

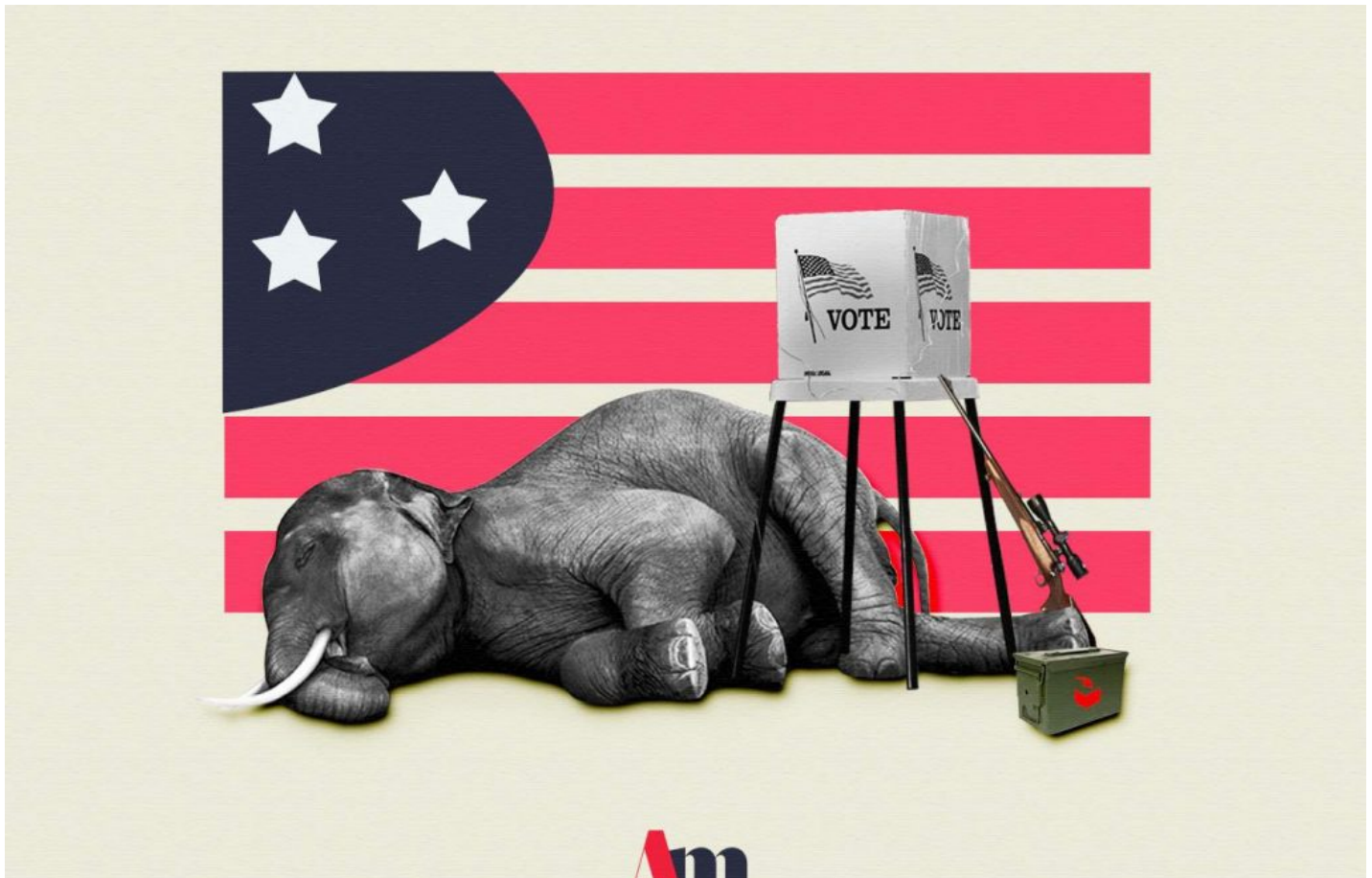


Newsletter



Dominion, the Foreign Software Company with a Controversial Background Deciding American Elections

by [Orlando Avendano](#) and [Emmanuel Alejandro Rondón](#) / 04.28.22 / [Highlight, Politics](#)



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By 2 a.m. on November 4, the trend favored U.S. President and Republican Party candidate, Donald Trump. Several minutes later, the count was halted in the main swing states still in dispute. The next morning, the trend reversed dramatically: the lead was now held by Joe Biden.

Michigan, Pennsylvania and Wisconsin were among those states where everything changed. Among the three, they have something in common: the software that was used for the electronic voting system belongs to the Canadian company [Dominion Voting Systems](#).

A justified rant

Almost ten days after the election, it seems clear that the winner was the Democratic Party candidate, Joe Biden. Projections by all major U.S. media, after decanting each of the states, give 306 electoral votes to the Democrat and 232 to the Republican candidate.

However, although Joe Biden has already given his winning speech and appears on television as the president-elect, the race seems far from over. Donald Trump, along with his supporters and activists, are clinging to an allegation that, on that strange morning of November 4, the president flaunted: I am being cheated.

By the time he said it, the trend was still in his favor. Nevertheless, Trump anticipated the imminent: the states began to turn blue. And, since then, he has not let go of the word "fraud". Today, in fact, the word is no longer ethereal, impalpable, but is represented in the figure of Canada's Dominion Voting Systems.

"Report: Dominion deleted 2.7 million Trump votes nationwide. Data analysis finds 221,000 Pennsylvania votes switched from Trump to Biden. 941,000 Trump votes deleted. States using Dominion Voting Systems switched 435,000 votes from Trump to Biden," the President tweeted, citing a One America News source, at 11 a.m. on November 12.

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Donald Trump’s messages, several days after the media projected Biden as the winner, look like a tantrum from someone who already lost. Recurring, all caps tweets are caricatured by his opponents as *fake news* delusions. But this would be simplistic. No one has determined that there was fraud, it is true; but no one has determined otherwise. And, with respect to Dominion Voting Systems, there are several elements to be considered that suggest a possible linkage of the Canadian company with electoral fraud incidents throughout the region.

Smartmatic enters the game

On April 11, 2000, three young Venezuelan engineers, Antonio Mugica, Alfredo José Anzola and Roger Piñate, founded the company Smartmatic in Delaware, United States. Due to their concern about the obsolescence of elections worldwide, the Venezuelan group dedicated themselves to the development of a software that could manage the electoral processes in a better way.

According to the *New York Times*, at the beginning of 2004, a Venezuelan government financing agency invested more than US\$ 200,000 in a technology company owned by the same owners of Smartmatic: Bitza.

By that year, Venezuela was going through a severe political storm. The Venezuelan opposition, after months of demonstrations against the government of Hugo Chávez, managed to arrange a referendum against the leader of the Bolivarian Revolution. Finally, it was agreed that the referendum would be held on August 15, 2004. And, in the bidding process for the award of the contract to the company that would build the voting system, the SBC consortium won: Smartmatic, Bitza and CANTV, the Venezuelan phone company.

The recall referendum was the first Venezuelan election to have the software designed by the three young engineers. It was not a good start, since civil organizations such as Súmate (led by María Corina Machado), denounced the possibility of fraud. On that August 15, 2004, the Bolivarian system began to consolidate, leading to a cruel dictatorship accustomed to electoral fraud.

After the failed referendum, Smartmatic won two more contracts with the government of



larger and more established electronic voting company, Sequoia Voting Systems, for US\$ 16 million.

The battle for Sequoia

“Since its acquisition by Smartmatic in March 2005, Sequoia has worked hard to market its voting machines in Latin America and other developing countries,” reads a report in *The New York Times*.

“The goal is to create the world leader in electronic voting solutions,” Smartmatic spokesman Mitch Stoller told the U.S. newspaper.

An important detail is that, right after the company of the three Venezuelans acquired the electronic voting company Sequoia, Smartmatic reorganized itself into a holding of several companies with headquarters in Delaware (Smartmatic International), the Netherlands (Smartmatic International Holding, B.V.) and Curaçao (Smartmatic International Group, N.V.).

But not everything went well for Smartmatic. Its relationship with the regime of Hugo Chávez made some people in the United States uncomfortable, and in May 2006, Democratic Congresswoman Carolyn Maloney asked the Treasury Department to investigate Smartmatic’s purchase of Sequoia.

“I am writing because of possible investments by the Venezuelan Government in Smartmatic, an electronic voting company with business in the United States, and its acquisition of Sequoia, a U.S.-based electronic voting company,” reads the letter Maloney sent to then-Treasury Department Secretary John W. Snow.

“As you can imagine, having a foreign government invest in or buy a company that services U.S. elections could raise concerns about the integrity of the elections conducted by these machines,” the letter continues.

Speaking to the *New York Times*, Maloney said, “The government should know who owns

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At the time of the publication of *The New York Times* report on October 29, 2006, Sequoia Voting Systems, owned by Smartmatic, had “voting equipment installed in 17 U.S. states and the District of Columbia.”

Sequoia’s machines began to be tested and, as in Venezuela, irregularities began to occur: in August 2007, then California Secretary of State **Debra Bowen withdrew approval and vetoed Sequoia’s** voting and optical scan machines after “a review of the machines certified for use in California in 2007 found significant security weaknesses in the entire Sequoia system.”

All of the software that Sequoia was using was, in fact, from Smartmatic. The old voting machines were renovated and all of their technology was developed and patented. As a consequence of the changes that Smartmatic was promoting in Sequoia, the company managed to be successful until, after the controversies and the warning call from Congresswoman Maloney, the Committee on Foreign Investment in the United States ordered, in November 2007, that Smartmatic sell Sequoia.

In an article published on April 10, 2008, journalist Bradley Friedman writes: “Smartmatic had been forced to relinquish control of Sequoia after the media and Congress noticed that the company had links to Hugo Chávez.” In the end, the buyers were the company’s own managers, but those with U.S. citizenship.

But the verdict did not end Smartmatic’s controversial relationship with Sequoia. In fact, in April 2008 a market competitor, Hart InterCivic, **tried to acquire Sequoia in a hostile move**. This led to the involvement of the courts. Smartmatic was exposed.

Court documents unearthed at the time revealed that Smartmatic still retained much of the financial control of Sequoia. Smartmatic also continued to retain, due to the contract signed, ownership of the rights to some of the products that Sequoia had deployed throughout the United States. In fact, Sequoia’s CEO at the time was Jack Blaine, who had been an executive at Smartmatic.

Finally, pressure was applied and the owners of Sequoia, who had been exposed shortly before, sold the company on June 4, 2010. The buyer, this time, was a small Canadian

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That day the Canadian company not only bought Sequoia, but also acquired all the software and technological development that Smartmatic had patented and which the controversial company linked to Chavismo still owned.

Almost an oligopoly

Before Dominion Voting Systems acquired Sequoia on June 4, 2010 —taking approximately 20 percent of the American electoral market presence— the Canadian company had already made a major breakthrough in the system. One that went virtually unnoticed in the public sphere: Dominion bought Premier Election Solutions, also known as Diebold/Premier, in 2010.

With the sudden acquisition of Sequoia and Diebold/Premier, Dominion now has —in approximate numbers— 50 % of the private electoral market of the electronic vote in the United States. There were two competitors left: ES&S, with 40%, and Hart InterCivic, with 10%, according to a [Huffington Post report published in 2017](#).

A press release distributed by Dominion on May 19, 2010, highlights the agreement with ES&S —Premier Election was a wholly-owned subsidiary of ES&S— and celebrates the acquisition of the company's main assets, including intellectual property, software, firmware and hardware of its voting systems.

ES&S, by the way, is forced to sell Premier Election Solutions by a Department of Justice requirement due to potential monopoly concerns —which prevents it from dominating most of the private electoral market—. Dominion took advantage of this.

According to Dominion, the agreement was approved by the U.S. Department of Justice and nine state and federal attorneys general, while retaining “the right to hire current and former Premier employees and to enter into agreements with Premier distributors experienced in implementing and supporting these systems.”

With the purchase, Dominion limited the ability of ES&S to sell Premier equipment. And the same Canadian company noted that “Premier's voting systems are currently used in more than 1,400 jurisdictions in 33 states and serve nearly 28 million U.S. voters.” In

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“It’s not exactly an oligopoly, but it’s like one,” Charles Stewart, a political science professor at the Massachusetts Institute of Technology (MIT), told the *Wall Street Journal* of the skillful way in which e-voting companies have moved.

But behind that pair of acquisitions that positioned Dominion at the top of the electoral market, there was a black hand related to Smartmatic.

***The Huffington Post* investigates**

According to the *Huffington Post* — **in an exclusive report that revealed the relationship between Smartmatic, Sequoia and Dominion** — “The ‘intellectual property’ of the voting systems (of Sequoia, acquired by Dominion) remains the property of the company linked to the Venezuelan president (Smartmatic and Hugo Chávez), despite the rather misleading press statement” issued by Dominion in 2010.

The report mentions, among many other details, that the intellectual property “of most/almost all of Sequoia’s voting systems was actually secretly owned by the firm Smartmatic”, linked to Chavism and the numerous electoral fraud scandals in Venezuela.

