



State Administration and Veterans' Affairs Interim Committee

PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

69th Montana Legislature

SENATE MEMBERS

THERESA MANZELLA, Chair
MIKE CUFFE
WENDY MCKAMEY
JACINDA MORIGEAU

HOUSE MEMBERS

MARC LEE, Vice Chair
KELLY KORTUM
KATHY LOVE
MARK REINSCHMIDT
LUKAS SCHUBERT
PETER STRAND
ERIC TILLEMANN

COMMITTEE STAFF

REBECCA POWER, Lead Staff
ANDRIA HARDIN, Staff Attorney
ANIA ALDUENDA, Secretary

Name	City/State	Representing	Time & Date	Subject	Comment
Heather Allen	Plains, MT	Veterans of Foreign Wars in Montana	10:46 PM 5/3/2026	Veterans should not be charged for earned benefits. CA SB694	Senate bill 694 that was passed in California explains in detail why Veterans should not be charged for earned benefits. Montana should follow California's lead and create laws preventing companies from soliciting Veterans and charging them for services that are available at no charge. See Attachment 2
Keegan Nashan	Livingston, MT	Self	3:23 PM 4/22/2026	Keegan Nashan SoS Public Information Requests	Hello All, I have been in touch with most of you prior in regard to my PIRs submitted to the Secretary of State's Office. Here is a link to the video of Mr. Leland refusing to allow me to view public documents at the Secretary of State's office this last Friday, April 17: https://www.icloud.com/sharedalbum/#B2AGY8gBYJYTmC I am going to do my best to be up in Helena for the meeting on May 4. I have signed up to testify virtually if something comes up. If you have clarifications or questions about my experience, please feel free to call! Thank you all for your time and attention to this matter. 406-931-0275 See Attachment 1

Attachment 1

Date of Request	Request	Response
1-14-2026 Request at 16:57:47	I would like to submit a formal request to know how much the Secretary of State's office spent to design, print and send the mailer with Secretary Jacobson next to President Trump on it. Thank you for your time and help!	You pose a question that is outside that of a public records request. You engaged in direct communications with SOS Communications on this subject. That question was responded to by the SOS Communications Division, with the information available at the time. This invoice was not received until after your previous communications with the SOS Communications Division. Please see the attached document.
<i>Clarifications...</i>	<i>I submitted this request through the formal PIR portal on the SoS website 1/14/26. I never received a confirmation that my request was recieved. The email I received from SOS Communications Division on Jan. 28th did not directly address this question. It nowhere stated it was intended to be a response to my PIR request, even though I responded immediately asking if it was intended as such and further requested additional information about how to submit the following requests. I received no response from Comms. I received no communication from Susan Ames in regard to this request until Feb. 5th, when she informed me my PIR had returned no responsive records and had been considered closed. This is clearly in violation of MCA 2-6-1006(3)(a)(i) "An executive branch agency shall respond to a public information request by acknowledging receipt of the request within 5 business days of the agency's designated contact person receiving the request."</i>	
2-12-2026 Request at 14:24:58	All correspondence regarding the design, printing, and mailing of the flyer of Sec. Jacobson & Pres. DJT regarding election security. I would like to request all emails, phone calls, and text messages between the Secretary of State's office and the federal officials in regard to the mailer	No responsive documents exist as to "the design, printing, and mailing of the flyer of Sec. Jacobsen and Pres. DJT regarding election security" between the Secretary of State's Office and Department of Homeland Security, the agency providing the tool to the State of Montana.
<i>Clarifications...</i>	<i>This is an insufficient response. I asked for correspondence, which is not a particular document. I did not ask particularly about communications between the MT SoS Office and the Department of Homeland Security. I asked for all communications regarding the design, printing, and mailing in regard to the flyer between the MT SoS Office and any federal officials. This includes correspondence between Secretary Jacobson and federal officials on her personal devices in regard to the design, printing and mailing of the flyer. It is my Right to Know.</i>	
2-12-2026 Request at 14:26:55	All correspondence regarding the memorandum of understanding proposed by the Federal government in regard to our voter rolls. I would like to request all emails, phone calls, and text messages between the Secretary of State's office and the federal officials in regard to our voter rolls in the last year.	This request is vague, as it does not clarify what precise public document you are seeking. The Secretary of State's Office routinely communicates with the federal government on a wide variety of matters. With that said, please see the following link for documents requested in a similar records request.
<i>Clarifications...</i>	<i>This is an insufficient response. A letter from Secretary Jacobson to Pam Bondi is clearly not what I am requesting. I asked for particular correspondence in regard to the voter rolls. Your generalization of my request is unacceptable, and I have deemed this response to be insufficient. I am requesting ALL correspondence, including personal device communications, surrounding conversations related to our voter rolls in the past year. Further, the link you provided is a singular document, not a copy of the files provided in the previous records request, you appear to be referencing: https://sosmt.gov/wp-admin/admin-ajax.php?juwfpisadmin=false&action=wpfd&task=file.download&wpfd_category_id=654&wpfd_file_id=73473&token=&preview=1</i>	
2-12-2026 request at 14:29:01	A copy of the agreement signed between MT's Sec. of State's office and the federal government which makes the statewide voter file (public info) available. If there was no agreement signed, a record of the purchase of this information by the federal government is requested.	There are no responsive documents.
<i>Clarifications...</i>	<i>To clarify, I want to request any agreements signed between the federal government and the MT SoS office in relation to the voter rolls. Please advise if the MT SOS Office provided the Department of Justice with the requested, expanded voter rolls in with no agreement. Further, that the MT SoS Office further turned over the publicly avail+ voter rolls in addition to the including additional information pertinent to 52 U.S.C. § 20703." with no charge to the Department of Justice.</i>	
2-12-2026 Request at 14:30:21	Has the federal government ever paid for promotional materials to be sent to Montana voters from the Secretary of State's office in the past? If so, I would like to also request a list of these instances.	There is no responsive document or list in relation to the question that you pose on the federal government paying for promotional materials.
<i>Clarifications...</i>	<i>I want to confirm that this means the secretary has never spent federal funds, including federal grant expenditures on promotional materials?</i>	
2-12-2026 request at 14:37:32	I request all corespondence in regard to my FOIA requests in the last two months and emails recieved by the Sos office from me. I request the internal communications involved in the processing of my requests and inquiries	The public records requests that you submitted to the Secretary of State's Office were already provided to you, as such were outside that of a records request (you already had possession of such communications as you were directly involved in such communications.) No other responsive documents exist.
<i>Clarifications...</i>	<i>I want to clarify that I want all internal communications in regard to my requests and inquiries.</i>	
3-2-2026 Request at 12:20	I am requesting a copy of the document provided to the DOJ by MT Sos on July 31, 2025.	This letter serves as confirmation that your request has been received for a copy of the document provided to the Department of Justice by this office on July 31, 2025. It appears you are referring to the statewide voter file. A current copy of the statewide voter file is available for purchase here: https://sosmt.gov/elections/voter-file/ . A list of the fields in the report – and the required content within that voter file - are available as part of the Montana Administrative Rule 44.3.1101.

<p>Clarifications...</p>	<p>What was the additional information the MT SoS Office turned over outside of what is typically included in the voter roll? Particularly in reference to, "the electronic copy of the statewide VRL must contain all fields, including the registrant's full name, date of birth, residential address, his or her state driver's license number or the last four digits of the registrant's social security number." per the August 14th email that Secretary Jacobson said she had sent. Particularly, saying the SoS had sent the public voter file, "including additional information pertinent to 52 U.S.C. § 20703."</p>
<p>3-25-2026 Request at 1:41</p>	<p>I would like to request a copy of all my personal information the SoS Office sent to the DOJ on July 31, 2025</p> <p><i>This letter is in response to your public records request of March 25, 2026. - https://sosmt.gov/elections/voter-file/. A list of the fields in the statewide voter file report and the required content within that voter file are available as part of the Montana Administrative Rule 44.3.1101. The "Voter File" is a list of voters with a current status of "active," "inactive," and "provisional." The list contains the following data for each voter entered into the statewide voter registration system by the county election administrators: Assigned Voter ID; First Name; Middle Name; Last Name; Name Suffix; Voter Status; Residential Address house number; Residential Address street name; Residential Address street type; Residential Address street pre-directional code; Residential Address street post-directional code; Residential Address unit type code; Residential Address unit number; Residential Address City; Residential Address State; Residential 5-digit zip code; Residential Address complete address; Mailing Address line 1; Mailing Address line 2; Mailing Address City; Mailing Address State; Mailing Address 5-digit zip code; Mailing Address plus 4 zip code; Mailing Address complete; Phone Number; Birth Year; Current County; Precinct; Congressional District; State House District; State Senate District; Absentee indicator; City; and Ward. Montana's statewide voter registration list was provided, pursuant to the demand of the U.S. Department of Justice and as required by Help America Voter Act to register individuals for federal elections. 52 U.S.C. Section 21083(a)(5)(A)(i). Election officials are aware of these misinformation campaigns that attempt to mislead Montanans by claiming that data was released that was not, including information about how Montanans have voted. These claims are false. In fact, Montana elections are conducted by secret ballot, making this particular misinformation campaign especially unfounded. Please see the video below from Secretary Jacobsen for further information: https://www.facebook.com/share/v/1DgqG32Rw5/. Election officials statewide appreciate your assistance in countering these false narratives by sharing accurate information with others.</i></p>
<p>Clarifications...</p>	<p><i>This is an insufficient response. I requested a copy my personal information that you shared with the DOJ about *me* in August of 2025. I did not request information about the voter file or anything regarding SoS Jacobson's public comment. All communications between our elected officials in Montana are public information per the Right to Know clause in our Constitution. Further, I am requesting the information from a particular time when your office shared my information with the Department of Justice. The current voter file you have sent a link to is not the information I'm requesting, as the voter file has since been updated. Also, directing me to pay \$1,000 for a copy of the voter file is cost prohibitive for any individual citizen and, again, not an answer to my question. Secretary Jacobson said she had provided the Department of Justice with our voter file "including additional information pertinent to 52 U.S.C. § 20703." I am very clearly requesting a copy of all of the information of mine, including personal information, that you shared with the Department of Justice on a particular day in a particular file. Per MCA 2-6-1501. Definitions. (5) (a) "Personal information" means a first name or first initial and last name paired with a drivers license number qualifies as personal information. The Department of Justice specifically requested, "the registrant's full name, date of birth, residential address, his or her state driver's license number" and per Secretary Jacobson's email, "Montana fully satisfied the August 14th request." What information about me did you provide to the Department of Justice?</i></p>

