

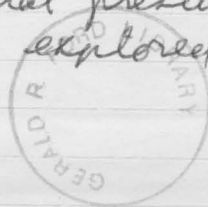
The original documents are located in Box 111, folder “531 - Fuck Up, Department of Justice” of the J. Stanley Pottinger Papers, 1968-1981 at the Gerald R. Ford Presidential Library.

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Chronology of events

- 5/3/76 Info memo to AG from JSP re 5/4 primary coverage in 2 Alabama counties.
(apparently forwarded by AG to DAG)
- 5/11 DAG to AG memo; these 2 counties OK but "grave reservations" about apparent policy of "broad" usage of observers. AG note to Doug Marwin to set up.
(Not distributed to CRD; DAG wants meeting with CRD)
- 5/18 Transmittal Doug Marwin to Buckley & Carr suggesting CRD should prepare memo on "continued efficacy of broad usage of observers + appropriate criteria."
- 6/1 Buckley to JSP request for statement of "present policy and criteria, if any" for requesting observers. (Note the change of issue)
- 6/25 JSP to Buckley 18 page memo with attachments outlining general policies, describing procedures for selecting counties + attaching lists of counties selected and copy of sample observer report. JPT cover note to Buckley asks for opportunity to supplement if he sees questions
- ~~Oct 13~~
- 9/7 unknown memo Buckley to DAG referred to later.
- 10/13 Analysis of CRD memo Sp. Asst to DAG. Generally says this area not susceptible of guidelines; memo doesn't answer whether there is "general presumption" in favor of observers which should be explored further.
- 10/22 DAG to Buckley



DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	J. Stanley Pottinger			
2.				
3.				
4.				

- | | | |
|---|---|---|
| <input type="checkbox"/> SIGNATURE | <input type="checkbox"/> COMMENT | <input type="checkbox"/> PER CONVERSATION |
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| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS

The Attorney General asked me to forward this to you.



FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	John J. Buckley, Jr.		12/1	4195
	OAG			

12/6

UNITED STATES GOVERNMENT

Memorandum

TO : John Buckley, Esq.
Office of the Attorney General

FROM : Harold R. Tyler, Jr. *HT*
Deputy Attorney General

SUBJECT: Voting Rights Enforcement - Civil Rights
Division Policy or Criteria for Requesting
Federal Voting Observers

DATE: November 22, 1976

It has been some time since your memorandum to me of September 7th on this subject; I seem to have overlooked the matter, with some help from others.

In any case, I do not find the material from the Civil Rights Division to be very helpful, save for the fact that their work does suggest that this is an area which should not properly be the subject of detailed and specific "guidelines".

But from page 6 on in the May 3, 1976 memorandum of Mr. Pottinger, I can get no clear sense of any definite criteria or policies which seem to govern requests for voting observers. It is true that on page 6 Mr. Pottinger starts out by suggesting at least three criteria. But in the ensuing pages he discusses other factors or bases for decisions by the Civil Rights Division to make requests. I may be making a great to-do about a minor problem, but I continue to think that voting observers, though important, are sometimes requested for no substantial reasons of any kind except possibly pressure from outsiders which in turn is not factually supported.

Consequently, I would think that the Division might usefully focus on a policy statement to be used in the future. If nothing else, the Division is apparently used to doing a particularized review pretty well in each given case. If this is so, the Division ought to be able to articulate what they do in making their reviews. Similarly, some thought might be given to governing presumptions, if such exist - and I gather that they do.



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES GOVERNMENT

Memorandum

TO : Harold R. Tyler, Jr.
Deputy Attorney General

DATE: October 13, 1976

FROM : Maureen E. Gevlin, Special Assistant to
the Deputy Attorney General *my*

SUBJECT: Voting Rights Enforcement - Civil Rights Division
Criteria for Requesting Assignment of Federal Observers

The attached memo from the Civil Rights Division concerning their policy and criteria for the assignment of federal observers was sent down from the Attorney General's office for your consideration. The memo is an outgrowth of your own memo to the Attorney General last May, which questioned the continued efficacy of the broad use of federal election observers, and suggested discussing appropriate criteria to be followed by the Division before requests for Civil Service arrangements are made.

It is unclear from the memo whether the Division's current criteria are sufficient to insure that observers are requested only where there is some particularized need. On the one hand, the criteria for requesting observers (p. 6-7) are stated in extremely general terms. They could amount to nothing much more than a policy of requesting observers whenever it appears that black candidates have a chance of winning elections in counties with a past history of racial discrimination, and the election results might be questioned by the losing parties. In fact, that seems to have been the basis for requesting observers in some of the examples given by the Division.

On the other hand, it does appear that observers are requested only following a fairly detailed review of conditions in a particular county to determine whether they are needed. This review includes both telephone inquiries and a field survey for each locale where observers are ultimately requested. The inquiries focus not only on general factors such as the existence of minority candidates and past racial discrimination, but also on particular concerns by minorities in the district, recent racial incidents, and the practices that will be followed in those areas where discriminatory treatment of voters is most likely to occur, e.g., location of polling places, assistance to illiterates, handling of voters who go the wrong polling place, etc. The type of



5010-110

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review described indicates that observers are requested only when it seems likely that election irregularities will occur, or be charged in a heated atmosphere. The examples mentioned above may have involved distinguishing facts not mentioned in the summary.

This does seem to be an area that would not easily lend itself to detailed "guidelines," and the Division's particularized review focusing on specific problems may be the best practical way of insuring that observers are used only when needed. But it cannot be determined from this memo whether there is a general presumption in favor of using observers wherever it seems that election results might be questioned, and so this should probably be explored further.

Attachment





June 25, 1976

To: John Buckley

JTD
From: Jim Turner

Pursuant to your request we have generated a review of policy and criteria regarding use of federal observers. There is much more available documentation if you need it and, if you see any special areas of AG concern let me know and we will supplement the already oversized attachment.



UNITED STATES GOVERNMENT

Memorandum

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL

MAY 12 1976

D-17

TO : The Attorney General

DATE: May 11, 1976

FROM : Harold R. Tyler, Jr.
Deputy Attorney General

SUBJECT: Voting Rights Enforcement

You had Mr. Marvin send to me the attached memorandum of the Civil Rights Division by Mr. Pottinger, dated May 3, 1976.

Succinctly stated, my views are as follows:

1. In regard to Dallas and Wilcox Counties in Alabama, I am inclined to think that the Civil Rights Division was correct in requesting the Civil Service Commission to arrange for federal observer coverage.

2. Generally, however, I have grave reservations as to the continued efficacy of broad usage of federal election observers in many counties, not only in the South but elsewhere. As a consequence, I think it might be worthwhile to discuss appropriate criteria to be followed by the Civil Rights Division before such requests for Civil Service arrangements are made.

✓
DO
we should
do this
possibly
someone
could
do it
with
some
help
before
meeting



5010-110

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Department of Justice
Washington, D.C. 20530

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL

MAY 3 1976

MAY 3 1976

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Voting Rights Enforcement; Alabama
Primary Election, May 4, 1976

INFORMATION MEMORANDUM

On May 4, 1976, Alabama holds its primary elections for federal, state, and local offices. Preparatory thereto we have conducted preliminary telephonic surveys in 38 counties and subsequent field surveys in 6. As a result we have requested the Civil Service Commission to make appropriate arrangements for federal observer coverage in two counties, Dallas and Wilcox. This enforcement program will consist of a total of 86 federal observers stationed at 25 polling places in the two counties. I have reviewed carefully the information we have obtained pertaining to these elections and am satisfied that this coverage is warranted by the facts.

Dallas County has a population of 55,296 and is 52% black. Wilcox County has a population of 16,303 and is 68% black. Both counties have a long history of racial discrimination in voting which has continued through recent federally observed elections including the 1974 elections. In both counties there are hotly contested local races where black and black-backed white candidates are opposed by white factions. Boxes singled out for the presence of federal observers in each county are mostly in rural areas and are those where we have found a continuing pattern of voting

cc: Deputy Attorney General



irregularities aimed at denying blacks the right to vote for the candidates of their choice, mainly in assistance to illiterate voters. The same white persons who have been locally in charge of past elections are conducting this year's elections in the counties. These officials have reappointed many of the same poll workers who served in and committed irregularities in previous elections. None of the persons recommended by blacks were selected as poll workers in Dallas County, and in Wilcox County the number of blacks who served as poll workers in 1974 has been halved. Poll workers who have been newly appointed in the counties are persons who, at best, appear unlikely to act to correct irregularities that may occur. Other tactics by whites to attempt to defeat black candidates have been alleged, such as economic intimidation and the slating of token black candidates to siphon off or split the black vote.

The United States Attorney has been advised of this enforcement program.



J. Stanley Pottinger
Assistant Attorney General
Civil Rights Division

*P.S. As you can see, this is
informational only — in light
of your interest re: Texas. No
action by you is proposed here.*

JSP



DEPARTMENT OF JUSTICE
ROUTING SLIP

*File Civil Rts
Noting Rts
Part*

TO:	NAME	DIVISION	BUILDING	ROOM
1.	John Buckley	OAG	Main	5123
2.	Ron Carr	OAG	Main	5119
3.				
4.				

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<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
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REMARKS

The Attorney General asked me to send Stan's memo on sending observers to Alabama to the DAG. As you will note, the DAG in the second paragraph expressed some grave reservations about the usage of observers and indicated that certain criteria should be established to guide the Civil Rights Division in deciding whether to employ observers. Mr. Levi would like to meet on this issue. In order to have a fruitful meeting, don't you think that we should ask the Civil Rights Division to prepare a memo addressing the continued efficacy of broad usage of observers and the appropriate criteria guiding the Division?

FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	Doug Marvin	5119 Main	3892	5/18

UNITED STATES GOVERNMENT

Memorandum

TO : J. Stanley Pottinger, Assistant
Attorney General, Civil Rights

FROM : John J. Buckley, Jr., Special Assistant
to the Attorney General

SUBJECT: Voting Rights Enforcement

DATE: June 1, 1976

The Attorney General would like to discuss the Division's policy regarding requests for the Civil Service Commission to arrange for federal observer coverage under the Voting Rights Act. Before any meeting is scheduled, the Attorney General thought that he should have a statement of the present policy and criteria, if any. Could the Division provide the necessary statement and materials?



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES GOVERNMENT

Memorandum

TO : John L. Buckley, Jr., Special
Assistant to the Attorney General DATE: JUN 25 1976

FROM : JSP J. Stanley Pottinger
Assistant Attorney General
Civil Rights Division

SUBJECT: Voting Rights Enforcement

This is in reply to your memorandum of June 1, 1976, requesting that a statement and materials be prepared for the Attorney General with respect to the present policy and criteria regarding requests for the Civil Service Commission to arrange for federal observer coverage in the Voting Rights Act.

1. The statutory basis for the Attorney General's authority to request federal observer coverage.

The use of federal observers at local elections is authorized by Section 8 of the Voting Rights Act, 42 U.S.C. 1973f, which states:

Whenever an examiner is serving under this Act in any political subdivision, the Civil Service Commission may assign, at the request of the Attorney General, one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



cast by persons entitled to vote are being properly tabulated. Such persons so assigned shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court.

As set out in Section 8 of the Act, federal observer coverage is authorized only in those political subdivisions (counties) 1/ in which a federal examiner is serving. The appointment of federal examiners is authorized by Section 6 of the Act, 42 U.S.C. 1973d, which states:

Whenever . . . the Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2), and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the fourteenth or fifteenth amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the fourteenth or fifteenth amendment),

1/ The term political subdivision is defined in Section 14 (c)(2) of the Act, 42 U.S.C. 19731(c)(2):



the appointment of examiners is otherwise necessary to enforce the guarantees of the fourteenth or fifteenth amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections . . .

The political subdivisions named in determinations made under Section 4(b) of the Act, 42 U.S.C. 1973b(b), are those in which the Director of the Bureau of the Census determined that less than 50 percent of the voting age population voted in the 1964 or 1968 presidential elections or that less than 50 percent of the voting age citizens voted in the 1972 presidential election, and in which the Attorney General determined that a literacy test or its equivalent was maintained on November 1 in the respective year of each of those elections.

The language of the Section 4(b) coverage formula applies to states or counties. 2/ Therefore, when the coverage determination is made with respect to an entire state, each county in the state is automatically covered, as is every other political unit that conducts election

(footnote 1 continued)

The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

2/ The provisions of subsection (a) shall apply in any State or in any political subdivision of a State . . .

42 U.S.C. 1973b(b).



activities in the state and each county. At the present time coverage extends to the States of Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas and Virginia. In addition, 97 individual counties are covered in a total of 13 other states. 3/ With respect to these covered jurisdictions, 78 counties, as listed in Attachment A, have been certified by the Attorney General for the appointment of federal examiners and, therefore, for the use of federal observers.

Finally, Section 13 of the Act, 42 U.S.C. 1973k, provides that where the Attorney General has certified a particular county for the appointment of federal examiners the service or appointment of federal examiners in that county may be terminated by the Attorney General.

2. The legislative history of the Attorney General's authority to request federal observer coverage.

There was no provision for federal observers in the bill that the Administration drafted prior to the Congressional hearings that culminated in the Voting Rights Act of 1965. After hearings on the Administration bill the Executive Committee of the House Judiciary Committee added the provision authorizing the use of observers at the request of the Attorney General. The Senate Judiciary Committee also included an observer provision, but further allowed for courts to authorize the appointment of observers by the Civil Service Commission.

3/ California (4), Colorado (1), Connecticut (3), Florida (3), Hawaii (1), North Carolina (40), New Hampshire (10), New Mexico (3), Maine (18), Massachusetts (9), Oklahoma (2), South Dakota (2), Wyoming (1).



In conference the Senate provision was brought in line with the House version. The House report states only that the observer provision "was deemed an appropriate means of assuring compliance with the Federal registration system envisioned by the Act." H. Rept. No. 439, 89th Cong., 1st Sess. (1965) p. 7.

In 1970, Congressional hearings were held to determine whether to extend the Act's special provisions which, in addition to Sections 6 and 8, include in Section 5 the provisions for federal preclearance of voting changes in covered jurisdictions. The Administration drafted a bill that would have substantially decreased the effectiveness of Section 5 and substantially increased the scope of Sections 6 and 8 by authorizing the Attorney General to request examiners and observers to any county in the country in which he deemed their presence necessary to guarantee equal access to the polls. Attorney General Mitchell, in his statement before the Senate Judiciary Committee, reported favorably on the observer program:

Our use of voting observers in the South has provided information to the Department of Justice which has enabled us frequently to ward off infractions of the 15th Amendment.

Hearings on Amendments to the Voting Rights Act of 1965, Senate Committee on the Judiciary, Subcommittee on Constitutional Rights, 91st Cong., 1st and 2nd Sess. (1970) V. 6 at p. 188.

The legislation that eventually passed in 1970 with regard to the Act's special provisions did not incorporate the Administration's recommendations, but simply extended those provisions. In this regard, the House report called the observer provision "an invaluable enforcement



mechanism," H. Rept. No. 91-397, 91st Cong., 2nd Sess. (1970) p. 6, and cited, as two of its functions, encouraging exercise of the franchise and overseeing enforcement of the Act.

In 1975 Congress again held hearings to determine whether to extend the Act's special provisions. In this regard, on March 5, 1975, I testified before the House Judiciary Committee's Subcommittee on Civil Rights and Constitutional Rights, and on April 29, 1975, I testified before the Senate Judiciary Committee's Subcommittee on Constitutional Rights. My statements before both of the subcommittees were nearly identical regarding the need for, and our criteria for requesting, federal observers. Before the House Subcommittee I said:

✓ || In making the determination that Federal observers are needed, the Attorney General considers three basic areas: (1) the extent to which those who will run an election are prepared, so that there are sufficient voting hours and facilities, procedural rules for voting have been adequately publicized, and polling officials, nondiscriminatorily selected, are instructed in election procedures; (2) the confidence of the black community in the electoral process and the individuals conducting the election, including the extent to which black persons are allowed to be poll officials, and (3) the possibility of forces outside the official election machinery, such as racial violence or a history of discrimination in other areas, such as schools and public accommodations, interfering with the election. Such factors are particularly important in an election where a black candidate or a candidate who has the support of black voters has a good



chance of winning the election. Federal observers provide a calming, objective presence in an otherwise charged political atmosphere, and serve to prevent intimidation of black voters at the polls and to assure that illiterate voters are provided with noncoercive assistance in voting. For instance, when the local polling place is located in a white-owned store, the presence of Federal observers can alleviate apprehension by black voters that informal voting procedures or other improprieties will be used which will enable poll officials to know how they voted.

Attached as exhibit 13 4/ is a group of representative examples of specific situations in which observers were authorized in response to local conditions surrounding elections in 1974 which had a potential for discriminatory practices. These narratives indicate that the use of Federal observers is still warranted and necessary not only to assure a fair election but to lend the appearance of fairness which is essential to the maintenance of confidence in the election process.

Hearings on Extension of the Voting Rights Act, House Committee on the Judiciary, Subcommittee on Civil and Constitutional Rights, 94th Cong., 1st Sess. (1975) V. 1 at p. 283.

4/ See Attachment B.



Using nearly identical language, the reports of the House and Senate Judiciary Committees stated:

[t]he Subcommittee's record reveals that the need for such Federal election observers continues. Many minority voters in the covered jurisdictions have frequently found that their names have been left off precinct lists and that other problems and abuses exist with respect to aid to be provided to illiterate voters. Also, polls in these areas continue to be located in all-white clubs and lodges where minority persons are otherwise not allowed to go, with such locations representing an extremely hostile atmosphere for the nonwhite voter (TYA 97-130). Under such circumstances, the role of Federal observers can be critical in that they provide a calming and objective presence which can serve to deter any abuse which might occur. Federal observers can also still serve to prevent or diminish the intimidation frequently experienced by minority voters at the polls.

Thus, based upon the record developed in hearings and the report of the U.S. Commission on Civil Rights, The Voting Rights Act: Ten Years After, the Committee concludes that it is essential to continue for an additional ten years all the special temporary provisions of the Act in full force and effect in order to safeguard the gains thus far achieved in minority political participation, and to prevent future infringements of voting rights.

H. Rept. No. 94-196, 94th Cong., 1st Sess. (1975) p. 12;
S. Rept. No. 94-295, 94th Cong., 1st Sess. (1975) pgs. 20-21.



Further, during the 1975 hearings members of both subcommittees inquired into the complaint in the Civil Rights Commission's report The Voting Rights Act: Ten Years After, that too few of the observers were minorities. To Rep. Drinan I responded:

[w]ith regard to the need for more minority observers-I concur fully-and I do not wish to be passing the buck unfairly, but I think we all have to inquire of the Civil Service Commission as to why that is not the case.

