

# Bush-Cheney Prepare To Steal 2004 Election

by Edward Spannaus

As part of their efforts to put a nationwide vote-fraud capability in place which could enable them to steal the 2004 Presidential elections, the Bush-Cheney Administration has systematically sabotaged the development of security standards and other guidelines for electronic voting machines—leaving the field wide open for what amounts to a privatized, deregulated election system.

As we reported in *EIR*, Feb. 20, the unconstitutional Help American Vote Act (HAVA), rammed through Congress in October 2002, provides Federal subsidies to the states to replace their old punch-card or other voting systems, with touch-screen devices. To be eligible for Federal monies, states were to submit their plans to install touch-screens by early 2004.

But the Administration then stalled on creating the new Election Assistance Administration (EAC), which was supposed to oversee the development of standards for voting equipment, including security standards. And now, the Administration has even cut the budget for the EAC and also for the agency which was specifically mandated to develop these standards and guidelines.

## Two HAVA Hoaxes

Two fraudulent pretexts were used to get HAVA passed, along with heavy lobbying by GOP-linked voting machine companies and defense contractors. The first pretext, was that the use of “modern” touch-screen devices would avoid the type of chaos that occurred around the 2000 elections in Florida, with the fiasco around recounting punch-cards with their famous “hanging chads.”

The second pretext was that touch-screen machines would allow disabled persons to vote in privacy. Thus, by 2006, every polling place used in a Federal election is required to have at least one Direct Response Electronic (DRE) device, or another device “equipped for individuals with disabilities.”

Among those active in bringing lawsuits to compel localities to install touch-screen machines even sooner, has been Hogan and Hartson, the law firm of John Keeney, Jr.—who told the Supreme Court, in the 2000 Presidential election case of Lyndon LaRouche’s exclusion from winning Democratic Party primary delegates—that it should wipe out the 1965 Voting Rights Act, so that the Democratic Party could return to the gold old days of being a discriminatory private club.

The Hogan & Hartson suit gave Washington, D.C. the



*A Washington, D.C. citizen trying to vote in Presidential delegate caucuses held on Feb. 14, confronts one of Sequoia Corporation's black boxes, which supposedly is going to count her vote. Many voters trying to vote for Lyndon LaRouche's delegates were unable to do so.*

excuse to rush into installing touch-screen machines on an emergency basis. Originally, the D.C. primary was scheduled for May 15, 2004, but it was then moved up to January 13, in an attempt to make the District “the first in the nation,” even before New Hampshire.

### **For Example: Washington, D.C.**

The fly in the ointment was the candidacy of Lyndon LaRouche. The LaRouche Youth Movement sent a small army into the nation’s capital, who out-organized all of the other candidates’ campaigns in the streets, the neighborhoods, and even the buses and subways. On election eve, private polls showed LaRouche to be running even with Al Sharpton.

In mid-December, a bill had been passed by the D.C. Council, declaring “the existence of an emergency,” and providing that the District’s contract with Sequoia Voting Systems be implemented immediately. With election officials unfamiliar with the new touch-screen machines, the Board of Election put out a call for “computer-savvy volunteers” to help.

Although the touch-screen machines were installed for voters with disabilities, others were permitted and even encouraged to use them. It was reported that about 15,000 of 42,000 voters on Jan. 13 used the touch-screen devices; the others used optican-scan machines, which are also susceptible to programming errors.

The result was chaos on election night, and the disappearance of many thousands of votes for LaRouche.

Among other problems, the private vendor, Sequoia, who set up the machines, had programmed them wrong, so that they discounted write-ins and blank ballots. The machines had to be re-programmed on election night, and poll workers had to report results by hand rather than electronically. Voter turnout was initially being reported at 8-10% percent throughout the evening, and then it jumped suddenly to 16%, as 15,000 votes suddenly materialized after midnight.

Council members proclaimed the whole affair “highly embarrassing,” and even the head of the Board of Elections called for an investigation—a call which seems to have been dropped as soon as LaRouche supported it.

Touch-screen devices were again used for the Democratic delegate-selection caucuses on Feb. 14—with many reports of machine breakdowns and malfunctions.

### **States Caught in a Bind**

HAVA set two key deadlines for the states. In order to obtain Federal subsidies for replacing old voting equipment, states were required to submit implementation plans by January 2004, and each plan must indicate that the state will replace all of its punch-card and lever machines by the 2006 elections.

Additionally, as we noted, some jurisdictions were forced by lawsuits to replace old equipment earlier.

Under pressure of HAVA deadlines, and anxious to avoid a Florida-type situation with their punch-card systems—and with salesmen from the big three companies, Deibold, Sequoia, and Elections Systems and Software, banging down their doors—many states rushed to get DRE systems installed.