<p>4-2-2026 Request at 3:57</p>	<p>I would like to request a copy of all my personal information the SoS Office sent to the DOJ on August 14, 2025.</p>	<p>This email serves as a confirmation that your most recent public information request of 4/2/26 regarding your personal information has been received by the Montana Secretary of State's Office.</p> <p>The information that is contained in the statewide voter file, which we already previously pointed you to, aligns with the "my voter information" located here: https://voterportal.mt.gov/WhereToVote.aspx.</p> <p>With that said, as you have previously mentioned, your address change made on November 4, 2025, (the date that Park County received your change of address form) would not have been in DOJ's possession in August of 2025. Thus, your previous address in August of 2025 would have been the address that came into the possession of the DOJ. No other information of yours, outside of that which is in the public voter file, was provided to DOJ.</p> <p>Please be advised that by providing this information to you, this records request is now closed.</p>
<p>Clarifications...</p>	<p><i>"This is an insufficient response. I requested a copy my personal information that you shared with the DOJ about *me* in August of 2025. I did not request information about the voter file or anything regarding SoS Jacobson's public comment. All communications between our elected officials in Montana are public information per the Right to Know clause in our Constitution. Further, I am requesting the information from a particular time when your office shared my information with the Department of Justice. The current voter file you have sent a link to is not the information I'm requesting, as the voter file has since been updated. Also, directing me to pay \$1,000 for a copy of the voter file is cost prohibitive for any individual citizen and, again, not an answer to my question. Secretary Jacobson said she had provided the Department of Justice with our voter file ""including additional information pertinent to 52 U.S.C. § 20703."" I am very clearly requesting a copy of all of the information of mine, including personal information, that you shared with the Department of Justice on a particular day in a particular file. Per MCA 2-6-1501. Definitions. (5) (a) ""Personal information"" means a first name or first initial and last name paired with a drivers license number qualifies as personal information. The Department of Justice specifically requested, ""the registrant's full name, date of birth, residential address, his or her state driver's license number"" and per Secretary Jacobson's email, ""Montana fully satisfied the August 14th request."" What information about me did you provide to the Department of Justice?"</i></p>	
<p>4-2-2026 Request at 9:45pm</p>	<p>I would like to request copies of the draft coorespondence in regard to my PIR requests. I request any internal communications about responding to my requests, including the drafts of the previous PIR you responded to on April 1, 2026. Thank you!</p>	<p>Public information requests are governed by Article II, Section 9 of the Montana Constitution, and Section 2-6-1001 through 2-6-1020, MCA. Every citizen has a right take a copy of a public writing of the State of Montana except those that are constitutionally protected from disclosure or are otherwise protected by law or lawful order or process. Public records law does not require agencies to provide information or records if no responsive information or records exist. New information or records do not need to be created or generated in order to fulfill any request.</p> <p>There is no responsive information not protected from disclosure fitting within that of the public records law stated above that would require agency disclosure in accordance with the Montana Code and Montana Constitution. Further, any "draft correspondence" or "internal communications about responding to my requests" would have already been provided to you incorporated as part of the Secretary of State's Office's responses to your 9+ (now 10) records requests over a span of several weeks.</p> <p>Your request has been fully satisfied and is now closed.</p>
<p>Clarifications...</p>	<p><i>My request is not fully satisfied. Mr. Leland told me he had reviewed a draft of your response to my prior PIR. I am requesting that particular draft alongside any email correspondence about those drafts. This is an insufficient response. Sorry to have missed you in the office today, Ms. Ames.</i></p>	

Attachment 2

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

SB 694 (Archuleta)
Version: June 23, 2025
Hearing Date: September 9, 2025
Fiscal: Yes
Urgency: No
CK

PURSUANT TO SENATE RULE 29.10(d)

SUBJECT

Deceptive practices: service members and veterans

DIGEST

This bill provides additional protections for veterans in California in connection with fees charged for assistance applying for veterans' benefits and the privacy of their information. The bill requires persons to be federally accredited before preparing, presenting, or prosecuting a veteran's claim for benefits under federal law.

EXECUTIVE SUMMARY

Veterans' benefits are a crucial support system for those who have served this country in the armed forces. As with other government benefits, applicants may need assistance in applying for these critical benefits. To meet this need, federal law establishes a process for organizations, attorneys, and additional claims agents to become accredited to assist veterans in applying for, preparing, presenting, and prosecuting their claims for federal benefits.

Concerns about unaccredited organizations and individuals charging veterans for these services, with sometimes exorbitant rates, has continued to persist despite previous legislation. This bill seeks to ensure that veterans are not charged unreasonable fees and that only federally accredited individuals and organizations are able to carry out this important work.

The bill is sponsored by the California Association of County Veterans Service Officers, the American Legion Department of California, and AMVETS Department of California. It is supported by a variety of groups, including veterans' advocacy groups, labor groups, and legal services entities, including SEIU California. It is opposed by several organizations, including businesses that provide veterans' benefits services, including Veterans Guardian.

PROPOSED CHANGES TO THE LAW

Existing federal law:

- 1) Prohibits any individual from acting as an agent or attorney in the preparation, presentation, or prosecution of any claim under laws administered by the Department of Veterans Affairs (VA) unless such individual has been recognized for such purposes by the Secretary of the VA (Secretary), except as provided. (38 U.S.C. § 5901.)
- 2) Authorizes the Secretary to recognize representatives of the American National Red Cross, the American Legion, the Disabled American Veterans, the United Spanish War Veterans, the Veterans of Foreign Wars, and such other organizations as the Secretary may approve, in the preparation, presentation, and prosecution of benefits claims. No fees may be charged in connection with services rendered hereby. (38 U.S.C. § 5902.)
- 3) Authorizes the Secretary to recognize any individual as an agent or attorney for the preparation, presentation, and prosecution of claims under laws administered by the Secretary and provides that the Secretary shall promulgate regulations laying out the necessary qualifications and standards of conduct. (38 U.S.C. § 5904.) Those attendant regulations lay out the accreditation process, continuing legal education requirements, and parameters on reasonable fees. (38 C.F.R. § 14.626 et seq.)
- 4) Prohibits a fee from being charged, allowed, or paid for services of agents and attorneys with respect to services provided before the date on which a claimant is provided notice of the agency of original jurisdiction's initial decision. (38 U.S.C. § 5904.)

Existing state law:

- 5) Establishes the Consumer Legal Remedies Act (CLRA), which prohibits unfair methods of competition and unfair or deceptive acts or practices undertaken by any person in a transaction intended to result or which results in the sale or lease of goods or services to any consumer. (Civ. Code § 1750 et seq.)
- 6) Designates specified practices as unfair methods of competition and unfair or deceptive acts or practices, including charging or receiving an unreasonable fee to prepare, aid, or advise any prospective applicant, applicant, or recipient in the procurement, maintenance, or securing of public social services, including veterans benefits, as provided. (Civ. Code § 1770.)

- 7) Provides that any consumer who suffers any damage as a result of the use or employment by any person of a method, act, or practice declared to be unlawful by Section 1770 of the Civil Code may bring an action against that person to recover or obtain any of the following:
 - a) actual damages, but in no case shall the total award of damages in a class action be less than \$1,000;
 - b) an order enjoining the methods, acts, or practices;
 - c) restitution of property;
 - d) punitive damages;
 - e) court costs and attorney's fees to a prevailing plaintiff. However, reasonable attorney's fees may be awarded to a prevailing defendant upon a finding by the court that the plaintiff's prosecution of the action was not in good faith; and
 - f) any other relief that the court deems proper. (Civ. Code § 1780(a), (e).)
- 8) Establishes the Unfair Competition Law (UCL), which provides a statutory cause of action for any unlawful, unfair, or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising, including over the internet. (Bus. & Prof. Code § 17200 et seq.)
- 9) Prohibits a person, in connection with any transaction or any sale of goods or services, from electronically accessing a Common Access Card (CAC) issued to a service member, placing or requiring the placement of such a CAC in a smart card reader, requesting or requesting entry of the personal identification number (PIN) associated with such a CAC, or requiring a service member to log in to any Department of Defense or, in the case of a member of the Coast Guard, Department of Homeland Security computer system. A transaction or sale entered into in violation of this subdivision is void. (Mil. & Vets. Code § 401(d).)

This bill:

- 1) Expands the CLRA prohibition to other veterans benefits and provides that a fee charged with respect to federal veterans benefits that exceeds the amount that could be charged for those services by an attorney or claims agent accredited by the United States Department of Veterans Affairs is unreasonable.
- 2) Prohibits a person, in connection with any transaction or any sale of goods or services, from requiring a service member to share their credentials for accessing specified government computer systems; accessing such systems with another person's credentials; and requiring entry of a veteran's PIN associated with a CAC.
- 3) Prohibits persons from directly or indirectly soliciting, contracting for, charging, or receiving, or attempting to solicit, contract for, charge, or receive, any fee or

compensation with respect to the preparation, presentation, or prosecution of any claim for benefits under the laws administered by the VA, except as provided under federal law.

