

Federal standards for voting equipment.

On the other hand, as reported and complained about in a recent electionline.org survey, debates over the security and integrity of electronic voting systems have caused a number of states to delay their plans to replace older voting machines. The electionline report even cites what it calls the “backlash against electronic voting.”

Many Democratic Congressmen who had voted for HAVA, have now apparently realized they made a mistake, and are supporting legislation mandating that electronic voting machines be fitted with printers, so that voters can see and approve their choices on paper. For example, Rep. Rush Holt (D-N.J.), in May 2003, introduced legislation to amend HAVA, to require a voter-verified paper trail; the bill has 114 co-sponsors. Such actions, while well-meant, are inadequate (see article, below); Congress must repeal HAVA.

Sponsors of the HAVA Disaster

Following are listed the HAVA bill’s original co-sponsors (on Nov. 14, 2001), which grew to 172 as of Oct. 10, 2002. The bill passed by a vote of 357-48 in the House, and 92-2 in the Senate, and was signed into law on Oct. 29, 2002. (Asterisks denote those who are now co-sponsoring the Holt bill to amend HAVA.)

Republicans: Lead sponsor: Bob Ney (Ohio); co-sponsors: Todd Akin (Mo.), Cass Ballenger (N.C.), Roy Blunt (Mo.), Sherwood Boehlert (N.Y.), Steve Buyer (Ind.), Michael Castle (Del.), Lincoln Diaz-Ballart (Fla.), John Doolittle (Calif.), Vernon Ehlers (Mich.), Phil English (Penn.), Ernie Fletcher (Ky.), Mark Foley (Fla.), Randy Forbes (Va.), Greg Ganske (Ia.), James Greenwood (Penn.), Melissa Hart (Penn.), Robin Hayes (N.C.), Peter King (N.Y.), Ray LaHood (Ill.), Steve LaTourette (Ohio), Jerry Lewis (Calif.), John Linder (Ga.), John Mica (Fla.), Todd Platts (Penn.), Rob Portman (Ohio), Silvestre Reyes (Ind.), Tom Reynolds (N.Y.), Lee Terry (Neb.), Pat Riberi (Ohio), Greg Walden (Ore.), Curt Weldon (Penn.), Frank Wolf (Va.).

Democrats: Lead sponsor: Steny Hoyer (Md.); co-sponsors: Gary Ackerman (N.Y.), Robert Andrews (N.J.), *Brian Baird (Wash.), *Corrine Brown (Fla.), *Sherrod Brown (Ohio), *Lois Capps (Calif.), Ben Cardin (Md.), Brad Carson (Okla.), Joe Crowley (N.Y.), *Elijah Cummings (Md.), Jim Davis (Fla.), *John Dingell (Mich.), Bob Etheridge (N.C.), *Chaka Fattah (Penn.), *Alcee Hastings (Fla.), Baron Hill (Ind.), Ruben Hinojosa (Tex.), *Joe Hoeffel (Penn.), *Rush Holt (N.J.), *Eddie Bernice Johnson (Tex.), *Stephanie Tubbs Jones (Ohio), Jim Langevin (R.I.), *Rick Larsen (Wash.), *John Lewis (Ga.), *Jim Matheson (Utah), Karen McCarthy (Mo.), *Dennis Moore (Kan.), *Bill Pascrell (N.J.), Earl Pomeroy (N.D.), *David Price (N.C.), Bobby Rush (Ill.), John Spratt (S.C.), *Pete Stark (Calif.), Ellen Tauscher (Calif.), *Bennie Thompson (Miss.), *Albert Wynn (Md.).

How Computers Can Steal Your Vote

The following are some examples of how computerized voting systems can lose votes, add voters, switch votes, and screw up elections in just about any way imaginable. Note that these screw-ups occur in every area of the country, and under both parties. These examples are taken from *Black Box Voting*, by Bev Harris, just published by Talion Publishing Co. Harris documents them in her Chapter 2 and Appendix. Further documentation can be found in the “public library” pages accessible through the BlackBoxVoting.org home page. *EIR* thanks Bev Harris for permission to share these horror stories of computerized voting gone awry, with our readers.

Alabama: In the Alabama 2002 general election, machines made by Election Systems and Software (ES&S) flipped the governor’s race. Some 6,300 Baldwin County electronic votes mysteriously disappeared after polls had closed and everyone had gone home. Democrat Don Siegelman’s victory was handed to Republican Bob Riley, and the recount Siegelman requested, was denied.