Meanwhile, the Administration stalled and delayed in creating the Election Assistance Commission (EAC), which was charged under HAVA with developing voting system guidelines, overseeing the testing and certification or decertification of voting systems and hardware, and conducting studies of “methods of identifying, deterring, and investigating voter fraud.”

The EAC was supposed to have been created by February

2003, but President Bush didn't submit his nominees to Congress until last October, and they were not approved until December; the Commission only got started in January.

Under the HAVA law, the EAC was supposed to have submitted a detailed report to Congress by Jan. 31, 2004, describing all of its activities, its grants and payments, information on voting system guidelines, etc.

But as of mid-February, the EAC still has no offices or phone listing; it's borrowing space from the Federal Election Commission. Its first formal meeting is scheduled for March 23. Its budget for the current fiscal year was cut drastically—on the excuse that it didn't exist—and in the Administration's proposed budget for next year, its budget is cut 96%!

## Money Without Standards

That's not all.

Under HAVA, the National Institute of Standards and Technology (NIST) was designated to play the leading role in developing standards for voting equipment, and assisting state and local officials in implementing new voting systems. The Director of NIST is the chairman of the Technical Guidelines Development Committee, a subcommittee of the EAC, which is charged with making recommendations to the EAC on standards and guidelines on voting machines.

Last week, the NIST announced that it has ceased all its HAVA-related activities because of a \$22-million budget cut in Fiscal 2004. "We have terminated all our activities under the Help America Vote Act for lack of funding," said NIST's acting chief of staff, Nat Heyman. An NIST spokesman confirmed to *EIR* that it is being forced to end its HAVA activities, and to substantially reduce its work on cybersecurity, much of which deals with critical infrastructure, such as power plants, water-supply systems, and utilities. NIST has been evaluating computerized voting systems since 1975, and has substantial expertise in security evaluations of complex computer systems.

The four members of the EAC made their first public appearance at a meeting of the National Association of Secretaries of State on Feb. 16. According to the *Washington Post*, the commission members found themselves besieged by state officials who "want guidance on the thorniest problem in elections today, voting security," particularly as regards touch-screen systems and electronic voting. Said the Wyoming Secretary of State: "I'm scared to death to buy any machines without direction."

But that's what they're not going to get, according to EAC chairman DeForest "Buster" Soaries, who claimed it would make no sense to put standards into place before the Commission starts handing out money to the states to buy new voting machines. Soaries, a former New Jersey Secretary of State, announced that the EAC will pass out \$2.3 billion to the states by this May, to help them buy new voting equipment.

## Want an Enron To Count Your Vote?

What all this amounts to, is a multi-billion dollar subsidy to the Bush-Cheney allied voting machine companies—with the Administration abandoning any effort to develop security standards or guidelines in time for the 2004 elections.

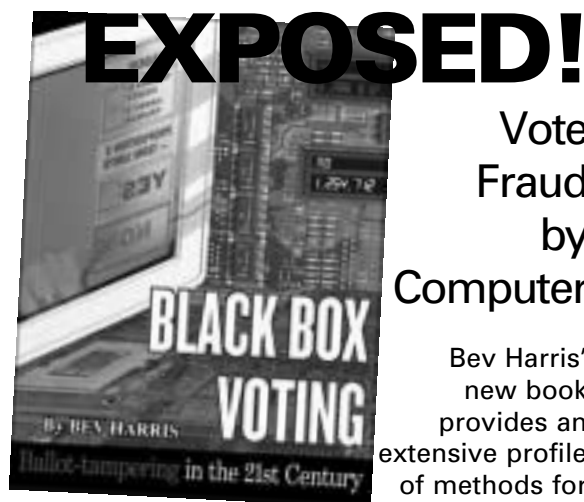
Already, in states such as Georgia which have switched over to touch-screen machines, state election officials have ceded the field to private companies such as Diebold, who carry out the set-up and programming of the machines, and who count the vote.

Worse, state elections officials are not allowed even to examine software and source-code which runs the program which counts the votes. The software is considered proprietary, a "trade secret," by the voting machine companies—and it can be a felony to try to examine it.

When computer security experts from Johns Hopkins and Rice Universities conducted an analysis of Diebold's source code—which had become public, after being left on an unprotected server—they discovered numerous, "stunning" security flaws, which would allow the casting of multiple votes and the altering of results. They also found that the program could be altered from a remote location.

Now, the Federal government is handing out over \$2 billion to spread more of this around the country—to accelerate the drive toward privatized, deregulated elections.

Congress should undo the damage, now, by repealing HAVA and banning electronic voting.



Bev Harris' new book provides an extensive profile of methods for ballot-tampering in the 21st Century.

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