

State and Local Government

Tomi Collins, Mandan, ND  
Testimony in support of SB 2308

Dear Chairman Roers and Committee Members

Voters should not be forced to deal with the problems that massive voting by mail have and will continue to create. FACT: It is easy to copy and print ballots and it is being done in ND.

I recently heard ND SoS Election officials claim, "But you would need key information about a voter" OK Let's look who has had access to that information in ND.

1. Russia Hacked North Dakota and probed our voter registration systems. **VOTER DATA HAS BEEN COMPROMISED AND OPEN TO BAD ACTORS.**

See Source video on ND 2016 Russian Hack <https://www.bek.news/tomitime/2022-11-02/> featuring **J. Alex Halderman**, professor of Computer Science and Engineering at the University of Michigan, where he is also director of the Center for Computer Security & Society. Halderman's research focuses on computer security and privacy, with an emphasis on problems that broadly impact society and public policy.

See source article Bismarck Tribune

[https://bismarcktribune.com/news/state-and-regional/feds-russian-hackers-targeted-nd-s-elections-systems/article\\_396ddc74-b7d5-5866-8688-f398059f0afd.html](https://bismarcktribune.com/news/state-and-regional/feds-russian-hackers-targeted-nd-s-elections-systems/article_396ddc74-b7d5-5866-8688-f398059f0afd.html)

### ***Fed's: Russian Hackers Targeted ND's Election Systems***

*Ryan Johnson Forum News Service Sep 23, 2017*

*Russian hackers targeted North Dakota's elections systems last year, according to new information disclosed to the state's top elections official Friday.*

*Secretary of State Al Jaeger confirmed Saturday that his office was called the previous day and notified that North Dakota was among 21 states targeted by hackers last year.*

*He said his office was alerted Thursday that the U.S. Department of Homeland Security would call elections officials in each state Friday to disclose if they were a target for hacking. Jaeger said his office got*

*a “very brief” call that said North Dakota was one of the affected states.*

*Jaeger said the information was “very sketchy” Friday. He said he has requested more details from the DHS.*

*“We have had discussions with them,” he said. “There’s a lot of things that we still have questions on, so that’s why we’re not commenting until we know more.”*

*Jaeger said he will comment more today.*

*Minnesota was also notified that it was targeted. A news release from Secretary of State Steve Simon said the DHS told him Minnesota was among 21 states “targeted by entities acting at the behest of the Russian government leading up to the 2016 election,” though the agency also confirmed there wasn’t a breach or attempt to breach Minnesota’s election system.*

*According to Simon, the DHS said hackers scanned IP addresses related to the secretary of state’s website to try to find vulnerabilities, but nothing further happened. He said the state’s system previously identified scanning IP addresses and blocked them.*

*“Scanning from outside entities is commonplace and happens every day, which is why I continue to believe the most serious challenge to the integrity of our election system is the threat of outside forces, including foreign governments, who seek to disrupt and undermine our elections,” Simon said Friday in a written statement.*

- 2. ND SoS Al Jager Certified OUTDATED Windows sever 2008 and Windows 7 IN THE YEAR 2020 to run the ND Elections. 2008 software in 2020???** (Source Document Provide for the record “State of North Dakota -Certification of Election Equipment”

3. **There are significantly more voters listed on our ND Active Voter List than there are citizens over the age of 18 as reported to me personally by Dr Frank. Dr Douglas Frank is the former chair of the math and science department at the Schilling School for Gifted Children in Cincinnati. ( I am standing by for the updated stats)**
4. There were clearly problems as we had Negative votes reported in Kidder County. In 2020 (see Kidder Auditors submission to the Kidder County Register of the official Abstract of votes w/ negative votes) **HOW DO YOU GET NEGATIVE VOTES. HOW MANY WERE MORE VOTES ERASED TO GET TO NEGATIVE VOTES?**
5. 2022 resident's report they were getting Ballots they did not order: I have seen a ballot that was sent to MONTANA TO Riley Walker.

Riley has not lived in ND for 10 years. He does not have an ND Drivers License. His mother Tana Walker a resident of Sheridan Co. ND and a poll worker.

Tana reported He received a BALLOT (Not and application) in the mail IN MONTANA for the 2022 Primary. She instructed him to return to sender with a note and ask to be removed form any list.

In the 2022 General Riley AGAIN received a BALLOT (not an application) I have seen this ballot. His mother was very concerned and said do not send it back SEND IT TO ME! I am going to report it.

She went to her county auditor. Concerned about previous reports of shady behavior she recorded the conversation whereas (I heard the county auditor say WE DID NOT SEND THIS TO YOUR SON. So, we see clearly, we have bad actors sending out ballots or at the very least we see the issues that happen when you remove chain of custody.

6. Election Judge Elmer's report when 10 or more Ballots did not go through the scanner machines, they were called defective (and they were not) and new ballots were then filled out on good ND ballot paper and then sent through the machine. In Nd according to NDCC poll workers can fill out new ballots!

**NDCC 16.1-15-09. Voting systems - Returns.**

1. *Election officers shall generate reports of votes cast and counted by voting systems for all candidates and for any measures or questions as provided by law or rule.*
2. *Within the ability of a tabulation device to accurately do so, all votes must be counted by the machine. After the election results have been accumulated centrally in the county auditor's office, if the number or percentage of write-in votes for an office meet*

the criteria in section 16.1-15-01.1, the county canvassing board shall review and approve the canvass of the votes for the write-in names for that office conducted by the county auditor's office to determine final election results.

3. The county auditor shall designate the public places where absentee and mail ballots must be delivered and counted in the presence of the election inspector and at least two election judges.
4. Each voting system must generate a printed record at the beginning of the system's operation which verifies the tabulating elements for each candidate position and each question and the public counter are all set at zero. The voting system also must be equipped with an element that generates, at the end of the system's operation, a printed record of the total number of voters whose ballots have been tabulated, the total number of votes cast for each candidate on the ballot, and the total number of votes cast for or against any measure appearing on the ballot. The election inspector and election judges shall certify both printed records.
5. If any ballot is damaged or defective so the ballot cannot be counted properly by the voting system, **a true duplicate copy must be made by election officials of opposed interests and substituted for the damaged or defective ballot.** All duplicate ballots must be labeled duplicate clearly, must bear a serial number that must be recorded on the damaged or defective ballot, and must be wrapped and delivered with other ballots to the county recorder. *(Section 5 in red should be stricken from NDCC. There may be Constitutional implications to filling out a ballot for someone else when they are not handicap or has not requested one does so)*

#### **16.1-15-10. Failure of voting system - Counting by alternate method.**

*If the voting system fails to operate during the ballot count at any election, the ballots must be counted by an alternate method. (This needs to be clarified)*

5. Is it an inside job? Do you know who is running our Election Dept and technology Department. I do and I am appalled. See three articles provided. **BRIAN NEWBY State Election Director, North Dakota Secretary of State** married Jessica White the lady he was cheating on his wife of 30 years with and "A scathing county audit of the Kansas election office found Newby intentionally circumvented oversight by charging expenses to White's government credit card, allowing him to review and approve his own spending. Auditors also said Newby and White made purchases without sufficient business justification and supporting documentation."

Source Link

<https://apnews.com/article/799a7b6e991941c682ebc15c90c89094>

**Jessica Newby AKA Jessica White now serves as The Information Security Officer for NORTH DAKOTA INFORMATION TECHNOLOGY (NDIT)**

See LAW and CRIME article on Brian Newby EAC executive director **Brian Newby** has reportedly spent the last four years heading the agency blocking election security initiatives at every turn, ...However, according to former employees, Newby is doing everything in his power to prevent the agency from taking tangible steps to prevent similar election interference in 2020. ...On numerous occasions, Newby ordered staffers to cease work on cybersecurity best-practices documents that normally provide federal and state election officials with integral guidance pertaining to proper election procedures. ...Politico spoke with seven different sources in the course of their reporting, all of whom spoke on the condition of anonymity in order to speak freely.

**Source Link <https://lawandcrime.com/high-profile/election-official-accused-of-subverting-his-own-agencys-mission/> (Printed Copy provided for the record)**

North Dakota has a husband-and-wife team cloaked in scandal running our elections. These two shysters work together with limited oversight.

Was SoS Al Jaegar a technical expert? Is SoS Michael Howe? No, according to them both, they are not, I asked them. **See the problem?**

SoS Jaegar have relied on two extremely shady people to recommend, explain and RUN the election technology.

(Printed Source Documents provided for the record. – 1. Ap Article 2. Jessica White AKA Jessica Newby LinkedIn showing Johnson County employment as Brian Newby's Employee)

6. Dishonest vendor? ES&S the vendor of our new election machines was admonished by the Election Assistance Commission for misleading their customers. "The federal Election Assistance Commission has rebuked the nation's top voting-machine maker over marketing materials that the panel says deceptively implied the company's voting machines are EAC-certified." "ES&S ...assert, falsely, that voting machines the company sells with embedded modems have been sanctioned by the EAC under its testing and certification program.

Source Link <https://www.politico.com/news/2020/08/13/election-voting-machine-misleading-claims-394891> (printed article also provided to be added to the record)

7. Cass County the largest County in North Dakota has hired Murray Nash Retired senior officer of the Australian Naval Officer. A country that took their citizens guns. Why in the world we choose a foreigner naval and intelligence officer to run Cass Counties elections. This man is currently obstructing and refusing to give me the who voted records for Cass County. In fact, I reviewed an email he has also refused to give election records to statewide candidates and in one instance he provided an estimate for over \$20,000 to get election electronic records for the 2020 and 2022 election. If there is nothing to hide why obstruct? (Source LinkedIn provided in paper form to be submitted into the record)

8. North Dakotas New Pollbooks have **no paper back up** and are hooked up to the internet. They are open to outside and/or in-house manipulation and nobody would ever know. See Politico article- "The election security hole everyone ignores Increasing numbers of polling places use electronic devices to check in voters and verify their eligibility. But the devices often create chaos and introduce new vulnerabilities to elections." "The devices often communicate wirelessly with each other and with backend voter registration databases, offering a potential pathway for hackers who get onto that wireless network to delete or alter voter records — to indicate falsely, for example, that someone has already voted. Hackers could further use the wireless connection to breach the backend databases and other systems connected to them." **NORTH DAKOTA'S NEW KNOWINK POLLBOOKS COMMUNICATE WIRELESSLY!** . Source Link

<https://www.politico.com/news/2020/08/31/election-security-hole-406471> (printed article also provided to be added to the record)

9. ND's New Pollbooks are hooked up to the internet. **"INTRODUCTION** This Security Assessment Report (SAR) contains the results of a review of voting processes in the state of North Dakota (ND). The process review took place from 05/16/2022 through 07/31/2022. This assessment focused on possible vulnerabilities or threats related to the voting process only; no technical testing was conducted. The assessment team did not validate technical controls or review technical configuration of any system involved in the voting process." Sadly, the report the ND auditor got is grossly flawed.