North Carolina: In the 2002 general election, a computer miscount overturned the House District 11 result in Wayne County, North Carolina. Incorrect programming caused machines to skip over several thousand party-line votes, both Republican and Democratic. Fixing the error turned up 5,500 more votes and reversed the election for state representative.

California: An Orange County, California, election computer made a 100% error during the April 1998 school bond referendum. The Registrar of Voters Office initially announced that the bond issue had lost by a wide margin; in fact, it was supported by a majority of the ballots cast. The error was attributed to a programmer’s reversing the “yes” and “no” answers in the software used to count the votes.

Kansas: In the 2002 Clay County, Kansas, commissioner primary, voting machines said Jerry Mayo ran a close race but lost, garnering 48% of the vote; but a hand recount revealed Mayo had won by a landslide, receiving 76% of the vote.

Texas: In the November 2002 general election in Scurry County, Texas poll workers got suspicious about a landslide victory for two Republican commissioner candidates. Told that a “bad chip” was to blame, they had a new computer chip flown in and also counted the votes by hand—and found out that Democrats actually had won by wide margins, overturning the election.

Oklahoma: In a Seminole Nation election held in Oklahoma in August 1997, electronic voting machines gave the election to the wrong candidates twice. The private company hired to handle the election announced results for tribal chief and assistant chief, then decided that its computer had counted the absentee ballots twice. So the company posted a second set of results. Tribal officials then counted the votes by hand, producing yet a third, and this time official, set of results. A different set of candidates moved on to the runoff election each time.

Utah: In a 1998 Salt Lake City election, 1,413 votes never showed up in the total. A programming error caused a batch of ballots not to count, even though they had been run through the machine like all the others. When the 1,413 missing votes were counted, they reversed the election.

Iowa: According to *The Wall Street Journal*, in the 2000 general election, an optical-scan machine in Allamakee County, Iowa, was fed 300 ballots and reported 4 million votes. The county auditor tried the machine again but got the same result. Eventually, the machine's manufacturer, ES&S, agreed to have replacement equipment sent. Republicans had hoped that the tiny but heavily Republican county would tip the scales in George W. Bush's favor, but tipping it by almost four million votes attracted national attention.

Indiana: November, 2003: Boone County officials wanted to know why their Micro Vote machines counted 144,000 votes cast when only 5,352 existed.

Texas: In the 1996 McLennan County, Texas, Republican primary runoff, one precinct tallied about 800 votes, although only 500 ballots had been ordered. "It's a mystery," declared Elections Administrator Linda Lewis. Like detectives on the Orient Express, officials pointed fingers at one suspected explanation after another. One particular machine may have been the problem, Lewis said. The miscounted votes were scattered throughout the precincts with no one area being miscounted more than another, Lewis also explained. Wait—some ballots may have been counted more than once, almost doubling the number of votes actually cast. Aha! That could explain it. (Er . . . excuse me, exactly *which* ballots were counted twice?)

"We don't think it's serious enough to throw out the election," said county Republican Party Chairman M.A. Taylor. Error size: 60%.

Arizona: Here's a scorching little 66% error rate: 826 votes in one Tucson, Arizona-area precinct simply evaporated, remaining unaccounted for a month after the 1994 general election. No recount appears to have been done, even though two-thirds of voters did not get their votes counted. Election officials said the vanishing votes were the result of a faulty computer program.

Maryland: According to the *Washington Times*, Kevin West of Upper Marlboro, who, voted at the St. Thomas Church in Croom, said, "I pushed a Republican ticket for governor and his name disappeared. Then the Democrat's name got an 'X' put in it."



Monster of many horror stories: a Diebold computer touch-screen voting computer. Let the disasters described here be instigated nationally, and a coup against representative government will occur.

Texas: Dallas, Texas: A software programming error caused Dallas County's new, \$3.8 million high-tech ballot system to miss 41,015 votes during the November 1998 election. The system refused to count votes from 98 precincts, telling itself they had already been counted. Operators and election officials didn't realize they had a problem until after they'd released "final" totals that omitted one in eight votes.

Venezuela: Caracas: In May 2000, Venezuela's highest court suspended elections because of problems with the vote tabulation for the national election. Venezuela sent an air force jet to Omaha to fetch experts from ES&S in a last-ditch effort to fix the problem. Dozens of protesters chanted, "Gringos get out!" at ES&S technicians. Venezuelan President Hugo Chavez accused ES&S of trying to destabilize the country's electoral process. Chavez asked for help from the U.S. government because, he said, the U.S. had recommended ES&S.