Hearings on Extension of the Voting Rights Act, House Committee on the Judiciary, Subcommittee on Civil and Constitutional Rights, 94th Cong., 1st Sess. (1975) V. 1 at p. 284.

After the House Subcommittee hearings I sent a letter, dated March 25, 1975, to the appropriate official of the Civil Service Commission noting that the Commission may wish to consider adopting an affirmative program designed to produce a more representative number of minority and female observers (see Attachment C).

On April 29, 1975, during the Senate Subcommittee hearings, Sen. Tunney asked, "Do you have any plans to have more minority observers in the future?" I replied:

Yes. I am aware of this complaint. We were concerned about it and have been for some time. We do not have direct control over it because it is the Civil Service Commission of the United States which employs the observers, and therefore determines who goes and who does not go.

But we have taken steps already, Senator, as a result of our examination of the question, to communicate with the Civil Service Commission our concern that we believe, and share, with the Civil Rights Commission that there need to be a greater number of black and other minority observers



employed by the Civil Service Commission so that they can lawfully be sent as observers into the jurisdictions we designate. We do agree with that.

Hearings on Extension of the Voting Rights Act, Senate Committee on the Judiciary, Subcommittee on Constitutional Rights, 94th Cong., 1st Sess. (1975) at pgs. 558-559.

The 1975 Amendments to the Voting Rights Act made no alteration to Section 8, although Section 6 was amended to allow inclusion of Fourteenth Amendment violations and guarantees to be considered by the Attorney General, in addition to the preexisting Fifteenth Amendment factors, in certifying a county for the appointment of federal examiners.

3. Judicial decisions regarding the Attorney General's authority to request federal observers.

In South Carolina v. Katzenbach, 383 U.S. 301 (1966), the Supreme Court specifically reserved the question of the constitutionality of §8. In United States v. Executive Committee of Democratic Party of Greene County, Alabama, 254 F. Supp. 543 (N.D. Ala. 1966), the court held that §8 did not violate a state provision for secret balloting. In United States v. State of Louisiana, 265 F. Supp. 703 aff'd 386 U.S. 270 (E.D. La. 1966), a 3-judge court held that a federal judge could not enjoin federal observers from being sent into polling places because the appointment of observers under the Act is an executive function, not subject to judicial review.

In addition, federal observers have testified as witnesses in court actions, most recently in James v. Humphreys County Board of Election Commissioners, 384 F. Supp. 114 (N.D. Miss. 1974), where federal observers' testimony was heavily relied upon by the court in finding that no violation of the Act had occurred at the polling places during a county election.

4. The discharge of the Attorney General's authority to request federal observer coverage.

a. Pre-election determinations of the need for federal observer coverage.

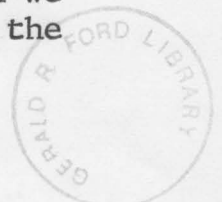
The criteria we use to determine whether observer coverage will be necessary for a particular election and,



if so, the polling places at which observers will be necessary and number of observers that will be necessary at each polling place, are set out in my statement to the House subcommittee, at pages 6 & 7, supra. Specific examples of situations in which these criteria have been met are set out in Attachment B, which was submitted as Exhibit 13 to my prepared statement before the subcommittee.

In order to determine whether these criteria are met we conduct surveys prior to scheduled elections in specially covered jurisdictions. These standard pre-election surveys consist of three steps, and are designed to occur close enough to the time of election to assure that we will be likely to be informed of problems that exist, but far enough before the election to allow the Civil Service Commission to prepare for observer coverage. In practical terms, we have found that the kinds of problems that can be effectively met by use of observers are, by their nature, likely to be manifest only in the weeks immediately before an election.

The first step in a pre-election survey occurs after candidate qualifying deadlines have passed and usually no sooner than 6 weeks before an election. We make telephone contact with the appropriate official of each of the state's counties where the 1970 Census shows there is a significant minority population (usually 25% or more of the county's population) in order to determine where and for what offices there will be minority candidates, whether polling place officials have been selected and their racial make-up, and other empirical information regarding the election, such as dates on which run-off elections would occur, the racial make-up of various local election boards and committees, and whether any candidate qualification applications or petitions have been denied. These telephone contacts are also made to counties that would not have been included for our survey based on population, but about which we have received complaints from minorities regarding the pending election.



For those counties where we find minority candidacies and about which we have received complaints we make telephone contact with two or three minority or other persons knowledgeable about minority affairs to determine whether any problems have occurred or are expected with respect to all phases of the election process. In these conversations we discuss the candidates, the conduct of campaigns, the responsiveness and attitude of election officials, the persons who have been selected as poll officials, and the plans of minority candidates for election day with respect to poll watchers. We also attempt to determine whether any non-election connected racially based incidents, e.g., Klan meetings, school demonstrations, have occurred recently, and whether any other racially involved circumstances obtain in the county. These telephone contacts usually occur during the fifth week prior to an election.

Based on the results of these conversations and our knowledge of the racial history of the county, we send our attorneys to those particular counties where the facts indicate the criteria for assignment of observers may be met. This field survey usually occurs in the third and fourth weeks prior to an election.

Our attorneys personally contact the official in charge of conducting the county's election in order to obtain lists of polling place locations and statements of specific procedures that will be followed for election day activities that our experience shows are likely areas for discriminatory treatment of voters, such as assistance to illiterate voters, voting challenged ballots and handling voters who appear at their non-assigned polling place. Other officials are also contacted as appropriate to particular circumstances about which we have knowledge, e.g., political party committee members may be contacted regarding the recommendation of persons to serve as, or



the appointment of, poll officials, and proper authorities may be contacted regarding their decision to disqualify minority candidates from running in the election.

In addition, our attorneys interview as many persons as may be necessary to obtain detailed factual accounts of existing or anticipated problems about which we have been informed, and to determine facts with respect to any other circumstances that may bear upon the necessity for a federal presence at the election. These persons are most often minorities. Officials are often recontacted during the course of a field survey so we may obtain a complete picture of past and planned activities in the light of information furnished by minority contacts. When necessary, county and state legal officials are freely contacted by our attorneys in the field in an attempt to resolve particular questions of state election procedure that arise.

X | During the field surveys our attorneys are in twice-daily contact, at a minimum, with the Deputy Chief of our Voting Section to discuss the progress of the survey and the facts obtained. A single attorney will usually cover two to three counties during a single field survey.

These pre-election procedures were communicated to the Texas Secretary of State by my letter of April 2, 1976 (see Attachment D). In addition, our reasons for requesting federal observers for a particular election are sometimes mentioned in the press release that is routinely issued prior to federal observer coverage (see Attachments E and F).



b. Pre-election determinations of the number of observers needed.

Attorney pre-election field surveys are completed not later than the end of the third week prior to an election. The attorneys return to their offices with completed drafts of detailed pre-election survey reports that include the attorneys' recommendations with regard to the need for observers. The attorneys' reports specify the polling places for which observers are recommended and the reasons for each such recommendation, i.e., a discussion of how the standard criteria for observer coverage is met, and the number of observers needed.

Prior to the 1976 elections, decisions regarding number of observers per polling place were based on the number of voting boxes or machines to be used within each polling place. In all covered states, except Texas, two observers were customarily assigned to each box, one to watch general activities in the polling place and to complete that portion of the observer report form that required a list of each voter's name and race be kept, and one to watch assistance rendered to voters (see Attachment G for a copy of a standard observer report form). In Texas the normal observer complement is four per box, two of whom function as just described, and two of whom watch the vote tally which by state law is continuous throughout election day (one observer watches the ballot being read and the other keeps an independent vote tally and watches the official tally).

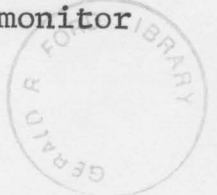
In early 1976 we reviewed the necessity for completing the voter name/race listing portion of the observer report forms as part of an overall study to determine whether we could reduce the number of observers we request by reorganizing or eliminating portions of the observer tasks required by the observer report forms. As a result, we determined that a listing of voters'



names is not necessary under all circumstances, and we have accordingly modified our criteria for determining the number of observers requested. In general, for states other than Texas, these criteria are:

i. One observer is requested in order to list voters' names where it is necessary to determine from observer reports whether voters who erroneously appeared at one polling place and were directed to their proper polling place, later voted at their correct polling place. This information is beneficial were there pre-election allegations of discriminatory treatment of voters who made such a mistake, e.g., blacks are sent to the registrar to determine their correct polling place while whites are told to which correct polling place they should go, or allegations of voter confusion regarding correct polling places in minority areas due to inadequate publicity of polling place (or precinct or district line) changes. Recording voters' names is also appropriate where it is alleged or feared that nonresident voters will be improperly allowed to cast ballots on election day. While names of voters generally need not be recorded, it is helpful to know the total number of voters by race in later analyzing election day procedures. Since such totals are desired for general comparative and analytical purposes, it is not harmful if observers are unable to keep a complete tally or if they make occasional errors in the tally. Therefore, it is unnecessary to assign an observer solely to record voters' race.

ii. Only one observer per box is necessary where the alleged irregularity pertains to a procedure at a single site within a polling place. Thus, a single observer will be assigned to a box where the alleged irregularity involves assistance to illiterates, or where assistance to illiterates is not a particular problem and it is alleged that election officials discriminatorily direct voters to other polling places or discriminatorily apply challenged ballot procedures (spot checking of voter assistance is used to generally monitor assistance procedures).



iii. Normal two-person observer teams generally are used where our presence is predicated on alleged irregularities regarding procedures that may occur at more than one site within a polling place, or during vote tally procedures, or in remote polling place sites where there is some reason to anticipate hostility toward the observers or between election officials or between officials and voters.

iv. When only one observer is assigned to a box in a polling place it is unnecessary to assign an additional observer to the polling place solely for the purpose of spelling the single observer. Single observers can be relieved, when necessary, by reserves observers assigned to the county. Numbers of such reserves are affected by factors such as the number of multi-box and single-box polling places in a county, distances between polling places, and the projected need for reserves to be available for assignment to observe problems that may arise at noncovered polling places on election day.