Source link

[https://www.nd.gov/auditor/sites/www/files/documents/Reports/IT%20Security/ND\\_Voting\\_Security\\_Assessment\\_2022\\_Final.pdf](https://www.nd.gov/auditor/sites/www/files/documents/Reports/IT%20Security/ND_Voting_Security_Assessment_2022_Final.pdf) (partially printed to be added to the record)

10. The New Election Equipment and Mail-in Ballot system are the same systems used in states like AZ who are experiencing massive irregularities and delays in counts. In the new era the Newby's have promoted North Dakota has now lost our efficient and transparent elections where we had the basic effective ability to reconcile a paper ballot against a paper pollbook. (Source VerifiedVoting.org list of AZ voter equipment that matched ND's, paper copy provided for the record)
11. Compromised Voter Information, Mail in Ballots, and Unmanned Drop Boxes Make North Dakota a target for fraud. We are a rich state and as we can see we have everyone from George Soros, Bill Gates and China wanting a piece of our land and our wealth and resources. It is extremely naïve to believe because we geographically move the same systems causing problems in other states to ND that those same systems and equipment magically become incorruptible. We are currently like frogs in warm water but as the term limits began to expire and this is not corrected we will be dead frogs. If we do not fix this we mine as well layover and allow China to descend on us and allow crazy Bill Gates to kill all of our farting cows. Because the bad actors will no doubt take advantage of the state who now has the "least transparent elections in the union" according to top election officials. Please, ask me as I am assisting with critical bills you will be hearing in hopes to correct.

I provided this article to help you to understand all China has to do is hire this guy to come to ND.

*New York Post - Confessions of a voter fraud: I was a master at fixing mail-in ballots* [Jon Levine](#) August 29, 2020

*A top Democratic operative says voter fraud, especially with mail-in ballots, is no myth. And he knows this because he's been doing it, on a grand scale, for decades.*

*Mail-in ballots have become the latest flashpoint in the 2020 elections. While President Trump and the GOP warn of widespread manipulation of the absentee vote that will swell with COVID polling restrictions, many Democrats and their media allies have dismissed such concerns as unfounded.*

*But the political insider, who spoke on condition of anonymity because he fears prosecution, said fraud is more the rule than the exception. His dirty work has taken him through the weeds of municipal and federal elections in Paterson, Atlantic City, Camden, Newark, Hoboken and Hudson County and his fingerprints can be found in local legislative, mayoral and congressional races across the Garden State. Some of the*

*biggest names and highest office holders in New Jersey have benefited from his tricks, according to campaign records The Post reviewed.*

*“An election that is swayed by 500 votes, 1,000 votes — it can make a difference,” the tipster said. “It could be enough to flip states.”*

*The whistleblower — whose identity, rap sheet and long history working as a consultant to various campaigns were confirmed by The Post — says he not only changed ballots himself over the years, but led teams of fraudsters and mentored at least 20 operatives in New Jersey, New York and Pennsylvania — a critical 2020 swing state.*

*But for political pros, they’re a piece of cake. In New Jersey, for example, it begins with a blank mail-in ballot delivered to a registered voter in a large envelope. Inside the packet is a return envelope, a “certificate of mail in voter” which the voter must sign, and the ballot itself.*

*That’s when the election-rigger springs into action.*

### **Phony ballots**

*The ballot has no specific security features — like a stamp or a watermark — so the insider said he would just make his own ballots.*

*“I just put [the ballot] through the copy machine and it comes out the same way,” the insider said.*

### **Inside jobs**

The tipster said sometimes postal employees are in on the scam.

“You have a postman who is a rabid anti-Trump guy and he’s working in Bedminster or some Republican stronghold ... He can take those [filled-out] ballots, and knowing 95% are going to a Republican, he can just throw those in the garbage.”

In some cases, mail carriers were members of his “work crew,” and would sift ballots from the mail and hand them over to the operative.

### **Nursing homes**

*Hitting up assisted-living facilities and “helping” the elderly fill out their absentee ballots was a gold mine of votes, the insider said.*

*“There are nursing homes where the nurse is actually a paid operative. And they go room by room by room to these old people who still want to feel like they’re relevant,” said the whistleblower. “[They] literally fill it out for them.”*



The insider pointed to former Jersey City Mayor Gerald McCann, [who was sued in 2007](#) after a razor-thin victory for a local school board seat for allegedly tricking “incompetent ... and ill” residents of nursing homes into casting ballots for him. McCann denied it, though he did admit to assisting some nursing home residents with absentee ballot applications. With mail-in ballots, partisans from both parties hash out and count ballots at the local board of elections — debating which ballots make the cut and which need to be thrown out because of irregularities.

(Source Link See full article) <https://nypost.com/2020/08/29/political-insider-explains-voter-fraud-with-mail-in-ballots/>

12. *The new tabulator Machines in North Dakota are ES&S DS200 and DS450*  
Source Link; <https://www.nbcnews.com/news/all/chinese-parts-hidden-ownership-growing-scrutiny-inside-america-s-biggest-n1104516>

The secrecy of ES&S and its competitors has pushed politicians to seek information on security, oversight, finances and ownership.

*NBC News examined publicly available online shipping records for ES&S for the past five years and found that many parts, including electronics and tablets, were made in China and the Philippines, raising concerns about technology theft or sabotage.*

*During the tour, Burt said the overseas facilities are “very secure.” He said the final assembly of voting machines takes place in the U.S.*

*Chinese manufacturers can be forced to cooperate with requests from Chinese intelligence officials to share any information about the technology and therefore pose a risk for U.S. companies, NBC News analyst Frank Figliuzzi, a former assistant director of the FBI for counterintelligence, said. That could include intellectual property, such as source code, materials or blueprints. There is also the concern of machines shipped with undetected vulnerabilities or backdoors that could allow tampering.*

13. President Trumps Tweet. President Trump is passionate about the dangers mail in ballots. In a recent post on his Truth Social he states.

@realDonaldTrump

Jan 6, 2023

All Republican Governors should immediately begin the process of ENDING MAIL IN BALLOTS (which are fraught with corruption, and always will be!) EXCEPT FOR FAR AWAY MILITARY AND PEOPLE WITH A PROVEN ILLNESS, GETTING VOTER I.D. AND SAME DAY VOTING WITH ALL PAPER BALLOTS. This effort should be all out and start immediately. Governors have the power and authority to do this. GET IT DONE, or we will never have honest elections in our Country again!

14. I keep hearing “Those machines in other states are not in North Dakota” Yes they are and in more ways than one. Under the Obama administration the Eric Holder DOJ brought suit against ES&S and as part of a settlement ES&S gave its base software to their “competitors”. (This opens a whole other can of worms where we see the two brothers leading the two top election equipment companies and this is too much information to unpack in this hearing. I will be happy to meet individually to share what I know. Also stay tuned to BEK News as I will be doing a docuseries on the disturbing history of these election machines and the convicted felon Jeffery Dean who was the master mind and reported felon John Elder who is reported to have Dean met in a Washington Prison who I last see listed on an ES&S Mail-in Ballot Patent Source document <https://patents.google.com/patent/US8740058B2/en?inventor=John+Elder&assignee=Elder+John> Have AG Wrigley pull his and Jeffery Deans record from Washington State, True Story friends and I do understand the laws of defamation. I source my statements.)

*Competitive Impact Statement (From Case NO. 1-10-00380 JDN Dept of Justice June 2010)*

*All devices are bound together by a collection of proprietary election management software and firm are, which enables their operation and the communication and reporting of election results.*

*A proven voting equipment system is an important consideration for many customers because, although certification testing is designed to screen out technical problems, even certified machines have demonstrated security and accuracy problems when deployed in an actual election, which can undermine the integrity of the democratic process.*

(Source Link 2010-06-30-United-States-et-al-v-Election-Systems-and-Software-Inc-Case-No-1-10-00380-JDB-Department-of-Justice-Jun-30-2010.pdf

We must have Paper Pollbooks Paper Ballots, Small precounts and hand counts, with extremely limited absentee ballots. What kind of legacy will this body leave to ND

before the term limits kick in. This is our opportunity to be bold to protect and secure North Dakota for our children, grandchildren, and generations to come. Let's start Now  
Please vote yes on SB 2308

#2

ALVIN A. JAEGER  
SECRETARY OF STATE

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SECRETARY OF STATE  
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**State Of North Dakota – Certification of Election Equipment**

Effective this date, I certify the following Election Systems and Software, Inc. (ES&S) Voting System components for use in the State of North Dakota. These voting system components have been officially determined and designated for use in every county of the State of North Dakota.

The following components are certified for use in the State of North Dakota:

**Operating System Requirements:**

- Windows 7 Professional, SP-1 (64-bit)
- Windows Server 2008, R2, SP-1 (64-bit)
- Windows 7 Enterprise, SP-1 (64-bit)

used IN 2020!

**Software Systems:**

Electionware Voting System (EVS) 6.0.4.0 with the following modules:

- Electionware, version 5.0.4.0
- Event Log Service, version 1.6.0.0
- Removeable Media Service, version 1.5.1.0
- ExpressVote Previewer, version 2.4.5.0

**Hardware Systems:**

- DS200 Hardware 1.3.11, version 2.17.4.0
- DS450 Hardware 1.0, version 3.1.1.0
- DS850 Hardware 1.0, version 3.1.1.0
- ExpressVote Hardware 2.1, version 2.4.5.0

This Certification is granted pursuant to North Dakota Century Code § 16.1-06-26 (attached). It also verifies that all components listed above and provided by ES&S comply with North Dakota Administrative Rule 72-06-01 (attached).

*In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the state at the Capitol in the City of Bismarck, on June 27, 2019*

Alvin A. Jaeger  
Secretary of State

# Public Notice

See Negative Votes

## KIDDER COUNTY ABSTRACT OF VOTES NORTH DAKOTA GENERAL ELECTION - NOVEMBER 03, 2020



### Area Church Schedules

#### STEELE CHURCHES:

**St. Francis de Sales Catholic Church** - Father Peter Sharpe, 701-475-2333. 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup> Sunday, 9:00 a.m.; 2<sup>nd</sup> and 4<sup>th</sup> Sundays, 11:00 a.m.