Florida: Officials in Broward County, Florida, had said that all the precincts were included in the Nov. 5, 2002, election and that the new, un-auditable ES&S touch-screen machines had counted the vote without a major hitch. The next day, the County Elections Office discovered 103,222 votes had not been counted.

Illinois: "I knew something was wrong when I looked up the results in my own precinct and it showed zero votes," said Illinois Democrat Rafael Rivera, according to the *Chi-*

ago Tribune. “I said, ‘Wait a minute. I know I voted for myself.’” The problem cropped up during the Lake County, Illinois, election held April 1, 2003. Clerk Willard Helander blamed the problem on ES&S, the Omaha company in charge of operating Waukegan’s optical-scan voting machines. Rivera said he felt as if he were living an episode of *The Twilight Zone*. No votes showed up for him, not even his own.

New Mexico: Ten days after the November 2002 election, Richard Romero, a Bernalillo County Democrat, noticed that 48,000 people had voted early on un-auditable Sequoia touch-screen computers, but only 36,000 votes had been tallied—a 25% error. Sequoia vice president Howard Cramer apologized for not mentioning that the same problem had happened before in Clark County, Nevada.

Washington: In Seattle, a malfunction caused voting-machine computers to lose more than 14,000 votes during the November 1990 election. Individual ballots were counted but not the votes contained on them. The computer program didn’t catch the problem, nor did any of the election officials. A Democratic candidate happened to notice the discrepancy after the election was over, and he demanded an investigation.

South Carolina: In the October 16, 2001, Rock Hill, South Carolina city election, voting machines were programmed incorrectly, skipping hundreds of votes cast. In a number of precincts, the ballot-counting software ignored

votes for council members when they should have been included, causing omission of 11% of the votes cast for these races. In all, voting irregularities were found in seven of the city’s 25 precincts.

Florida: In Union County, Florida, a programming error caused machines to read 2,642 Democratic and Republican votes as entirely Republican in the September 2002 election. The vendor, ES&S, accepted responsibility for the programming error and paid for a hand recount. Unlike the new touch-screen systems, which eliminate voter-verified paper ballots, Union County retained a paper ballot. Thus, a recount was possible and Democratic votes could be identified.

Georgia: In Atlanta, a software programming error caused some votes for Sharon Cooper, considered a “liberal Republican candidate,” not to register in the July 1998 election. Cooper was running against conservative Republican Richard Daniel. According to news reports, the problem required “on-the-spot reprogramming.”

Florida: In Volusia County, during the 2000 presidential election, the Socialist Workers Party candidate received almost 10,000 votes, about half the number he received nationwide. 4,000 erroneous votes appeared for George W. Bush while at the same time, Presidential candidate Al Gore received negative 16,022 votes.

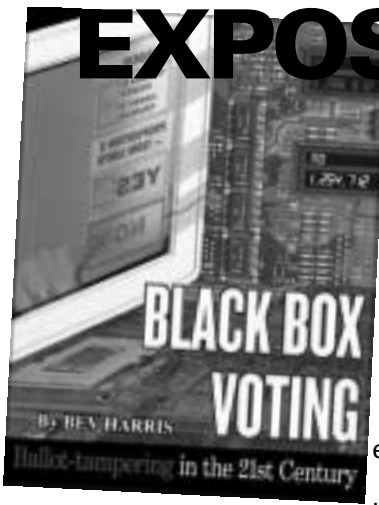
Texas: In Conroe, Texas, Congressional candidate Van Brookshire wasn’t worried when he looked at the vote tabulation and saw a zero next to his name for the 2002 primary. After all, he was unopposed in the District 2 primary and he assumed that the Montgomery County Elections Administrator’s Office hadn’t found it necessary to display his vote. He was surprised to learn the next day that a computer glitch had given all of his votes to U.S. Rep. Kevin Brady, who was unopposed for the nomination for another term in District 8. A retabulation was paid for by ES&S, the company that made the programming mistake. The mistake was undetected despite mandatory testing before and after early voting.

November 2002, Comal County, Texas: A Texas-sized anomaly on ES&S machines was discovered when the uncanny coincidence came to light that three winning Republican candidates in a row tallied exactly 18,181 votes. It was called weird but apparently no one thought it was weird enough to audit.