Then, from a moment to another in 2010, a small Canadian company linked to Smartmatic bought a large part of the private electoral market and entered the US from its offices in Colorado.

Later, it was discovered that Smartmatic still had interests with Sequoia and, to make matters worse, controlled the company’s intellectual property, even reserving rights to negotiate through non-competition agreements abroad. The Foreign Investment Committee had agreed to close the investigation if Smartmatic divested itself of Sequoia in its entirety.

Now, who is the real owner of the Sequoia intellectual property that was acquired by Dominion? According to the *Huffington Post*’s article, Chris Riggall, a spokesman for Dominion, confirmed that “Smartmatic’s intellectual property was not included in the Sequoia transaction because Sequoia did not own it.”

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information that happened without suspicion.

Riggall himself was questioned for this inconsistency between Dominion's press release and the reality of the acquisition. The spokesman's response was revealing:

“Smartmatic's intellectual property is Smartmatic's intellectual property. Sequoia did not own it, and therefore was not part of the transaction. Dominion purchased all the Intellectual Property owned by Sequoia. That is what was reflected in the press release.”

Rejected, Again and Again in Texas

Skepticism and doubts regarding Dominion Voting Systems are not recent. There are precedents.

According to an article published in *The Center Square*, the system “Dominion Voting Systems, which has been used in several states where fraud was alleged in the 2020 U.S. election, was rejected three times by data communications experts from the Texas Secretary of State and the Attorney General's Office for failing to meet basic security standards.”

As dictated by the U.S. Constitution, each state has the autonomy to implement the electoral system that best meets its requirements. That is why, for example, in Texas the Canadian company has not been able to enter, while in Pennsylvania and other states in the country the situation is diametrically opposed.

In 2019, Dominion attempted in its third review to enter the Texas election system, but state officials once again dismissed its use after identifying “multiple hardware and software problems that prevent the Texas Secretary of State's Office from determining that the system (...) satisfies each of the requirements set forth in the Texas Election Code.”

Despite concerns, the machines won

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“Election Systems & Software LLC and Dominion Voting Systems, both companies, produce the technology used by more than three-quarters of U.S. voters, according to an upcoming report by researchers at the Wharton School of the University of Pennsylvania,” reads an article published Oct. 28 in *The Wall Street Journal*. It refers to the November 3, 2020 election.

Finally, Smartmatic’s software, which Dominion purchased when it acquired Sequoia in 2010, was used in 28 U.S. states, including several of the swing states, such as Arizona, Georgia, Michigan, Nevada, Pennsylvania and Wisconsin. This, despite all the irregularities surrounding the rise of a project that ten years ago was a small Canadian company.

In fact, last December several congressmen, including Democratic Senators Elizabeth Warren and Amy Klobuchar, raised concerns about how “private equity firms have taken over almost all of the nation’s voting technology.”

“[The legislators] wrote in December that the lack of transparency of privately held voting firms threatens the integrity of elections,” *The Wall Street Journal* reported.

The backbone of the fraud case

The well-known Rudy Giuliani leads President Donald Trump’s legal team in its efforts to expose presidential election fraud. Giuliani, an experienced and skilled politician, took the irregularities surrounding Dominion as his banner. In Lou Dobbs Tonight’s November 12 program, he drove it on the air: “Dominion is a company owned by another company called Smartmatic (...) Smartmatic is a company that was formed a few years ago, in 2004, 2003 (...) it was formed by three Venezuelans who were very, very close to the dictator Chavez of Venezuela and was formed in order to fix the elections.”

Giuliani insisted: “That’s the company that owns Dominion.”

His statements, of course, were caricatured by the American press. They call the **denunciation “a conspiracy theory”**. Even the international press, such as the *ABC newspaper*, wrote this November 14: “The latest conspiracy theory being aired by Trump

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Dominion's entanglement appears to be the cornerstone of Trump's team's efforts. They found, in everything surrounding the Canadian company, the argument for keeping the dispute over the White House alive.

Of the president's latest tweets or retweets, almost all mention Dominion. The complaint is that, thanks to the company that in 2010 acquired Smartmatic's software (by buying Sequoia), millions of Donald Trump's votes turned blue in the swing states that finally gave Joe Biden the victory, according to media projections.

"Must see Sean Hannity takedown the horrible, inaccurate and anything but secure Dominion Voting System, which is used in the states where tens of thousands of votes were stolen from us and given to Joe Biden," reads a Trump tweet on November 12.

Faced with the accusations, Dominion **published a statement on its website** denying any manipulation of the results. Likewise, they state: "Dominion does not keep any property relation of the company with any member of the Pelosi family, the Feinstein family, the Clinton Global Initiative, Smartmatic or any link to Venezuela".

**

In the early morning hours of November 4, shortly before the countdown stopped in several key states, Donald Trump sang victory: "We won. We won in many states despite the intromission in the election by big media, big money, and big tech."

The President insisted, "We were ready to win this election. Frankly, we won this election." His supporters, who were listening to him, became agitated. They applauded the words of a president who announced to the world that he had won. However, Trump also raised the denouncement: "This is a fraud. This is a disgrace to our country."

"This is a giant fraud," he stressed, "this is a very sad moment."

"We are going to the Supreme Court!"

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 Author profile



Orlando Avendano

Orlando Avendaño is the co-editor-in-chief of El American. He is a Venezuelan journalist and has studies in the History of Venezuela. He is the author of the book Days of submission // Orlando Avendaño es el co-editor en Jefe de El American. Es periodista venezolano y cuenta con estudios en Historia de Venezuela. Es autor del libro Días de sumisión.



Emmanuel Alejandro Rondón

Emmanuel Alejandro Rondón is a journalist at El American specializing in the areas of American politics and media analysis // Emmanuel Alejandro Rondón es periodista de El American especializado en las áreas de política americana y análisis de medios de comunicación.

Contacto: emmanuel.rondon@elamerican.com

9 thoughts on “Dominion, the Foreign Software Company with a Controversial Background Deciding American Elections”

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11.17.20 at 2:08 pm

Thank you for this very informative article!!! It's amazing how much effort an average US citizen has to put in to seek out reliable news these days. Heck even Newsweek put out an article this week saying Dominion has no ties to Smartmatic or Venezuela.

Glenn Durham

11.20.20 at 4:03 am

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Great article, thanks!!

Judy Pagliaro

11.21.20 at 8:37 am

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Thank you so much for the clear and precise reporting on the companies behind the failure of our election. It is a disgrace that there are no investigative reporters all over this story. We live in a very disturbing period in our country when one political party can use our government agencies and now are electoral process against another. May God help us all! 🙏

XMC Polska

11.21.20 at 7:36 pm

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Thank you for the helpful tips! I would never have gotten this on my own! Is it alright to reference part of this on my website basically include a backlink to this webpage?

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Thank You.

I found all the answers to my questions.

Susan A. Kenen

12.04.20 at 10:41 pm

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In Georgia, enough illegal vote have been identified to close the 12,500 gap even without considering Dominion. The state Senate hearings were very informative, but it appears no reporter does primary research anymore. They just repeat each other. And no judge or legislature has the guts to be the person who creates consequences for fraud. Weak, partisan, losers.

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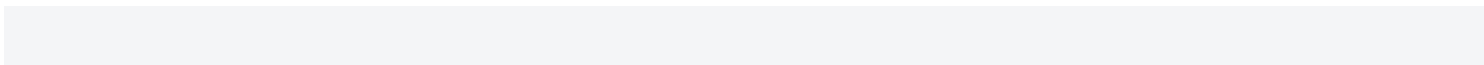
01.02.21 at 5:31 pm

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May 19, 2010
FOR IMMEDIATE RELEASE

For Information Contact:
Dominion Voting Systems
404-955-9799
media@dominionvoting.com

Dominion Voting Systems, Inc. Acquires Premier Election Solutions Assets From ES&S

***Transaction Approved by the U. S. Department of Justice, Will Significantly Increase Competition
in the United States Voting Systems Industry***

*Dominion's Engineering and Customer Service Expertise Will Support Premier's
Voting Products Throughout the U.S.*

JAMESTOWN, New York Dominion Voting Systems, Inc. today announced that it has acquired from Premier Election Solutions, Inc. (Premier) a wholly owned subsidiary of Election Systems and Software (ES&S), the primary assets of Premier, including all intellectual property, software, firmware and hardware for Premier's current and legacy optical scan, central scan, and touch screen voting systems, and all versions of the GEMS election management system.

As part of the transaction, Dominion also acquired an irrevocable, perpetual license for the AutoMark voting terminals used by voters with disabilities, a similar license for the VoteRemote absentee vote-by-mail processing solution, and rights to spare parts, supplies and other resources necessary to support and service these installed systems. In addition, Dominion will acquire a percentage of existing Premier inventory.

Under terms of the agreement, which was approved by the U. S. Department of Justice (DOJ) and nine state attorneys general, Dominion has secured the right to hire current and former Premier employees and to enter into agreements with Premier dealers experienced in deploying and supporting these systems. In addition, the transaction requires that current Premier customers be provided with the opportunity to assign their existing contracts to Dominion without penalty. As part of the transaction, Dominion granted license rights back to Premier, subject to certain restrictions. The transaction also provides limitations on the ability of ES&S to continue to sell the Premier equipment going forward. Premier voting systems are currently in use in over 1,400 jurisdictions in 33 states and serve nearly 28 million American voters.

“We are extremely pleased to conclude this transaction, which will restore much-needed competition to the American voting systems market and will allow Dominion to expand its capabilities and operational footprint to every corner of the United States,” said John Poulos, CEO of Dominion. “As a result of this acquisition, election administrators and the voters they serve will benefit from more competitive pricing, greater innovation and enhanced customer service in the American voting systems market. We are already building a nationwide customer service infrastructure to support Premier jurisdictions, enabling us to offer the expertise and product knowledge required to support these systems going forward. We will also leverage our unequaled engineering resources to continue to enhance and improve the Premier suite of products, with a particular focus on system transparency, accountability and security. Dominion’s culture of transparency and engagement with all stakeholders in the elections process, including permitting public review of system source code, will be extended to the Premier product line. Today, Premier jurisdictions have an innovative, agile and engineering-driven new alternative as their solutions partner, and we are excited to get started serving their needs,” Poulos added.

Included in the acquisition are Premier’s legacy products as well as Premier’s new **ASSURE 1.2** solution suite which includes hardware, software and firmware with enhanced functionality and strengthened security and auditability features. In 2009 ASSURE 1.2 products obtained federal certification by the Election Assistance Commission under a new, and highly demanding, federal testing program.

On March 8, 2010 the U. S. Department of Justice, along with nine state attorneys general, filed an antitrust lawsuit in U. S. District Court in Washington, D.C. alleging that ES&S’ 2009 acquisition of Premier harmed competition. At the same time, the DOJ filed a proposed settlement with ES&S that required the divestiture of the Premier assets to a purchaser approved by the Department. Negotiations subsequently took place between ES&S and Dominion to execute a transaction in accordance with the DOJ’s proposed settlement, and the Department has reviewed and approved all aspects of the purchase agreement.

About Dominion Voting Systems: Headquartered in Toronto, Ontario Canada with offices in New York, Colorado and California, Dominion Voting Systems provides comprehensive voting solutions that emphasize security, accessibility and transparency at every step of the elections process. Dominion’s solutions are currently in use by over 400 jurisdictions in the U. S. and Canada, including 52 counties in the State of New York. Some 90,000 Dominion ImageCast Precinct Optical Scan Tabulators have been successfully deployed in elections around the world. For information visit: www.dominionvoting.com.

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Newsletter



Electronic Voting Systems, Smartmatic, Jimmy Carter, and How an Election was Robbed

by [Debbie D'Souza](#) / 07.29.21 / [Interviews](#), [Venezuela](#), [South America](#), [Highlight](#)



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I've wanted to ask Maria Corina Machado for many years what it was like to re-live the nightmare that started the beginning of the end for Venezuela and I finally got the chance to do it. In light of the US election of 2020 and some of the voting machines that have come into question **and their ties to the Venezuelan machines**, this interview is perhaps more important than ever before. She was extremely brave to do this and I'm fully aware of the personal risk she is taking.

María Corina Machado was elected member of the National Assembly of Venezuela on September 2010, having obtained the highest number of votes of any candidate in the race. Machado ran as an independent presidential candidate during the opposition primaries held on February 2012, and is the head of Vente Venezuela, a political party founded in 2012.

Machado has been a firm and vocal critic of the regime in Venezuela. She is, without a doubt, one of the most important and recognized voices of the Venezuelan opposition.

What was your relation to the 2004 electoral process and the denunciation of fraud in Venezuela?

In 2002, five engineer friends who had never dreamed of becoming involved in politics decided to do something to reverse the profound damage Hugo Chavez was doing to our society. To that end, we created a citizens' organization: **Súmate.**

Chavez; militarist, coup leader and socialist, had come to power in Venezuela announcing that he was going to provoke the division and confrontation of the country, with an agenda where he would clearly go against democratic freedoms, as he did from day one. He attacked freedom of expression, private property, raided the courts and illegally modified our Constitution, to prolong his permanence and increase his power.