**Trinity Lutheran Church**-Pastor Jacob DeBoer. 475-2490. Sunday Worship, 10:30 a.m.

**United Methodist Church** - Marvin Winstryng, Pastor. Sunday worship, 9:00 a.m.

**Steele Presbyterian** - Bol Schoepp, Pastor. Sunday worship 9:30 a.m.

#### DAWSON CHURCHES:

**Dawson Lutheran Church** - Pastor Jacob DeBoer. Worship service, 9:00 a.m. at Dawson City Hall

#### TAPPEN CHURCHES:

**St. Paul's Catholic Church** - Father Peter Sharpe. 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup> Saturday, 5:00 p.m.; 2<sup>nd</sup> Sunday, 9:00 a.m.; 3<sup>rd</sup> Sunday, 11:00 a.m.

**St. John's Lutheran Church (Wisconsin Synod)** - Rev. Gai Juergens. Worship Service, 10:00 a.m.; Sunday School and Bible class, 11:00 a.m.; KSJB Radio Broadcast, 7:00 a.m.; Service on Ch. 26 BEK TV, 6:00 p.m. Sundays

**Zion United Methodist Church** - Pastor Brenda Goodman. Worship service 9:15 a.m.; Sunday School 10:30 a.m.

#### CRYSTAL SPRINGS CHURCHES:

**Faith Evangelical Church** - Pastor Stephen Peterson. Worship service 9:30 a.m.; Worship service, 10:45 a.m. Wed. night activities (except 1st Wed. month) for all ages. School year, 7 p.m. summer, 8 p.m.

#### MEDINA CHURCHES:

**St. Mary's Catholic** - Father Peter Sharpe. 2<sup>nd</sup> and 3<sup>rd</sup> Saturday, 5:00 p.m.; 4<sup>th</sup> Sunday, 9:00 a.m.; 1<sup>st</sup> and 5<sup>th</sup> Sunday, 11:00 a.m.

**Emmanuel United Methodist Church**. Pastor Brenda Goodman. Worship service, 10:30 a.m.

#### DRISCOLL CHURCHES:

**Grace Lutheran Church** - C. Neuharth, pastor. Worship service 9:30 a.m.; Ruth Circle - 2<sup>nd</sup> Thurs the month, 2:00 p.m.; Church Communion - 1<sup>st</sup> and 3<sup>rd</sup> Sunday of the month after church Communion - 1<sup>st</sup> and 3<sup>rd</sup> Sundays

#### TUTTLE CHURCHES:

**English Lutheran Church** - Pastor Trish DeBoer. Worship service 11:00 a.m.; Communion, 3<sup>rd</sup> Sunday Festival Days;

**Tuttle Methodist Church** - Pastor Marvin Winstryng. Worship service 10:30 a.m.

#### ROBINSON CHURCHES:

**Bethany Lutheran Church** - Pastor Trish DeBoer. Worship Service 9:30 a.m., third Sunday of month

#### PETTIBONE CHURCHES:

**Malcolm Congregational (I - Rural Pettibone**. Joan DeKrey, pastor. Worship service will be at 11:00 through Dec. 22.

**Our Saviors Lutheran** - 2<sup>nd</sup> Sundays, 11:00 a.m.; (Woodwort & 3<sup>rd</sup> Sundays, 11:00 a.m.)

#### STREETER CHURCHES:

**Ebenezer United Methodist** Pastor Juwla Nagbe, Worship Service 10:30 a.m., Fellowship, 9:00. S School, 9:15 a.m.

#### STERLING CHURCHES:

**United Methodist** - Pastor Sapp. 701-387-4792, 701-955. Worship Service, 8:30 a.m.; Bible Tuesday, 10:00

		Total	Tuttle	Robinson	Pettibone	Steele	Dawson	Tappen
President & Vice-President of the United States	Biden and Harris Democratic-NPL	221	36	26	21	96	13	29
	Jorgensen and Cohen Libertarian	22	2	1	1	12	1	5
	Trump and Pence Republican	1,215	98	79	82	534	148	274
	write-in - scattered	2	0	0	0	0	0	2
	Total	1,460	136	106	104	642	162	310
Representative in Congress	Kelly Armstrong Republican	1,217	102	79	81	535	145	275
	Steven James Peterson Libertarian	27	1	1	1	13	5	6
	Zach Raknerud Democratic-NPL	212	32	25	21	95	11	28
	write-in - scattered	0	0	0	0	0	0	0
Total	1,456	135	105	103	643	161	309	
State Senator District 14	Jerry Klein Republican	1,189	96	71	78	522	140	282
	Jenna Vanhorne Democratic-NPL	255	37	32	25	119	15	27
	write-in - scattered	2	1	0	0	1	0	0
Total	1,446	134	103	103	642	155	309	
State Representative District 14	Richard Lynne Democratic-NPL	196	33	30	19	80	9	25
	Don Nelson Republican	1,056	78	50	68	461	137	230
	Mark Nelson Democratic-NPL	244	35	31	27	110	10	31
	Robin Weisz Republican	1,093	88	66	70	480	134	255
	write-in - scattered	1	0	0	0	1	0	0
	Total	2,592	234	185	184	1,135	287	567
Governor and Lt. Governor	Shelley Lenz and Ben Vig Democratic-NPL	215	32	21	20	98	13	31
	Doug Burgum and Brent Sanford Republican	928	79	68	67	411	99	204
	DuWayne Hendrickson and Joshua Voytek Libertarian	75	4	3	3	35	12	18
	write-in - scattered	224	19	13	15	92	33	52
	Total	1,442	134	105	105	636	157	305
State Auditor	Joshua C Gallion Republican	1,148	93	71	75	491	145	273
	Patrick Hart Democratic-NPL	274	35	31	24	137	14	33
	write-in - scattered	0	0	0	0	0	0	0
Total	1,422	128	102	99	628	159	306	
State Treasurer	Thomas Beadie Republican	1,122	89	71	75	483	145	259
	Mark Haugen Democratic-NPL	292	41	30	24	138	15	44
	write-in - scattered	0	0	0	0	0	0	0

		Total	Tuttle	Robinson	Pettibone	Steele	Dawson	Tappen
Insurance Commissioner	write-in - scattered	3	0	0	0	1	0	2
	Total	1,417	130	101	99	622	160	305
	Jon Godfred Republican	1,286	99	88	91	569	148	291
Public Service Commissioner	write-in - scattered	12	3	2	0	5	0	2
	Total	1,298	102	90	91	574	148	293
	Casey D Buchmann Democratic-NPL	262	32	29	22	123	15	41
Superintendent of Public Instruction	Brian Kroschus Republican	1,134	92	71	74	498	141	258
	write-in - scattered	1	0	0	1	0	0	0
	Total	1,397	124	100	97	621	156	299
Justice of the Supreme Court	Kirsten Baesler Nonpartisan	698	65	54	60	265	91	163
	Brandt J Dick Nonpartisan	670	58	46	35	341	65	125
	write-in - scattered	9	0	0	1	2	0	6
Total	1,377	123	100	96	608	156	294	
Southeast Judge of the District Court No. 1 Unexpired 4-Year Term	Don Jay Jensen Nonpartisan	1,238	106	85	84	536	145	282
	write-in - scattered	5	0	1	0	2	1	1
	Total	1,243	106	86	84	538	146	283
County Commissioner Kidder	Cherie L Clark Nonpartisan	1,231	104	87	84	530	147	279
	write-in - scattered	8	0	1	0	5	0	2
	Total	1,239	104	88	84	535	147	281
Supervisor, Soil Conservation District Kidder County Soil Conservation District	write-in - Darrell Guthmiller Nonpartisan	329	38	43	66	100	32	50
	Dan P Mitteldeier Nonpartisan	609	50	28	22	289	49	171
	Donnie Rudolph Nonpartisan	474	38	29	10	233	78	86
	write-in - Scattered Nonpartisan	37	9	1	6	6	6	9
	write-in - scattered	-30	-9	0	-6	0	-6	-9
Total	1,419	126	101	98	628	159	307	
Supervisor, Soil Conservation District Kidder County Soil Conservation District	Justin Olson Nonpartisan	1,293	110	95	88	561	145	294
	write-in - scattered Nonpartisan	11	1	1	1	4	4	4
	Total	1,304	111	96	89	565	149	298
Constitutional Measure No. 1 Relating to the state board of higher education	Curtis Halbeck Nonpartisan	1,264	110	92	88	550	143	281
	write-in - scattered Nonpartisan	16	1	1	1	1	3	3
	Total	1,280	110	93	88	561	144	284
Constitutional Measure No. 2 Relating to initiated constitutional amendments.	write-in - scattered	0	0	0	0	0	0	0
	Total	1,280	110	93	88	561	144	284
	Yes	241	13	22	20	102	25	59
No	1,123	111	79	77	496	126	234	
Total	1,364	124	101	97	598	151	293	
Constitutional Measure No. 2 Relating to initiated constitutional amendments.	Yes	428	31	26	42	190	51	88
	No	916	92	75	54	398	96	201
	Total	1,344	123	101	96	588	147	289

**PUBLIC NOTICES**

A public notice is information informing citizens of government activities that may affect the citizens' everyday lives. Public notices have been printed in local newspapers, the trusted sources for community information, for more than 200 years.

North Dakota newspapers also post public notices that are printed in newspapers on [www.ndpublicnotices.com](http://www.ndpublicnotices.com) at no additional charge to units of government.

## KIDDER COUNTY ABSTRACT OF BALLOTS CAST NORTH DAKOTA GENERAL ELECTION - NOVEMBER 03, 2020

District	Precinct Name	Ballots Cast
LG14	Tuttle	137
	Robinson	107
	Pettibone	106
	Steele	651
	Dawson	162
	Tappen	314
	Subtotal	1477
Total	1477	

5A

[Note: Brian Newby later married Jessica White, who now is Jessica Newby, current Information Security Officer for the NDIT. Brian Newby currently serves as ND Director of Elections.]

**AP** AP NEWS

## AP Exclusive: US elections chief left behind Kansas scandal

By ROXANA HEGEMAN October 17, 2016



WICHITA, Kan. (AP) — When Brian Newby took the helm of a federal election agency, he left behind an unfolding scandal in Kansas where he was having an affair with a woman he promoted in his previous job and used her to skirt oversight of their lavish expenses, prompting a local prosecutor to investigate, according to emails obtained by The Associated Press.