COMMENTS

1. Federal law establishes who may prepare, present, or prosecute veterans' benefits claims

Federal law prohibits anyone from acting as an agent or attorney in the preparation, presentation, or prosecution of any claim under the laws administered by the VA unless such individual has been recognized for such purposes by the VA Secretary, except as provided. The law provides for the recognition of certain organizations for these purposes, such as the VFW, the American Legion, and the American National Red Cross. However, these organizations are restricted from charging fees for these services. The law also authorizes the Secretary to provide for the accreditation of agents and attorneys and directs the Secretary to prescribe in regulations the various requirements and parameters for providing such services.

The VA describes the process on their website:

The VA accreditation program exists to ensure that Veterans and their family members receive appropriate representation on their VA benefits claims. VA accreditation is for the sole and limited purpose of preparing, presenting, and prosecuting claims before VA.

...

An individual generally must first be accredited by VA to assist a claimant in the preparation, presentation, and prosecution of a claim for VA benefits—even without charge. VA accredits three types of individuals for this purpose: - Representatives of VA-recognized veterans service organizations (VSO) - Attorneys (accredited in their individual capacity, not through a law firm) - Claims agents (accredited in their individual capacity, not through an organization).¹

Here in California, the California Department of Veterans Affairs (CalVet) has a network of VSOs:

County Veteran Service Offices (CVSO) are the key agencies in providing California's veterans with assistance and connection to benefits and services in local communities throughout the state. CalVet's relationship

¹ *VA Accreditation Program*, United States Department of Veterans Affairs, <https://www.va.gov/OGC/docs/Accred/HowtoApplyforAccreditation.pdf>. All internet citations are current as of September 7, 2025.

with CVSOs ensures veterans and their families are served and represented by trained and accredited professionals. CVSOs are a critical component in the state's efforts to work directly with individual veterans and their families to ensure our Veterans receive benefits they earned through their service to our Nation. CVSOs are on the front lines for this important mission and play the key role in ensuring that veterans and their families are aware of their benefits, and in fact apply for and receive them. Together, the CVSOs, through claims initiation and development, and CalVet, through claims development and representation with appeals, provide assistance to veterans and their families in preparing and submitting claims and in representing claimants before the federal, state and local agencies providing veterans benefits.²

The CVSOs reported in 2023 that their officers were able to serve over 600,000 veterans and their families and secured \$485 million in claims awards.³

The federal regulations governing the accreditation program provide: "The purpose of the regulation of representatives, agents, attorneys, and other individuals is to ensure that claimants for Department of Veterans Affairs (VA) benefits have responsible, qualified representation in the preparation, presentation, and prosecution of claims for veterans' benefits." (38 C.F.R. § 14.626 et seq.) The regulations lay out the application process and detail the necessary qualifications.

To ensure accredited attorneys and claims agents are best suited to assist with claims, the regulations impose a continuing legal education requirement. The regulations also govern the fees available, providing that only accredited agents and attorneys may receive fees from claimants or appellants for their services provided in connection with representation. Recognized organizations are not permitted to receive fees. Agents and attorneys may only charge claimants or appellants for representation provided after an agency of original jurisdiction has issued notice of an initial decision on the claim or claims, except as provided. Fees are required to be reasonable. The regulations establish a rebuttable presumption that any fee that does not exceed 20 percent of past-due benefits awarded is reasonable and that any fee that exceeds 33 1/3 percent of such benefits is unreasonable.

2. Concerns with unaccredited organizations

After a softening of the penalties for acting as an agent or attorney in the preparation, presentation, or prosecution of a claim for veterans benefits without accreditation, the industry for unaccredited claims representatives expanded:

² *County Veterans Service Offices, CalVet*, <https://www.calvet.ca.gov/VetServices/Pages/County-Veteran-Service-Organization.aspx>.

³ *2023 Annual Report, California Association of County Veterans Service Officers*, <https://www.cacvso.org/wp-content/uploads/2024/05/Veterans-Annual-Report-2023.pdf>.

For decades, federal law penalized unaccredited actors who charged veterans for “preparing, presenting, or prosecuting claims before the VA.” While regulations still prohibit such behavior, all criminal penalties were removed from federal statutes in 2006, leaving the VA essentially toothless to go after bad actors. (Accredited representatives, however, remain liable to be investigated and, if appropriate, disbarred when a veteran complains.)⁴

These unaccredited companies and representatives are not subject to the accountability measures laid out in federal law or the oversight of the VA.

A subcommittee of the House Committee on Veterans’ Affairs held a hearing on the VA Accreditation Program in 2022, emphasizing concerns about this unregulated industry. Congressman Chris Pappas, Chair of the Oversight and Investigations Subcommittee of the House Committee on Veterans,’ Affairs squarely addressed the issue:

For decades, federal law has prohibited anyone from helping a veteran prepare or present a VA benefit claim without accreditation. Despite this black-letter law, there’s been an explosion in the number of unaccredited, for-profit companies who say they’re not preparing or presenting claims . . . However, if you read the fine print, they also charge veterans hundreds, if not thousands, of dollars. . . . there are many other veterans who have complained about exorbitant costs, hidden fees, difficulties canceling a contract, aggressive marketing emails, rampant collection calls, and other predatory practices that many unaccredited companies employ. Some companies even solicit veterans’ eBenefits usernames and passwords, or try to gain direct access to people’s bank accounts...Some veterans may be willing to pay a fee if the services they receive are worthwhile and a company’s business practices are above board. But without adequate oversight through the accreditation process, we cannot be assured that this is case.⁵

3. Consumer Legal Remedies Act (CLRA)

The Legislature has long considered consumer protection to be a matter of high importance. State law is replete with statutes aimed at protecting California consumers from unfair, dishonest, or harmful market practices. These consumer-protection laws

⁴ Jasper Craven, *As veteran disability claims soar, unaccredited coaches profit off frustration with VA system* (July 5, 2023) Texas Tribune, <https://www.texastribune.org/2023/07/05/veterans-disability-benefits-brian-reese-va-claims-insider/>.

⁵ Press Release, *Pappas Chairs Joint Hearing on Predatory Claim Sharks Targeting Veterans’ Benefits, Questions VA Efforts to Protect Veterans* (April 28, 2022) website of Congressman Chris Pappas, <https://pappas.house.gov/media/press-releases/pappas-chairs-joint-hearing-predatory-claim-sharks-targeting-veterans-benefits>.

authorize consumers to enforce their own rights and seek remedies to make them whole.

The CLRA was enacted “to protect the statute’s beneficiaries from deceptive and unfair business practices,” and to provide aggrieved consumers with “strong remedial provisions for violations of the statute.” (*Am. Online, Inc. v. Superior Court* (2001) 90 Cal.App.4th 1, 11.) The CLRA prohibits “unfair methods of competition and unfair or deceptive acts or practices undertaken by any person in a transaction intended to result or which results in the sale or lease of goods or services to any consumer,” (Civ. Code § 1770(a)), and prohibits conduct “likely to mislead a reasonable consumer,” (*Colgan v. Leatherman Tool Grp., Inc.* (2006) 135 Cal. App. 4th 663, 680; internal quotation marks omitted.).

Among other things, the CLRA prohibits merchants from “representing that a transaction confers or involves rights, remedies, or obligations which it does not have or involve, or which are prohibited by law,” or representing that goods “are of a particular standard, quality, or grade” when they are of another. (Civ. Code § 1770.) Consumers who are harmed by specified unlawful practices have a right of action under the CLRA to recover damages and other remedies, including actual damages; an order to enjoin the unlawful act; restitution; punitive damages; or any other relief that the court deems proper. (Civ. Code § 1780.) Additionally, the statute authorizes courts to award attorney’s fees to prevailing plaintiffs and contains mechanisms for securing remedies on a class wide basis. (Civ. Code §§ 1780, 1781.) Consumers who are over the age of 65 are eligible to additionally seek and be awarded, in addition to the above remedies, up to \$5,000 where the trier of fact finds certain circumstances are met.

4. Protecting veterans by capping fees and requiring accreditation

Relevant here, the CLRA prohibits charging or receiving an unreasonable fee to prepare, aid, or advise any prospective applicant, applicant, or recipient in the procurement, maintenance, or securing of public social services. “Public social services” is defined to mean those activities and functions of state and local government administered or supervised by specified state departments, and involved in providing aid or services, or both, including health care services, and medical assistance, to those persons who, because of their economic circumstances or social condition, are in need of that aid or those services and may benefit from them. “Unreasonable fee” is defined to mean a fee that is exorbitant and disproportionate to the services performed. The section lays out a number of factors to be considered in determining reasonableness.

In response to prior concerns about unscrupulous companies preying on veterans, SB 180 (Corbett, Ch. 79, Stats. 2011) expanded the definition of public social services to explicitly include “activities and functions administered or supervised by the United States Department of Veterans Affairs or the California Department of Veterans Affairs involved in providing aid or services, or both, to veterans, including pension benefits.”

This bill expands this prohibition by ensuring that “other veterans benefits” are included within that definition, but more importantly, it deems as unreasonable a fee charged in connection with federal veterans benefits that exceeds the amount that could be charged by an accredited agent or attorney.

The bill also codifies in state law the federal prohibition on preparing, presenting, or prosecuting claims for benefits unless accredited pursuant to federal law. Specifically, the law states that, except “as provided in Sections 1984 and 5904 of Title 38 of the United States Code, a person shall not directly or indirectly solicit, contract for, charge, or receive, or attempt to solicit, contract for, charge, or receive, any fee or compensation with respect to the preparation, presentation, or prosecution of any claim for benefits under the laws administered by the United States Department of Veterans Affairs.”

It should be noted that federal law does not allow for the charging of fees, even for accredited agents and lawyers, for the preparation of initial claims for benefits.

The bill also bolsters existing protections for veterans by prohibiting a person, in connection with any transaction or any sale of goods or services, from requiring a service member to share their credentials for accessing specified government computer systems and from accessing such systems with another person’s credentials.