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These social tensions began to generate reactions in many Venezuelans to defend our rights. At that time, we decided that it was necessary, as citizens, to organize and act in order to channel these social tensions peacefully, and we found in the Constitution the possibility of calling a referendum to recall the president — if signatures of 20 percent of Venezuelans registered in the electoral registry were obtained; this was equivalent to 2,400,000 signatures.

Everyone told us that we were crazy and had no political experience because we thought it was possible to mobilize citizens this way. And we did it! In less than three weeks, from Súmate we summoned more than 30,000 volunteers. On February 2, 2003, in a single day, we exceeded all expectations and collected more than 3 million signatures. Immediately outraged, the regime annulled the whole process through a blatant disregard for the law. They illegally imposed all kinds of additional requirements that made it almost impossible to collect the signatures again, but we did it!

Chávez was forced to accept the call for the presidential recall referendum. But what Chávez would never allow was to lose that, or any other election. Therefore, at that very moment, a great operation began to prevent Venezuelan society, which was already mostly opposed to his mandate, from expressing itself freely. One of the first things the regime understood was that it had to completely control the electoral system, but never leave any traces of fraud.

To achieve this, they needed to change the existing electronic voting platform. The Venezuelan law required the acquisition of a new electoral technology to be through a bidding process but they found an excuse not to do so: the existence of a “new” technology that offered a “paper trail” (printed ballots of each electronic vote), which would allow the votes to be counted in physical form and supposedly prevent electronic fraud. **The newly created company, without any prior electoral experience, which was awarded the contract was Smartmatic.**

How do you describe the 2004 election in Venezuela? How was the vote counted? And when did you feel something was wrong?

No one can doubt that the 2004 recall referendum was a complete fraud, from start to finish. The regime invented “legal” devices to postpone what should have been an

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disadvantage-, to mounting an ostentatious propaganda campaign underpinned by mechanisms to distribute large sums of money through direct payments to the population and thus justify what would be the biggest fraud in our history.

But above all, they needed time so that a new electoral platform could be deployed and guarantee that Chávez’s regime would appear to be triumphant, without the slightest trace of the fraud committed.

Once Smartmatic platform was acquired, without a bidding process, alleging that it had the advantage of the “paper trail”, progressively and in a matter of a few months, the commitment of counting 100% of the ballots was reduced to 30% and, finally, to 1% (equivalent to 196 voting tables), arguing that, statistically, it was a more than sufficient sample.

On behalf of Súmate, I strongly opposed not counting all the ballots, but some representatives of the opposition parties themselves yielded to the proposal made by then chief of the National Electoral Council, Jorge Rodríguez (now sanctioned by the U.S. Treasury). The representatives alleged that if the ballots were counted and there was a discrepancy with the electronic votes, that would generate “problems at the tables.” This was an unheard argument by representatives of the opposition, but today it is explained by the fact that these people are shamelessly operating within and collaborating with the regime.

Another element that we denounced from the beginning was the fact that the voting machines printed out the results after an Internet connection was established, which Smartmatic assured was one-way —that is, it only transmitted information from the voting machine to the computer center. Subsequently, the transmission logs of the telecommunications company CANTV were accessed, and it was found that there was bidirectional information transmission before the results were printed.

For the recall referendum, more than 180,000 witnesses and volunteers were deployed in all voting centers. Additionally, Súmate hired the prestigious American firm Penn, Schoen & Berland, which validated an independent exit poll that was added to two other exit polls carried out by Venezuelan political parties. **Our analysis was clear: the higher the participation, the more convincing the victory for the opposition.**

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August 15, 2004 arrived and with the passing of the hours we saw how in all of Venezuela people went out en masse to vote. The results of the three independent exit polls were very similar and ratified what we expected: 56-58% of votes for our YES option, and a little more than 40% for Hugo Chávez's NO.

However, when the results began to be broadcast that night, the situation was very different. Surprisingly, the numbers changed to exactly the opposite: Chavez had an advantage of more than 15 points, contradicting all the exit polls that had been made during the day.

The worst thing happened when we went to look for the results of the ballot count of the voting boxes that made up the statistical sample of 196 boxes that should have been opened to contrast with the result of each Smartmatic machine. **In most of the voting centers corresponding to those tables, at the time of the count, there were events of intimidation or violence, and, due to the instructions of the regime, the physical count of the ballots was not carried out.** In other words, there would be no way to demonstrate that the votes deposited coincided with the data from the Smartmatic machines unless the ballots were opened and counted in all the boxes, which were under the control of the National Electoral Council.

The regime reacted aggressively, putting hard pressure on all international actors, especially external observers, threatening a scenario of conflict and violence. The pressure that was unleashed against us at Súmate was brutal, both by the regime, as well as by opposition political actors who wanted to recognize the fraudulent results, and by some members of international electoral observation organizations who were willing to validate the results. **They found our position “uncomfortable”; it had to be silenced and if that was not possible, disqualified completely.**

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El Globo

Periodismo de Altura

mail:elglobo@wtfe.com Depósito Legal pp 199001DF55 Caracas, viernes 11 de junio de 2004 Año 14 Número 4.717 Bs 500 en todo el país de lunes a sábado

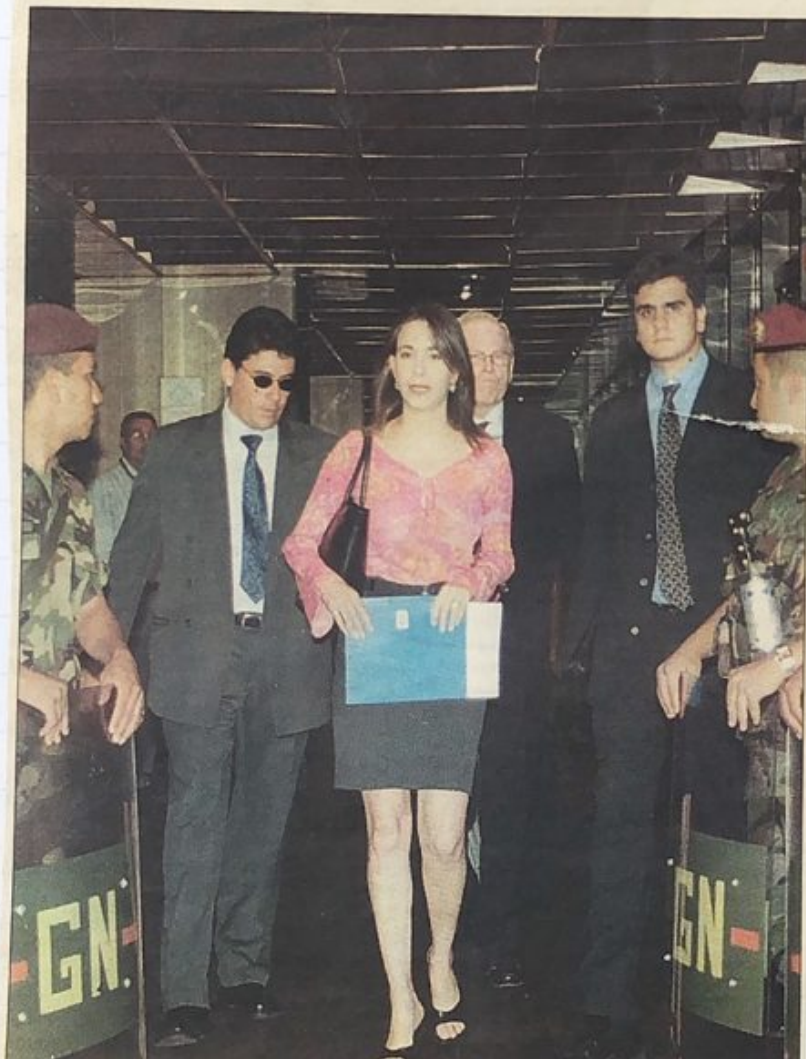
Ezequiel Zamora lanza alerta de fraude en el CNE

Suenan las alarmas

Consejo Nacional Electoral fue ayer el epílogo de una alarma de fraude, cuando el vicepresidente Ezequiel Zamora denunció la existencia de planes para despedir a 117 empleados de áreas claves y sustituirlos por simpatizantes del oficialismo. El listado incluiría direc-

tores de líneas, informática y otras jefaturas determinantes para el proceso de referendo revocatorio. La denuncia de Zamora recibió la respuesta del presidente del CNE, Francisco Carrasquero y del rector Jorge Rodríguez, quienes negaron tal posibilidad, calificando el su-

puesto listado de falso y prefabricado. Una hora antes de su denuncia, Zamora había asomado –a título personal– la factibilidad de una elección presidencial entre el 12 y el 19 de septiembre, negando la posibilidad de una “megaelección” para diciembre /3



Imputada por conspiración

María Corina Machado, representante de Súmate, fue imputada por la fiscal sexta nacional Luisa Ortega. "Mi deseo es facilitar la investigación. Uno de los delitos que se me atribuye es el de conspiración, contemplado en el artículo 132 del Código Procesal Penal, el cual establece una pena de 8 a 16 años de prisión". La eficiente representante de Súmate calificó el hecho de absurdo, ya que la organización lo que pretende es la reafirmación de la democracia, a través de la libre expresión de los ciudadanos. La fotografía es de Leonardo Noguera /5

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What did Jimmy Carter and The Carter Center see in Venezuela that made them believe the votes were legitimate?

I cannot completely answer this question. I don't know what information President Jimmy Carter received, or what instances he had access to. **I can say that the Carter Center, during the process of validating the signatures to call the recall referendum, was absolutely permissive with a Chavez-controlled National Electoral Council.** This body arbitrarily added more and more requirements for the validation of the signatures, which had already been collected, in a desperate attempt to annul such a large number of them so that the goal was not met.

To our profound disappointment, The Carter Center published a report on the signature collection process and the validity of the signatures, which had very serious statistical shortcomings. In response to our strong demand and announcement that we would publicly denounce it, they proceeded to correct it.

Later, hours after the referendum, on August 16 or 17, 2004, **in a private meeting in my office, the electoral manager for Venezuela at The Carter Center, acknowledged to me, with witnesses present, that indeed, the opening of the 1% of the boxes to validate the ballots with the electronic vote had not taken place.** He also told us that he was forbidden to talk about that issue with us.

Carter Center observers had real-time access to the physical audit at only 6 polling places around the country, only in 1 of the ballots were counted. In short, the National Electoral Council provided The Carter Center with copies of the audit reports from only 25 of the 4,766 automated polling places —and in most of this small group, the ballots had not been counted during the audit.

In the end, I believe that one element that influenced The Carter Center's decision to ignore all the evidence of the regime's abuses in the electoral process and the evidence of fraud was **that they considered that for the sake of "governance of the country" and to seek "social peace", it was admissible to sacrifice justice and truth.**

When you managed to call the 2004 referendum, why made you think you would beat

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To have been able to call the 2004 referendum was a civic feat, a demonstration of citizen strength committed to the democracy of our country. I was convinced that we could win it, because of the magnitude of the enthusiasm that was generated and the organization achieved, and also because of the strength and the courage of the Venezuelan citizens.

But yes, we must recognize that we all underestimated, not only the capacity for fraud that Chávez had but also the support of a great operation that included, of course, international actors.

The 2004 recall referendum was a sophisticated fraud. They carried out diverse practices that altered the results, and when added, layer upon layer, they configured a gigantic fraud. **This included the bulging of the electoral register by 21%, incorporating people who were dead and foreigners who did not qualify to vote.** Another practice was instilling fear in the population, both through the public campaign and in the presence of regime agents in the voting centers, many of whom were installed next to the Smartmatic machine, eliminating the secrecy of the vote. **But unquestionably, the biggest fraud was an electronic platform that generated an electronic fraud, which was conceived to leave no trace; and when a trace existed — that is, the paper ballot — they made sure that it was not audited before destroying it.**

In the weeks following the recall referendum, many technicians and statisticians began an in-depth analysis of the election results. The results are overwhelming: **statistically, those numbers are impossible to explain.** Among the various studies, there is one carried out by Professors Luis Pericchi and David Torres where they apply the Newcomb-Benford Law, a statistical distribution that is used to verify the veracity of electoral results. Their finding was shocking:

“The conclusions are quite clear: The NO votes (in favor of Chávez), in the automated tables violate the Newcom-Benford Law with a probability of virtually 1. (The probability of the complementary hypothesis, that is, the hypothesis that it complies with the Law is 1.34×10^{-36} , virtually 0).” In other words, there were a huge number of votes added to the NO option; that’s why they could not allow the ballots to be counted.

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mechanisms of terror and social control.

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LOS EQUIPOS CAPTADORES serán instalados en los centros de votación para evitar el voto doble en todo el país. Definitivamente, no permitirán la llamada "auditoría en caliente", pero los actores pueden exigir revisiones previas de las máquinas, auditar después del proceso e impugnar si no le cuadraran las cifras. Los venezolanos en el exterior pueden votar siempre que estén inscritos en el REP aquí y allá. En la pregunta a responder el Sí será para la oposición y el NO para el Gobierno. Se confirmó la noticia publicada por Quinto Día, hace tres semanas, sobre la ponencia que permite a Chávez la reelección inmediata si perdiera el referendo. p22

Secretos de una reunión en Miraflores

Súmate, el gran enemigo



EN EL SALÓN AYACUCHO, Chávez convocó el jueves, día de las cifras, a dirigentes del MVR, Comando Ayacucho

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What happened to you, personally, for denouncing the fraud in Venezuela?