The affair and resulting fallout was revealed in hundreds of emails ordered released after AP sued Johnson County, the Kansas City suburb where Newby was the top election official before leaving to become executive director of the U.S. Election Assistance Commission.

The emails — coupled with hundreds more obtained from the Kansas secretary of state's office through a separate open records request — portray a rogue election official who berated employees and deliberately bypassed supervision. They also document a toxic workplace created by his affair with then Assistant Election Commissioner Jessica White, an apparent violation of county policy on intimate relationships with subordinates.

In a June 2015 exchange from his work email to her personal address, the then-married Newby told White: “You, my little lover, are so wonderful.” In graphic language, Newby also describes a sex act he wishes he was doing with her, “scheming and dreaming with you into the night.”

Newby and White did not respond to numerous phone and email messages seeking comment.

Newby’s penchant for ignoring supervision continued when he took the top federal job in November 2015 at an agency whose mission is to make voting easier. He enraged voting rights advocates when, without public notice or approval from agency commissioners, he tightened voting registration rules in three states. A federal appeals court last month temporarily blocked Newby from changing a federal voter registration form to require residents of Kansas, Alabama and Georgia to show proof of U.S. citizenship, saying it is “difficult to imagine a more clear violation” of federal administrative law.

A scathing county audit of the Kansas election office found Newby intentionally circumvented oversight by charging expenses to White’s government credit card, allowing him to review and approve his own spending. Auditors also said Newby and White made purchases without sufficient business justification and supporting documentation.

Some emails offer a glimpse into an investigation opened by the district attorney’s office. Newby’s Kansas office had drawers full of phones, tablets and other equipment not listed in inventory. Tom Gottschalk, financial crimes investigator for the district attorney, asked in one email for access to the locked office to examine them. The investigator also wanted a list of everything the elections office had discarded as surplus in the last five years.

Kristi Bergeron, spokeswoman for the district attorney’s office, said she did not know the status of that investigation.

In an email touching on his management style, Newby prodded an employee to speed up work on a project by noting he had “terrorized” two other employees. He copied one of those employees on that email, telling the person he was doing so in the event they wanted to commiserate or “share the therapy sessions I undoubtedly caused.”

Newby promoted White to assistant election commissioner in January 2015, emails show.

White at times publicly belittled other employees, often leaving them in tears, and some colleagues feared crossing her because Newby always backed her, said a former employee who spoke to the AP on condition of anonymity because of career concerns. One email sent to the secretary of state's office refers to numerous grievances filed against her with the county's human resources department.

Newby would spend hours alone with her each work day in his closed office or in the warehouse where there is a workout area. They were frequently gone on business trips together, the former employee said.

The evening before the local election in April 2015, a line of poll supervisors waited half an hour for a list from White because no one dared knock on his office door and interrupt the couple, the former employee said.

Johnson County officials met with Kansas Secretary of State Kris Kobach and his staff on April 22, 2015, about "several concerns" dealing with the election office, according to an email from county spokeswoman Sharon Watson. The email does not specify the concerns.

Kobach said through his spokeswoman that he was not aware of Newby's affair at the time he reappointed him to the Kansas job and recommended him for the federal position.

"Mr. Newby was, and remains, one of the most highly regarded election administrators in the United States. He has received national awards for his excellent and innovative work," Kobach told AP in a statement. "It was for that reason that I re-appointed him to the position of Johnson County Election Commissioner in 2014. And it was for that reason that I later recommended him favorably to the EAC when I was asked my opinion."

After auditors presented their findings to county officials in March, Johnson County Commissioner Steve Klika publicly apologized to Newby's replacement for having "to deal with this."

White resigned from the Johnson County election office in January, and is now is a Washington, D.C.-area voter services manager at the Montgomery County Board of Elections in Maryland.

Newby filed for divorce from Lori Newby in March 2015 and a decree last month ended their 30-year marriage.



Elections office staff “collectively gave a sigh of relief” when they learned Newby was leaving, election worker Jenifer Lefort wrote in an email to Kobach. She said his departure would help “restore morale and well-being.”

Others were less restrained. Janette Scobey, the office technology manager, wrote to Kobach, “I just wanted to say thank goodness he is out of here.”

Online link to article

<https://apnews.com/article/799a7b6e991941c682ebc15c90c89094>

#5 B

[Note: Brian Newby currently serves as ND Director of Elections with the ND SoS Office.]



# Election Official Accused of Subverting His Own Agency's Mission

JERRY LAMBE Jun 15th, 2019, 4:41 pm



The Election Assistance Commission (EAC), a small but critical federal agency that plays a crucial role in protecting the security of American elections is currently in the grips of a leadership crisis that could potentially have catastrophic consequences according to a Saturday report from Politico. (<https://www.politico.com/story/2019/06/15/federal-election-brian-newby-2020-1365841>)

EAC executive director **Brian Newby** has reportedly spent the last four years heading the agency blocking election security initiatives at every turn, micromanaging agency employees' communications with colleagues at other agencies with that have parallel mandates, and ignoring direct questions and requests from agency staffers. Politico spoke with **seven different sources** in the course of their reporting, all of whom spoke on the condition of anonymity in order to speak freely.

Overall, with an unprecedented nine EAC office directors having left office since Newby's arrival, the report paints a grim picture of a federal agency in utter disarray at a time when its services are essential to preserving America's voting apparatus.

Congress created the EAC in the aftermath of the 2000 presidential election's mismanagement (resulted in the hanging-chad fiasco) with the intention that it serve as a clearinghouse for proper election administration procedures. The agency is led by four politically appointed commissioners who are charged with policy decisions such as approving the Voluntary Voting Systems Guidelines, while the executive director manages the staff and acts as a conduit in presenting their work and findings to the commissions.

Following confirmation of Russian interference in the 2016 election, the significance of the EAC's role in election supervision has taken on unprecedented importance.

However, according to former employees, Newby is doing everything in his power to prevent the agency from taking tangible steps to prevent similar election interference in 2020.

On numerous occasions, Newby ordered staffers to cease work on cybersecurity best-practices documents that normally provide federal and state election officials with integral guidance pertaining to proper election procedures.

"The executive director was not supportive of [cybersecurity guidance] and put [up] roadblocks," whenever possible according to a former federal employee interviewed by Politico. The former employee also said that Newby provided "zero response to direct questions," leaving staffers in the dark about their objectives, but would then reprimand them for whatever it is they were doing. The dynamic led the agency to a stand-still as employees feared that doing certain work would get them into trouble.

A second former employee said that Newby actively prevented agency staff from taking part in any election security events, conferences, panels and training sessions. "It was constant frustration," he added.

Additionally, a voting security researcher who had previously worked with Newby told Politico that the EAC director "doesn't fully understand election security or why it's important."

In one example, the voting security researcher recalled an instance in which he attempted telling Newby Microsoft's plan to develop secure electronic voting technology for use in elections. "He was gobsmacked and kind of suspicious...like, 'why would a large corporation care about stable democracies?'"

A former election official who essentially described Newby as an absentee director when it came to working with other agencies and election administrators summed up his tenure by saying, "If you asked most people, 'Does Brian Newby provide value to you in your job? You would probably get, 'Who's Brian Newby?,'" in response.

When questioned about the allegations in Politico's report, Newby said he couldn't respond to any claims about blocking work on cybersecurity best-practice documents "without knowing what those documents are. He also said he was unaware of any efforts to keep staff from participating in election security events and conferences, but did point out that those complaints may have been the result of some travel restrictions required due to budgetary constraints.

Online Link to Article


<https://lawandcrime.com/high-profile/election-official-accused-of-subverting-his-own-agencys-mission/>

#5C  
F3B



### Jessica Newby · 2nd

Governance, Risk & Compliance Team Lead at North Dakota Information Technology Department

-  North Dakota Information Technology Department (ITD)
-  Ottawa University

Greater Bismarck Area · [Contact info](#)  
500+ connections

1 mutual connection: Pam Ferderer

[Message](#) [More](#)

### About

Experienced Compliance Manager with a demonstrated history of working in the government administration industry. Skilled in Operations Management, Legal Compliance, Team Building, Innovation Development, and Leadership. Strong community and social services professional with a Bachelor of Business

### Activity

531 followers

Jessica Newby commented on a post · 2mo

Thanks for choosing us! We are so excited to have you and can't wait to see all the great things you do!



26 comments

Jessica Newby reposted this · 2mo

**Cybersecurity Risk Management: Frameworks, Plans, & Best Pra...**

hyperproof.io · 10 min read

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### Experience



**North Dakota Information Technology Department (ITD)**

Full-time · 3 yrs

**Governance, Risk & Compliance Team Lead**

Jul 2022 - Present · 7 mos

**Information Security Officer**

Feb 2020 - Jul 2022 · 2 yrs 6 mos

**Voter Services, Program Evaluation and Compliance Manager**

Montgomery County Board of Elections

Feb 2016 - Feb 2020 · 4 yrs 1 mo

**Johnson County Election Office**

6 yrs

**Assistant Election Commissioner**

Dec 2014 - Jan 2016 · 1 yr 2 mos

**Election Office Administrator**

Feb 2010 - Nov 2014 · 4 yrs 10 mos

**Education**



**Ottawa University**

Bachelor of Business Administration - BBA, Business Administration and Management

**Skills**

**Legal Compliance**

1 endorsement

**Strategic Planning**

3 endorsements

**Business Strategy**

2 endorsements

Show all 40 skills →

**Interests**

Top Voices

Companies

Groups

Schools



#5C

F B

Front and Back



AKA Jessica White

### Jessica Newby · 2nd

Governance, Risk & Compliance Team Lead at North Dakota Information Technology Department

- North Dakota Information Technology Department (ITD)
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Show all 40 skills →

**Interests**

Top Voices

Companies

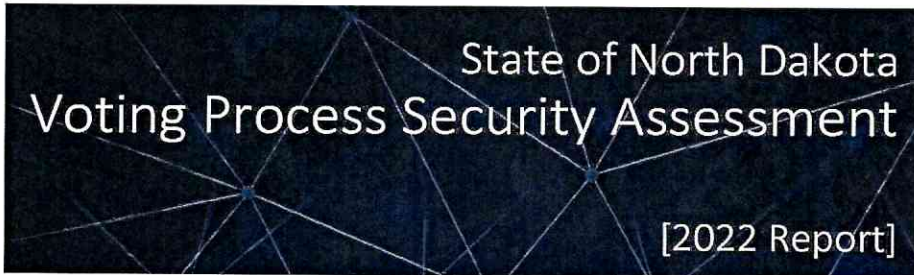
Groups

Schools



# SD Front and Back

See Back



This is information taken from:

[https://www.nd.gov/auditor/sites/www/files/documents/Reports/IT%20Security/ND\\_Voting\\_Security\\_Assessment\\_2022\\_Final.pdf](https://www.nd.gov/auditor/sites/www/files/documents/Reports/IT%20Security/ND_Voting_Security_Assessment_2022_Final.pdf)

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## 2 INTRODUCTION

This Security Assessment Report (SAR) contains the results of a review of voting processes in the state of North Dakota (ND). The process review took place from 05/16/2022 through 07/31/2022. This assessment focused on possible vulnerabilities or threats related to the voting process only; no technical testing was conducted. The assessment team did not validate technical controls or review technical configuration of any system involved in the voting process.