According to the author:

Senate Bill 694 strengthens California’s commitment to protecting veterans from exploitation in the federal claims process. More importantly, it reaffirms our responsibility to ensure that veterans are not misled, manipulated, or taken advantage of when seeking the benefits they have earned through military service. While current federal law prohibits unaccredited agents from charging for assistance with initial claims, the lack of enforcement, and penalties has allowed this unregulated industry to flourish on the backs of our veteran community. These unaccredited agents often present themselves as helpful peers or advocates, when in fact they are operating outside the law.

The state and our counties have invested in County Veterans Service Officers who offer accredited, no-cost claims assistance. These officers are trained, certified, and held to strict ethical standards. SB 694 protects our investment and ensures veterans are not steered away from trusted, lawful services into the hands of unregulated actors.

SB 1124 (Menjivar, 2024) was identical to this bill. It passed through this Committee, but died in the Senate Appropriations Committee.

5. Stakeholder positions

The American Legion Department of California and AMVETS Department of California, cosponsors of the bill, write:

As co-sponsors, we view this bill as more than technical alignment with federal standards, it is a line in the sand. It is California saying unequivocally:

- These veterans are not a business model.
- That their initial disability ratings should never be monetized.
- Navigating the VA claims process should not expose them to misleading contracts, data privacy violations, or financial risk.

This is not a hypothetical issue. Real veterans in our communities have signed away portions of their benefits without fully understanding they were paying for services that should have been free. Federal enforcement is currently limited. Without state-level protections, California veterans remain exposed.

A wide coalition of groups, including the Peace Officers Research Association of California, Public Counsel, and the VFW, write in strong support:

SB 694 builds on the framework of SB 1124 (Menjivar, 2024) and addresses the alarming rise in unaccredited and often predatory actors – commonly known as “claim sharks” – that charge excessive or illegal fees for assisting veterans with benefit claims. These bad actors, who lack VA accreditation and oversight, pose serious risks to vulnerable veterans by promising guaranteed outcomes, pressuring veterans into dubious contracts, and compromising access to sensitive personal data.

SB 694 will:

1. **Prohibit unaccredited individuals** from charging for the preparation, presentation, or prosecution of VA benefit claims;
2. **Enhance penalties for unauthorized access** to veterans’ data on secure VA systems; and
3. **Codify reasonable fee standards** by clarifying under the Consumer Legal Remedies Act that fees exceeding those allowed for VA-accredited representatives are unlawful.

California’s veterans deserve transparent, qualified, and accountable representation when navigating the VA benefits process. This bill ensures that only individuals who meet federal standards and adhere to strict

ethical requirements can charge for these services – protecting veterans from exploitation and reinforcing existing legal frameworks.

Writing in opposition, Veterans Guardian, a veteran disability benefits company, argues:

Trapping Veterans in a backlogged appeals system only benefiting a handful of attorneys is something Veterans Guardian aims to avoid by focusing on getting claims done correctly the first time. The current US Department of Veterans' Affairs (VA) disability benefits system is at best cumbersome and adversarial, and at worse broken to a point where it harms the Veterans for the benefit of a small number of powerful boutique law firms. In fact, in recent US Congressional testimony, Kenneth Arnold, Acting Chairman of the Board of Veterans' Appeals testified under oath:

"The [VA] courts clerk annually approved 6,500 to 7,300 attorney fee requests each year, almost all for remanded cases. This generates \$45 to \$50 million in attorney's fees each year, with the majority going to a small number of boutique law firms with relatively few Veterans receiving any increase in their monthly compensation."

If passed, SB 694 will only exacerbate the problems with the current system and will add to the ever growing backlog of claims processed through VSOs and perversely incentivized attorneys. SB 694 would rob Veterans of the opportunity to seek expert help with a wide variety of claims and would force them into the Veterans Administration appeals trap.

SUPPORT

American Legion - Department of California (sponsor)
AMVETS - Department of California (sponsor)
California Association of County Veterans Service Officers (sponsor)
1 Method
AARP
California Association of Veteran Service Agencies
California Enlisted Association of the National Guard
California Highway Patrolmen
California Hispanic Chambers of Commerce
California Professional Firefighters
Disabled American Veterans, Department of California
Homefirst
IBEW 1245
Korean War Veterans Association

Latino Caucus of California Counties
Long Beach Area Veterans Collaborative
Los Angeles County
Los Angeles County Department of Military and Veterans Affairs
Los Angeles Veterans Collaborative
Military Veterans Affairs County of Los Angeles
Militaryengagement.com
National Veterans Foundation
Nevada County Veterans Service Officer
Paralyzed Veterans of America
Public Counsel
Rural County Representatives of California
San Bernardino County
SEIU California
Vetfund Foundation
VFW
Village for Vets

OPPOSITION

Black Veterans Empowerment Council
Purple Heart Homes
United Veteran Benefits Agency, LLC
Veterans Guardian

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

SB 1124 (Menjivar, 2024) *See* Comment 4.

AB 684 (Ta, 2023) would have, upon appropriation by the Legislature, provided a stipend to counties that host an active United States military base for the purposes of maintaining a county veterans service officer, at least part time, at each such base, subject to base approval. This bill died in the Assembly Appropriations Committee.

SB 180 (Corbett, Ch. 79, Stats. 2011) *See* Comment 4.

PRIOR VOTES:

Assembly Floor (Ayes 68, Noes 0)
Assembly Appropriations Committee (Ayes 14, Noes 0)
Assembly Judiciary Committee (Ayes 11, Noes 0)
Assembly Military and Veterans Affairs Committee (Ayes 6, Noes 0)
Prior Senate votes not applicable to current version of the bill.

Public Comment submitted by Roger Hagan at the May 4, 2026 SAVA Meeting

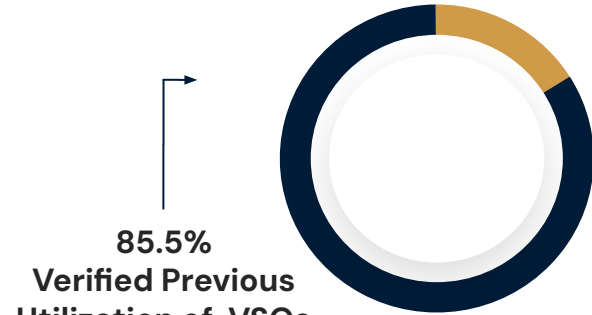


VA Claim
Consulting®

Veterans Guardian Montana Clients' Prior VSO Utilization

VSO Name	Count	%
American Legion	50	36%
Disabled American Veterans	31	22%
MT Veterans Affairs Division	23	16%
Veterans of Foreign Wars	23	16%

Total VG Clients in MT (2018-Current)
2177



Total Clients: 2177



VA Disability Claims Assistance

Separating Fact from Fiction



Myth: It is illegal for anyone to assist a veteran, for a fee, on their initial VA disability claim.



Fact: This is blatantly false. 38 USC 5901 & 5904 specifically state that ONLY if you are acting as the Veteran's "agent or attorney" can you not accept compensation on assisting with an initial claim. Veterans Guardian never completes VA Form 21-22A giving agency over the Veteran, does not present before the VA, act on the Veteran's behalf, nor prosecutes before the VA. We consult with the Veteran on the preparation of their claim in a legal, ethical, and transparent manner. Further, the courts have ruled restrictions on this are "likely unconstitutional."

Myth: The only way to protect Veterans is to pass the GUARD Act



Fact: The GUARD Act would eliminate all private expert support for initial claims; leaving the Veteran to only use the VSO or an attorney on the appeal (who charges up to 33.3% of the Veteran's ENTIRE back-pay). The GUARD Act was only voted on once in the 5+ years of introduction (in Spring of 2025) and was defeated in the full HVAC Committee. Further, a federal court recently ruled that these types of restrictions are "likely unconstitutional."

Myth: Currently these services are free, so why should any Veteran ever pay?



Fact: No veteran ever "has to pay." Using an expert service to try and get it right the first time is a choice, a choice that no one should take away from our Veterans. Further, the VA admits that these services are not free, and that the VA uses taxpayer money to pay private boutique law firms approximately \$30 million every month in attorneys fees. That is not free. That is money that should be going to our Veterans.

Myth: The Department of Veterans Affairs is nonadversarial, easy to navigate, and most often results in the proper level of disability benefits.



Fact: Anyone who has filed a disability claim with the VA knows that the system is extremely onerous and time-consuming. Look no further than the VA disability claims backlog: There are nearly 100,000 pending claims that are backlogged, or older than 125 days since the submission. Additionally, the system is purposefully adversarial since Veterans have to prove existing conditions."

Myth: The VA does a good job of identifying, treating, and compensating Veterans' specific disabilities without any extra assistance.



Fact: The VA requires that claimants provide proof of their disability, proof of eligibility for VA disability benefits, proof that their disability is related to military service, and medical evidence for all the above. This is why Veterans Guardian only consults on "fully developed claims." We do not rely on the VA "duty to assist" which is why we have a 90% success rate with an average of 85-day initial claim return timeline. Many disabled Veterans need assistance. To argue that the VA is an ally in this process is akin to arguing that the IRS is helpful in tax preparation.



VA Disability Claims Assistance

Separating Fact from Fiction



Myth: GUARD-style fee bans are passing all across the country.



Fact: The strict fee-ban approach has been enacted in only four states: New Jersey, Maine, Utah, and California. These laws are being challenged or revisited, including through active litigation in Maine and New Jersey.

Myth: The GUARD Act will not harm Veterans or limit anyone's rights.



Fact: The U.S. Court of Appeals for the Third Circuit held that New Jersey's GUARD law likely burdens protected speech and sent the case back for First Amendment scrutiny. When a law bans compensation for speech-based help, it can chill lawful assistance and reduce access for Veterans. Many versions of the GUARD Act restrict the service itself by banning compensation for "advising or assisting" on Veterans benefits matters. As such, it can function as a broad limit on compensated speech.