I had no political experience whatsoever, let alone public exposure, when we created Súmate. In a matter of days, we organized tens of thousands of volunteers across the country and launched a huge public awareness and mobilization campaign. That immediately put me in the spotlight, and someone had to face the media. I remember the day that the date for the nationwide collection of signatures was agreed upon; the press conference was called and more than 100 journalists were waiting for a statement. I had to take a deep breath and go out into the arena, even though I had never given an interview before in my life.

That made the regime take all its anger out on me. Soon after, at a press conference by Jorge Rodríguez, chief of the National Electoral Council, furious at the evidence and the denunciations that we were making, he pointed to the camera with one finger and said: “You, Maria Corina Machado, will end up understanding what is going to be imposed here and what will happen here.” That is to say, they personified me as the enemy to be defeated.

Over the years I have understood why, if I was not a political opponent, the attack was so fierce. The reason is that we, at Súmate, **questioned the basis of the legitimacy of the Chavez regime’s supposed majority in popular support, and on which they justified so many atrocities and crimes against its citizens. We not only questioned that reality, but we proved it to be false.**

They began a brutal campaign, against me, against my family, against Súmate, using all the means of the State to disqualify us, above all morally. Finally, they initiated a legal process, accusing us of treason and conspiracy.

A few days after the recall referendum, I traveled to the United States to a *Miami Herald* conference, to speak on a panel with Jennifer McCoy of the Carter Center. Minutes before my conference began, I received information from my lawyer that there was a warrant for my arrest. I had hundreds of people in front of me waiting. I turned off my phone and told the truth.

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From 2004 to 2017, Smartmatic held 14 elections in Venezuela. Did they maintain the same system and procedures as in 2004, or did they become more sophisticated?

Indeed, if these criminal systems learn anything, it is not to make the same mistake twice. With each process, they become more sophisticated and more difficult to detect. Soon after, we realized that there was no single reason that explained all the fraud, but that it was a sum of events and mechanisms. Each one brings a component of the fraud, and together, the result is devastating.

For 2005, a parliamentary election was due and conscious that popular repudiation against Chávez continued to grow, the regime decided to incorporate an even more perverse mechanism to the system, which consisted in connecting the fingerprinting machines — a device that verified the identity of the voter and registered their fingerprint — with the Smartmatic voting machine. The supposed purpose of this was to prevent a person from voting more than once, but in practice it had another: to end voter secrecy.

Jorge Rodriguez and Smartmatic's managers stated that this was not possible, because Smartmatic's machines had an internal procedure that altered the sequence in which votes were cast, and therefore, even if the fingerprint machine did keep order, it was impossible to know how each person had voted.

On November 23, 2005, ten days before the election, in a National Electoral Council facility in Caracas, the regime authorities surprisingly agreed to conduct an audit on a Smartmatic voting machine, with the presence of observers from the European Union and the Organization of American States (OAS).

Technical expert Leopoldo González was registered by an opposition party to participate in this audit and carried out a voting simulation with those who were present. Then, Gonzalez took the Smartmatic machine, manipulated it for a few minutes, and addressing those present he said: "You voted A, you voted B, you voted C". It was as if lightning had struck the place. The National Electoral Council representative stopped the audit and tried to prevent a record of the events that had occurred being taken — which showed, in real-time, and in front of witnesses, that the Smartmatic machine did keep the sequence of the vote and therefore, its connection to a fingerprint capture machine destroyed the secrecy of the vote in Venezuela.

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This also demonstrated that Smartmatic's directors had lied to the country. To our surprise, several opposition parties wanted to prevent this information from being made public, because they had decided to participate in that election no matter what. However, the information became known and generated such national repudiation that the parties finally decided not to participate in an election where the vote was not secret. Hours before the election, Jorge Rodríguez proposed to eliminate the fingerprint capture machines, but the collective indignation was already so great, that the country repudiated the process.

Obviously, the OAS report on this 2005 election was devastating. Faced with this, a couple of very high-level leaders of an opposition party took it upon themselves to ask and get the OAS to eliminate a good part of the report, with the argument that Venezuelans would not want to vote in the 2006 presidential election if that information, which was true, was made public. **And so, once again, another part of Hugo Chávez's and Smartmatic's fraud in Venezuela was buried from public view.**

What can you tell me about the founders of Smartmatic: Antonio Mugica, Jorge Diñate

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I cannot say anything about the political or ideological preferences of these people, but what is clear is that they are part of the system that has been configured around the regime. These criminal systems end up co-opting people with very different ideas, even breaking people who at the time were honest, using perverse methods such as threats, blackmail, extortion and corruption. **But if there is one thing we must bear in mind, it is that whoever receives a penny from the mafia system automatically becomes its hostage; forever.**

What recommendation do you have for Donald Trump and his lawyers?

My recommendation is for the citizens of the United States, who are part of a society that has been an example in the rigorous application of justice, for the strength and independence of its institutions, and in the defense of Freedom.

More than 20 years ago, we Venezuelans said: “Venezuela is not like Cuba, it will never be like Cuba”, today we see that Venezuela is worse off than Cuba. Venezuela is an occupied nation, a country with a failed and outlawed regime that has surrendered our territory to organized crime and global terrorism, which serves as a hub for criminal operations that spread to the rest of the region to destabilize democratic governments.

Today we see with enormous concern how many Argentines say “Argentina is not Venezuela”, or Spaniards who say “Spain is not Venezuela”, and **the reality is that none of the Western democracies are safe from a continental operation of this magnitude, in which there are so many interests that seek to undermine the very basis of a society, which is trust in its institutions.**

Therefore, as a Venezuelan, if there is one lesson I can pass on to every American, **is that the defense of truth and the predominance of justice cannot be terminated, or dismissed, by excuses or arguments of any kind.** When a society carries out an electoral process, it requires knowing the truth in order to have confidence in the results, so that the election has legitimacy and to preserve democratic coexistence.

If justice is denied in the name of “peace”, that society will inevitably lose not only justice, but also peace and, inexorably, its Freedom.

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For centuries, the people of the United States have managed to settle their differences and set an example for the rest of the western world through the rule of law, their attachment to justice, and the strength of their democratic institutions. As always, they will prevail again.

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 Author profile



Debbie D'Souza

Debbie, Venezuelan, is a writer, singer, director, executive producer, and an advocate for freedom. She writes a weekly op-ed for El American. During the Obama years, Debbie was active in her community and served as president of a local TFRW Club // Debbie, venezolana, es escritora, cantante, directora, productora ejecutiva y defensora de la libertad. Escribe un artículo de opinión semanal para El American. Durante los años de Obama, Debbie estuvo activa en su comunidad y se desempeñó como presidenta del Club TFRW

18 thoughts on “Electronic Voting Systems, Smartmatic, Jimmy Carter, and How an Election was Robbed”

Brian Davies

11.23.20 at 11:07 pm

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Absolutely amazing and scary investigative piece of journalism. I will share this far and wide. Please keep up your outstanding work.

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An absolute mirror image of what is going on right now. Prayers that President Trump and our military, in his support, have a plan to out this whole bag of global corruption, for our sakes as well as the globes.

Deacon

04.20.21 at 2:44 pm

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You've missed it here.

The Queen's Privy Council weaponized Smartmatic's OpTech Software by installing Antonio Mugica (Magic) as CEO of the British Company Smartmatic.

The Crown has achieved control of the American politic and all 5 or 6 control sectors of American Society – to accomplish what they could not do by force of arms.

98 Senators voted to conduct a second specious impeachment trial.

Please get to the real story next time.

The Republic is fallen.

Now, it remains to fight.

.

Tynna

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This is going on right here in America, and the media is spreading the hate between colors BLM and Antifa they are definitely in me as people. Biden is a illegitimate president. President Trump is the true President, on the American us people know it, we will not stand by and let our country turning into a communist socialist country

Like Mills

11.23.20 at 11:32 pm

[LOG IN TO REPLY](#)

Loved the interview! Will it be enough to get Americans to stand up and fight for truth and justice? I don't know.

Judith Boulden

02.09.21 at 10:28 pm

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I am beginning to think we need to use Alinsky rules of organization against the left to win against their global corruption.

Lynne

05.15.21 at 4:52 am

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We have to, look what the Biden ministration is doing to our country and the media. I only New I trust is NTD- NewsMax TV -Trending politics and ONA. If you cannot get them on the news channel you can download the apps for them and watch them on YouTube, that's on the way you're going to get the truth because you're not gonna get it on the fake news channels.

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rose mullany

11.24.20 at 5:26 am

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Thank n you. Excellent article. Mirror image of whats happening here.

Curtis Bell

11.24.20 at 7:04 am

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Great article, and extremely enlightening. So many parallels to our 2020 election, it's scary. I would've thought that the "international actors" organizing the globalists and socialists agenda, would have tried to replicate this manipulation of voter totals on a few more countries before going after the United States, but I guess today's mantra holds strong. "Go Big Or Go Home."

Martha R

02.10.21 at 5:47 am

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They actually did do the dirty in other countries. There have been elections manipulated in several South American countries. And Smartmatic was employed in the Phillipines as well. Surely has been in use in some states of the US for years also. I suspect CA and MI at least.

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David K.

11.24.20 at 8:16 am

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Wow! Such a powerful interview and so IMPERATIVE to understand what Ms. Machado is telling Americans! This elections is for all the marbles! We as Americans should be in an uproar! And we need to embrace that never quit attitude of our Founders and get back to seeking God's wisdom in how to fight for integrity, justice, and liberty! Thank you, Ms. D'Souza for this interview.

Becki McCallum

11.24.20 at 9:27 am

[LOG IN TO REPLY](#)

Excellent article! Thank you very much.

Lorena Welch

11.24.20 at 10:08 am

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This was so informative.
Thank you for sharing.

Donald

11.26.20 at 6:27 am

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Great reporting! Please keep up the great work! People want to say God is on our side." I don't think this is wise. It is better to say, "Truth is God's. Light is God's. Let us follow the truth and light so we may be in God's side. "

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02.09.21 at 7:24 pm

We are all in the grips of a communist electronic warfare which if not identified and defeated will destroy freedom loving people everywhere

Clay Johnson

02.09.21 at 8:00 pm

[LOG IN TO REPLY](#)

Yep.

Lorrie

02.09.21 at 9:36 pm

[LOG IN TO REPLY](#)

This is what is going on now here. – look at Maricopa County this week- everyone right and left needs to here this and wake up!!

Joan

05.15.21 at 12:47 pm

[LOG IN TO REPLY](#)

As an American who has lived close to 50 years in Venezuela Maria Corina Machado has once again shown courage and commitment to the current and past policies of Chavez and of Maduro. Her strength is only surpassed by her intelligence. I raised the alarm in my birth country to family and friends decades ago but unfortunately we now need to awaken an entire world to reality. Thank you for this essential information both to Ms. Machado and Mrs. D’Souza.

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EXCLUSIVE: On Heels of Diebold/Premier Purchase, Canadian eVoting Firm Dominion Also Acquires Sequoia, Lies About Chavez Ties in Announcement

EXCLUSIVE: On Heels of Diebold/Premier Purchase, Canadian eVoting Firm Dominion Also Acquires Sequoia, Lies About Chavez Ties in Announcement

By Brad Friedman, Contributor

Investigative journalist, blogger, broadcaster

Jun 22, 2010, 02:17 PM EDT | Updated Dec 6, 2017

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'Intellectual Property' of voting systems still owned by firm linked to Venezuelan President, despite press statement to the contrary

PLUS: The election official/e-voting company revolving 'oversight' door continues to turn...

* * *

Canadian-based Dominion Voting Systems has quietly announced its second acquisition of a major U.S. voting machine company in as many months and, right out of the gate, they've lied about it. Not an auspicious beginning for the company which may now, virtually overnight, have become the *dominant* private e-voting machine company in this country.

[fraud lawsuits](#) filed against Diebold and a number of their top executives -- including their [former Chief Financial Officer](#) who, as [we reported exclusively back in 2007](#), was the top earner from an apparent insider sell-off at the company just days before its stock would plummet from its all-time high on the announcement of spinning off their troubled election division to a ["new" company renamed Premier](#) -- we noted that Diebold/Premier's assets had recently been purchased by a small Canadian firm by the name of Dominion Voting. But Dominion hasn't stopped there.

Their purchase of Diebold/Premier's assets was actually made from ES&S, the world's largest voting machine company, who was [forced to divest of the assets](#) they'd purchased from Diebold (previously, the second largest voting machine company in the country) for \$5 million last year, as part of an anti-trust suit settlement with the DoJ.

In our coverage, we noted the comment of Dominion CEO John Poulos who, in the [company's press release \[PDF\]](#) announcing the Diebold/Premier asset acquisition, stated ominously: "We are extremely pleased to conclude this transaction, which...will allow Dominion to expand its capabilities and operational footprint to every corner of the United States."