The objective of this assessment is to evaluate the security of the voting process by interviewing key personnel and stake holders, reviewing technical documentation, and observing representative models of the voting equipment used in the voting process. This report is a review of current processes and is not intended to validate or invalidate the outcome of previous elections.

### 2.1 PURPOSE

The purpose of this document is to provide the ND State Auditor's office with a risk assessment of the state's voting process based on information provided by the Office of the Secretary of State (SoS) and North Dakota Information Technology (NDIT).

### 2.2 SCOPE

Over the course of the assessment, the assessment team conducted two remote interview sessions with key SoS and NDIT election staff. The assessment team also reviewed documentation provided, conducted in-person interviews and physical inspection of voting machines located in the state capitol building in Bismarck, ND.

#6

# POLITICO

## CYBERSECURITY

### Election commission orders top voting machine vendor to correct misleading claims

This isn't the first time Election Systems & Software has faced accusations of making fabricated or misleading assertions about its voting machines.



A voter in a voting booth. | Steve Helber/AP Photo

By KIM ZETTER

08/13/2020 05:00 PM EDT

The federal Election Assistance Commission has rebuked the nation's top voting-machine maker over marketing materials that the panel says deceptively implied the company's voting machines are EAC-certified.

The commission admonished Election Systems & Software over promotional literature and statements on its website that appear to assert, falsely, that voting machines the company sells with embedded modems have been sanctioned by the EAC under its testing and certification program. The statements put ES&S in violation of the EAC's testing and certification rules, the commission wrote in a previously unreported [March 20 letter to the company that POLITICO obtained](#), and directed ES&S to revise the literature and notify customers that the systems are not certified.

POLITICO reported earlier this year that the EAC was looking into the matter but hadn't yet determined whether ES&S had violated its rules.

Some state laws require voting machines used in their jurisdictions to be certified by the EAC. That means that if jurisdictions in those states are using the noncertified systems, it could potentially put election officials in violation of their state law.

“The action by the EAC is welcome, but it’s not enough, vendors need to be held accountable for their deceptions and it’s time for Congress to exercise oversight of this industry to protect our democracy,” said Susan Greenhalgh, senior adviser on election security for Free Speech for People, an election integrity group that brought the issue to the EAC’s attention.

The EAC did not respond to a request for comment.

**What the dispute is about:** The issue involves ES&S’ DS200 precinct-based optical-scan machines, which come in two versions — one of which has an optional modem for transmitting results after an election.

The EAC certified the DS200 version without modem capability in 2009, but it has never certified the modem capability that comes with the second version, although the remaining components in that system are certified. In 2011, ES&S submitted a DS200 system with modem and network capability to the EAC for testing and certification, but after the testing lab created a protocol for evaluating this capability, ES&S withdrew those parts of the system from the testing plan; the remainder of the system was tested and certified without them in 2013.

ES&S markets the DS200 as an EAC-certified system, and in literature for the system it offers the modem capability as an optional feature — without indicating that the EAC has not certified this feature. Any component that is not EAC-certified and is added to an EAC-certified system effectively voids the certification of that system.

Under the EAC’s testing and certification rules, manufacturers can label a system EAC-certified only if the whole system is certified. “The certification of individual components or modifications shall not be independently represented by a Mark of Certification,” the EAC’s certification manual says. The rules also require that a company’s user manuals “warn purchasers that any changes or modifications to the system not tested and certified by the EAC will void the EAC certification of the voting system.”

**How this came to light:** Lawyers for Free Speech for People and another election integrity group — the National Election Defense Coalition — [sent a letter to the EAC in January](#) pointing out misrepresentations in the ES&S literature, as POLITICO reported at the time. POLITICO subsequently reported that the commission had [opened a probe into the complaints](#), and that [ES&S had updated one of its advertising brochures](#) to remove references to the modem.

In one example the groups cited, marketing literature for the DS200 with an optional add-on modem is stamped with an “EAC certified” logo. And a diagram the company gave Rhode Island election officials in 2015 shows a DS200 system with an embedded modem among components marked as EAC-certified.

A different ES&S document submitted to Rhode Island states that the “modem transmission of results” is not EAC-certified, nor is the back-end server that receives the transmitted results. But the diagram suggests that the DS200 with modem is certified, while the cellular network the votes traverse after they leave the machine and the server receiving them are not certified.

**What the commission found:** The EAC agreed with the two election integrity groups and sent ES&S a letter in January indicating it was violating the EAC testing and certification program rules.

ES&S responded that it never meant to imply that the modem capability was certified, and said that regardless of what appears in the literature it always makes clear to states that the modem configuration is not EAC-approved. Nonetheless, the company agreed to remove all references to optional modems from its marketing documents.

But in a followup letter from the EAC on March 20, the commission indicated this was an insufficient remedy. It instructed the company to recall all misleading marketing materials already in circulation and to directly notify current and potential customers who received the “misrepresented information” that it had been inaccurate. It gave the company 15 days to do this.

“Failure to comply will result in the EAC publicly announcing that the voting system no longer complies with its original certification, and could include initiating decertification actions and/or suspension of manufacturer registration,” wrote Jerome Lovato, director of the EAC’s testing and certification program.

ES&S agreed to send a letter only to customers who use the DS200 with modems, informing them that the version is not EAC-certified, and to post a note to its customer portal advising the same. It indicated that the coronavirus could delay these efforts, though it would make “commercially reasonable efforts” to do this by April 15.

ES&S told POLITICO it sent a letter via email the first week of April to “all applicable modem customers (89 in total),” and posted a notice on its customer portal.

When asked, ES&S did not identify those 89 customers, saying it could not release specific information about customers without their permission. A spokesperson for the Wisconsin Election Commission, whose state is known to use DS200 machines with modems, told POLITICO it did receive the letter from ES&S in early April. Other jurisdictions known to have purchased DS200 systems with modems and contacted by POLITICO did not respond to inquiries.

**Key background:** This isn’t the first time ES&S has faced accusations of making fabricated or misleading assertions about its voting machines. In 2018, the company [denied to The New York Times](#) that it had ever installed remote-access software on any of its election management systems. But after being pressed by Sen. Ron Wyden (D-Ore.) about the matter, the company [admitted it had installed the software](#) on systems in at least 300 election jurisdictions. (The company has refused to identify which jurisdictions had the software.)

Election-management systems are critical components that are used to tally official results and in some cases program voting machines before each election. Remote-access software, which ES&S was using to access those systems over the internet or via modem for troubleshooting, exposed those systems to potential hacking by intruders.

Similarly, the company has long insisted, along with its election customers, that none of its voting systems ever connect to the internet. But researchers found what they believed to be more than three dozen ES&S systems connected to the internet, in a [story published last year](#). Company diagrams showing the configuration of modem-enabled DS200 systems clearly depict the modems transmitting election results over the internet to ES&S election-management systems that also are connected to the internet.

Although ES&S has said the modems are secured and would prevent anyone from using them to hack the voting machines, the modem configurations have never undergone a security assessment by an EAC-approved lab to measure those claims.

ES&S told POLITICO it did obtain a security assessment this year from a Canadian-based security firm called Bulletproof Solutions. An ES&S spokesperson said the firm performed a penetration test of the DS200's communication methods for transmitting election results — a penetration test involves attempts to hack or penetrate a system — and said that Bulletproof was “unable to penetrate any of the systems.”

An assessment done by a third-party company, however, is not transparent in the way that assessments done by EAC labs are. The labs follow a published protocol, and their reports are submitted to the EAC. ES&S declined to provide POLITICO with a copy of Bulletproof's security report, saying it's still in draft form and not ready for public release. The company spokesperson said they would have to look into why the company previously withdrew the modem transmission configuration from EAC testing and certification done on the DS200 in 2013.

**What's next:** ES&S will play a major role in the November election. The company has previously said that more than 33,000 DS200 optical scan machines with modems are in use in 11 states and the District of Columbia but has never identified which jurisdictions this includes beyond D.C.

Online Link to Article:

<https://www.politico.com/news/2020/08/13/election-voting-machine-misleading-claims-394891>

#8

# POLITICO

2020 ELECTIONS

## The election security hole everyone ignores

Increasing numbers of polling places use electronic devices to check in voters and verify their eligibility. But the devices often create chaos and introduce new vulnerabilities to elections.



A poll worker uses the new E-Poll Book tablet to process a voter. | Bebetto Matthews/AP Photo

By KIM ZETTER  
08/31/2020 08:03 PM EDT

Growing numbers of elections offices across the U.S. are using electronic devices to sign voters in at the polls — a shift that has occurred with little scrutiny despite a host of security questions and a history of balloting meltdowns.

Problems with the devices, known as electronic pollbooks, caused long lines during this year's presidential primary in Los Angeles County and contributed to chaos and hours-long waits during Georgia's primary in June. They led to past years' snafus in places such as Philadelphia, North Carolina, Indiana and South Dakota.

While tampering with e-pollbooks wouldn't directly change anyone's vote, malfunctions or cyberattacks against the devices could sway the outcome in other ways — for instance by causing delays that prevent people from voting.

Pollbooks, unlike voting machines, do not undergo federal testing and certification and have no uniform standards governing their design or security. There is also no oversight of the handful of vendors who dominate the industry to ensure they keep their own networks secure. Kremlin-linked hackers attempted to breach the network of at least one U.S. e-pollbook provider in 2016, according to a leaked NSA document.