Myth: Assistance provided by VSOs for benefits claims is widely available to Veterans nationwide at an expedited speed.



Fact: While well-intentioned, VSO groups can be understaffed and under-resourced in many areas of the country. This leads to bureaucratic slowdown and limited offerings for Veterans. Local representatives and members of VSOs don't solely focus on disability claims and simply don't have the time or expertise to focus on individual disability claims.

Myth: All claims consultants are "claim sharks" by definition and could just become VA-accredited, but they choose not to.



Fact: This is very simple to answer: private claims companies can not become accredited by the VA as the rules are currently written. Current rules state if you are an accredited agent, you can not charge a fee for the initial claim. Allowing professional help for a fee the first time avoids fees of hundreds of thousands of dollars of the Veterans' backpay going to appeals attorneys. We want to get accredited, which is why we support HR 3231 which has protections for the Veterans and provides a pathway for accreditation for private companies.

Myth: If you oppose GUARD, you oppose accountability.



Fact: You can be pro-enforcement and pro-choice by supporting legislation that requires written disclosures, bans guarantees and deception, protects privacy, and imposes serious penalties for bad actors all while preserving Veterans' ability to seek, and pay for, lawful assistance.

Public Comment submitted by Tom Stusek at the May 4, 2026 SAVA Meeting

STUSEK LAW FIRM, P.C.
ATTN: TOM STUSEK
2101 DURSTON RD., STE. 3
BOZEMAN, MT 59718

stuseklawfirm@yahoo.com
406-551-2700 office
406-670-9770 cell
406-551-2702 fax

4 - 28 - 26

To: Andrea Hardin

Add definitions:

1-1-201 (i): domicile

1-1-201 (j): residence

Impacts: Title 1 - definitions

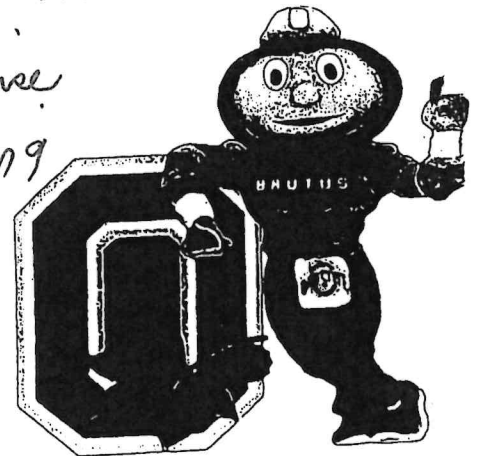
13 - elections

15 - taxation

20 - in-state tuition

61 - driver's license

81 - hunting/fishing



Title 1

1-1-201 (i) "Domicile" means the permanent residence of a person, even though he may actually reside elsewhere. A person may have more than one residence, but only one domicile. The legal domicile of a person is important since it, rather than the actual residence, controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other local rights and privileges. (Subject to jurisdiction)

1-1-201 (j) "Residence" means living in a particular locality. Residence simply requires bodily presence in a given place, while domicile requires bodily presence in that place and also an intention to make it one's domicile.

Note: Recent "bright citizenship" case before the U.S.S. Ct

↳ US Solicitor General argued distinction between residence (mere bodily presence) and domicile (14th amendment - "subject to jurisdiction")

Title 13

domiciliary

13-1-111 (i)(c) a ~~resident~~ of the state of Montana and of the county in which the person offers to vote for at least 30 days...

domicile *

13-1-112. Rules for determining residence. For registration, voting, or seeking election to the legislature, the residence of an individual must be determined by the following rules as far as they are applicable:

(1) The residence of an individual is where the individual's habitation is fixed and to which, whenever the individual is absent, the individual has the intention of returning.

(2) An individual may not gain or lose a residence while kept involuntarily at any public institution, not necessarily at public expense, as a result of being confined in any prison; or solely as a result of residing on a military reservation.

(3) (a) An individual in the armed forces of the United States may not become a resident solely as a result of being stationed at a military facility in the state.

domiciliary

(b) An individual may not acquire a residence solely as a result of being employed or stationed at a training or other transient camp maintained by the United States within the state.

(c) A member of a reserve component of the United States armed forces who is stationed outside of the state but who has no intent of changing residency retains resident status.

(4) An individual does not lose residence if the individual goes into another state or other district of this state for temporary purposes with the intention of returning, unless the individual exercises the election franchise in the other state or district.

(5) An individual may not gain a residence in a county if the individual comes in for temporary purposes without the intention of making that county the individual's home.

(6) If an individual moves to another state with the intention of making it the individual's residence, the individual loses residence in this state.

(7) The place where an individual's family resides is presumed to be that individual's place of residence. However, an individual who takes up or continues a residence at a place other than where the individual's family resides with the intention of remaining is a resident of the place where the individual resides.

2022 MCA

(8) A change of residence may be made only by the act of removal joined with intent to subject oneself to the jurisdiction of another place

↓ HD 413 (2025) amended = 13-1-112

13-2-514 Change of ~~residence~~ to another county

domicile

Everyone "residence" appears:
SHOULD BE CHANGED TO DOMICILE

CITIZEN ^{known as} - one who, under the Constitution of the U.S., is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.

RESIDUARY ESTATE

abode; house where one's home is; a dwelling house. *Rez v. Health and Social Services*, 91 N.M. 334, 573 P.2d 689, 692. Personal presence at some place of abode with no present intention of definite and early removal and with purpose to remain for undetermined period, not infrequently, but not necessarily combined with design to stay permanently. *T.P. Laboratories, Inc. v. Huger*, D.C.Md., 197 F.Supp. 860, 865.

Residence implies something more than mere physical presence and something less than domicile. *Petition of Castrinakis*, D.C.Md., 179 F.Supp. 444, 445. The terms "resident" and "residence" have no precise legal meaning; sometimes they mean domicile plus physical presence; sometimes they mean domicile; and sometimes they mean something less than domicile. *Willenbrock v. Rogers*, C.A.Pa., 255 F.2d 236, 237. *See also* Abode; Domicile; Legal residence; Principal residence.

"Domicile" compared and distinguished. ~~As~~ "domicile" and "residence" ~~are usually in the same place, they~~ are frequently used as if they had the same meaning, but they are not identical terms, for a person may have two places of residence, ~~as in the city and country,~~ but only one domicile. Residence means living in a particular locality, but domicile means living in that locality with intent to make it a fixed and permanent home. Residence simply requires bodily presence as an inhabitant in a given place, while domicile requires bodily presence in that place and also an intention to make it one's domicile. *Fuller v. Hofferbert*, C.A.Ohio, 204 F.2d 592, 597. "Residence" is not synonymous with "domicile," though the two terms are closely related; a person may have only one legal domicile at one time, but he may have more than one residence. *Fielding v. Casualty Reciprocal Exchange*, La.App., 331 So.2d 186, 188.

In certain contexts the courts consider "residence" and "domicile" to be synonymous (e.g. divorce action, *Cooper v. Cooper*, 269 Cal.App.2d 6, 74 Cal.Rptr. 439, 441); while in others the two terms are distinguished (e.g. venue, *Fromkin v. Loehmann's Hewlett, Inc.*, 16 Misc.2d 117, 184 N.Y.S.2d 63, 65).

Immigration law. The place of general abode; the place of general abode of a person means his or her principal, actual dwelling place in fact, without regard to intent. 8 U.S.C.A. § 1101.

Legal residence. See that title.

Residency requirements. Broad term to describe terms of residence required by states for such things as welfare benefits, admission to the bar, divorce, etc. As regards divorce and welfare prerequisites, the requirements must not be so stringent as to violate due process or equal protection. *See* Right to travel.

Resident. Any person who occupies a dwelling within the State, has a present intent to remain within the State for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence within the State together with indicia that his presence within the State is something other than merely transitory in nature. The word "resident" when used as a noun, means a dweller, habitant or occupant; one

who resides or dwells in a place for a period of more, or less, duration; it signifies one having a residence, or one who resides or abides. *Hanson v. P. A. Peterson Home Ass'n*, 35 Ill.App.2d 134, 182 N.E.2d 237, 240. Word "resident" has many meanings in law, largely determined by statutory context in which it is used. *Kelm v. Carlson*, C.A.Ohio, 473 F.2d 1267, 1271. *See also* Residence.

Resident agent. Person in a jurisdiction authorized to accept service of process for another, especially a corporation.

Resident alien. One, not yet a citizen of this country, who has come into the country from another with the intent to abandon his former citizenship and to reside here.

Resident freeholder. A person who resides in the particular place (town, city, county, etc.) and who owns an estate in lands therein amounting at least to a freehold interest. *Brodie v. City of Missoula*, 155 Mont. 185, 468 P.2d 778, 782.

Residential cluster. An area to be developed as a single entity according to a plan containing residential housing units which have a common or public open space area as an appurtenance. *See also* Planned unit development.

Residential density. The number of dwelling units per gross acre of residential land area including streets, easements and open space portions of a development.

Residual /rəzɪdyuəl/rəzɪj(uw)əl/. Relating to the residue; relating to the part remaining; that which is left over. Term may also refer to deferred commissions.

Residual value. Value of depreciable asset after depreciation charges have been deducted from original cost. *See also* Salvage (salvage value).

Residuary /rəzɪdyuəri/. Pertaining to the residue; constituting the residue; giving or bequeathing the residue; receiving or entitled to the residue. *See* Residue.

Residuary account. In English practice, the account which every executor and administrator, after paying the debts and particular legacies of the deceased, and before paying over the residuum, must pass before the board of inland revenue.

Residuary bequest. A bequest of all of testator's estate not otherwise effectually disposed of.

