

Black Box Voting

Ohio election chief can't certify how federal money was spent

By Wayne Madsen

Online Journal Contributing Writer

August 19, 2005 (waynemadsenreport.com)—Ohio Secretary of State and Republican gubernatorial candidate J. Kenneth Blackwell cannot certify how federal election assistance money was spent.

Documents from the Ohio Secretary of State's office and the federal General Services Administration (GSA) provided to WMR indicate that some \$30 million provided to Ohio as part of the Help America Vote Act (HAVA) was not spent on preparations for the 2004 presidential election, as required by the law. In addition, of another \$10,384,931 of Section 101 HAVA funds allocated to Blackwell, only \$6,870,659.47 was obligated as of December 31, 2004.

Even though the Section 101 funds were for education and training of Ohio voters and poll workers, accessibility for voters, reporting vote fraud, and other administrative requirements, some of the money spent went to firms whose owners were top Ohio GOP political contributors.

An Ohio Secretary of State Financial Status Report shows that as of December 31, 2004, \$30,667,664 of HAVA Section 102 funds, money required to be spent on replacing punch card or lever voting machines in precincts that used them in November 2000, was unspent.

Even more astounding is a December 24, 2003, letter from Blackwell to Deborah Schilling at GSA complaining that Ohio had only received \$41 million of an expected \$155 million in authorized HAVA funds allocated to Ohio. The complaint is contained in a list of reasons why Blackwell could not meet the November 2004 deadline for compliance with HAVA.

In a July 28, 2003 letter from GSA's Schilling to Gov. Bob Taft, the GSA official emphasizes that states receiving Section 102 funds were "obligated to use the funds to replace punch card voting systems or lever voter systems" in qualifying precincts. Furthermore, the letter told Taft that states receiving funding "must ensure that all punch card voting systems or lever voting systems . . . will be replaced in time for the regularly scheduled election for Federal office to be held in November 2004 (unless a waiver is obtained). Blackwell requested a waiver in his December 24, 2003, letter to GSA. A waiver was granted by GSA in a March 18, 2004 response letter.

Blackwell stated in his letter to GSA, "I respectfully request a waiver outlined in HAVA Section 102(a)(3)(B) giving the State of Ohio until January 2006 to replace all punch card and lever machine voting devices." Blackwell also cites unspecified "security risks" with Direct Recording Electronic (DRE) machines slated to be used in the November 2004 elections. Yet, he also states, "while these risks can and will be mitigated, the time to do so may take us beyond the November 2004 deadline."

The record in Ohio was that faulty DRE machines were used in a number of Ohio precincts in the November 2004 election, including Auglaize, Franklin, Knox, Lake, Mahoning, Pickaway, and Ross counties. Punch card machines recording suspicious votes for George W. Bush were used in some 30 Ohio counties.

Of the \$6,870,659.47 spent by Blackwell, there were substantial payments to firms like Smart Solutions, a Cleveland IT firm headed by Anand "Bill" Julka, a contributor to Republican candidates in Ohio. Gov. Taft named Julka to the Management Improvement Commission for the Ohio Lottery.

The Ohio records also show a \$10,869.75 disbursement to Professor Robert Destro, the dean of Columbus School of Law at Catholic University of America and a board member of the anti-gay rights Marriage Law Foundation. An [April 29, 2005, article](#) by Columbus Free Press editor Bob Fitrakis states that Destro was not only a supporter of Blackwell but was present in his Columbus office election night. Destro described Blackwell as "panicky" over early indications that Bush had lost Ohio to Kerry.

There were also significant payments by Blackwell to Excel Management of Columbus. Excel is headed by Curtis Jewell, also a donor to the Ohio Republicans.

In the GSA letter to Taft, the governor was informed that Blackwell requested that the Section 101 and 102 funds be deposited via electronic funds transfer to an account specified by Blackwell. Five million dollars was transferred to Key Bank, 4910 Tiedeman Rd., Brooklyn, Ohio, account number 311334820 on April 28, 2003. Another EFT deposit for \$36,052,595 was made to the same account on June 16, 2003.

Key Bank's CEO and chairman is Henry L. Meyer III, a contributor to George W. Bush and Ohio GOP politicians. Meyer serves on the board of the Federal Reserve Bank of Cleveland under its chairman, Robert W. Mahoney, the retired CEO and chairman of voting machine company Diebold, Inc., and another major contributor to Bush and Ohio Republicans. Mahoney serves on the board of the Timken Company, whose former chairman William Timken, a Bush "Pioneer" contributor, was recently named U.S. ambassador to Germany.

Wayne Madsen is a Washington, DC-based investigative journalist and nationally-distributed columnist. He is author of the forthcoming book, "Jaded Tasks: Big Oil, Black Ops & Brass Plates." He is the editor and publisher of the [Wayne Madsen Report](#).