Federal lawmakers such as Sen. Ron Wyden (D-Ore.) have [questioned electronic pollbook makers](#) about the security of their products and networks. E-pollbooks and the companies that make them have gone too long without oversight, Wyden told POLITICO in an email.

“Electronic pollbooks have failed, repeatedly, in elections across the country and are clearly one of the weakest links in our election infrastructure,” he wrote.

Introduced more than a decade ago to replace printed pollbooks, the devices were used by election offices in 36 states in the 2018 elections, according to the [National Conference of State Legislatures](#), which said the number of jurisdictions using them had risen 48 percent since 2016. Jurisdictions using the devices accounted for about half of all registered voters four years ago, according to the National Academy of Sciences. They are especially common in densely populated urban areas.

The Brennan Center for Justice, which has been involved in improving election administration for more than a decade, calls electronic pollbooks an “[overlooked vulnerability](#).”

“Anecdotally, when you dig into problems that happen at polling places, more often than not it's the electronic pollbooks rather than the voting machines” that cause issues, said Larry Norden, director of the center's Election Reform Program. “I've spoken with a lot of election officials who are frustrated that there are no [national] standards for pollbooks and no testing.”

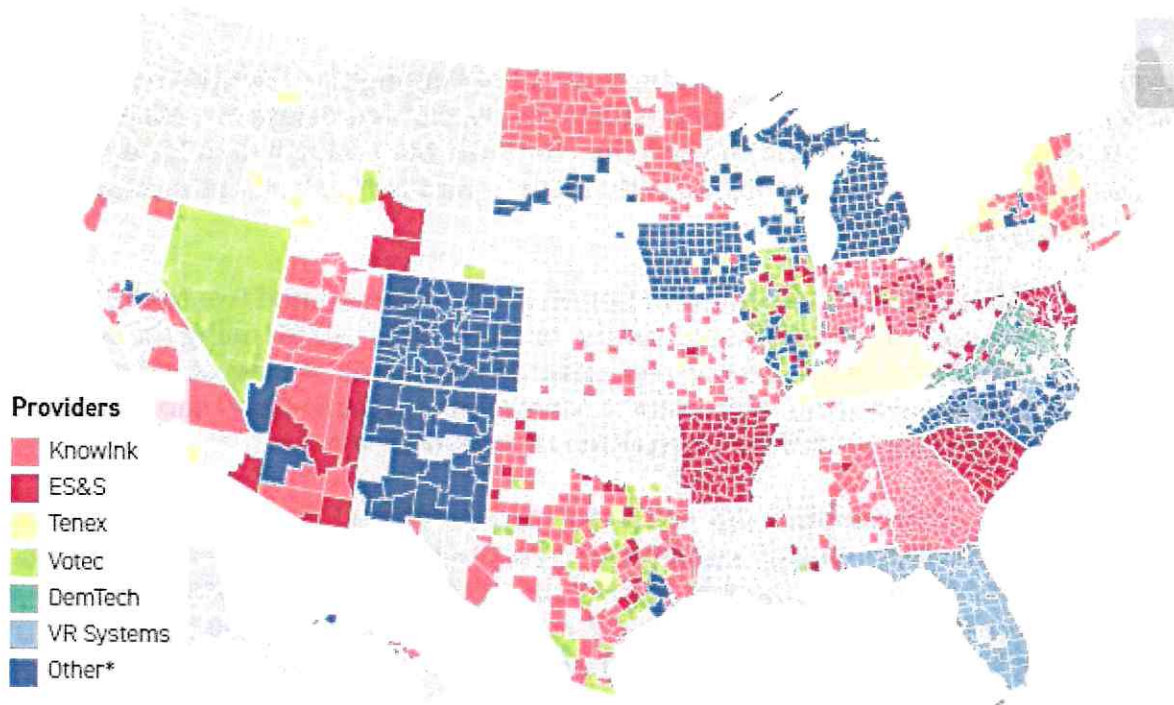
Election Systems & Software, one of the top providers of e-pollbooks, told POLITICO it would support a change to this state of affairs.

“[W]e believe Congress should establish standards for mandatory testing for both voter registration and pollbooks for all U.S. election providers,” ES&S spokesperson Katina Granger said in an email.



## New election worry: Electronic pollbooks

A small number of vendors dominates the market for devices used to sign in voters at the polls, according to new data from a nonprofit election-integrity group. The devices have contributed to some Election Day breakdowns and don't face federal standards, raising security worries.



\*Includes other private vendors as well as pollbook systems developed independently by a state or county government.

Map: Bob King / POLITICO Source: [Verified Voting](#)

E-pollbooks serve multiple purposes: Voters use them to sign in at the polls, and poll workers use them to verify the voters' eligibility to cast ballots. In some jurisdictions, they also tell electronic voting machines which digital ballot to display to the voter.

The devices often communicate wirelessly with each other and with backend voter registration databases, offering a potential pathway for hackers who get onto that wireless network to delete or alter voter records — to indicate falsely, for example, that someone has already voted. Hackers could further use the wireless connection to breach the backend databases and other systems connected to them.

Hackers could also manipulate voting machines via pollbooks in jurisdictions where those devices tell electronic voting machines which ballot to display. A hacker could potentially cause an e-pollbook to embed malicious commands in the voter access card, barcode or QR code that some of those devices use to convey instructions to the voting machines, according to Harri Hursti, a security expert and an organizer of the Voting Machine Hacking Village at the annual Def Con security conference.

Some pollbooks can be remotely locked or disabled by election staff, raising the possibility that a malicious actor could do the same.

### **‘That’s a system design problem’**

Security risks aside, the devices have experienced trouble in multiple elections.

During South Dakota’s June 2018 primary, all 44 of Pennington County’s new electronic pollbooks [crashed](#) and had to be rebooted repeatedly, causing delays in voting. Precincts with paper backups of the voter roll switched to those, but voting halted for up to 90 minutes in more than a dozen precincts that had to wait for backups, prompting some voters to [leave without voting](#).

In 2018’s midterm elections in Johnson County, Ind., voters waited two to three hours when software used to sync pollbooks slowed or froze. Other states using the same model of pollbooks made by ES&S also experienced problems. An investigation found that all ES&S pollbooks around the country were using the same cloud server to sync, providing a single point of failure when demand exceeded capacity.

In August 2019, Philadelphia’s new pollbooks made by [KnowInk](#) — the nation’s leading provider of the devices — [failed to properly connect](#) to printers during a test election, causing concern about using them in a November election. And in Georgia, which also rolled out KnowInk e-pollbooks statewide that year, the devices [experienced issues](#) during their first election that November.

During this year’s Georgia presidential primary, [issues with the KnowInk pollbooks](#) were again among [a cascade of troubles](#) that forced some voters to wait up to eight hours. Democratic Senate candidate Jon Ossoff denounced the plethora of election problems as a “disgrace” and “an affront to the principles of our Constitution.”

Georgia officials blamed the pollbook problems specifically on poll workers’ errors and poor training. But county officials and election integrity groups disagreed.

“Look, if one poll worker makes a mistake, that’s user error,” Eddie Perez of the Open Source Election Technology Institute told The Atlanta Journal-Constitution. “If you have many poll workers unable to operate the system, that’s a system design problem.”

This year presents new challenges for electronic pollbooks. Although more voters than ever are expected to vote from home because of the pandemic, [longstanding problems](#) with timely delivery of mail-in ballots will cause many to cast ballots in-person. With sports stadiums being recruited to [stand in for some traditional polling places](#), the potential for meltdowns is high if election officials and pollbook vendors don’t plan for failures.

Wyden said election officials should ensure that every polling place has a paper backup of the voter roll, so poll workers can check in registered voters even if e-pollbooks fail. “Not fixing this issue is the definition of voter suppression,” he said.

## Years of glitches

Electronic pollbooks came into vogue after Congress passed the Help American Vote Act in 2002, two years after Florida's hanging-chad debacle. The law allocated nearly \$4 billion for states to purchase new election equipment and make other upgrades.

Voting machine vendors like Diebold Election Systems and ES&S won lucrative contracts for their voting machines — most of them paperless touchscreen machines — and then persuaded election officials to go paperless with pollbooks, too.

Georgia and Maryland were the first to adopt their use statewide in 2006. Both states were already using Diebold voting machines statewide and purchased the company's ExpressPoll pollbooks as well. But problems arose [during their first use](#) in the September 2006 primary in Maryland. A Johns Hopkins University computer science professor working as an election judge called them a “disaster,” and [described machines failing to sync](#) at his precinct and crashing and rebooting.

They were problematic in Georgia as well. During the presidential primary in 2008, voters waited up to 90 minutes because the pollbooks [kept crashing](#). Diebold quit the election business in 2009, but Georgia didn't replace its Diebold voting machines and pollbooks until this year. It now uses KnowInk pollbooks statewide.

No government agency or election integrity group tracks pollbook incidents, so problems generally come to light only in news coverage. Those stories rarely mention the make or vendor of these systems, making it difficult to track which companies and devices have had recurring problems.

To this end, Verified Voting, a nonprofit organization that has long tracked voting machine usage by jurisdiction, has for the first time begun compiling electronic pollbook usage data and [made it available online](#). Though not yet complete, it shows that about a dozen companies sell electronic pollbook systems, with two vendors dominating the market — KnowInk and ES&S. Some states, such as Colorado and Michigan, developed their own pollbook software, which they use statewide.

KnowInk, based in St. Louis, was founded in 2011 by Scott Leiendecker, a former city election director, and has quietly become the leading provider. Leiendecker said his company's PollPads are used in 29 states, which he declined to identify, plus the District of Columbia. Verified Voting has identified 22 states where jurisdictions use KnowInk e-pollbooks; in those jurisdictions alone, KnowInk accounts for more than 25 percent of all U.S. registered voters.

Second in line is ES&S, founded in Omaha, Neb., under another name in 1974 by [brothers Bob and Tod Urosevich](#). ES&S's ExpressPoll pollbooks are used in at least 17 states, according to Verified Voting.

## How pollbooks work

E-pollbooks vary in design and functionality. Most use customized off-the-shelf laptops and tablets with the pollbook vendor's software installed. Some can scan a voter's driver's license or ID card to speed lookup, and, as already noted, some are used to activate voting machines.

Electronic pollbooks offer advantages over paper pollbooks, such as faster voter check-in and the ability to determine the correct polling place for voters who show up at the wrong one. They can process Election Day voter registrations in states that allow those, and provide near-real-time syncing with other pollbooks and databases to prevent people from voting in multiple places.