Indeed, the DoJ-scuttled ES&S merger with Diebold/Premier had been legally challenged since, among other reasons, the merger of the largest e-voting company with the country's second largest would have given a single company control of at least 70% of all votes cast in the nation.

What we had replaced for length, however, with the ellipses in Poulos' quote above, was this [*emphasis added*]: "We are extremely pleased to conclude this transaction, **which will restore much-needed competition to the American voting systems market** and will allow Dominion to expand its capabilities and

States."

How much is Poulos actually interested in "restor[ing] much-needed competition" for "the American voting systems market"? Apparently not so much, as according to a [company press release \[PDF\]](#) quietly issued late in the afternoon on Friday, June 4th, **Dominion has now also acquired what had previously been the *third* largest voting machine company in the U.S., Sequoia Voting Systems.**

Not surprisingly, that late Friday announcement didn't say *anything at all* about "competition".

Worse, as [The BRAD BLOG](#) has confirmed, the new press release from Dominion simply *lied* about what the company has and hasn't purchased from Sequoia, a company which had lied themselves, for years, about the *real ownership* of its proprietary voting systems.

America's New E-Voting Goliath

Given the enormous share of the U.S. voting "market" now potentially controlled by Dominion -- and the now-customary revolving door between public and private officials in the "election industry" which now places former Diebold/Premier officials, former Sequoia officials, and even former state *election* officials at the helm of the private, little-known Canadian firm -- it comes as no surprise that Dominion would hope few in the public actually noticed their sudden acquisition of e-voting assets from some 50% of the U.S. "voting market".

Prior to ES&S' doomed purchase of Diebold/Premier last September, there were essentially four major election firms divvying up ownership of the U.S. voting market. The *very rough* breakdown of voting jurisdiction control by those four corporations was as follows:

- 40% ES&S
- 30% Diebold/Premier
- 20% Sequoia
- 10% Hart Intercivic

Following Dominion's May acquisition of Diebold/Premier's assets from ES&S and their subsequent purchase of the entirety of Sequoia Voting Systems announced June 4th, the *very rough* private ownership of public elections in the U.S. may now stack up as follows:

- 50% Dominion (Diebold/Premier, Sequoia)
- 40% ES&S
- 10% Hart Intercivic

We're using "very rough" percentages above for a number of reasons. Among them, there are different ways to determine market share here, such as number of jurisdictions vs. number of voters vs. contract worth, etc. Also, many of Diebold's former customers had already determined to move their contracts to ES&S during the long interim while the DoJ dithered following ES&S' initial, now-scuttled, acquisition of Diebold/Premier.

As one e-voting industry insider explained to [The BRAD BLOG](#), Dominion purchased the remaining hardware and software assets and *potential* customer base of Diebold/Premier, but they purchased the actual *customer contracts*, as well as the hardware and software, in their acquisition of Sequoia.

Dominion's spokesperson, formerly of Diebold, formerly the Press Secretary for the Secretary of State of Georgia, the unfortunately named (at least for a voting-machine company spokesman) Chris Riggall, confirmed the insider's take to [The BRAD BLOG](#), responding to our queries by noting Dominion "did not purchase any existing contracts, thus market share," in their agreement to buy the Diebold/Premier assets.

"jurisdictions operating Premier equipment are given the choice to either continue their existing relationship with ES&S or assign their old contract to Dominion. It's going to take some time to see how that plays out and what decisions jurisdictions make in regard to their future needs (if any) for support, maintenance, warranties, etc."

But no matter how the numbers eventually shake out, Dominion is now a serious power-playing Goliath in the U.S. e-voting industry, and potentially even the biggest kid on the block -- all in a matter of weeks, with virtually nobody in the public or media paying attention, and even fewer seeming to give a damn about what it all means, and what it all actually amounts to.

Little wonder their press release on the Sequoia purchase mentioned nothing at all about "competition", just two weeks and change after touting the "restor[ation of] much-needed competition to the American voting systems market" after they'd purchased the assets of Diebold/Premier for \$5 million.

Just another day in our bought and paid-for, fully *privatized* system of "public" elections in the world's once-greatest democracy.

But wait -- the story gets still worse...

Whose IP Is It Anyway?

There are a few more points concerning Dominion's purchase of Sequoia worth flagging here for now. The first, and perhaps most disturbing, concerns the following announcement in Dominion's press release upon the purchase of Sequoia [*emphasis added*]:

*As part of the transaction, Dominion has acquired Sequoia's inventory and **all intellectual property**, including software, firmware and hardware, for Sequoia's precinct*

solutions, including BPS, WinEDS, Edge, Edge2, Advantage, Insight, InsightPlus and 400C systems.

That statement is an out-and-out lie -- one which continues to propagate a years-long deception of the public, the media and election officials by Sequoia themselves.

As long time readers of [The BRAD BLOG](#) will recall, the matter of the true ownership of the intellectual property (IP) of Sequoia's voting systems wasn't at all what the company had represented to the public, to media, to election official customers, and even in courts of law.

As part of a detailed investigative exposé series in 2008, as we broke the story of [Hart Intercivic's quietly attempted hostile takeover of Sequoia](#), we revealed the fact that -- despite [representations to the contrary](#), possibly even to U.S. government investigators -- the IP for the vast-majority/near-entirety of Sequoia's voting systems was actually secretly owned by the Hugo Chavez-tied, Venezuelan-based firm, Smartmatic.

The continuing control of the IP was discovered by [The BRAD BLOG](#) long after the (largely) Rightwing outrage which had forced a federal investigation into Smartmatic's control over American elections had died down. The initial concern had coming following revelations that Smartmatic seemed to be directly tied to the Venezuelan President Chavez. Angry sentiment led by CNN's Lou Dobbs and some members of Congress (including NY's Democratic Rep. Carolyn Maloney) led to an investigation by the federal Committee on Foreign Investment in the United States (CFIUS), subsequently forcing Smartmatic to divest of Sequoia. Sequoia was then supposedly purchased away from Smartmatic by a team of its U.S. executives, in order to make it fully independent from the Chavez-tied parent company.

Sequoia hadn't publicly disclosed that Smartmatic *still* retained legal ownership of the IP used in all of their voting machines, a fact that wasn't publicly revealed until our exposé which forced a subsequent admission by Sequoia's then CEO and President Jack Blaine. Blaine admitted -- in what he thought was a "confidential" company-wide conference call convened to explain the attempted Hart takeover to employees after they'd read the news on [The BRAD BLOG](#) -- that the company hadn't actually acquired the the IP from Smartmatic in their deal.

We [subsequently detailed](#) how Blaine had utterly dissembled on that point, in writing, while under very specific questioning about it from one of Sequoia's largest clients, the City of Chicago and Cook County, Illinois.

So who now owns the IP for Sequoia's voting machines used in some 20% of the U.S.? If you believe Dominion's press release, which states "Dominion has acquired Sequoia's inventory and **all intellectual property**", that would be Dominion.

But that is simply not true.

Dominion's Riggall admitted directly in a follow-up reply email to [The BRAD BLOG](#), after we'd sent a direct query on this point [*emphasis his*]: "Smartmatic IP was not included in the Sequoia transaction, since Sequoia did not own it."

Despite Dominion's asserted belief in "transparency" (the front page of [their website](#) boasts "Welcome Transparency", and their announcement of the purchase of Diebold/Premier cites "Dominion's culture of transparency"), Riggall was unable to share the company's two purchase agreements with us due to "non-disclosure provisions in both" of them. "Legally," he wrote, "neither can be shared."

Chavez is still tied to a huge percentage of U.S. Elections, as now overseen by a Canadian firm.

When we asked Riggall for the company's explanation for their misleading press release announcing that the Sequoia transaction included "all intellectual property" when it actually didn't, he offered this [Hoytian](#) response:

The Smartmatic IP is Smartmatic IP. Sequoia did not own it, and thus it was not part of the transaction. Dominion purchased all of the IP that Sequoia owned. That's what was reflected in the news release.

According to the Dominion press release, if the rest of it can be believed, the Sequoia purchase was "reviewed by the U. S. Department of Justice and nine state attorneys general," and "also reviewed in detail and received approval by the Committee of Foreign Investment in the United States (CFIUS)."

Unfortunately, federal CFIUS investigations are held entirely in secret, so we are unable to find out from them whether the federal body was informed of Smartmatic's continuing ownership of the Intellectual Property, and all the legal rights and privileges that go with it, as employed to conduct some 20% of U.S. elections.

Were the DoJ or any of those "nine state attorneys general" made aware of Smartmatic's continuing ownership of the IP? Do any of the "26 million U. S. voters, including the City of Chicago and Cook County, Illinois, the State of Louisiana, the State of Nevada and the majority of counties in California," who use Sequoia's systems, according to the Dominion announcement, know about it? Do they even care? How about the folks on the Right who were so outraged before?

Two inquiries to Riggall, on whether CFIUS, DoJ or the nine state attorneys general were informed of Smartmatic's continuing ownership of Dominion/Sequoia's IP were sent. Neither was answered. The last query was sent on June 12th (*we had to hold publication of this story as [South Carolina U.S. Senate Primary E-Vote Mystery](#) broke two weeks ago*), and neither Riggall nor anyone else from Dominion has bothered to answer the simple question.

The Revolving 'Election Industry' Door

One last point worth noting, for now, on all of this. The appalling revolving door of U.S. electoral control and administration continues to spin, along with the compromise of federal and localized oversight.

Think the oil industry's corruption of federal regulatory commissions was bad in light of the BP disaster? "Big Oil" has nothing on "Big Elections" -- but because the U.S. media hasn't bothered to cover the gusher of corruption spewing into the American election system, neither has the U.S. public.

When we had questions about Dominion's acquisition of Sequoia, we called the contact phone number given "for information", as offered on their press releases.

Happy to find we wouldn't be charged for an international call to Canada, we wondered why the number had a 404 area code in Atlanta, GA. When we called it, we found out as we reached Riggall's answering machine. With the exception of the very important point about whether Dominion had informed CFIUS, the U.S. DoJ and the nine state attorneys general about the true IP ownership of their voting systems, Riggall was very helpful and quick to respond.

However, as mentioned, Riggall had formerly served as press rep for Diebold and, prior to that, as the Press

until she left the post. In 2002, long before she left office following an unsuccessful primary bid for her party's Gubernatorial nomination in 2006, Cox infamously brought Diebold's horrendous touch-screen voting system to the entire state of Georgia. The Peach State, along with Maryland, was the first to adopt state-wide use of Diebold's infamous, oft-failed, easily-manipulated, 100% unverifiable touch-screen voting systems. Chicanery with the systems has been the subject of much controversy -- fueled in part by a company whistleblower, as [detailed by Bobby Kennedy Jr. at Rolling Stone](#) in 2006 -- in regard to the declared upset victory of Republican Saxby Chambliss over then incumbent Democratic Sen. Max Cleland.

Cox also took the opportunity, along with her state's acquisition of Diebold systems, to grace the cover of Diebold's sales brochure, as seen below, to help the company sell more easily-hacked, often-failed, always-unverifiable e-voting systems to an unsuspecting, uninformed nation...

Surprisingly, Cox does *not* now work for a voting machine company now (she is [President of Young Harris College](#) in Georgia), as so many other election officials do so immediately upon leaving office -- the most recent being PA's Sec. of State Pedro Cortes who suddenly [resigned a few weeks ago](#) to become Executive Vice President at the ironically-named Internet voting company Everyone Counts. That company already boasts the name of Chief Operating Officer Paul DeGregorio, who took the job upon leaving his post as George W. Bush's Chairman of the U.S. Election Assistance Commission (EAC). As [The BRAD BLOG reported in 2009](#), DeGregorio immediately used his former position as "America's Chief election official" in a cheesy video sales pitch for the firm, to help push their insecure and un-overseeable Internet Voting scheme to a still-unsuspecting, and still dreadfully under-informed American public.

Sequoia's VP Edwin Smith. Readers of [The BRAD BLOG](#) may remember the woeful Smith as the one who'd first [sent threat letters to Princeton computer scientists](#), promising legal action if they independently reviewed Sequoia's voting machines after the systems had been found to have miscounted in a New Jersey election. He then upped the public blunder by hiring his own buddy and long-time Sequoia contractor/bag-man to carry out an "independent, third party" review instead.

Smith's "independent" hire, in addition to being anything but independent, was subsequently revealed by [The BRAD BLOG](#) to have had a, um, [somewhat unsavory \(if very amusing\) background](#). After we revealed all of the chicanery, the hire was fired and Smith was disciplined by the company. But apparently he's still welcome at Dominion, now one of the largest e-voting firms in the U.S. (and maybe even in Venezuela!)

And even more shamefully, last December Smith was even be welcomed onto the U.S. Election Assistance Commission! As [we reported late last year](#), Smith, now "VP of Compliance and Certification" for Dominion, was disgracefully appointed to the EAC's "Technical Guidelines Development Committee" as one of their new "Technical and Scientific Experts". As we wrote at the time: "This would be the equivalent of appointing the sitting Vice President of Exxon Mobil to an EPA advisory committee."

What could possibly go wrong?