Residuary clause. Clause in will by which that part of property is disposed of which remains after satisfying bequests and devises. Any part of the will which disposes of property not expressly disposed of by other provisions of the will. *Jackson v. Jackson*, 217 Kan. 448, 536 P.2d 1400, 1406. *See also* Residuary estate.

Residuary devise and devisee. *See* Devise.

Residuary estate. That which remains after debts and expenses of administration, legacies, and devises have been satisfied. That portion of person's estate which has not otherwise been particularly devised or bequeathed. It consists of all that has not been legally disposed of by will, other than by residuary clause.

Domicile

Residence -- Rules for Determining

Section 1-1-215, MCA

Every person has, in law, a ^{*domicile*} residence. In determining the place of ^{*domicile*} residence, the following rules are to be observed:

(1) It is the place where a person remains when not called elsewhere for labor or other special or temporary purpose and to which the person returns in seasons of repose.

(2) There may be only one ^{*domicile*} residence. If a person claims a ^{*domicile*} residence within Montana for any purpose, then that location is the person's ^{*domicile*} residence for all purposes unless there is a specific statutory exception.

(3) A ^{*domicile*} residence cannot be lost until another is gained.

(4) The ^{*domicile*} residence of an unmarried minor is:

(a) the ^{*domicile*} residence of the minor's parents;

(b) if one of the parents is deceased or the parents do not share the same ^{*domicile*} residence, the ^{*domicile*} residence of the parent having legal custody;

(c) if neither parent has legal custody, the ^{*domicile*} residence of the legal guardian or custodian appointed by a court of competent jurisdiction; or

(d) if the conditions in 20-5-502 are met, the ^{*domicile*} residence of the caretaker relative.

(5) In the case of a controversy, the district court has jurisdiction over which ^{*domicile*} residence is the ^{*domicile*} residence of an unmarried minor.

(6) Except as provided in Title 20, chapter 5, part 5, and this section, the ^{*domicile*} residence of an unmarried minor who has a parent living cannot be changed by either the minor's own act or an act of the minor's guardian.

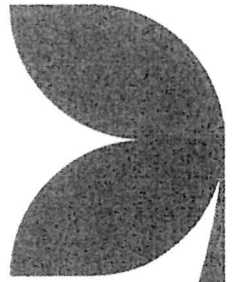
(7) The ^{*domicile*} residence can be changed only by the union of act and intent.

DOMICILE

- Habitation
- Intent to make permanent
- Intent to return when absent

also

See 1-1-202(2)



Public Comment submitted by Keegan Nashan at the May 4, 2026 SAVA Meeting

Date of Request	Request	Response
1-14-2026 Request at 16:57:47	I would like to submit a formal request to know how much the Secretary of State's office spent to design, print and send the mailer with Secretary Jacobson next to President Trump on it. Thank you for your time and help!	You pose a question that is outside that of a public records request. You engaged in direct communications with SOS Communications on this subject. That question was responded to by the SOS Communications Division, with the information available at the time. This invoice was not received until after your previous communications with the SOS Communications Division. Please see the attached document.
<i>Clarifications...</i>	<i>I submitted this request through the formal PIR portal on the SoS website 1/14/26. I never received a confirmation that my request was recieved. The email I received from SOS Communications Division on Jan. 28th did not directly address this question. It nowhere stated it was intended to be a response to my PIR request, even though I responded immediately asking if it was intended as such and further requested additional information about how to submit the following requests. I received no response from Comms. I received no communication from Susan Ames in regard to this request until Feb. 5th, when she informed me my PIR had returned no responsive records and had been considered closed. This is clearly in violation of MCA 2-6-1006(3)(a)(i) "An executive branch agency shall respond to a public information request by acknowledging receipt of the request within 5 business days of the agency's designated contact person receiving the request."</i>	
2-12-2026 Request at 14:24:58	All correspondence regarding the design, printing, and mailing of the flyer of Sec. Jacobson & Pres. DJT regarding election security. I would like to request all emails, phone calls, and text messages between the Secretary of State's office and the federal officials in regard to the mailer	No responsive documents exist as to "the design, printing, and mailing of the flyer of Sec. Jacobsen and Pres. DJT regarding election security" between the Secretary of State's Office and Department of Homeland Security, the agency providing the tool to the State of Montana.
<i>Clarifications...</i>	<i>This is an insufficient response. I asked for correspondence, which is not a particular document. I did not ask particularly about communications between the MT SoS Office and the Department of Homeland Security. I asked for all communications regarding the design, printing, and mailing in regard to the flyer between the MT SoS Office and any federal officials. This includes correspondence between Secretary Jacobson and federal officials on her personal devices in regard to the design, printing and mailing of the flyer. It is my Right to Know.</i>	
2-12-2026 Request at 14:26:55	All correspondence regarding the memorandum of understanding proposed by the Federal government in regard to our voter rolls. I would like to request all emails, phone calls, and text messages between the Secretary of State's office and the federal officials in regard to our voter rolls in the last year.	This request is vague, as it does not clarify what precise public document you are seeking. The Secretary of State's Office routinely communicates with the federal government on a wide variety of matters. With that said, please see the following link for documents requested in a similar records request.
<i>Clarifications...</i>	<i>This is an insufficient response. A letter from Secretary Jacobson to Pam Bondi is clearly not what I am requesting. I asked for particular correspondence in regard to the voter rolls. Your generalization of my request is unacceptable, and I have deemed this response to be insufficient. I am requesting ALL correspondence, including personal device communications, surrounding conversations related to our voter rolls in the past year. Further, the link you provided is a singular document, not a copy of the files provided in the previous records request, you appear to be referencing: https://sosmt.gov/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd_category_id=654&wpfd_file_id=73473&token=&preview=1</i>	
2-12-2026 request at 14:29:01	A copy of the agreement signed between MT's Sec. of State's office and the federal government which makes the statewide voter file (public info) available. If there was no agreement signed, a record of the purchase of this information by the federal government is requested.	There are no responsive documents.
<i>Clarifications...</i>	<i>To clarify, I want to request any agreements signed between the federal government and the MT SoS office in relation to the voter rolls. Please advise if the MT SOS Office provided the Department of Justice with the requested, expanded voter rolls in with no agreement. Further, that the MT SoS Office further turned over the publicly avail+ voter rolls in addition to the including additional information pertinent to 52 U.S.C. § 20703." with no charge to the Department of Justice.</i>	
2-12-2026 Request at 14:30:21	Has the federal government ever paid for promotional materials to be sent to Montana voters from the Secretary of State's office in the past? If so, I would like to also request a list of these instances.	There is no responsive document or list in relation to the question that you pose on the federal government paying for promotional materials.
<i>Clarifications...</i>	<i>I want to confirm that this means the secretary has never spent federal funds, including federal grant expenditures on promotional materials?</i>	
2-12-2026 request at 14:37:32	I request all corespondence in regard to my FOIA requests in the last two months and emails recieved by the Sos office from me. I request the internal communications involved in the processing of my requests and inquiries	The public records requests that you submitted to the Secretary of State's Office were already provided to you, as such were outside that of a records request (you already had possession of such communications as you were directly involved in such communications.) No other responsive documents exist.
<i>Clarifications...</i>	<i>I want to clarify that I want all internal communications in regard to my requests and inquiries.</i>	
3-2-2026 Request at 12:20	I am requesting a copy of the document provided to the DOJ by MT Sos on July 31, 2025.	This letter serves as confirmation that your request has been received for a copy of the document provided to the Department of Justice by this office on July 31, 2025. It appears you are referring to the statewide voter file. A current copy of the statewide voter file is available for purchase here: https://sosmt.gov/elections/voter-file/ . A list of the fields in the report – and the required content within that voter file - are available as part of the Montana Administrative Rule 44.3.1101.

<p>Clarifications...</p>	<p>What was the additional information the MT SoS Office turned over outside of what is typically included in the voter roll? Particularly in reference to, "the electronic copy of the statewide VRL must contain all fields, including the registrant's full name, date of birth, residential address, his or her state driver's license number or the last four digits of the registrant's social security number." per the August 14th email that Secretary Jacobson said she had sent. Particularly, saying the SoS had sent the public voter file, "including additional information pertinent to 52 U.S.C. § 20703."</p>
<p>3-25-2026 Request at 1:41</p>	<p>I would like to request a copy of all my personal information the SoS Office sent to the DOJ on July 31, 2025</p> <p><i>This letter is in response to your public records request of March 25, 2026. - https://sosmt.gov/elections/voter-file/. A list of the fields in the statewide voter file report and the required content within that voter file are available as part of the Montana Administrative Rule 44.3.1101. The "Voter File" is a list of voters with a current status of "active," "inactive," and "provisional." The list contains the following data for each voter entered into the statewide voter registration system by the county election administrators: Assigned Voter ID; First Name; Middle Name; Last Name; Name Suffix; Voter Status; Residential Address house number; Residential Address street name; Residential Address street type; Residential Address street pre-directional code; Residential Address street post-directional code; Residential Address unit type code; Residential Address unit number; Residential Address City; Residential Address State; Residential 5-digit zip code; Residential Address complete address; Mailing Address line 1; Mailing Address line 2; Mailing Address City; Mailing Address State; Mailing Address 5-digit zip code; Mailing Address plus 4 zip code; Mailing Address complete; Phone Number; Birth Year; Current County; Precinct; Congressional District; State House District; State Senate District; Absentee indicator; City; and Ward. Montana's statewide voter registration list was provided, pursuant to the demand of the U.S. Department of Justice and as required by Help America Voter Act to register individuals for federal elections. 52 U.S.C. Section 21083(a)(5)(A)(i). Election officials are aware of these misinformation campaigns that attempt to mislead Montanans by claiming that data was released that was not, including information about how Montanans have voted. These claims are false. In fact, Montana elections are conducted by secret ballot, making this particular misinformation campaign especially unfounded. Please see the video below from Secretary Jacobsen for further information: https://www.facebook.com/share/v/1DgqG32Rw5/. Election officials statewide appreciate your assistance in countering these false narratives by sharing accurate information with others.</i></p>
<p>Clarifications...</p>	<p><i>This is an insufficient response. I requested a copy my personal information that you shared with the DOJ about *me* in August of 2025. I did not request information about the voter file or anything regarding SoS Jacobson's public comment. All communications between our elected officials in Montana are public information per the Right to Know clause in our Constitution. Further, I am requesting the information from a particular time when your office shared my information with the Department of Justice. The current voter file you have sent a link to is not the information I'm requesting, as the voter file has since been updated. Also, directing me to pay \$1,000 for a copy of the voter file is cost prohibitive for any individual citizen and, again, not an answer to my question. Secretary Jacobson said she had provided the Department of Justice with our voter file "including additional information pertinent to 52 U.S.C. § 20703." I am very clearly requesting a copy of all of the information of mine, including personal information, that you shared with the Department of Justice on a particular day in a particular file. Per MCA 2-6-1501. Definitions. (5) (a) "Personal information" means a first name or first initial and last name paired with a drivers license number qualifies as personal information. The Department of Justice specifically requested, "the registrant's full name, date of birth, residential address, his or her state driver's license number" and per Secretary Jacobson's email, "Montana fully satisfied the August 14th request." What information about me did you provide to the Department of Justice?</i></p>