The devices also let counties replace traditional precincts with large vote centers, so that people can cast ballots at any convenient location rather than be tethered to their neighborhood. Vote centers need a county's entire voter list, not just a neighborhood subset, which makes printed pollbooks impractical for them.

But these advantages fade when the machines fail and poll workers can't verify a voter's registration. The fallback when that happens is to make voters cast provisional ballots, but polling places often fail to stock enough of those. Provisional ballots also require more processing and can't be counted until the voter's eligibility is verified, therefore increasing the risk that they might not be counted before election results have to be certified.

The Brennan Center found that 17 states using e-pollbooks don't require a paper backup of the voter roll at polling places, and 32 states using e-pollbooks don't have contingency plans requiring a minimum number of provisional ballots be available.



FILE - In this Tuesday, March 3, 2020 file photo, voters wait in line to cast their ballots in the California Primary Super Tuesday at a voting center in El Segundo, Calif. California's top election official says Los Angeles County should mail ballots to its 5.5 million registered voters at least 29 days ahead of the November general election to avoid the lengthy delays that plagued polling places in the nation's most populous county on Super Tuesday. (AP Photo/Ringo H.W. Chiu, File) | Ringo H.W. Chiu/AP Photo

## When pollbooks fail

The devices generally fail in predictable ways: Crashing or failing to sync are the primary ones. When the problem isn't poor design or software bugs, it's usually poor contingency planning on the part of vendors or officials.

The March 3 meltdown in Los Angeles County, for example, was due mostly to poor planning, according to [a county report obtained by POLITICO](#). The county had 10 days of early voting before Election Day but used only a handful of pollbooks during that period. On the day of the presidential primary, when the remaining pollbooks had to be synced, 10 days of voter data had to update at once, which caused the devices to lock up.

Another type of failure causes even more insidious damage to voters' faith in the system: This occurs when pollbooks indicate falsely that voters are not registered, are in the wrong polling place or have already cast a ballot. The cause is sometimes a software glitch but more often out-of-date voter data that election workers have mistakenly left on pollbooks from a previous election. But these kinds of problems also resemble what would occur if a malicious actor altered individual voter records or replaced the entire database on pollbooks.

In 2010 in Shelby County, Tenn., for example, pollbooks incorrectly indicated that [5,400 voters had already voted](#). The issue disproportionately affected communities of color.

One of the most high-profile failures of this sort occurred during the 2016 presidential election, when pollbooks in Durham, N.C., indicated falsely that some voters weren't registered or had already voted. The incident later raised alarms following revelations that Russian hackers had [targeted the pollbooks' vendor, Florida-based VR Systems](#), and that two days before the election Durham had experienced problems with its VR Systems software and voter database. (VR Systems has denied that its systems were compromised.)

A partial investigation by a contractor hired by the county found that old voter data had been left on some of the pollbooks — attributed to an election staff error — but [a definitive investigation never occurred](#).

## Who's watching the vendors?

Although [no federal testing and certification exists for electronic pollbooks](#), [13 states have certification programs](#) to ensure that the devices meet their own functionality and design requirements. But the requirements vary by state, and not all certified systems are tested or undergo a security review.

[KnowInk's Leiendecker would not answer questions about the security of his company's systems](#). "[W]e do not discuss, disclose or divulge any sensitive information involving election security or any specific security initiatives we are engaged in on behalf of our clients," he wrote in an email.

ES&S did not say whether it had ever hired outside experts to conduct an independent security review of its pollbook. “ES&S thoroughly tests our pollbook product for security, and some of our customers do their own security evaluations of the product,” spokesperson Granger wrote in an email.

To address the absence of independent testing, the nonprofit Center for Internet Security [launched a pilot project](#) this year with the federal Election Assistance Commission to develop methods for assessing electronic pollbooks and other election systems that don’t fall under the EAC’s existing testing and certification program.

“This is a very different technology than voting systems,” said Aaron Wilson, senior director of election security at CIS. “It’s often connected to the internet, and the security of these systems is often predicated on the ability to change and update them rapidly to meet the ever-changing security landscape.”

KnowInk and VR Systems have submitted systems for the pilot project. ES&S has not submitted its e-pollbook to the project but plans to submit it to a private security firm, Synack, for examination.

Wilson said CIS will assess each vendors’ internal development processes to verify that they’ve followed security best practices, perform tests to see if their devices can be hacked and assign the pollbook and vendor a series of scores.

“We’re leaving [the conclusions] to the states,” Wilson said.

Ben Hovland, an EAC commissioner since last year, told POLITICO that creating such a centralized program is a no-brainer.

“Why should 50 states have to build 50 different certification programs? That doesn’t make any sense,” he said.

Online Link to Article

<https://www.politico.com/news/2020/08/31/election-security-hole-406471>

#7

# Murray Nash

Cass County North Dakota  
Fargo-Moorhead

## Summary

Retired senior officer of the Royal Australian Navy. Specializing in senior leadership and management positions with a focus on: detailed planning, coordination and task execution; supply and logistics; administration, finance and resource management; compliance and regulatory reporting; project management; strategic analysis and reporting; and human resource management. Performed a rich and diverse range of appointments throughout my career, including active service; various sea-going positions; elite representational positions (including a diplomatic posting to the Embassy of Australia in Washington, DC); career/personnel management; contracting and special projects management; and senior appointments within operational headquarters.

Experience in international business development, tertiary education and local volunteer / community based activities.

Proven leader with superior intelligence, a willingness to accept responsibility, high levels of personal and professional integrity and a can do attitude.

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## Experience

### Cass County

Cass County Government  
September 2022 - Present (5 months)  
Cass County, North Dakota, United States

### Nil

Exploring Opportunities  
April 2018 - Present (4 years 10 months)

### Sanford Health

Project Manager  
July 2017 - April 2018 (10 months)

## Contact

[www.linkedin.com/in/murraylnash](http://www.linkedin.com/in/murraylnash)  
(LinkedIn)

## Top Skills

Military  
Security Clearance  
Operational Planning

## Certifications

Chartered Fellow (FCILT)  
PRINCE2 Foundations

## Honors-Awards

Commander Joint Logistics  
Command - Commendation

### **Concordia College**

Adjunct Professor

January 2015 - May 2015 (5 months)

Moorhead, MN

Adjunct Professor at Offutt School of Business for the Spring 2015 semester. Instructed a course in Global Supply Chain Management, involving course development / enhancement, student assessment, review and academic development.

### **Royal Australian Navy**

Commander (Senior Logistics Officer)

January 1991 - October 2013 (22 years 10 months)

Australia & Global

Performed numerous senior leadership and management positions including: detailed operational planning, coordination and execution; program and project management; operational support, supply and logistics; high level administration, personnel, finance and resource management, and leadership. Performed a rich and diverse range of appointments throughout my career, including active service; various sea-going positions; elite representational positions (including a diplomatic posting to the Embassy of Australia in Washington, DC); career/personnel management; contracting and special projects management; and several positions within operational headquarters.

### **Invest Victoria, State Government of Victoria, Australia**

Manager, Defence & Aerospace Victorian Government Business Office  
2008 - 2009 (1 year)

Washington DC Metro area

Identified and developed business and investment opportunities (inbound and outbound) between the United States and Victoria, Australia, with particular regard to the areas of defense and aerospace. Served as the State liaison to several Fortune 500 companies. Developed and maintained commercially productive relationships with both new and old clients. Responsible for identifying business and investment opportunities, and maximizing those opportunities to increase revenue and profitability for the State. Generated new business for the State, both in face-to-face meetings and over the phone. Promoted the State to key industry and business leaders, ensuring that their knowledge was current and appropriate.



## **Australian Army**

### **Officer Under Training**

January 1988 - December 1990 (3 years)

#### **Australian Defence Force Academy**

Officer under training and degree studies. Basic military officer training and tertiary education. Primarily in Canberra, ACT region of Australia.

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## **Education**

### **Australian Defence College**

Graduate Diploma of Management in Defence Studies · (2005 - 2005)

### **University of Wollongong**

Graduate Certificate in Maritime Studies, International Maritime Policy and Law · (2005 - 2005)

### **Royal Australian Navy - AQF**

Graduate Diploma of Logistics Management, Logistics, Materials, and Supply Chain Management · (2001 - 2001)

### **Royal Australian Navy - AQF**

Graduate Diploma of Resource Management, Finance and Financial Management Services · (2001 - 2001)

### **University of New South Wales**

Bachelor of Arts, History & English (Double Major) · (1988 - 1990)

#10


Information obtained from Verified Voting.org. This is a partial list.

North Dakota is now running the same type of election equipment as Arizona.

## At A Glance — Election Day Equipment — Arizona — 2022

### Hand Marked Paper Ballots


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 **100.0%**

Percentage of registered voters living in jurisdictions using Hand Marked Paper Ballots for most voters

### Ballot Marking Devices (BMDs)

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 **0.0%**

Percentage of registered voters living in jurisdiction using Ballot Marking Devices for all voters

### Tabulation: Optical Scan

Type of Equipment	Make	Model
Hand-Fed Optical Scanner	Dominion Voting Systems	<a href="#">ImageCast Precinct (/election-system/dominion-cast-precinct/)</a>
Hand-Fed Optical Scanner	Election Systems & Software	<a href="#">DS200 (/election-system/ess-ds200/)</a>
Batch-Fed Optical Scanner	Election Systems & Software	<a href="#">DS450 (/election-system/ess-ds850-ds450/)</a>
Batch-Fed Optical Scanner	Election Systems & Software	<a href="#">DS850 (/election-system/ess-ds850-ds450/)</a>
Batch-Fed Optical Scanner	Unisyn Voting Solutions	<a href="#">OpenElect OVCS (/election-system/unisyn-voting-solutions-open-elect-ovcs/)</a>
Ballot Marking Device	Dominion Voting Systems	<a href="#">ImageCast X BMD (/election-system/dominion-cast-x-bmd/)</a>
Ballot Marking Device	Election Systems & Software	<a href="#">ExpressVote (/election-system/ess-expressvote/)</a>

Ballot Marking Device	Unisyn Voting Solutions	<a href="#">OpenElect FVT (/election-system/unisyn-ope</a>
Electronic Poll Book	Election Systems & Software	<a href="#">ExpressPoll (/election-system/ess-expresspol</a>
Electronic Poll Book	KNOWiNK	<a href="#">Poll Pad (/election-system/knowink-poll-pad.</a>
Electronic Poll Book	Robis	<a href="#">AskED ePollbook (/election-system/robis-ask</a>
Electronic Poll Book	Tenex	<a href="#">Precinct Central (/election-system/tenex-pre</a>

