials have a history of slipshod performance on other matters related to voting and somehow their errors always end up favoring Republicans. Why should anyone trust their verdict on the integrity of voting machines, when another convenient mistake could deliver a Republican victory in a high-stakes national election?

Americans who believe in democracy and fair elections should be appalled at the GOP’s track record. The “just a mistake” defense is reminiscent of the “innocent billing mistakes” made by Halliburton and other public-trough companies. Halliburton’s huge billing “mistakes” don’t go randomly in either direction—say, with 50% being overcharges, and 50% being undercharges—but, instead, their “mistakes” almost always favor Halliburton. What a coincidence! Similarly, voting “mistakes” in Florida, Ohio and elsewhere virtually always go against blacks and poor people. Just as Halliburton is in the business of systematically overcharging the U.S. government, the GOP is in the business of systematically undermining the Civil Rights Act of 1964, the U.S. Constitution and America’s democracy.

All Americans of faith should pray that America’s children, grandchildren, and countless generations of unborn American citizens will never ever have to live and suffer under a government that is even one tenth as corrupt as the GOP government that humped America during the reign of George W. Bush. We will focus on more of that corruption in the next chapter, “Corruption in America and Iraq—GOP Style.”