Since we have only monitored the use of observers in one election (May 1, 1976), in the State of Texas, and then only in four counties, we are not yet familiar enough with election day practices in the state to conclude that a similarly flexible standard will succeed as the basis for determining the number of observers to be requested for each Texas polling place. We may be able to reach a conclusion in this regard after the November 1976 elections, when we can again examine polling place activities as described in observer reports.

c. Procedures for notifying the Civil Service Commission of the number of observers needed.

The Chief and Deputy Chief of our Voting Section are in contact regarding various matters throughout the year with Charles Dullea, the Director of the Civil Service



Commission's Office of Hearing Examiners, who is the Commission official in Washington, D. C., responsible for the observer and examiner program coordination between the Department and the Commission's regional offices, which actually assign and are responsible for the activities of observers and examiners.

During the two-month period before a given state's elections our telephone conversations with Mr. Dullea become frequent. During our pre-election surveys we discuss with him any general observations we can make regarding the possibility that observers may be used, and information or inquiries he receives from the Commission's regional offices regarding observer assignment procedures. 5/

When the supervisory lawyers of our Voting Section determine that they will recommend that federal observers be requested for particular counties, the Voting Section Chief or Deputy Chief telephones Mr. Dullea to alert him to the probable number and location of observers that will be requested for the election. This telephone call usually occurs about two weeks before an election, after our attorneys have completed their field surveys,

5/ For example, prior to the May 1976 Texas and Alabama primaries we responded affirmatively to a suggestion that, as far as possible, federal observer personnel be persons who live in close proximity to jurisdictions where observer coverage is requested. Prior practice was to avoid using local personnel as observers in order to avoid the possibility of local retaliation against, and bias on the part of, federal observers. We agreed to try the change in procedure since we believed that the reasons for the former policy were probably no longer valid. The Commission was interested in making the change in order to reduce overall expenses incurred in the observer program by reducing travel, lodging and per diem expenses. The new procedure worked very well during the 1976 Texas and Alabama primaries.



but before the attorneys' analytical memoranda and recommendations have been finally prepared and reviewed. The information we give to the Commission at that time is our estimate based on the attorneys' oral recommendations. The purpose of this alerting call is to allow the Commission to begin its observer staffing preparations for the election.

The Voting Section attorneys' pre-election survey memoranda are reviewed within the Voting Section, then by my deputy and me, and a final decision is made as to the number and location of the observers we will request. This information is communicated by telephone to Mr. Dullea. The number of observers we request includes an observer captain and one or two co-captains for each covered county. 6/ Mr. Dullea then relays the information to the appropriate regional office.

Included with this memorandum as Attachment H is a record of the number of observers that have been assigned pursuant to our requests since 1966.

6/ These persons are directly responsible for the Commission's county observer activities, and work in tandem with our attorneys in the field with respect to coverage activities. We always assign at least one Departmental lawyer to be present in each county while observers are present.



COUNTIES DESIGNATED AS EXAMINER COUNTIES (78)

<u>STATE</u>	<u>COUNTY</u>
ALABAMA	AUTAUGA CHOCTAW ELMORE GREENE DALLAS HALE JEFFERSON LOWNDES MARENGO MONTGOMERY PERRY SUMTER TALLADEGA WILCOX
GEORGIA	BAKER HANCOCK LEE PEACH SCREVEN TALIAFERRO TERRELL TWIGGS
LOUISIANA	BOSSIER CADDO DE SOTO EAST CARROLL EAST FELICIANA MADISON OUACHITA PLAQUEMINES SABINE ST. HELENA WEST FELICIANA

ATTACHMENT A



STATE

MISSISSIPPI

COUNTY

AMITE
BENTON
BOLIVAR
CARROLL
CLAIBORNE
CLAY
COAHOMA
DE SOTO
FORREST
FRANKLIN
GRENADA
HINDS
HOLMES
HUMPHREYS
ISSAQUENA
JASPER
JEFFERSON
JEFFERSON DAVIS
JONES
KEMPER
LEFLORE
MADISON
MARSHALL
NESHoba
NEWTON
NOXUBEE
OKTIBBEHA
PEARL RIVER
RANKIN
SHARKEY
SIMPSON
SUNFLOWER
TALLAHATCHIE
TUNICA
WALTHALL
WARREN
WILKINSON
WINSTON
YAZOO



STATE

SOUTH CAROLINA

TEXAS

COUNTY

CLARENDON
DORCHESTER

FORT BEND
MEDINA
WILSON
UVALDE





Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, APRIL 30, 1976

CR

Attorney General Edward H. Levi announced today that 112 federal observers and four federal examiners will be stationed in four counties in Texas tomorrow for the primary election.

The counties are Fort Bend, Medina, Uvalde, and Wilson.

Observers will be stationed in designated polling places to observe election procedures and tabulation of the votes.

One examiner will be assigned to each county to receive complaints on election day and for 48 hours after polls close. They will be stationed at Agricultural Stabilization and Conservation Service offices.

Both observers and examiners are Civil Service Commission personnel assigned at the request of the Attorney General.

Acting under the provisions of the Voting Rights Act of 1965 as amended, Mr. Levi certified the counties for appointment of examiners to enforce the guarantees of the Fourteenth and Fifteenth Amendments that all citizens have an equal opportunity to vote.

The certification was published today in the Federal Register.

(OVER)

ATTACHMENT F



Mr. Levi also requested the assignment of
observers to the same counties.

Assistant Attorney General J. Stanley Pottinger,
head of the Civil Rights Division, said the assignment of
observers and examiners was based on the results of the
Department's customary pre-election survey of areas covered
by the Voting Rights Act.

He said the four counties were selected because
they have substantial Mexican-American populations and
Mexican-American candidates on the ballots, and because
of significant allegations of potential problems on
election day.

In addition, he said eight Civil Rights Division
attorneys will be on duty in the four counties and in
LaSalle and Marion Counties.

"Our presence will help protect all persons --
Mexican-Americans and non-Mexican-Americans -- by serving
to insure confidence in the fairness and integrity of the
elections, regardless of the outcome," Mr. Pottinger said.

He noted that the primary is the first Texas
election of state and federal officials for which bilingual
ballots are required under the 1975 Amendments to the
Voting Rights Act.

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Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, JULY 25, 1969

The Attorney General has requested the Civil Service Commission to assign federal observers to the special election scheduled for Greene County, Alabama on July 29, 1969.

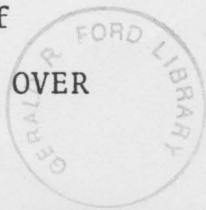
The special election was ordered by the federal district court in Montgomery, Alabama to implement the mandate of the United States Supreme Court in the case of Hadnott v. Amos, decided on March 25, 1969. This case involved the question of whether candidates of the National Democratic Party of Alabama were entitled to a place on the ballot in the November 1968 general election.

The Supreme Court held that provisions of the Alabama law under which local officials denied six Negro candidates a place on the ballot in Greene County were subject to the provisions of the Voting Rights Act of 1965 and therefore, could not be enforced without prior approval either by the Attorney General or the federal district court for the District of Columbia.

The special election July 29 will involve four places on the county commission and two places on the school board. The six Negro candidates of the National Democratic Party of

ATTACHMENT E

OVER



Alabama will be opposed by six white candidates of the regular Democratic Party.

According to the 1960 Census, the voting age white population in Greene County is 1,649 and the voting age Negro population is 5,000. There are about 2,000 more Negroes than white registered to vote in the county.



EXHIBIT 13

Examples of Situations in Which Observers Were Authorized

I. Tallulah, Louisiana, March 23, 1974, election.

In this city primary elections are being held to fill the offices of mayor, three aldermen, the chief of police and the three positions on the Democratic Executive Committee. There are black and white candidates for each office. According to 1970 Census figures, the city's population was 9,643 with blacks representing 66.5% of that total. Voter registration figures by race fairly accurately reflect the raw population percentage.

The city has a history of racially inspired election difficulties and, though this year's campaign has been "quiet" thus far, it has simultaneously been characterized as intense.

Contacts in both the black and white communities have acknowledged that given the campaign's intensity and the prevalent racial atmosphere in the city, allegations of misconduct will be made by leaders of the losing "side." Federal observers would provide both a calmative and objective presence in such a charged political atmosphere.

II. Lake Providence, Louisiana, March 23, 1974, election.

In this city primary elections are being held to elect a mayor, chief of police, five aldermen and three members of the city's Democratic Executive Committee. There are black and white candidates for each of these offices.

According to the 1970 Census the city had a population of 6,183, with blacks representing 67.3% of that total. Voter registration statistics as current as February 20, 1974 indicate a total registration of 3,555 with 2,101 or 59.09% of that figure representing black registrants.