Maryland: November 2002—In Maryland, a software programming error on Diebold touch-screen machines upset a lot of voters when they saw a banner announcing “Democrat” at the top of their screen, no matter whom they voted for.

New Jersey: November 2002: Forty-four of 46 machines malfunctioned in Cherry Hill, New Jersey: Election workers had to turn away up to 100 early voters when it was discovered that 96% of the voting machines couldn’t register votes for mayor, despite the machines’ having been pretested and certified for use.

Washington: November 1990, King County, Washing-



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Philippines Court Bans Computerized Election

The Philippines Supreme Court, in a ruling which must serve as a lesson in constitutional democracy to the United States, nullified a Commission on Elections (COMELEC) contract for computerized voting machines, to be used for the May Presidential elections. While the ruling did not forbid the possible use of computerized elections in the future, the wording of the Jan. 13 ruling goes far beyond the technical issues of the case at hand, to identify the danger to the fundamental interests of the state inherent in computerized elections. The Court wrote that “we are thus confronted with the grim prospect of election fraud on a massive scale by means of just a few keystrokes. The marvels and the woes of the electronic age!”

The contract was signed in early 2003 with Mega Pacific Consortium, a group pulled together specifically for the Philippines project, involving (among others) a South Korean hardware producer, and the British firm election.com, ltd., which made its name running the first legally binding on-line election in the March 2000, Democratic primary in Arizona, and the voting at the 2000 Democratic National Convention. The Philippines court voided the contract, ordering that the May elections proceed with traditional manual voting and counting methods.

The specific charges involve the failure of the contracted computers (which had already been purchased!) to meet the safety criteria specified in the officially mandated

bidding rules and procedures. The court’s ruling, however, includes the following “universal” findings:

*** “[P]etitioners suing in their capacities as taxpayers, registered voters and concerned citizens respond that the issues central to this case are ‘of transcendental importance and of national interest’ and that ‘any taint on the sanctity of the ballot as the expression of the will of the people would inevitably affect their faith in the democratic system of government’. . . . We agree with petitioners. Our nation’s political and economic future virtually hangs in the balance, pending the outcome of the 2004 election.”

- After reviewing the failure of the computers to pass the required safety and accuracy tests, the court ruled that “COMELEC chose to ignore this crucial deficiency, which should have been a cause for the gravest concern. Come May 2004, unscrupulous persons may take advantage of and exploit such deficiency by repeatedly downloading and feeding into the computers, results favorable to a particular candidate or candidates.”

- In regard to the multiple software problems, the court noted: “The counting machines, as well as the canvassing system, will never work properly without the correct software programs. There is an old adage that is still valid to this day: ‘Garbage in, garbage out.’ No matter how powerful, advanced and sophisticated the computers and the servers are, if the software being utilized is defective or has been compromised, the results will be no better than garbage. And to think that what is at stake here is the 2004 national elections, the very basis of our democratic life! . . . [W]hat will happen to our country in case of failure of the automation?”—*Michael Billington*

ton: Worse than the butterfly ballot, some Democratic candidates watched votes alight, then flutter away. Democrat Al Williams saw 90 votes wander off his tally between election night and the following day, though no new counting had been done. At the same time, his opponent, Republican Tom Tangen, gained 32 votes. At one point several hundred ballots added to returns didn’t result in any increase in the number of votes. But elsewhere, the number of votes added exceeded the number of additional ballots counted. A Republican candidate achieved an amazing surge in his absentee percentage for no apparent reason. The miscounts were sporadic and thus hard to spot, and the errors disproportionately favored just one party. King County’s election manager recommended a countywide recount.

Louisiana: 1994, New Orleans: Voting machine tests performed and videotaped by candidate Susan Barnecker demonstrated that votes she cast for herself were electronically recorded for her opponent. This test was repeated several times with the same result.

Arizona: 1984—some 826 legitimate ballots were discarded in Oro Valley because of a computer error. The error wasn’t discovered until after the deadline for counting them.

1998—9,675 votes were missed in the tabulation. After canvassing, officials realized that no votes had been recorded for 24 precincts even though voter rolls indicated thousands had voted at those polling places. Global Elections Systems (now called Diebold Election Systems) tried to figure out why the computer had failed to record the votes.

Ohio: November 1998, Franklin County, Ohio: One candidate was incorrectly credited with 14,967 votes; another received 6,889 in error. Deborah Pryce and John R. Kasich gained 13,427 votes and 9,784 votes, respectively, after election officials hand-checked vote totals in 371 machines that were affected by a software programming error.