As we explained: "So Smith went from voting machine company Hart Intercivic to voting machine company Sequoia Voting Systems and is now at voting machine company Dominion Voting Systems, where he is a VP, selling e-voting systems to jurisdictions around the country that receive federal money doled out by the EAC. And now he'll also sit on an advisory board *at* the

sees their systems certified for use in U.S. elections by the EAC. Just amazing."

Now, of course, Smith's power is even more concentrated as his new firm Dominion has acquired his old firm, Sequoia.

Around and around they all go. Where it stops, the voters never need know...

* * *

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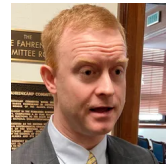


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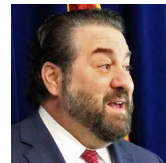
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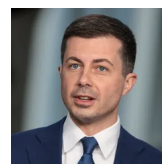
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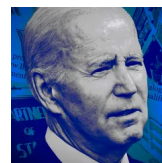
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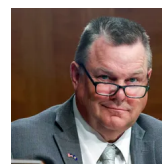
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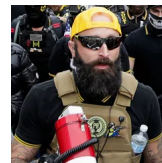
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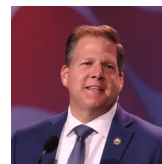
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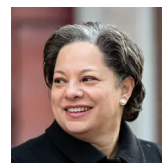
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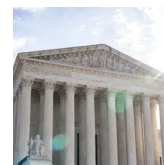
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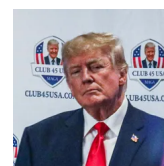
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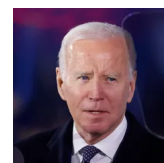
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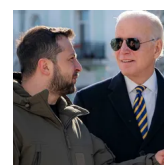
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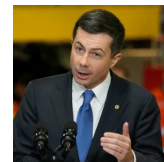


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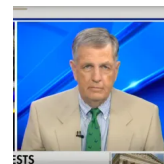
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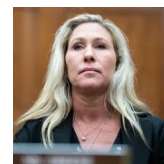
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A Philadelphia city elections official demonstrates how to use ES&S' ExpressVote XL machine in June 2019. (Matt Rourke/AP Photo)

The Market for Voting Machines Is Broken. This Company Has Thrived in It.

Half the country votes on machines made by ES&S. Many experts and election officials say the manufacturer remains dominant because there's little government regulation and almost no oversight.

by Jessica Huseman, Oct. 28, 2019, 2:20 p.m. EDT

For ES&S, the nation's largest manufacturer of voting technology.

In Georgia, where the race for governor had drawn national interest amid concerns about election integrity, ES&S-owned technology was in use when more than 150,000 voters inexplicably did not cast a vote for lieutenant governor. In part because the aged ES&S-managed machines did not produce paper backups, it wasn't clear whether mechanical or human errors were to blame. Litigation surrounding the vote endures to this day.

In Indiana, ES&S' systems were plagued by mishaps at the local level. In Johnson County, for instance, the company's brand-new machines

faltered in ways that made it difficult to know whether some people had voted more than once.

“ES&S misjudged the need for appropriate resources to serve Johnson County on Election Day 2018,” a report issued by state election officials later concluded. Johnson County subsequently terminated its contract with ES&S and, this September, paid more than \$1.5 million to purchase an entirely new set of equipment.

The uneven performance by ES&S in 2018, however, did little to dent its position as one of the most popular and powerful voting technology companies in the U.S. Any number of prior controversies hadn’t either.

The vote in 2006 in Sarasota, Florida, was just one. There, ES&S machines lost around 18,000 votes; it is still unclear why. The loss was far more than the margin of victory, and a lawsuit followed that ultimately resolved little. The company said in a statement that a variety of testing done on its machines supports its claim that the devices were not at fault, but the county wound up canceling its dealings with the firm shortly afterward.

Despite such stumbles, ES&S — based in Omaha, Nebraska, and employing roughly 500 people — controls around 50% of the country’s election system market, the company says, meaning that some 70 million Americans vote using the company’s equipment.

The question of the nation’s election integrity has rarely been more urgent. President Donald Trump has repeatedly made baseless claims of voter fraud. The special counsel investigation of Russian meddling in the 2016 vote produced indictments of more than a dozen foreign nationals. How and what federal authorities are doing to prevent future scandals — incidents of outside interference or basic breakdowns in accurately counting votes — has become yet one more partisan issue in a bitterly divided Congress.

A ProPublica examination of ES&S shows it has fought hard to keep its dominance in the face of repeated controversies. The company has a reputation among both its competitors and election officials for routinely going to court when it fails to win contracts or has them taken away, suing voting jurisdictions, rivals, advocates for greater election security and others.

In September 2018, ES&S filed a federal lawsuit against Cook County, Illinois, after the county awarded a \$30 million voting machine contract to another company. ES&S later dropped the lawsuit, but the dispute delayed the implementation of Cook County’s new machines, and the Chicago mayoral election this spring ultimately was conducted using the same machines that were meant to be replaced.

ES&S' lawsuits and threats of lawsuits have helped delay or thwart progress toward better voting technology even when the litigation is unsuccessful, more than two dozen election officials and voting technology experts said in interviews.

"I'd love to see a vibrant marketplace of voting technologies, with companies competing to make better products at lower prices. We have that in mobile phones, personal computers and automobiles, but we don't have it at all with voting technologies," said Dan Wallach, a computer science professor at Rice University who studies election systems and has testified in many such lawsuits. "These companies' litigiousness creates a barrier to competition that becomes a barrier to improving our elections."

ES&S is owned by the McCarthy Group, a private equity firm, and thus its financial records — revenue, profits, salaries — are not public. A spokesperson declined to make ES&S officials available for an interview for this article, and the company instead issued written responses to questions. It said its machinery and technology were ultimately found blameless in some of the election controversies over the years. In Georgia, it said that while the company was responsible for the maintenance of the machines, it was unable to make updates to the software. The state of Georgia, it said, was ultimately responsible for the mishaps.

"ES&S believes strongly in the security, accuracy and reliability of our machines," the company said. "We're committed to our role in democracy and protecting the right to vote."

Asked about its history of litigation, the company said it sued only as a way to keep competitors honest: "We believe American voters deserve accountability in this industry."

ES&S' chief competitors — Hart InterCivic and Dominion — are not strangers to mishaps and aggressive tactics. Dominion's most recent voting technology failed certification in Texas, and the state also saw hundreds of aging Hart machines confusing voters and leading to accusations of vote flipping. Both companies have sued customers and each other. But industry experts insist ES&S, in part because it has been around and dominant for so long, is in a category of its own.

Whatever the merits of ES&S' performance, election officials and experts interviewed by ProPublica say the problems with the country's voting systems go well beyond one company. They say the very nature of the industry and the way it's regulated work against innovation and reward the tiny handful of often trouble-plagued companies that have been around for decades.

Along with going to court, ES&S had held onto the lion's share of the nation's election technology business by using a variety of controversial tactics, its critics say. For years, ES&S has required states and counties that buy its machines to sign long-term deals that often obligate them to purchase a vast array of other equipment and supplies from the company. ES&S also has made it a practice to hire former election officials as lobbyists in statehouses around the country. And it has donated to individual campaigns and spent money to lobby local and federal politicians at levels far higher than its competitors.

ES&S defended its practices, saying that lobbyists play an important role in monitoring new legislation, and that ES&S is in compliance with all state and federal laws related to lobbying. "Lobbyists help ensure legislators have accurate information for use in serving the best interest of the citizens they represent," it said. "Lobbying is a normal practice employed by all election vendors and is common across all industries."

In August 2018, Louisiana announced it would replace its old voting machines and awarded a \$95 million contract to a rival of ES&S, which was the lowest bidder. ES&S filed a complaint that accused the state of writing its request for proposals so that only the other company's machines would satisfy the terms. Shortly after, Gov. John Bel Edwards canceled the deal, effectively siding with ES&S and forcing the state to start the process over again.

"The governor's administration just sided with a company that was \$40 million more expensive," Louisiana Secretary of State Kyle Ardoin said in a statement after the cancellation.

In a statement, the governor's office said that the cancellation was justified. The office also laid the blame at the feet of the secretary of state's office, which it said added "additional requirements" to the bid "just days before the responses were due."

Louisiana campaign finance records show that an ES&S lobbyist in Baton Rouge has donated \$13,250 to Edwards' campaigns since 2014.

Louisiana still has not obtained new voting machines, and the state is expected to cast ballots in 2020 on the same machines it's had since 2005.

Sen. Ron Wyden, D-Ore., is among a number of legislators pushing the federal government to better oversee the quality of local election technology, from voting machines to voter registration databases.

To begin the process of assessing the security and reliability of voting machines across the country, Wyden this year sent a detailed questionnaire to all of the major manufacturers seeking information on

security and other aspects of their operations. Wyden later said the companies, ES&S among them, offered little in the way of response.

ES&S maintains there is no need for tighter regulation or oversight of its business. The company said in a statement that Wyden “is entitled to his opinion,” but that it had responded to his requests in “a timely manner” and had invited him to come review its operations.

“The evidence shows the market functions properly,” it said. “One, our products have delivered secure, accurate elections. Two, we see robust competition every day through competitive bid processes. Three, ES&S devotes significant resources to research and development.”

Wyden disagrees.

“The market is broken,” Wyden said. “Markets work well when you have tough standards, when you have real regulations and vigorous oversight. And here you have none of that.”

The concept of voting machines has existed for as long as there has been a widespread popular vote. The earliest machine was devised by the Chartists in the 1800s in Britain; voters dropped a brass ball into the hole of the candidate of their choice.

The first American patents for voting machines were approved in the late 1800s, and the most promising had push buttons for each candidate, with locks behind the buttons to prevent voting for more than one. These machines, which allowed for secret ballots, were seen as the solution to rampant vote buying, and they remained the way America voted for decades.



A voting booth used in Los Angeles County. (Liz Kuball, special to ProPublica)

Punch card voting technology emerged in the 1960s, allowing voters to punch holes in cards to select candidates with a “ballot marking device.” The holes were used to quickly sort the votes and count the winners. The most popular system was the Votomatic, owned by IBM, which came to be used in nearly 40% of election jurisdictions in the U.S. before IBM got out of the business in 1969.

More recently, states and counties have switched to machines that offer electronic options: optical scanners and machines that mark ballots for voters — most with paper trails and some without. While the vast majority

of Americans vote using paper — either directly onto paper or on a machine that produces a paper back up — only a small number of counties count these ballots without the help of machines.

Electronic technology, whatever improvements it offered, brought a host of new challenges: counties struggled to keep up with the costs of updating the machines, and the additional technology introduced multiple points of potential failure.

Bob Urosevich of Omaha, the founder of ES&S, has told reporters he entered the voting machine industry as something of a pioneer in the move to electronic voting in the 1970s. Urosevich told local news outlets he'd come up with his idea for electronic voting machines while working as a salesman selling paper for ballots to his local county.

Recalling the process by which standardized tests were graded, he convinced the county to test optically scanned bubble sheets as voting tools. The company that would become ES&S was founded in 1979, after Urosevich tried out his idea in a primary. Douglas County in Nebraska was Urosevich's first contract.

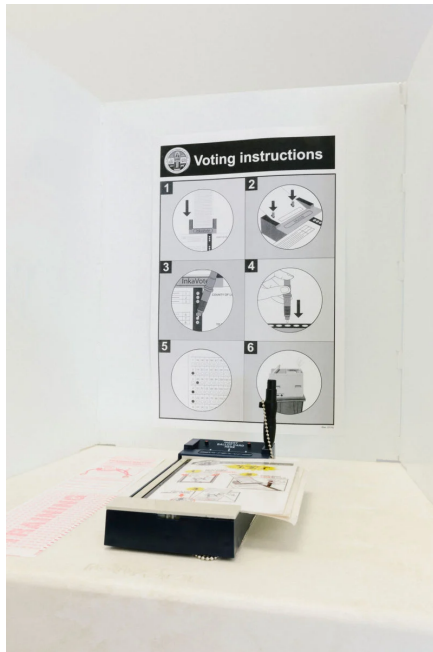
Urosevich later left ES&S in the hands of his first hire, his brother Todd, and went to run Global Elections Systems, the voting machine arm of Diebold, a major security and financial technology company.

In 2003, Diebold's CEO caused a controversy when he became a top fundraiser for George W. Bush and promised to help Ohio "deliver its electoral votes to the president." While there is no evidence the CEO actually manipulated his company's machines to alter the vote in Ohio — it went for Bush — the dispute and a host of issues involving the effectiveness of its technology led Diebold to sell off the voting business in 2009.

ES&S purchased many of Global Elections Systems' machines and contracts, and, as a result, it controlled some 70% of the voting technology market at that time.

ES&S — headquartered in a low-slung white building on Omaha's John Galt Boulevard (named for the central character in Ayn Rand's "Atlas Shrugged") — had made such acquisitions of smaller voting companies before, nearly half a dozen. Most frequently, the company bought the machines and took over the contracts. Bloomberg News reported that ES&S occasionally repackaged the machines and sold them as new technology, a claim the company disputed when asked about it by ProPublica.