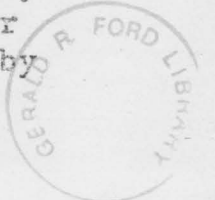
The city has a long history of discriminatory treatment of blacks. There prevails an atmosphere of distrust with the intimation of dishonesty and intimidation on the part of some individuals currently scheduled to serve as election commissioners at some election precincts. ✓

III. Greene County, Alabama, November 5, 1974, election.

This county contains 10,650 people of which 8,027 are black; voter registration is comparable. Races in which black candidates (NDPA) are opposed by white candidates (Dem) are district attorney, State Senate, and House of Representatives. In addition, NDPA candidates, black, are opposed by black independent candidates in races for sheriff and board of education. In the primary, only election officials provided assistance, but in the general election, friends may assist. All the officials contacted (black and white) expect persons providing assistance, including black high school students, to thrust themselves on illiterate voters when the illiterate voters go in the booth. The officials in the county recognize that this pressure by persons supporting candidates exists and the probate judge, sheriff, and city attorney all requested observers. The atmosphere has been tense since the primary election in May and includes disruption of the NDPA convention by high school students. Observers should exert a calming influence.

IV. Lowndes County, Alabama, November 5, 1974, election.

This county has a population of 12,897 of which 9,930 (77%) is black. Blacks comprise 55.5% of registered voters. There are five black candidates (sheriff, coroner, and three for board of education) who won in the primary and who are being opposed by the whites they defeated and who are running as Conservative Party candidates. In spite of the strong showing that blacks made in the primary and in spite of their majority in voters and population, very few were initially appointed to be polling officials for the November election. It was only after intervention by



State Democratic Committee that a few more blacks were appointed to be poll officials and the probate judge expects this to be challenged in court. The probate judge, who is white, has requested federal observers because he believes that the white slate will do anything to win and he credits the smooth elections in the past to federal presence. ✓

V. Wilcox County, Alabama, November 5, 1974, election.

This county has a total population of 16,303, of which 63.5% are black; blacks have run for several offices for several years and with the exception of winning races for constable and Democratic Executive Committee, they have not been successful. None of the black candidates for county office in the primary won; blacks are running on the NDPA ticket in November. In addition, the NDPA slate contains two white candidates. Because of a variety of difficulties in previous elections, we have usually had some of the polling places covered. Local officials have in past elections devised a variety of techniques to frustrate blacks' attempts to elect candidates for each election. In the past, there has been a paucity of black election officials, restrictions on black poll watchers, voting in white stores without secret ballots (ballots must be left out of the box and pens could not be used to mark the ballot), and some officials not allowing illiterate black to bring in friends to assist. In addition, during the recent primary, several polling officials in rural boxes intimidated blacks in the voting area by their talking with candidates, conferring when blacks came in, and by general confusion.

VI. Kemper County, Mississippi, November 5, 1974, election.

In this county there are two blacks running for school board offices, the first black candidates since Reconstruction. Both are opposed by whites. The county contains 10,223 people, including 5,612 blacks. Blacks comprise 48.7% of the voting age population.



There is reluctance on the part of registration officials to advise the black community of the opportunity to register and full compliance with the 1965 Act was not accomplished for several months after its enactment. Our recent survey indicates that this county is operated, vis a vis blacks, the way the typical Mississippi County was operated in the early 1960's.

The need for federal observers is demonstrated by the manner in which the election is to be conducted. Until this election, the officials appointed 10-15 blacks to work at the polls; now only 2 out of 90 were appointed, both of whom had not worked previously, until the black community protested and an additional 20 were appointed. However, there was no reduction in the number of white poll workers and the exact authority or function of the additional 20 is unknown. This is significant because black poll workers at previous elections indicate that white poll workers would insist on aiding black illiterates and would mark the ballots incorrectly. While the county clerk said that illiterates could have a friend assist, the practice in recent elections has been for poll officials to assist and there is no indication that the Clerk will require local poll officials to allow friends to assist. The other aspect of the election which deserves attention is the fact that 17 of the 29 polling places are in stores owned by white persons and in 11 of the 17, the store owner or his wife are polling officials. In 7 of the 11, two or three of the poll managers are related to the owner of the store. In addition to the failure of election officials to vote correctly for illiterates, this election should have a record high number of illiterates voting. The black voters are apprehensive about voting in the white owned stores because of fear of not being able to vote the way they want and because the poll workers will find out how they voted due to the informal voting.



MAR 25 1975

Mr. Charles J. Dullea
Director
Office of Hearing Examiners
Civil Service Commission
1900 E Street, N. W.
Washington, D. C. 20515

Dear Mr. Dullea:

This is in reference to our dual responsibilities pursuant to 42 U.S.C. 1973f of the Voting Rights Act of 1965, the observation of elections by federal officials who are assigned by the Civil Service Commission at the request of the Attorney General.

As you know, Congress is presently conducting hearings with respect to the extension of certain parts of the Voting Rights Act of 1965 as amended in 1970, specifically 42 U.S.C. 1973(b) and (c). On February 25, 1975, Arthur W. Fleming, Chairman of the United States Commission on Civil Rights, testified before the Subcommittee on Civil Rights and Constitutional Rights of the Committee on the Judiciary of the House of Representatives. During his testimony, Mr. Fleming introduced into the Congressional Record the January, 1975, Report of the Commission on Civil Rights, The Voting Rights Act: Ten Years After. The Commission's report discusses, inter alia, the use of federal observers in conjunction with the advantages and some specific problems in the utilization of federal observers, pages 31-36, and thereafter makes recommendations with respect to its findings, pages 348-349.

ATTACHMENT C



One of the problems cited which has caused some concern amongst the Congressional Committee is the Commission's finding that "black residents of observer jurisdictions ... expressed some dissatisfaction with the [observer] program. They complain that most observers are white southerners from nearby states and often indistinguishable from the local election officials." The Commission on Civil Rights has recommended "[I]ncreasing the proportion of minority observers." A copy of the report is enclosed for your ready reference.

The Voting Rights Act has been one of the most successful of all of the federal civil rights laws and a substantial contributing factor has been the dedication and professionalism of those selected to serve in the federal observer program. Moreover, we want to acknowledge that recently the Civil Service Commission made affirmative efforts to assign more minority representatives and a significant number of women to the federal observer program. However, in light of the above cited concerns, you may wish to consider adoption of a specific recruitment and selection program designed to produce a more representative number of minority and female observers.

Of course, assistance from the Civil Rights Division which would facilitate the implementation of such a plan can and should be discussed. I would appreciate your advising us of your views and any way in which we can contribute to your deliberations.

Sincerely,

J. STANLEY POTTINGER
Assistant Attorney General
Civil Rights Division



APR 2 1976

Honorable Mark White
Secretary of State of Texas
Capitol Station
Austin, Texas 78711

Attention: Lee Couch

Dear Mr. Secretary:

This is in reference to your telephone conversation of February 26, 1976, with Barry Weinberg, Deputy Chief of our Voting Section in which you requested empirical data that the Department of Justice has compiled from information we received from Texas County Democratic Executive Committee Chairmen during our survey prior to the first elections scheduled this year in Texas.

As Mr. Weinberg explained to you, it is our standard practice to conduct a pre-election survey in areas covered by Section 4 of the Voting Rights Act. This survey is normally done in three steps, and is designed to enable us to discharge our responsibilities under the Act by obtaining information upon which we may determine the need for Departmental attorneys, federal observers, 42 U.S.C. 1973f, and federal examiners, 42 U.S.C. 1973j(e), at local elections (where appropriate, Departmental attorneys may be present on election day in local jurisdictions where federal observers have not been assigned, but in jurisdictions where federal observers are assigned it is our practice to always have a Departmental attorney present).

ATTACHMENT D



Our standard pre-election survey consists of three basic steps. First, for counties with a significant minority population, election officials are contacted by telephone so we may determine the offices for which there will be minority candidates, if any, the minority candidates' opposition, and information regarding the appointment of minority poll officials and other matters bearing upon preparations for the election. On the basis of this information we then make telephone contact with minorities and other knowledgeable persons in selected counties to obtain information regarding past and present participation of minorities in the local electoral processes. Based on information thus gathered we then select counties to which Departmental attorneys are sent to obtain further information regarding preparations for elections and the participation of minorities in the electoral process.

Following the field survey and on the basis of all information we receive a final decision is made, under the standards set out in the Act, 42 U.S.C. 1973d, as to the designation of particular counties for the appointment of federal examiners, and as to where and to what extent federal observers and examiners will be assigned for local elections. The designation of a county for the appointment of federal examiners is not necessary for the assignment of Departmental attorneys to a county on election day, since the attorneys do not perform the unique statutory functions allowed to federal observers and examiners. Decisions regarding the election day presence of federal observers result from a continuing fact gathering process and often cannot be made until shortly before the election in question.



I should emphasize that areas contacted under the described pre-election survey procedure are in addition to areas which we contact based on communications we routinely receive from local officials and minority representatives requesting a federal presence in a particular jurisdiction, or reflecting a situation for which our presence may be appropriate.

I have explained these matters at length because this is our first opportunity to write to your office regarding our pre-election survey procedures, and because I believe you should view the information we are sending to you in a full contextual setting.

Enclosed is a chart setting out the counties we contacted in the first phase of our pre-election survey in Texas. The chart indicates empirical information we obtained with respect to the existence of minority candidacies. The information reflected on the chart is simply a compilation of information volunteered to us by local election officials and should not be taken to reflect any conclusions or judgments of this Department.