<p>4-2-2026 Request at 3:57</p>	<p>I would like to request a copy of all my personal information the SoS Office sent to the DOJ on August 14, 2025.</p>	<p>This email serves as a confirmation that your most recent public information request of 4/2/26 regarding your personal information has been received by the Montana Secretary of State's Office.</p> <p>The information that is contained in the statewide voter file, which we already previously pointed you to, aligns with the "my voter information" located here: https://voterportal.mt.gov/WhereToVote.aspx.</p> <p>With that said, as you have previously mentioned, your address change made on November 4, 2025, (the date that Park County received your change of address form) would not have been in DOJ's possession in August of 2025. Thus, your previous address in August of 2025 would have been the address that came into the possession of the DOJ. No other information of yours, outside of that which is in the public voter file, was provided to DOJ.</p> <p>Please be advised that by providing this information to you, this records request is now closed.</p>
<p>Clarifications...</p>	<p><i>"This is an insufficient response. I requested a copy my personal information that you shared with the DOJ about *me* in August of 2025. I did not request information about the voter file or anything regarding SoS Jacobson's public comment. All communications between our elected officials in Montana are public information per the Right to Know clause in our Constitution. Further, I am requesting the information from a particular time when your office shared my information with the Department of Justice. The current voter file you have sent a link to is not the information I'm requesting, as the voter file has since been updated. Also, directing me to pay \$1,000 for a copy of the voter file is cost prohibitive for any individual citizen and, again, not an answer to my question. Secretary Jacobson said she had provided the Department of Justice with our voter file ""including additional information pertinent to 52 U.S.C. § 20703."" I am very clearly requesting a copy of all of the information of mine, including personal information, that you shared with the Department of Justice on a particular day in a particular file. Per MCA 2-6-1501. Definitions. (5) (a) ""Personal information"" means a first name or first initial and last name paired with a drivers license number qualifies as personal information. The Department of Justice specifically requested, ""the registrant's full name, date of birth, residential address, his or her state driver's license number"" and per Secretary Jacobson's email, ""Montana fully satisfied the August 14th request."" What information about me did you provide to the Department of Justice?"</i></p>	
<p>4-2-2026 Request at 9:45pm</p>	<p>I would like to request copies of the draft coorespondence in regard to my PIR requests. I request any internal communications about responding to my requests, including the drafts of the previous PIR you responded to on April 1, 2026. Thank you!</p>	<p>Public information requests are governed by Article II, Section 9 of the Montana Constitution, and Section 2-6-1001 through 2-6-1020, MCA. Every citizen has a right take a copy of a public writing of the State of Montana except those that are constitutionally protected from disclosure or are otherwise protected by law or lawful order or process. Public records law does not require agencies to provide information or records if no responsive information or records exist. New information or records do not need to be created or generated in order to fulfill any request.</p> <p>There is no responsive information not protected from disclosure fitting within that of the public records law stated above that would require agency disclosure in accordance with the Montana Code and Montana Constitution. Further, any "draft correspondence" or "internal communications about responding to my requests" would have already been provided to you incorporated as part of the Secretary of State's Office's responses to your 9+ (now 10) records requests over a span of several weeks.</p> <p>Your request has been fully satisfied and is now closed.</p>
<p>Clarifications...</p>	<p><i>My request is not fully satisfied. Mr. Leland told me he had reviewed a draft of your response to my prior PIR. I am requesting that particular draft alongside any email correspondence about those drafts. This is an insufficient response. Sorry to have missed you in the office today, Ms. Ames.</i></p>	

NEWS | LITIGATION | TRUMP ACCOUNTABILITY

Exclusive: New records show paper trail of DOGE voter data pact with election deniers

By Yuniur Rivas | April 29, 2026



Social Security Administration posts notice on front door of its Queens Government Shutdown, in the Queens borough of New York City, NY, (Images)

Newly obtained documents show a clear paper trail

BECOME A MEMBER News that doesn't bow down

Join 60,000+ members funding independent media that can't be bought or silenced.

SUPPORT FOR \$2.50/WEEK

In a statement, Democracy Forward President and CEO Skye Perryman said the administration continues to withhold critical information from the public.

“The Trump-Vance administration continues to hide what it is doing with Americans’ personal data, who it has unlawfully shared it with, and why,” Perryman said. “This is why we are seeking discovery in our case – to ensure that we hold this administration accountable to the American people. We will not stop until we know exactly how far this unlawful assault on our privacy, and potential threats to free and fair elections, go.”

SIGN UP TODAY

Get updates straight to your inbox — for free

Join 350,000 readers who rely on our daily and weekly newsletters for the latest in voting, elections and democracy.

Email*

SUBSCRIBE

Still, the documents provide the clearest evidence to date that Department of Government Efficiency (DOGE) personnel engaged with an outside political group seeking to analyze voter rolls in an effort to challenge election results.

Earlier court filings stated the group’s goal was to find evidence of voter fraud and overturn election

From: (b) (6), (b) (7)(C)
 Subject: RE: Fwd: [EXTERNAL]
 To: (b) (6), (b) (7)(C)
 Cc:
 Sent: March 25, 2025 3:26 PM (UTC-04:00)

Hi (b) (6), (b) (7)(C)

(b) (7)(A), (b) (7)(E) Thanks!

From: (b) (6), (b) (7)(C)
 Sent: Monday, March 24, 2025 7:32 PM
 To: (b) (6), (b) (7)(C) @ssa.gov>; (b) (6), (b) (7)(C) @ssa.gov>
 Cc: (b) (6), (b) (7)(C) @ssa.gov>
 Subject: Re: Fwd: [EXTERNAL]

(b) (6), (b) (7)(C)

Here is the link to the information you requested. It is password protected; I provided the password to (b) (6), (b) (7)(C)

We have spent many hours on many aspects of (b) (6), (b) (7)(C) elections. Please let us know if you have any questions, if you need other data, or if you have any theories you would like to discuss. We live for this!

Thanks,
(b) (6), (b) (7)(C)

The records also include referrals for potential violations of the Hatch Act — a federal law that restricts partisan political activity by government employees — suggesting concerns that Trump administration staff may have used their positions and government resources for political purposes.

Despite the new disclosures, major questions remain unanswered.

The government has redacted the names of most individuals involved and has not publicly identified the outside group that signed the agreement.

The documents come as part of a broader legal battle over DOGE’s access to Social Security data —

Even with large portions blacked out, the records show that government officials moved forward with plans to exchange sensitive data in connection with election-related activity — and that more details may soon come to light as the case proceeds.

**Democracy Docket Founder Marc Elias is the chair of Democracy Forward's board.*

NEXT UP

After Callais, calls to reform Supreme Court grow deafening

Following the Supreme Court's gutting of the Voting Rights Act Wednesday, legal scholars and advocates across the country demanded reforms to the Supreme Court to preserve free and fair elections and voting rights in the U.S.

RELATED LINKS

[DOJ voter roll grab: Court sounds skeptical of Trump bid for Michigan data](#)

[Trump DOJ cites its own legal memo to defend voter roll demands on eve of appeal](#)

[Emails reveal DOJ officials planned to share voter rolls with DHS much earlier than they admitted](#)

[Voting rights groups sue Alaska for sharing voter data with Trump DOJ](#)

[Trump DOJ falsely tells court it doesn't want voter data to purge rolls](#)

SIGN UP FOR FREE

Help keep our content free.

We depend on your support to keep bringing you the latest information and insight on the fight for democracy — always free and available for all. After all, we can't fight for the future of our democracy unless we know what's happening.

SUPPORT TODAY

Democracy Docket

Democracy Docket is the leading digital news platform dedicated to information, analysis and opinion about voting rights and elections in the courts.

CONTENT

HOME

SOCIAL

BLUESKY

FACEBOOK

INSTAGRAM

THREADS

X

YOUTUBE

CONNECT WITH US

ABOUT US

CONTACT US

HELP CENTER

OUR TEAM

BILLING PORTAL

SHOP

WORK WITH US

© **Democracy Docket, LLC 2026**

[Our Team](#)

[Terms of Service](#)

[Privacy Policy](#)

[Cancellation & Refund Policy](#)

Exclusive: New records show paper trail of DOGE voter data pact with election deniers

By Yunior Rivas

April 29, 2026

Social Security Administration posts notice on front door of its Queens based offices regarding impact on services due to the Government Shutdown, in the Queens borough of New York City, NY, October 7, 2025. (Photo by Anthony Behar/Sipa USA)(Sipa via AP Images)

Share on Facebook

Share on Twitter

Share on Bluesky

Newly obtained documents show a clear paper trail of Trump administration officials planning to share sensitive voter data with an outside political group trying to overturn elections, as part of a secret agreement.