The voting technology industry is a small one, and one that major technology companies such as Microsoft and Apple have not entered. The



ES&S' InkaVote system employs an ink marking device and an optically scanned bubble sheet. (Liz Kuball, special to ProPublica)

entire sector generates only about \$300 million in revenue annually, according to Harvard professor Stephen Ansolabehere, who studies elections and formerly directed the Caltech/MIT Voting Technology Project. That's far short of what Americans spend annually on Halloween costumes for their pets.

While other types of technology companies must typically invest and innovate to thrive, voting machine manufacturers have shown little similar inclination. Over time, the industry has shifted from making money on the voting equipment itself to making money on services and supporting materials, not unlike what the early cellphone companies

did — sell the phone for cheap, then bring in far more with long-term service contracts and data plans.

In a statement, ES&S said such servicing and maintenance contracts were optional, although experts and election officials say it's a claim without much practical significance, since it's next to impossible to hire someone else to service ES&S' technology. ES&S' machines — like those of other voting manufacturers — also require specialized hardware only available through the company.

ES&S and the other two major companies — Dominion, which has about 30% of the market, and Hart InterCivic, which has about 15% — have similar business models. Each has a large sales force that pushes its products, services and maintenance help to counties across the country. Comparatively little of their workforces are devoted to engineering or product development.

“None of these companies are particularly incentivized to invest in their engineering process to make something that is outrageously better than what's out there now,” Wallach said.



A prototype of the state-of-the-art machine Los Angeles County contracted a tech company to produce. (Liz Kuball, special to ProPublica)

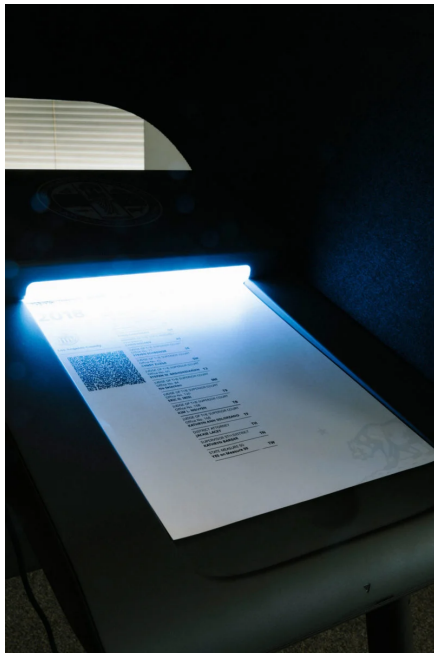
In Los Angeles County, one of the largest election districts in the country, Dean Logan in 2018 had orchestrated what seemed like a breakthrough in the troubled history of America’s voting machines. Logan, the county’s top election official, had contracted with a tech company that had done important work for Apple. He wanted the company to design what he regarded to be a state-of-the-art voting machine.

The machines had voters use a tablet perched in an artfully designed yellow privacy booth to fill in their ballots, then printed them out to be reviewed. Then, the finished ballot was sucked back in, like a dollar into a vending machine, and placed in a bin. The machines were nearly fully collapsible and made with off-the-shelf products that would allow the county to keep them updated at a low cost.

The machines also had other features that most of the technology currently in use doesn’t. They allowed voters to toggle between languages and were designed in consultation with disabled voters so that they could cast ballots on the same machines as everyone else, rather than being relegated to a separate system (that poll workers are often untrained to use).

Logan had a simple explanation for the county’s decision to design its own system. “We couldn’t find anything out there that would work for us,” he said.

The election security community and disability rights groups widely embraced the new machines as an exciting step forward. Not ES&S.



After ballots are printed and reviewed, the machine sucks them back in. (Liz Kuball, special to ProPublica)

capability, so perhaps it would be prudent to use election equipment that can withstand eBay-based threats,” tweeted researcher Matt Blaze in response.

J. Alex Halderman, a computer scientist at the University of Michigan who studies election equipment, said that while the legal tactics may not scare researchers like Blaze, it has chilled the relationship between researchers and public officials.

“The vendors have made election officials fearful of working with researchers to independently test equipment,” he said.

Logan, the Los Angeles County voting official, says he believes part of ES&S’ intent in suing was simply to delay the move to better equipment, even if only temporarily. County officials expect that Smartmatic, the company that won the contract, will eventually have to pay to make ES&S relent.

Logan, for his part, insists his new and improved machines will be in place for 2020.

“We’re on track,” he said.

Wallach, the professor at Rice University, said ES&S behaves “like a patent troll,” a company that serially sues competitors, alleging debatable patent violations.

“Whenever they don’t get what they want, they throw everything at the wall to see what will stick,” Wallach said.

The money Smartmatic will likely send ES&S’ way is a “standard dance,” Wallach said, which increases the likelihood ES&S (and other major machine companies) will file similar suits in the future.

“It makes it hard for smaller companies to do business in this space,” he said. “You could be innovating and working on products, and instead you’re dealing with this. Paying for this.”

Asked about Wallach’s “patent troll” comment, ES&S said, “Again, we believe we have the right to protect our intellectual property.”



Dean Logan is the top election official in Los Angeles County. (Liz Kuball, special to ProPublica)

In the U.S., government regulation of voting machines and the manufacturers that make them is limited, chiefly amounting to a certification process voting machines are required to undergo. The process is conducted by the Election Assistance Commission, the federal agency charged with assisting states and counties in conducting safe and reliable elections.

Under the process, the commission sends the machines manufacturers want to sell to one of two independent labs for testing. These labs test the machines on a variety of requirements outlined in the Help America Vote Act of 2002 — federal law that sought more funding and minimum standards for state voting systems after the calamitous 2000 election — including security and accessibility for the disabled. Many states will not allow machines to be purchased unless they meet all the requirements.

But the limited certification process, according to election officials, voting rights advocates and any number of federal lawmakers, can make it more difficult to bring new products to market.

The process is expensive, for one, a hurdle that small, creative companies often find prohibitive. A report by the University of Pennsylvania’s Wharton Public Policy Initiative said it can easily cost upward of \$1 million to undergo certification.

As well, the federal legislation governing the certification process is either out of date or poorly conceived, critics say. It requires that manufacturers submit voting “systems,” meaning that companies that would like to specialize in a single part of the voting process are unable to be certified. Several companies have tried to produce only high-speed scanners, or only accessible voting machines, but they have been denied the chance to be certified.



Voting machines stored in a warehouse in San Diego. (Liz Kuball, special to ProPublica)

Because of this structure, set up in 2002, the market inherently gives an advantage to older companies such as ES&S, election officials and advocates assert.

Not a single new set of proposed machines have been certified in the last three years, a time of technological advances and increasing election insecurity.

Perhaps not surprisingly, the last two major meetings of the EAC and local election officials about the certification process have resulted in screaming matches over the slow pace of progress.

In a statement, ES&S said the certification protocols in place had proven effective, adding that it was working along with others to make the process faster.

There are efforts afoot to improve U.S. voting technology, including work by nonprofit organizations to produce better machines. Perhaps the most well-known is VotingWorks, a nonprofit launched by Ben Adida and Matt Pasternack that aims to create an open-source voting machine made from affordable, off-the-shelf parts.

“Right now, machines are all custom hardware. When you consider the small size of the market, that doesn’t make sense,” he said. “It’s not surprising that machines are this expensive when you’ve got custom hardware, custom software, custom everything.”

Adida says building voting machines with off-the-shelf products also means the machines will improve as parts are replaced with more advanced technology. “When you are using commercial, off-the-shelf platforms, you start to get security features for free because they are automatically built in the equipment,” he said. “Why wouldn’t we use them?”

The machine VotingWorks produces could solve many of the problems critics point to in how companies like ES&S have come to operate. VotingWorks promises to be transparent in its pricing, and it doesn’t require long-term maintenance contracts. In fact, Adida says it won’t require maintenance contracts because the machines will be simple enough for municipal employees to learn to program and repair themselves.

ES&S, on the other hand, makes the vast majority of its money off long-term maintenance contracts. Fairfax County, Virginia, for example, recently finalized a \$6.5 million deal with ES&S, which included a \$1.5 million pre-payment for annual service contracts. Under the deal, the county will pay that amount four more times.

Jessica Huseman

Jessica Huseman was a reporter voting rights and election administration for ProPublica.

✉ Jessica.Huseman@propublica.org [@JessicaHuseman](https://twitter.com/JessicaHuseman)





A Philadelphia city elections official demonstrates how to use ES&S' ExpressVote XL machine in June 2019. (Matt Rourke/AP Photo)

The Market for Voting Machines Is Broken. This Company Has Thrived in It.

Half the country votes on machines made by ES&S. Many experts and election officials say the manufacturer remains dominant because there's little government regulation and almost no oversight.

by Jessica Huseman, Oct. 28, 2019, 2:20 p.m. EDT

For ES&S, the nation's largest manufacturer of voting technology.

In Georgia, where the race for governor had drawn national interest amid concerns about election integrity, ES&S-owned technology was in use when more than 150,000 voters inexplicably did not cast a vote for lieutenant governor. In part because the aged ES&S-managed machines did not produce paper backups, it wasn't clear whether mechanical or human errors were to blame. Litigation surrounding the vote endures to this day.

In Indiana, ES&S' systems were plagued by mishaps at the local level. In Johnson County, for instance, the company's brand-new machines

faltered in ways that made it difficult to know whether some people had voted more than once.

“ES&S misjudged the need for appropriate resources to serve Johnson County on Election Day 2018,” a report issued by state election officials later concluded. Johnson County subsequently terminated its contract with ES&S and, this September, paid more than \$1.5 million to purchase an entirely new set of equipment.

The uneven performance by ES&S in 2018, however, did little to dent its position as one of the most popular and powerful voting technology companies in the U.S. Any number of prior controversies hadn’t either.

The vote in 2006 in Sarasota, Florida, was just one. There, ES&S machines lost around 18,000 votes; it is still unclear why. The loss was far more than the margin of victory, and a lawsuit followed that ultimately resolved little. The company said in a statement that a variety of testing done on its machines supports its claim that the devices were not at fault, but the county wound up canceling its dealings with the firm shortly afterward.

Despite such stumbles, ES&S — based in Omaha, Nebraska, and employing roughly 500 people — controls around 50% of the country’s election system market, the company says, meaning that some 70 million Americans vote using the company’s equipment.

The question of the nation’s election integrity has rarely been more urgent. President Donald Trump has repeatedly made baseless claims of voter fraud. The special counsel investigation of Russian meddling in the 2016 vote produced indictments of more than a dozen foreign nationals. How and what federal authorities are doing to prevent future scandals — incidents of outside interference or basic breakdowns in accurately counting votes — has become yet one more partisan issue in a bitterly divided Congress.

A ProPublica examination of ES&S shows it has fought hard to keep its dominance in the face of repeated controversies. The company has a reputation among both its competitors and election officials for routinely going to court when it fails to win contracts or has them taken away, suing voting jurisdictions, rivals, advocates for greater election security and others.

In September 2018, ES&S filed a federal lawsuit against Cook County, Illinois, after the county awarded a \$30 million voting machine contract to another company. ES&S later dropped the lawsuit, but the dispute delayed the implementation of Cook County’s new machines, and the Chicago mayoral election this spring ultimately was conducted using the same machines that were meant to be replaced.

ES&S' lawsuits and threats of lawsuits have helped delay or thwart progress toward better voting technology even when the litigation is unsuccessful, more than two dozen election officials and voting technology experts said in interviews.

"I'd love to see a vibrant marketplace of voting technologies, with companies competing to make better products at lower prices. We have that in mobile phones, personal computers and automobiles, but we don't have it at all with voting technologies," said Dan Wallach, a computer science professor at Rice University who studies election systems and has testified in many such lawsuits. "These companies' litigiousness creates a barrier to competition that becomes a barrier to improving our elections."

ES&S is owned by the McCarthy Group, a private equity firm, and thus its financial records — revenue, profits, salaries — are not public. A spokesperson declined to make ES&S officials available for an interview for this article, and the company instead issued written responses to questions. It said its machinery and technology were ultimately found blameless in some of the election controversies over the years. In Georgia, it said that while the company was responsible for the maintenance of the machines, it was unable to make updates to the software. The state of Georgia, it said, was ultimately responsible for the mishaps.

"ES&S believes strongly in the security, accuracy and reliability of our machines," the company said. "We're committed to our role in democracy and protecting the right to vote."

Asked about its history of litigation, the company said it sued only as a way to keep competitors honest: "We believe American voters deserve accountability in this industry."

ES&S' chief competitors — Hart InterCivic and Dominion — are not strangers to mishaps and aggressive tactics. Dominion's most recent voting technology failed certification in Texas, and the state also saw hundreds of aging Hart machines confusing voters and leading to accusations of vote flipping. Both companies have sued customers and each other. But industry experts insist ES&S, in part because it has been around and dominant for so long, is in a category of its own.

Whatever the merits of ES&S' performance, election officials and experts interviewed by ProPublica say the problems with the country's voting systems go well beyond one company. They say the very nature of the industry and the way it's regulated work against innovation and reward the tiny handful of often trouble-plagued companies that have been around for decades.