Sincerely,

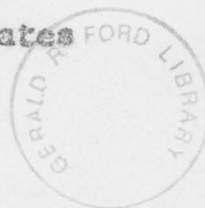
J. Stanley Pottinger
Assistant Attorney General
Civil Rights Division

cc: Honorable John Hill
Mr. Luther Jones
Mr. Al Perez
Mr. George Korbel



<u>County</u>	<u>MINORITY CANDIDATES</u> ^{*/}			
	<u>None</u>	<u>Unopposed</u>	<u>Opposed by Minority</u>	<u>Opposed by White/Anglo</u>
Aransas				S
Anderson				B
Atascosa		S		
Bailey	X			
Bastrop	X			
Bee			S	S
Bexar				S
Brewster				S
Brooks			S	S
Burleson		B		
Caldwell		B		S
Calhoun		B, S		S
Cameron		S	S	
Camp		B		
Cass	X			
Castro	X			
Cochran	X			
Comal				S

^{*/} B = black candidates, S = Spanish heritage candidates



<u>County</u>	<u>MINORITY CANDIDATES</u>			
	<u>None</u>	<u>Unopposed</u>	<u>Opposed by Minority</u>	<u>Opposed by White/Anglo</u>
Crockett				S
Crosby				S
Culberson				S
Dawson	X			
Deaf Smith	X			
Dimmit		S		S
Duval			S	
Edwards	X			
El Paso		S	S	
Falls	X			
Fort Bend		S		S
Freestone	X			
Frio			S	S
Gaines	X			
Goliad		S		S
Gonzales	X			
Grimes	X			
Guadalupe	X			



<u>County</u>	<u>MINORITY CANDIDATES</u>			
	<u>None</u>	<u>Unopposed</u>	<u>Opposed by Minority</u>	<u>Opposed by White/Anglo</u>
Harris		B,S	B,S	B,S
Harrison	X			
Hays		S		S
Hidalgo		S	S	
Houston				B
Hudspeth				S
Irion	X			
Jeff Davis		S		
Jefferson		B		
Jim Hogg		S	S	
Jim Wells			S	
Karnes		B		S
Kaufman	X			
Kenedy		S		
Kinney				S
Kleberg			S	S



<u>County</u>	<u>MINORITY CANDIDATES</u>			
	<u>None</u>	<u>Unopposed</u>	<u>Opposed by Minority</u>	<u>Opposed by White/Anglo</u>
Lamb	X			
LaSalle				S
Leon	X			
Live Oak		S		
Loving	X			
Lubbock				B
Lynn	X			
Madison	X			
Marion				B
Martin	X			
Maverick			S	S
McMullen	X			
Medina				S
Menard	X			
Morris	X			
Newton	X			
Nusces				S



<u>County</u>	<u>None</u>	<u>MINORITY CANDIDATES</u>		
		<u>Unopposed</u>	<u>Opposed by Minority</u>	<u>Opposed by White/Anglo</u>
Panola	X			
Peccas		S		S
Polk	X			
Presidio		S		S
Reeves		S		S
Refugio				S
Robertson	X			
Rusk				B
San Augustine	X			
San Jacinto				B
San Patricio			S	S
Schleicher				S
Starr		S	S	
Sutton	X			
Terrell	X			
Tom Green	X			
Travis		B,S	B,S	B,S



<u>County</u>	<u>MINORITY CANDIDATES</u>			
	<u>None</u>	<u>Unopposed</u>	<u>Opposed by Minority</u>	<u>Opposed by White/Anglo</u>
Trinity	X			
Uvalde				S
Val Verde			S	S
Victoria				S
Walker		B		B
Waller				B
Ward	X			
Washington	X			
Webb		S	S	
Willacy				S
Wilson		S		
Zapata		S	S	S
Zavala		S	S	



Exhibit 16

UNITED STATES CIVIL SERVICE COMMISSION Voting Rights Act of 1965 State of Mississippi -- Paper Ballot Election

OBSERVER'S INSTRUCTIONS

Each observer will have several functions to observe at the polling place. They will be divided between the two observers. The following is a general review of Mississippi law and practice to acquaint the observer with what he might expect when he goes to the polls.

A. DOCUMENTS

There are certain documents that you should be familiar with in connection with the voting process.

1. The Poll Book. The poll book is a bound volume containing a list of the qualified voters in the particular precinct. This book should also contain the names of all persons listed by the Federal examiner for the particular county in that particular precinct. There are columns in the poll book for one of the clerks to write "voted" after the elector votes in the particular election.
2. Receipt Book. The receipt book is signed by the voter (or he may make his mark after which his name is written by a manager) before he receives his ballot. After the polls are closed, the receipt book should contain the signature (or mark) of each person who received a ballot. This book must not be taken from the polling place during the election.
3. The Official Ballot. The voter marks his choice of candidates on the official ballot with an "X" or a "V" in ink or indelible pencil. The initialing manager marks his initials on the back of the ballot and the ballot is given to the voter after the voter signs the receipt book. In addition to the ballots voted in due course at the polling place there are two types of absentee ballots: (1) the regular absentee ballot which is delivered to a manager during polling hours and which he places in the ballot box, and (2) The absentee ballots of transportation workers which are placed in the ballot boxes before the boxes are delivered to the Receiving Manager.
4. Affidavit Forms. There are affidavit forms for persons who claim to be eligible to vote but whose names do not appear in the poll book. When such an affidavit is completed, the person is allowed to vote but his ballot and the affidavit are sealed in a separate envelope and counted only after approval of the county elections commission. Additional affidavit forms may be provided in a primary for a person challenged as to his qualifications to vote in the primary.



5. Tally Sheets. The count of the votes after the polls are closed is recorded on the tally sheets in the presence of the election managers.

6. Certificate of Results. There are two copies of this document which is a certificate of the statement of the result of the count. The certificates are signed by the managers and clerks. One certificate is placed in the ballot box, the other is kept by a manager for inspection by the voters.

B. ELECTION OFFICIALS

1. Election Managers. There are three election managers at each polling place and additional assistant managers may be appointed to handle challenges. If an additional assistant manager is not appointed, the managers handle the challenges of voters.

(a) Receiving Manager. The receiving manager picks up the ballots the day before the election and gives a receipt therefor.

(b) Initialing Manager. This manager places his initials on the back of each ballot before it is given to the voter. After the voter has voted and folded his ballot, he returns it to the initialing manager who checks to see if his initials are on it before it is put in the ballot box.

(c) Other Manager. He, with the other two managers, conducts the election at the polls which includes being present and assisting during the count, hearing and deciding challenges, and assisting illiterates.

2. Clerks. The election managers may appoint two clerical assistants to help them conduct the election.

3. Sheriff, Deputy, Bailiff. These persons are authorized to be at the polling place to preserve order. Under the Mississippi statute, managers of elections are also considered to be "conservers of the peace" and have authority to make arrests of persons guilty of offenses against the primary election laws. Ordinarily a bailiff, with such title, is designated only during general elections.

C. OTHER PERSONS AUTHORIZED TO BE AT THE POLLING PLACE

1. Candidates. Each candidate or his authorized representative has a right to be at the polling place and inspect the manner in which the election is held with due regard for the secrecy of the ballots. They may view what goes on during the counting and inspect the ballots when they are taken from the box and counted.



2. Voting Public. Mississippi law provides that during the holding of the primary election and the counting of the ballots the whole proceeding shall be in fair and full view of the voting public--without interference with or encroachment on the proceedings and other duties of the election managers. The general election laws require that a space 30 feet in every direction from the polling place be kept clear of persons other than election officials and voters in line. Electioneering is prohibited within 150 feet of the polling place.

D. PROCEDURES WHILE THE POLLS ARE OPEN

1. Polls Open. The polls are open from 7:00 a.m. to 6:00 p.m.

2. Procedure for Obtaining a Ballot. First it is determined whether the voter's name appears on the poll book. If it does, the voter is required to sign or make his mark in the receipt book and he is given a ballot which contains the initials of the initialing manager.

3. Marking Ballots. Upon receiving a ballot, the voter proceeds to a voting booth which is set up in the polling place and marks his ballot. Under Mississippi law the ballot must be marked in ink or indelible pencil and the mark must be in the form of an "X" or a check in the form of and similar to a "V". The manner of mark must be consistent throughout the ballot. The voter may not place any mark on the ballot which would identify the ballot afterwards as the one voted by him. If the person voting spoils a ballot in the marking process, he may obtain another--not to exceed three in all.

4. Assistance Procedure. Mississippi repealed its assistance procedures statute in 1965. A Federal court, however, has held that election officials have the duty and are responsible at each election to provide to each illiterate voter who may request it such reasonable assistance as may be necessary to permit such voter to cast his ballot in accordance with the voter's own decision. Prior to the repeal of this statute, the law provided that one of the election managers was required to give an illiterate assistance upon request in the marking of his ballot. A blind or disabled voter may be assisted by a manager or other person of his own selection. Under the old statute, the manager who assisted the voter noted on the back of the ballot that it was marked with his assistance. In all probability, this will be the procedure followed in the light of the Federal court judgment.

5. Time Limit. The voter has five minutes in the booth to vote or 10 minutes if no one is waiting.

6. Depositing Ballot. The voter folds his ballot so that his choice is concealed and the initialing manager's initials may be seen. He returns the ballot to the initialing manager who checks to see that the initials



are on the ballot and then deposits the ballot in the box. After the ballot is deposited, the manager or clerk writes the word "voted" beside the elector's name in the poll book.