Kansas: September 1998, Kansas City: Republican John Bacon, a staunch conservative, celebrated a resounding victory for the 3rd District Kansas Board of Education seat, defeating moderate Republican Dan Neuenswander by 3,018

votes. Two weeks later Neuenswander learned that the race had been dead even with the margin of loss being just 24 votes. No one offered any explanation for the discrepancy.

Tennessee: August 1998, Memphis: In the governor's race, a software programming error in Shelby County began crediting votes to the wrong candidates. Computer cartridges containing 295 individual precinct results were taken to a central location because the scanner couldn't read them. The system that was shut down had posted the incorrect results to newsrooms across the city. At least one television station broadcast the bogus results.

Virginia: November 1999, Norfolk, Virginia: Machines showed totals of zero but votes had been cast. Edward O'Neal, Norfolk Electoral Board vice chairman, said, "Somehow, they lost their ability to count the votes."

Texas: November 2002, Dallas: When 18 machines were pulled out of action in Dallas because they registered Republican when voters pushed Democrat, Judge Karen Johnson, a Republican, quashed an effort to investigate the accuracy of the tally.

Florida: March 2002, Medley, Florida: Voting machines gave the town council election to the wrong candidate. The problem was attributed to a programming error by a voting machine technician. County Elections Supervisor David Leahy said he was concerned because the computer did not raise any red flags; humans had to spot the error.

New Mexico: November 2002, Taos, New Mexico: Just 25 votes separated the candidates in one race; another race had a 79-vote margin. After noticing that the computer was counting votes under the wrong names, Taos County Clerk Jeannette Rael contacted the programmer of the optical-scan voting machine and was told that the problem was a software programming error.

Florida: November 2002: Gubernatorial candidate Bill McBride was a tough guy to vote for: One voter said that he tried 10 times, and every time he pressed McBride, the Jeb Bush choice lit up. He could only get his vote to light up the McBride choice when he pressed a dead area of the screen. No paper ballot was available, so no one really knows who got any of the votes, regardless of which candidate lit up. Similar problems were reported in various permutations, for various candidates, by several Florida voters; and an identical problem was noted in Texas.

Who's Who of Virtual Voting Machine Companies

by Art Ticknor

Diebold Election Systems (Vancouver)

Corporate Profile:

Diebold Election Systems acquired Global Election Systems of Vancouver in 2002. First Manhattan Co. (the investment banking firm) owned 5.60% of outstanding common shares as of end of 2002.

Parent company **Diebold, Inc.** of Canton, Ohio is manufacturer and distributor of automated financial transaction systems (such as ATMs) and software for banks and financial institutions, and others, worldwide. Also provides physical and electronic security systems (2001—awarded contract to "secure" the U.S. Constitution, Bill of Rights, and Declaration of Independence).

Diebold Procomp subsidiary in 2000 manufactured and installed more than 360,000 DREs throughout Brazil.

Key Personnel:

CEO Walden O'Dell is a frequent visitor to the Bush ranch in Crawford, Texas, and hosted a \$600,000 fundraiser for Dick Cheney last June. In August 2003 he attended a strategy meeting with fellow Bush "Rangers and Pioneers" at the Bush ranch—those who have raised at least \$100,000 each for the 2004 Presidential campaign. He also hosted a Republican Party fundraiser at his Columbus, Ohio mansion, and said he was "committed to helping Ohio deliver its electoral votes to the President next year," in his Aug. 14 invitation.

W.R. "Tim" Timken, Jr., member of Board, is co-chair of Ohio's state Bush-Cheney re-election campaign, and hosted a \$750,000 fundraiser headlined by Cheney in November 2003. Timken, also a Bush Pioneer, and one of Bush's favorite Ohio fundraisers, in late April used his Canton, Ohio steel company as a site for Bush to tout his tax cuts. "We all have to dig deep to support President Bush," Timken declared at a \$1.4 million fundraiser in October. In addition, Timken was named by Bush as chairman of the Securities Investor Protection Corporation in early April. Timken has long been involved in Republican Party politics. Timken hosted Bush at a private luncheon during the 2000 Presidential campaign, attended by fewer than 100 people, and helped pay for Bush's inauguration as President in January 2001.

Directors:

Louis V. Bockius III—chairman, Bocko Inc. (plastic injection molding);

Christopher M. Connor—chairman and CEO, Sherwin-Williams;

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