### Early Voting Equipment (Including In Person Absentee)

Type of Equipment	Make	Model
Hand-Fed Optical	Dominion Voting Systems	<a href="#">ImageCast Precinct (/election-system/domin</a>

Scanner		
Hand-Fed Optical Scanner	Election Systems & Software	<a href="#">DS200 (/election-system/ess-ds200/)</a>
Batch-Fed Optical Scanner	Election Systems & Software	<a href="#">DS450 (/election-system/ess-ds850-ds450/)</a>
Batch-Fed Optical Scanner	Election Systems & Software	<a href="#">DS850 (/election-system/ess-ds850-ds450/)</a>
Batch-Fed Optical Scanner	Unisyn Voting Solutions	<a href="#">OpenElect OVCS (/election-system/unisyn-v-scan-ovcs/)</a>
Ballot Marking Device	Dominion Voting Systems	<a href="#">ImageCast X BMD (/election-system/dominic</a>
Ballot Marking Device	Election Systems & Software	<a href="#">ExpressVote (/election-system/ess-expressvc</a>

Ballot Marking Device	Unisyn Voting Solutions	<a href="#">OpenElect FVT (/election-system/unisyn-ope</a>
Electronic Poll Book	Election Systems & Software	<a href="#">ExpressPoll (/election-system/ess-expresspol</a>
Electronic Poll Book	KNOWiNK	<a href="#">Poll Pad (/election-system/knowink-poll-pad,</a>
Electronic Poll Book	Robis	<a href="#">AskED ePollbook (/election-system/robis-ask</a>
Electronic Poll Book	Tenex	<a href="#">Precinct Central (/election-system/tenex-pre</a>

#12

# Chinese parts, hidden ownership, growing scrutiny: Inside America's biggest maker of voting machines

Scrutiny of the U.S. election system, spurred by Russia's interference in the 2016 election, has put Election Systems & Software in the political spotlight.

Dec. 19, 2019, 5:30 AM CST

By [Ben Popken](#), [Cynthia McFadden](#) and [Kevin Monahan](#)

OMAHA, Neb. — Just off a bustling interstate near the border between Nebraska and Iowa, a 2,800-square-foot American flag flies over the squat office park that is home to Election Systems & Software LLC.

The nondescript name and building match the relative anonymity of the company, more commonly known as ES&S, which has operated in obscurity for years despite its central role in U.S. elections. [Nearly half of all Americans](#) who vote in the 2020 election will use one of its devices.

That's starting to change. A new level of scrutiny of the election system, spurred by Russia's interference in the 2016 election, has put ES&S in the political spotlight. The source of the nation's voting machines has become an urgent issue because of real fears that hackers, whether foreign or domestic, might tamper with the mechanics of the voting system.

That has led to calls for ES&S and its competitors, Denver-based Dominion Voting Systems and Austin, Texas-based Hart Intercivic, to reveal details about their ownership and the origins of the parts, some of which come from China, that make up their machines.

But ES&S still faces questions about the company's supply chain and the identities of its investors, although it has said it is entirely owned by Americans. And the results of its government penetration tests, in which authorized hackers try to break in so vulnerabilities can be identified and fixed, have yet to be revealed.

The secrecy of ES&S and its competitors has pushed politicians to seek information on security, oversight, finances and ownership. This month, a group of Democratic politicians sent the private equity firms that own the major election vendors [a letter asking them to disclose a range of such information](#), including ownership, finances and research investments.

"The voting machine lobby, led by the biggest company, ES&S, believes they are above the law," said Sen. Ron Wyden, D-Ore., a member of the Intelligence Committee who co-signed the letter. "They have not had anybody hold them accountable even on the most basic matters."

ES&S Chief Executive Tom Burt dismissed criticism as inevitable and impossible to answer, but he called for greater oversight of the national election process.

"There are going to be people who have opinions from now until eternity about the security of the equipment, the bias of those companies who are producing the equipment, the bias of the election administrators who are conducting the election," Burt said in an interview. "I can't do anything to affect those people's opinions."

"What the American people need is a system that can be audited, and then those audits have to happen and be demonstrated to the American public," Burt said. "That's what will cut through the noise."

### Supply chain questions

ES&S invited NBC News journalists into its headquarters, the first time it has done so for a national news organization. The walls were decorated with images of the Constitution and inspirational messages about quality control. In glass-walled rooms etched with the company's patents, technicians tested machines under tight security.

Burt, a native Nebraskan, has called for federal regulations that would require voting machine companies to address some of the key questions posed to ES&S. In June, he [wrote an op-ed](#) asking Congress for more regulation, which would include requirements for paper backups of individual votes, mandatory post-election audits and more resources for the U.S. Election Assistance Commission to speed improvements.

NBC News examined publicly available online shipping records for ES&S for the past five years and found that many parts, including electronics and tablets, were made in China and the Philippines, raising concerns about technology theft or sabotage.

During the tour, Burt said the overseas facilities are "very secure." He said the final assembly of voting machines takes place in the U.S.

Chinese manufacturers can be forced to cooperate with requests from Chinese intelligence officials to share any information about the technology and therefore pose a risk for U.S. companies, NBC News analyst Frank Figliuzzi, a former assistant director of the FBI for counterintelligence, said. That could include intellectual property, such as source code, materials or blueprints. There is also the concern of machines shipped with undetected vulnerabilities or backdoors that could allow tampering.

[In a letter to NBC News](#), ES&S said it takes “great care” with its foreign supply chain, including conducting risk assessments and making on-site visits to suppliers to make sure that components “are trusted, tested and free of malware.” It said that all of its facilities adhere to international standards, that it manufactures in compliance with all federal guidelines and that it follows cybersecurity best practices.

The company says that its overseas manufacturing site has been successfully audited by the Election Assistance Commission and that the company conducts on-site visits of its suppliers “to ensure that components are trusted, tested and free of malware.”

“Some components (such as surface mount capacitors, resistors, inductors and fixed logic devices) may be sourced from China-based manufacturers,” the letter said, referring to basic circuitry components.

ES&S said it conducts quality assurance tests on the machines.

### Ownership questions

Questions about who owns the major voting machine manufacturers have followed the industry for years.

The issue took on greater urgency after the FBI disclosed in July 2018 that a Russian oligarch had [invested in a Maryland election services firm](#). Officials in Maryland and North Carolina have started questioning voting machine makers [about potential foreign ownership](#).

Because it is privately owned, ES&S is not legally obligated to reveal its ownership or any other details about its finances, although Burt did confirm that the company generated about \$100 million in sales last year.

But in response to questions this year from the North Carolina State Board of Elections, ES&S disclosed which investors own more than 5 percent of the company. They include Burt, Chief Financial Officer Tom O’Brien and the Omaha-based private equity firm McCarthy Group, which owns a controlling interest. [The letter identified](#) two passive investors, Nancy McCarthy and Kenneth Stinson, who own stakes of more than 5 percent in McCarthy Group.

ES&S said McCarthy Group’s bylaws prevented it from revealing other individual investors, but it affirmed that they are all U.S. citizens or trusts or corporations owned by Americans. The company offered to pay for an independent auditor to verify that all the investors are Americans. NBC News declined, as citizenship itself wouldn’t answer other potential questions, including political affiliations or other conflicts of interest.

McCarthy Group did not respond to NBC News’ requests for comment.

## Testing questions

Virtually no laws govern the cybersecurity aspects of voting machine technologies. But ES&S points to its voluntary efforts to improve voting machine security, most notably a new program with the Energy Department's Idaho National Labs, the same federal facility that tests the power grid and nuclear power generators. ES&S machines underwent eight weeks of vulnerability testing and penetration by government hackers.

Chris Wlaschin, head of systems security for ES&S, said at a Homeland Security cybersecurity summit in Washington in September that the company's machines are not prone to a remote attack over the internet. But he added that someone with enough time and access could make a machine "inoperative or unusable."

Although Wlaschin said the company would release an executive summary of the government testing, the company recently said it has nothing for "external release." It said recommendations from the tests would be incorporated into "future voting system releases."

Wyden said he was concerned by the company's foreign parts supply and was working on legislation to limit it.

"What you have found is particularly important because of the China connection," he said.

Wyden is also eager to see the Idaho National Lab findings.

"They're claiming that the Department of Homeland Security has been working with them. I'm going to ask for this information on the basis of your report within 10 days," he said.

Eddie Perez, global director of technology development for the Open Source Election Technology Institute, a nonprofit election technology research group with which NBC News has partnered since 2016, said the lack of oversight is problematic.

"The way people vote is managed by a couple of entities that people don't know a lot about, and that creates risks for the country," he said.

When it comes down to the essentials, voting machine makers "behave based on the level of regulation they have," Perez said.

"They have to check the boxes," he added. "But once they've done that, they focus on selling their product."



Source Link <https://www.nbcnews.com/news/all/chinese-parts-hidden-ownership-growing-scrutiny-inside-america-s-biggest-n1104516>

TRUTH.

#13



Compose

← @realDonaldTrump's post



Donald J. Trump  
@realDonaldTrump · Jan 6

All Republican Governors should immediately begin the process of ENDING MAIL IN BALLOTS (which are fraught with corruption, and always will be!) EXCEPT FOR FAR AWAY MILITARY AND PEOPLE WITH A PROVEN ILLNESS, GETTING VOTER I.D. AND SAME DAY VOTING WITH ALL PAPER BALLOTS. This effort should be all out and start immediately. Governors have the power and authority to do this. GET IT DONE, or we will never have honest elections in our Country again!

16.5k ReTruths 57.1k Likes Jan 06, 2023 at 5:52 PM



One or more posts are unavailable.



Osage/Cherokee  
@osagecherokee · Jan 6

Replying to @AnnaOfficialJournalist, @realDonaldTrump, and 2 more

Glad to see you on board Anna!



HBTX8  
@HBTX8 · Jan 6

Replying to @osagecherokee, @AnnaOfficialJournalist, and 2 more

Trends

View all

#Wyoming  
167 people talking



#BannonTrial  
35 people talking



#Faith  
746 people talking



#FBIraidTrump  
65 people talking



#americathebeautiful  
53 people talking



People To Follow

View all



Copy link to Truth

Embed Truth



Mention @realDonaldTrump...



Mute @realDonaldTrump...

Block: Legal

Block @realDonaldTrump...

Proud: of America

Report @realDonaldTrump...