7. Persons Not On The Poll Book.

Names Not On The Poll Book. A person whose name is not on the poll book may make an affidavit that he is entitled to vote or has been illegally denied registration. Upon making this affidavit, the voter may vote a ballot which, with the affidavit, is enclosed in an envelope and put in the ballot box. The county election commission examines the record to determine whether or not the vote should be counted.

8. Challenge Procedures.

(a) Who May Challenge. Election officials, a candidate or his representative, and in a primary any party member may challenge a voter.

(b) Basis for Challenge.

- (1) A person does not have the proper qualifications.
- (2) The voter has solicited something of value from a candidate.
- (3) The voter does not intend to support the nominations made at the primary. (Applicable to party primaries only.)
- (4) He has not been in accord with the party within the two preceding years, is not in accord with the principles of the party, or has been excluded by regulation of the State executive committee. (These are unclear bases for challenge and while no challenges are expected on those bases, the practice may vary.) (Applicable to party primaries only.)

9. Determination of Challenge. The managers (or assistant manager, if appointed) hear the challenge when made "separate and apart from the voting place." The voter may be required to answer under oath and in writing questions pertaining to his qualifications or whether or not he is in accord with the party principles. All votes that are challenged shall be received when voted and marked "challenged", except when the managers find the challenge is frivolous or not in good faith. When in the unanimous opinion of the managers a challenge is well founded, the ballot shall be rejected and marked on the back "rejected". Ballots marked "challenged" are placed in a separate envelope and are tallied separately during the count. Ballots marked "rejected" are placed in another separate envelope and are not counted. These two separate envelopes are placed in the ballot box when it is sealed.



E. ADJOURNMENT

If, after the polls are open and before all the votes are counted, the election process is adjourned; during such adjournment the ballot box must be locked so nothing can be placed in it or taken out of it and it must be kept by one of the managers and the key kept by another. Also, during such an adjournment, the receipt book must be kept in the locked ballot box.

F. COUNTING THE BALLOTS

1. Count Commenced. When the polls close, the managers are to publicly open the ballot box and proceed immediately to count.

2. Count Conducted. The name of each person voted for is to be read aloud and recorded by the clerks on the tally sheets in the presence of the managers.

3. Ballots Counted Separately. As indicated above, the challenged ballots are counted and tallied separately.

4. Ballots Not Counted (Entirely Rejected). Some Mississippi courts have rejected ballots not marked in ink or indelible pencil, ballots marked with straight or perpendicular lines rather than with an "X" or a "V", and ballots marked by scratching out names. Other reasons for rejection are:

(a) Mississippi courts have held that when there is any mark on the ballot which could identify that a particular voter marked that particular ballot, that particular ballot is not counted. It must appear that the voter intended to mark the ballot for identification and not just smudged it unintentionally.

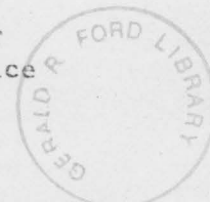
(b) Two or more ballots rolled up together.

(c) A ballot not "provided" in accordance with law--this means a ballot that was not given with the initials of the initialing manager on it.

5. Partially Rejected Ballots. If a voter marks more names as his choice than there are persons to be nominated for that office, the vote for that office is not counted, unless the voter clearly strikes out one of his marks.

If it is not possible to determine from the ballot the voter's choice for a particular office, the vote for that office is not counted.

If more than one person is to be nominated for an office and the voter votes for less than the number to be nominated, the vote for that office is not counted.



G. CERTIFICATION OF RESULTS AFTER THE COUNTING AND TALLY HAS BEEN COMPLETED

After the votes have been counted and tallied, the managers publicly proclaim the result and certify in duplicate a statement of the results. One copy of the certificate of results is placed in the ballot box. The other copy is kept by a manager for inspection by any voter.

H. POST ELECTION PERIOD

After the ballots are counted and the results are certified, all of the documents used at the polling place, including the spoiled and unused ballots, are locked and sealed in the ballot box and delivered "as soon as practicable" by one of the managers to the clerk of the circuit court in the county courthouse who immediately places a metal seal on the box which is not disturbed until the county executive committee (or election commission in a general election) opens the box to canvass the returns.

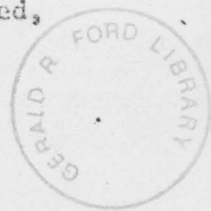
I. OBSERVER PRIORITY FUNCTIONS

1. During Voting. One of the two observers at the polling place must obtain the names and race of all the persons voting. This may be done by copying the names of the persons who sign the receipt book. Use "Persons Permitted to Vote" form for this purpose.

This first observer should also be present if a voter is taken apart from the polling place and his voting qualifications are challenged so that he can report what transpired during the challenge procedure. Complete "Explanation Sheet" for this purpose.

The other observer has as his first priority obtaining the names and the race of all persons who receive assistance in marking and casting their ballots. Use "Voters Needing Assistance" form for this purpose. In the event of any irregularity in the assistance process, the observer must record complete details of such incidents, including the names and political races of any candidates who are voted for by the assistance manager contrary to the expressed wish of the voter and the names and political races of the candidates who the voter indicates he chooses to vote for. He must also cover for the first observer if a challenge is held apart from the polling place.

2. During Counting. One observer should watch the ballot as it is being read, the other should make a tally of the votes cast for each candidate. Use forms provided for counting and tally. When the count is over and the ballot box is picked up by one of the managers for delivery to the Circuit Clerk, unless otherwise specifically instructed, the observers may leave the polling place.





UNITED STATES CIVIL SERVICE COMMISSION
WASHINGTON, D.C. 20415

IN REPLY PLEASE REFER TO

YOUR REFERENCE

Honorable Ramsey Clark
Attorney General of the United States
Department of Justice
Washington, D.C. 20530

Dear Sir:

Pursuant to section 8 of the Voting Rights Act of 1965, the undersigned was assigned as a United States Civil Service Commission Observer for the general election held on November 7, 1967, in the State of Mississippi.

Enclosed is the report of my observations of that election submitted pursuant to section 8.

Respectfully yours,

Observer
United States Civil Service
Commission

cc: Examiner (State Supervisor)
Room 201, U. S. Post Office & Courthouse
Box 1064
Jackson, Mississippi 39201

Wilson M. Matthews
Room 7303
U. S. Civil Service Commission
Washington, D.C. 20415



00123

UNITED STATES CIVIL SERVICE COMMISSION
VOTING RIGHTS ACT OF 1965

STATE OF MISSISSIPPI PAPER BALLOT ELECTION
OBSERVER'S REPORT

Report by _____ and _____ on casting ballots for _____
(U.S. Civil Service Commission Observers)
election. Election in State of Mississippi, County _____

CITY	BEAT	PRECINCT
DATE OF ELECTION	LOCATION OF POLLING PLACE	
TIME OF ARRIVAL AT POLLS	TOUR OF DUTY	POLLS WERE OPEN
	FROM _____ A.M. P.M. TO _____ A.M. P.M.	FROM _____ A.M. P.M. TO _____ A.M. P.M.

I. POLLING PLACE DESCRIPTION

A. Generally describe the polling place area, the type of building, the number of voting booths, whether there are other ballot boxes located nearby, etc.

B. Describe generally what took place prior to the opening of the polls. Was the box locked and empty (except for ballots of absentee transportation workers - give number of such ballots in box if any) before balloting (did the box remain locked at all times while the polls were open)? Did the election officials take an oath before the balloting started, if so, when and how was the oath taken? Was box locked during any adjournment?

00124



II. ELECTION OFFICIALS AND PERSONS PRESENT AT POLLING PLACE

A. Obtain the names and give a brief description of the function performed by each election official at the polling place. Note generally if they switched functions.

1. *Three Managers.*

NAME _____

FUNCTION DURING BALLOTING

(a) Distributing Manager

(b) Receiving Manager -

(c) Other

2. Two Clerks

(a) _____ (Name)

(b) _____ (Name)

3. Sheriff, Deputy Sheriff, or Bailiff
May be present at all times to keep order.

4. Other (Specify) _____

NOTE times each absent
from polls: Name

[illegible]

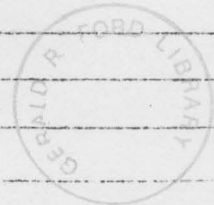
H. *Challengers* - each of the two parties may appoint one challenger for each polling place. Challengers may remain in the room in which the election is held.

Name of Challenger

for

Party

00125



III. PROCEDURES WHILE POLLS ARE OPEN

A. *The Clerical Process* - This portion of the report deals with the process of checking in persons who offer to vote. Name of observer who observed the clerical process _____.

1. *Persons Permitted to Vote* - Obtain names and races of all persons voting. All such persons should be accounted for on the attached form headed "Persons Permitted to Vote". If the receipt book has numbers for persons, include that number on form. The complete list must be included in your report to the Attorney General. A total of _____ persons were allowed to vote as follows:

	White	Negro
Number who voted		

2. *Persons Challenged or Not Permitted to Vote* - Frequently persons offer to vote at a polling place other than the one at which they are registered and are sent to vote at the polling place of their registration. An explanation sheet must be filled out for all persons who are not permitted to vote or who vote challenged ballots (use explanation sheet re persons not permitted to vote for both types). The number of persons not allowed to vote were _____ white persons and _____ Negroes.

3. *Record Keeping* - This portion of the report is to establish what records are kept, and which official makes the entries on the records.