Along with going to court, ES&S had held onto the lion's share of the nation's election technology business by using a variety of controversial tactics, its critics say. For years, ES&S has required states and counties that buy its machines to sign long-term deals that often obligate them to purchase a vast array of other equipment and supplies from the company. ES&S also has made it a practice to hire former election officials as lobbyists in statehouses around the country. And it has donated to individual campaigns and spent money to lobby local and federal politicians at levels far higher than its competitors.

ES&S defended its practices, saying that lobbyists play an important role in monitoring new legislation, and that ES&S is in compliance with all state and federal laws related to lobbying. "Lobbyists help ensure legislators have accurate information for use in serving the best interest of the citizens they represent," it said. "Lobbying is a normal practice employed by all election vendors and is common across all industries."

In August 2018, Louisiana announced it would replace its old voting machines and awarded a \$95 million contract to a rival of ES&S, which was the lowest bidder. ES&S filed a complaint that accused the state of writing its request for proposals so that only the other company's machines would satisfy the terms. Shortly after, Gov. John Bel Edwards canceled the deal, effectively siding with ES&S and forcing the state to start the process over again.

"The governor's administration just sided with a company that was \$40 million more expensive," Louisiana Secretary of State Kyle Ardoin said in a statement after the cancellation.

In a statement, the governor's office said that the cancellation was justified. The office also laid the blame at the feet of the secretary of state's office, which it said added "additional requirements" to the bid "just days before the responses were due."

Louisiana campaign finance records show that an ES&S lobbyist in Baton Rouge has donated \$13,250 to Edwards' campaigns since 2014.

Louisiana still has not obtained new voting machines, and the state is expected to cast ballots in 2020 on the same machines it's had since 2005.

Sen. Ron Wyden, D-Ore., is among a number of legislators pushing the federal government to better oversee the quality of local election technology, from voting machines to voter registration databases.

To begin the process of assessing the security and reliability of voting machines across the country, Wyden this year sent a detailed questionnaire to all of the major manufacturers seeking information on

security and other aspects of their operations. Wyden later said the companies, ES&S among them, offered little in the way of response.

ES&S maintains there is no need for tighter regulation or oversight of its business. The company said in a statement that Wyden “is entitled to his opinion,” but that it had responded to his requests in “a timely manner” and had invited him to come review its operations.

“The evidence shows the market functions properly,” it said. “One, our products have delivered secure, accurate elections. Two, we see robust competition every day through competitive bid processes. Three, ES&S devotes significant resources to research and development.”

Wyden disagrees.

“The market is broken,” Wyden said. “Markets work well when you have tough standards, when you have real regulations and vigorous oversight. And here you have none of that.”

The concept of voting machines has existed for as long as there has been a widespread popular vote. The earliest machine was devised by the Chartists in the 1800s in Britain; voters dropped a brass ball into the hole of the candidate of their choice.

The first American patents for voting machines were approved in the late 1800s, and the most promising had push buttons for each candidate, with locks behind the buttons to prevent voting for more than one. These machines, which allowed for secret ballots, were seen as the solution to rampant vote buying, and they remained the way America voted for decades.



A voting booth used in Los Angeles County. (Liz Kuball, special to ProPublica)

Punch card voting technology emerged in the 1960s, allowing voters to punch holes in cards to select candidates with a “ballot marking device.” The holes were used to quickly sort the votes and count the winners. The most popular system was the Votomatic, owned by IBM, which came to be used in nearly 40% of election jurisdictions in the U.S. before IBM got out of the business in 1969.

More recently, states and counties have switched to machines that offer electronic options: optical scanners and machines that mark ballots for voters — most with paper trails and some without. While the vast majority

of Americans vote using paper — either directly onto paper or on a machine that produces a paper back up — only a small number of counties count these ballots without the help of machines.

Electronic technology, whatever improvements it offered, brought a host of new challenges: counties struggled to keep up with the costs of updating the machines, and the additional technology introduced multiple points of potential failure.

Bob Urosevich of Omaha, the founder of ES&S, has told reporters he entered the voting machine industry as something of a pioneer in the move to electronic voting in the 1970s. Urosevich told local news outlets he'd come up with his idea for electronic voting machines while working as a salesman selling paper for ballots to his local county.

Recalling the process by which standardized tests were graded, he convinced the county to test optically scanned bubble sheets as voting tools. The company that would become **ES&S was founded in 1979, after** Urosevich tried out his idea in a primary. Douglas County in Nebraska was Urosevich's first contract.

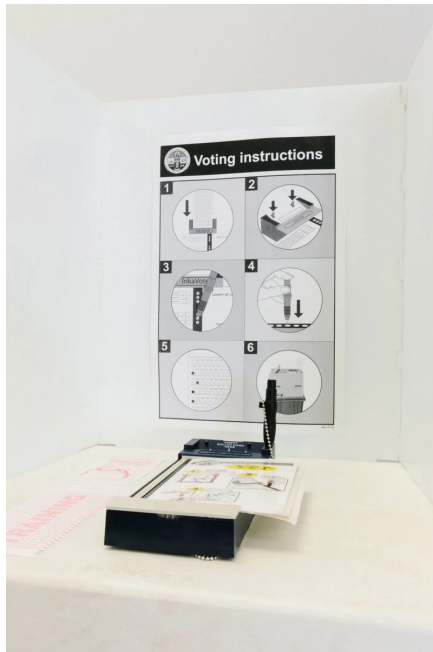
Urosevich later left ES&S in the hands of his first hire, his brother Todd, and went to run Global Elections Systems, the voting machine arm of Diebold, a major security and financial technology company.

In 2003, Diebold's CEO caused a controversy when he became a top fundraiser for George W. Bush and promised to help Ohio "deliver its electoral votes to the president." While there is no evidence the CEO actually manipulated his company's machines to alter the vote in Ohio — it went for Bush — the dispute and a host of issues involving the effectiveness of its technology led Diebold to sell off the voting business in 2009.

ES&S purchased many of Global Elections Systems' machines and contracts, and, as a result, it controlled some 70% of the voting technology market at that time.

ES&S — headquartered in a low-slung white building on Omaha's John Galt Boulevard (named for the central character in Ayn Rand's "Atlas Shrugged") — had made such acquisitions of smaller voting companies before, nearly half a dozen. Most frequently, the company bought the machines and took over the contracts. Bloomberg News reported that **ES&S occasionally repackaged the machines and sold them as new technology**, a claim the company disputed when asked about it by ProPublica.

The voting technology industry is a small one, and one that major technology companies such as Microsoft and Apple have not entered. The



ES&S' InkaVote system employs an ink marking device and an optically scanned bubble sheet. (Liz Kuball, special to ProPublica)

entire sector generates only about \$300 million in revenue annually, according to Harvard professor Stephen Ansolabehere, who studies elections and formerly directed the Caltech/MIT Voting Technology Project. That's far short of what Americans spend annually on Halloween costumes for their pets.

While other types of technology companies must typically invest and innovate to thrive, voting machine manufacturers have shown little similar inclination. Over time, the industry has shifted from making money on the voting equipment itself to making money on services and supporting materials, not unlike what the early cellphone companies

did — sell the phone for cheap, then bring in far more with long-term service contracts and data plans.

In a statement, ES&S said such servicing and maintenance contracts were optional, although experts and election officials say it's a claim without much practical significance, since it's next to impossible to hire someone else to service ES&S' technology. ES&S' machines — like those of other voting manufacturers — also require specialized hardware only available through the company.

ES&S and the other two major companies — Dominion, which has about 30% of the market, and Hart InterCivic, which has about 15% — have similar business models. Each has a large sales force that pushes its products, services and maintenance help to counties across the country. Comparatively little of their workforces are devoted to engineering or product development.

“None of these companies are particularly incentivized to invest in their engineering process to make something that is outrageously better than what's out there now,” Wallach said.



A prototype of the state-of-the-art machine Los Angeles County contracted a tech company to produce. (Liz Kuball, special to ProPublica)

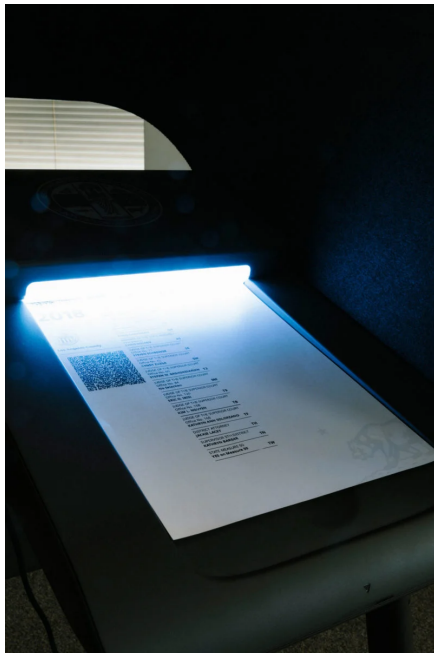
In Los Angeles County, one of the largest election districts in the country, Dean Logan in 2018 had orchestrated what seemed like a breakthrough in the troubled history of America's voting machines. Logan, the county's top election official, had contracted with a tech company that had done important work for Apple. He wanted the company to design what he regarded to be a state-of-the-art voting machine.

The machines had voters use a tablet perched in an artfully designed yellow privacy booth to fill in their ballots, then printed them out to be reviewed. Then, the finished ballot was sucked back in, like a dollar into a vending machine, and placed in a bin. The machines were nearly fully collapsible and made with off-the-shelf products that would allow the county to keep them updated at a low cost.

The machines also had other features that most of the technology currently in use doesn't. They allowed voters to toggle between languages and were designed in consultation with disabled voters so that they could cast ballots on the same machines as everyone else, rather than being relegated to a separate system (that poll workers are often untrained to use).

Logan had a simple explanation for the county's decision to design its own system. "We couldn't find anything out there that would work for us," he said.

The election security community and disability rights groups widely embraced the new machines as an exciting step forward. Not ES&S.



After ballots are printed and reviewed, the machine sucks them back in. (Liz Kuball, special to ProPublica)

capability, so perhaps it would be prudent to use election equipment that can withstand eBay-based threats,” tweeted researcher Matt Blaze in response.

J. Alex Halderman, a computer scientist at the University of Michigan who studies election equipment, said that while the legal tactics may not scare researchers like Blaze, it has chilled the relationship between researchers and public officials.

“The vendors have made election officials fearful of working with researchers to independently test equipment,” he said.

Logan, the Los Angeles County voting official, says he believes part of ES&S’ intent in suing was simply to delay the move to better equipment, even if only temporarily. County officials expect that Smartmatic, the company that won the contract, will eventually have to pay to make ES&S relent.

Logan, for his part, insists his new and improved machines will be in place for 2020.

“We’re on track,” he said.

Wallach, the professor at Rice University, said ES&S behaves “like a patent troll,” a company that serially sues competitors, alleging debatable patent violations.

“Whenever they don’t get what they want, they throw everything at the wall to see what will stick,” Wallach said.

The money Smartmatic will likely send ES&S’ way is a “standard dance,” Wallach said, which increases the likelihood ES&S (and other major machine companies) will file similar suits in the future.

“It makes it hard for smaller companies to do business in this space,” he said. “You could be innovating and working on products, and instead you’re dealing with this. Paying for this.”

Asked about Wallach’s “patent troll” comment, ES&S said, “Again, we believe we have the right to protect our intellectual property.”



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✉ Jessica.Huseman@propublica.org [@JessicaHuseman](https://twitter.com/JessicaHuseman)



Venezuelan election turnout figures manipulated by one million votes: election company

Turnout figures in Venezuela's Constitutional Assembly election were manipulated up by least 1 million votes, Smartmatic, a company which has worked with Venezuela since 2004 on its voting system, said on Wednesday.

By Reuters Staff

Aug 02, 2017 05:49 PM

[View original](#)

LONDON (Reuters) - Turnout figures in Venezuela's Constitutional Assembly election were manipulated up by least 1 million votes, Smartmatic, a company which

has worked with Venezuela since 2004 on its voting system, said on Wednesday.

“We know, without any doubt, that the turnout of the recent election for a National Constituent Assembly was manipulated,” Smartmatic CEO Antonio Mugica said at a news briefing in London.

Mugica said Smartmatic, which has provided electronic voting technology for elections around the world, was able to detect the overstated officially announced turnout because of Venezuela’s automated election system.

“We estimate the difference between the actual participation and the one announced by authorities is at least 1 million votes,” he said.

Mugica declined to directly answer whether the manipulated turnout numbers changed the result of the election, in which authorities said 8.1 million people voted.

The election of the legislative super-body has been decried by critics as illegitimate and designed to give the unpopular government of President Nicolas Maduro powers to rewrite the constitution and sideline the opposition-led congress.

Mugica said the authorities in Venezuela would likely not be sympathetic to his comments and that he had not yet passed the evidence to the Venezuela's electoral council.

The National Elections Council did not immediately respond to a request for comment.

According to internal electoral council data previously reviewed by Reuters, only 3.7 million people had voted by 5:30 p.m. in Venezuela's election on Sunday.

Venezuelan authorities did not respond to a request for comment on that reviewed data.