RECORDS KEPT	OFFICIAL RESPONSIBLE
Poll Book List of Persons Voting Tally Sheets Certificate of Results Other	

Describe how routine voters are handled during the balloting and what the record keeping process is for such voters.

In what ways are the following voters handled differently and how can they be distinguished from others in the official records.

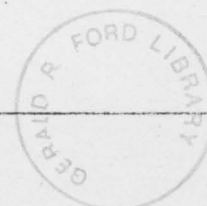
VOTERS NEEDING ASSISTANCE

VOTERS NOT IN POLL BOOK

VOTERS CASTING CHALLENGED BALLOTS

VOTERS PRESENTING FEDERAL CERTIFICATES

OTHERS (IDENTIFY _____)



00126

Name of Observer who kept this list

[illegible]

100123

PARTY CHALLENGES

Name of Observer who kept this list: _____

If any person is challenged because it is claimed that he has not been in accord with the party within the two preceding years, is not in accord with the principles of the party, or has been excluded by regulation of the State executive committee, write a report of the entire challenge procedure, identifying all persons involved, the basis for the challenge, and the decision on the challenge.

00128



B. *The Balloting Process* - This portion of the report deals with the process of marking and casting ballots. Name Observer _____ who observed balloting process.

1. *Routine Voters*

From whom do they receive the ballot? Where do they go to mark it? How much time (approx.) are they allowed to mark it? How many are allowed to mark ballots at one time? To whom do they return the marked ballot? What does the official do with the ballot?

Describe the process:

Describe the scene during periods of heavy voting:

2. *Spoiled Ballots* (maximum of 3 per voter) There were _____ spoiled ballots. Did the election officials make another ballot available?

3. *Voters Needing Assistance* - Make a list of all such voters and their race on the form provided. Describe the procedures for handling such voters. Include the following: How did the officials determine who needed assistance? How was the voter advised of the available choices? How did the voter indicate his choices? Was each office dealt with separately? Who could see how ballot was marked? Who could hear the choice of candidates by voters? Describe:



00179

[illegible]

IV. PROCEDURES AFTER POLLS CLOSE

1. When closing time came there were _____ persons in line to vote. Were they all permitted to vote?
Provide a list below of persons and their race not allowed to vote and briefly describe circumstances.

2. Total number of names on the List of Persons Voting _____.

3. Total number of names on "Persons Permitted to Vote" form _____.

4. Explain any differences between (2) and (3) if known.

5. Was the table cleared before the ballot box was unlocked? _____

Describe the opening of the box and the removal of its contents:



00131

V. COUNTING THE BALLOTS

A. Reading of Ballots

1. Name of observer watching ballots read: _____

2. Names of officials who read Ballots

NAME	FROM	TO

3. Was each ballot read as it was marked? Note those not properly read. Describe how the ballots were taken from the box and handed to reader of ballots. What was done with ballots after read?

4. Ballots accounted for. The Distributing Manager gives a receipt for the total number of blank ballots received prior to the election. All of these must be accounted for.

Number shown on receipt of Distributing Manager _____.


Number of ballots voted (includes challenged and rejected ballots) _____.

Number of ballots spoiled _____.

Number of ballots unused _____.

5. (a) Entirely Rejected Ballots (List each ballot separately). (Use extra blank sheets if needed).

Total No. _____

REASON FOR REJECTION	CANDIDATES VOTED FOR
<div style="text-align: center;">00132</div>	<div style="text-align: center;">  </div>

B. Tallying of Ballots

1. Name of Observer making count: _____

2. Names of Officials who kept each Tally (it may be that only one tally sheet is kept).

TALLY SHEET 1		TALLY SHEET 2	
NAME	FROM - TO	NAME	FROM - TO
(e)		(a)	
(b)		(b)	
(c)		(c)	

3. Tally (By Observer) - Compare with official tally. If challenged ballots were not counted by officials with the rest of the ballots note in separate column.

[illegible]

4. Observer Counting Sheet

For:																		
Name:																		
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001-55

VI. INVENTORY OF DOCUMENTS RETURNED TO BALLOT BOX

List the items that were placed in the ballot box and describe how each item or group of items or ballots was packaged and marked or otherwise identified.

VII. BALLOT BOX PICKED UP

What time and by whom was box picked up for delivery. Was it locked?



00126

VIII. PERSONS REFERRED TO EXAMINER

Under section 12(e) of the Voting Rights Act of 1965 a person denied the right to vote notwithstanding his eligibility to vote may file a complaint with the Commission's examiner in the political subdivision. In addition to completing the form "Explanation Sheet Re Persons Not Permitted to Vote" for each such person, in the space below give the name and address of each such person who you referred to the Commission examiner.



00127

IX. GENERAL

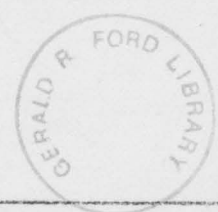
1. Evaluation of specific problems which occurred (NOTE: Discuss special problems not reported elsewhere, such as, business being carried on in the voting place; large crowds gathering around the voting place; heckling of Negroes; unusual efforts by officials to delay the processing of Negro voters; polling place obviously too small; insufficient tables or booths for voting; any evidence of intimidation by citizens or officials such as taking photographs of voters.)

2. Report unusual occurrence not included elsewhere (NOTE: Here give a summary of specific recommendations you made to local officials during the course of the election. Indicate any specific instances when you were asked for your opinion or where you made particular suggestions to election officials to facilitate the election.)

3. What areas, if any, where fraudulent practices might have taken place even though at the time of this report there is no specific proof that such was, in fact, the case? Explain.

4. Were polling facilities segregated by race? ☐ Yes ☐ No If "Yes," explain

5. Describe in detail unusual occurrences, conduct, or statements of anyone, including election officers within your observation or hearing while you were present at or near or going to or from the polls.



Be sure that you attach all lists and extra pages of lists or notes to the report to the Attorney General.

We certify that the foregoing report and attached comments, each page of which has been signed, is an accurate report of our observations in the election identified on the first page.

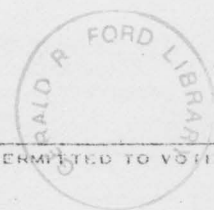
OBSERVER, U.S. CIVIL SERVICE COMMISSION

OBSERVER, U.S. CIVIL SERVICE COMMISSION

00128

EXPLANATION SHEET RE PERSONS NOT PERMITTED TO VOTE

NAME		NAME	
ADDRESS		ADDRESS	
RACE	CERTIFICATE OF ELIGIBILITY NUMBER (IF ANY)	RACE	CERTIFICATE OF ELIGIBILITY NUMBER (IF ANY)
NAME AND TITLE OF PERSON NOT PERMITTING HIM TO VOTE		NAME AND TITLE OF PERSON NOT PERMITTING HIM TO VOTE	
REASON GIVEN FOR NOT PERMITTING PERSON TO VOTE		REASON GIVEN FOR NOT PERMITTING PERSON TO VOTE	
SPECIFY WHAT THE OFFICIAL DID, TRIED TO DO, OR SUGGESTED THAT THE REFUSED VOTER DO IN ORDER FOR HIM TO VOTE		SPECIFY WHAT THE OFFICIAL DID, TRIED TO DO, OR SUGGESTED THAT THE REFUSED VOTER DO IN ORDER FOR HIM TO VOTE	
REASON PERSON THINKS HE SHOULD BE PERMITTED TO VOTE		REASON PERSON THINKS HE SHOULD BE PERMITTED TO VOTE	
NAME		NAME	
ADDRESS		ADDRESS	
RACE	CERTIFICATE OF ELIGIBILITY NUMBER (IF ANY)	RACE	CERTIFICATE OF ELIGIBILITY NUMBER (IF ANY)
NAME AND TITLE OF PERSON NOT PERMITTING HIM TO VOTE		NAME AND TITLE OF PERSON NOT PERMITTING HIM TO VOTE	
REASON GIVEN FOR NOT PERMITTING PERSON TO VOTE		REASON GIVEN FOR NOT PERMITTING PERSON TO VOTE	
SPECIFY WHAT THE OFFICIAL DID, TRIED TO DO, OR SUGGESTED THAT THE REFUSED VOTER DO IN ORDER FOR HIM TO VOTE		SPECIFY WHAT THE OFFICIAL DID, TRIED TO DO, OR SUGGESTED THAT THE REFUSED VOTER DO IN ORDER FOR HIM TO VOTE	
REASON PERSON THINKS HE SHOULD BE PERMITTED TO VOTE		REASON PERSON THINKS HE SHOULD BE PERMITTED TO VOTE	



Observer Coverage
1966-June 1, 1976

The record of the number of observers assigned
through June 1, 1976, is as follows:

<u>Year</u>	<u>Ala.</u>	<u>Ga.</u>	<u>La.</u>	<u>Miss.</u>	<u>S.C.</u>	<u>Texas</u>	<u>Total</u>
1966	823	22	397	480	158	-	1880
1967	-	-	251	1114	-	-	1365
1968	252	138	125	575	152	-	1242
1969	44	-	20	267	-	-	331
1970	403	6	16	124	19	-	568
1971	-	-	54	960	-	-	1014
1972	140	44	60	146	105	-	495
1973	-	-	-	-	-	-	-
1974	244	64	56	100	-	-	464
1975	-	11	112	1293	-	-	1416
1976 (to 6/1/76)	<u>120</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>117</u>	<u>237</u>
	2026	285	1091	5059	434	117	9012

ATTACHMENT H