The records — first obtained by Democracy Forward* through public record requests and ongoing litigation, and shared exclusively with Democracy Docket — include heavily redacted emails between government employees and the external group. They also include the signed voter data agreement and discussion of how data would be transferred between parties.

In a statement, Democracy Forward President and CEO Skye Perryman said the administration continues to withhold critical information from the public.

“The Trump-Vance administration continues to hide what it is doing with Americans’ personal data, who it has unlawfully shared it with, and why,” Perryman said. “This is why we are seeking discovery in our case – to ensure that we hold this administration accountable to the American people. We will not stop until we know exactly how far this unlawful assault on our privacy, and potential threats to free and fair elections, go.”

Still, the documents provide the clearest evidence to date that Department of Government Efficiency (DOGE) personnel engaged with an outside political group seeking to analyze voter rolls in an effort to challenge election results.

Earlier court filings stated the group’s goal was to find evidence of voter fraud and overturn election results in certain states.

Internal communications included in the files show discussions about executing a data-sharing agreement and coordinating the transfer of information once finalized, though key details — including the identities of the outside entity and other officials involved — remain blacked out.

One email included in the records offered a glimpse into the tone of the outside group’s outreach, with a sender writing that they had spent extensive time analyzing specific elections and were eager to share data and “theories.”

The records also include referrals for potential violations of the Hatch Act — a federal law that restricts partisan political activity by government employees — suggesting concerns that Trump administration staff may have used their positions and government resources for political purposes.

Despite the new disclosures, major questions remain unanswered.

The government has redacted the names of most individuals involved and has not publicly identified the outside group that signed the agreement.

The documents come as part of a broader legal battle over DOGE’s access to Social Security data — including highly sensitive personal information such as Social Security numbers, financial records and medical data on millions of Americans.

That case has intensified in recent weeks. A federal appeals court recently described the government’s conduct as “alarming” and directed a lower court to reconsider the case in light of newly disclosed evidence, including the voter data agreement. A district court has since allowed discovery to move forward, meaning plaintiffs can now seek internal government records and communications.

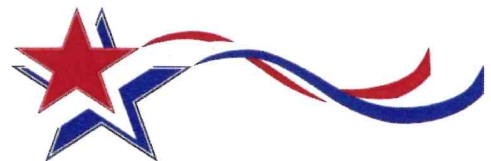
Even with large portions blacked out, the records show that government officials moved forward with plans to exchange sensitive data in connection with election-related activity — and that more details may soon come to light as the case proceeds.

*Democracy Docket Founder Marc Elias is the chair of Democracy Forward’s board.

Public Comment submitted by Barbara Reed at the May 4, 2026 SAVA Meeting



Montana Election Findings



SUMMARY

I always trusted that our elections were transparent, verifiable, and auditable, but they are not. Elections are a 'no trust system'. This is not a Democrat or Republican issue! Our elections are compromised by our electronic voting machines, our corrupted voter rolls, and our unwillingness to follow elections laws.

Voting machines can easily be manipulated as concluded by a report from DEF-CON (Tab 6). These machines have open networking as was testified to by Dana Corson, the Election Administrator at the SOS office (Tab 6).

The Federal Trade Commission has set rules for deceptive contract practices. Montana cannot use voting machines if they go against Montana public policy (Tab 7). The ES&S electronic voting machines propriety contract signed by our county commissioners goes against MCA 13-17-103 line (l) (Tab 6 & 8).

Ben Cotton's Affidavit confirms foreign influence in elections. This fact is also confirmed by retired Supreme Court Judge Gableman's findings in Wisconsin and Mark Cook's findings in Colorado (Tab 8 and 6).

Citizens of Montana have paid \$15,000 over the past 3 years to receive daily readings of the SOS voter rolls. They found that 18 of Montana counties out of 39 have certified their elections without compliance with the Federal HAVA Law. The citizens also found Montana's criteria of 0.5% accuracy for post-audit election is unreasonable and unattainable.

My hope is that more time and attention will be given to election integrity where we can confidently say that every vote is secured and our nation is free from voter fraud.



Loy Chvilicek
(406) 202-3442

1

Elections are a "No Trust" System

2

Executive Order 14248

3

Citizen's Canvas

4

Observations in L&C County in 2022

5

Voting Roll

6

ES&S Voting Machines

7

Election Laws

8

Reports

9

10

Tab 1

ELECTIONS ARE A NO TRUST SYSTEM

WE ARE NOT CHALLENGING THE OUTCOME OF THE ELECTION BUT THE VALIDATION AND MISCONDUCT.

THE ACT OF CERTIFICATION IS PURGURY IF THE MACHINES CANNOT HAVE TRANSPARENCY OR IF THE VOTER ROLLS ARE NOT ACCURATE.

ONLY ONE PERSON WHO CAN CHALLENGE AN ELECTION IS A CANDIDATE, BUT THEY MUST FILE BEFORE CERTIFICATION.

IF ELECTION OFFICIALS DON'T FOLLOW THE LAW , THEY ARE GOING AGAINST CONTINUITY OF GOVERNMENT.

IT IS TYRANNY TO CERTIFY AN ELECTION THAT IS NOT PROVABLE.

BLACK LETTER LAW CANNOT BE CHANGED!

THE MACHINES ARE CERTIFIED BUT NOT CERTIFIABLE BECAUSE OF THE PROPRIETY CONTRACT SIGNED BY OUR COUNTY COMMISSIONERS.

HELP AMERICA VOTE ACT
2002 PRESIDENT OBOMA E.O.

Section 102 is the replacement of punch cards or other machines used in tabulating votes.

(c)That the replacement of voting systems will meet the requirements of Section 301.

(d) Will meet other information and certifications as the Administrator may request.

VOTING SYSTEMS PERFORMANCE

GUIDELINES FOR HARDWARE REQUIREMENTS 4.1.1 ACCURACY REQUIREMENTS

The following requirements are intended to allow tolerance for unpreventable hardware related errors that occur rarely and randomly as a result of physical phenomena. They are NOT intended to allow tolerance of SOFTWARE faults the result in systematic miscounting of votes.

Section 2.1.2 includes a requirement for accuracy of logic.

(a) All systems shall achieve a report total error rate of NO MORE THAT 1 IN 125,000

CIVIL RIGHTS LAW 1983 & 1998

Title 241 & 242.

It is a civil right for citizens to neither be denied the right to vote or.....

Makes it illegal for any official to deny anyone their civil rights under color of law when they fail to follow the law but SAY THEY ARE FOLLOWING THE LAW!

SEC 23 (?) allows direct litigations .

1988 law makes parties responsible for legal fees who are not protecting our civil rights.

NATIONAL VOTER REGISTRATION ACT 1998

1. Voter rolls must be accurate
2. We're the votes counted from eligible voters?
3. We're the number of votes counted equal to the number of voters?

FEDERAL INFORMATION SECURITY MODERNIZATION ACT

If the system is not auditable it violates the FISMA and the HAVA law. This law requires transparency which includes the machines.

Any machine that has not gone through a risk assessment is not following FISMA.

The machines fall under Federal law because of and E.O. By OBOMA saying they are critical infrastructure.

FISMA requires code review under the risk assessment!

COY 1888

IF THERE IS ELECTION FRAUD OR MALFEASANCE, OFFICIALS MUST FOLLOW THE LAW.

Tab 2



DONALD J. TRUMP
(2ND TERM)
**(/PEOPLE/PRESIDENT/
DONALD-J-TRUMP-
2ND-TERM)**

Executive Order 14248
— Preserving and Protecting the
Integrity of American Elections

March 25, 2025

1, By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

2. *Section 1. Purpose and Policy.* Despite pioneering self-government, the United States now fails to enforce basic and necessary election protections employed by modern, developed nations, as well as those still developing. India and Brazil, for example, are tying voter identification to a biometric database, while the United States largely relies on self-attestation for citizenship. In tabulating votes, Germany and Canada require use of paper ballots, counted in public by local officials, which substantially reduces the number of disputes as compared to the American patchwork of voting methods that can lead to basic chain-of-custody problems. Further, while countries like Denmark and Sweden sensibly limit mail-in voting to those unable to vote in person and do not count late-arriving votes regardless of the date of postmark, many American elections now feature mass voting by mail, with many officials accepting ballots without postmarks or those received well after Election Day.

3 Free, fair, and honest elections unmarred by fraud, errors, or suspicion are fundamental to maintaining our constitutional Republic. The right of American citizens to have their votes properly counted and tabulated, without illegal dilution, is vital to determining the rightful winner of an election.

4 Under the Constitution, State governments must safeguard American elections in compliance with Federal laws that protect Americans' voting rights and guard against dilution by illegal voting, discrimination, fraud, and other forms of

cannot count ballots received after E.D.

malfeasance and error. Yet the United States has not adequately enforced Federal election requirements that, for example, prohibit States from counting ballots received after Election Day or prohibit non-citizens from registering to vote.

2. USC

Federal law establishes a uniform Election Day across the Nation for Federal elections, 2 U.S.C. 7 and 3 U.S.C. 1. It is the policy of my Administration to enforce those statutes and require that votes be cast and received by the election date established in law. As the United States Court of Appeals for the Fifth Circuit recently held in Republican National Committee v. Wetzel (2024), those statutes set "the day by which ballots must be both cast by voters and received by state officials." Yet numerous States fail to comply with those laws by counting ballots received after Election Day. This is like allowing persons who arrive 3 days after Election Day, perhaps after a winner has been declared, to vote in person at a former voting precinct, which would be absurd.

5

Several Federal laws, including 18 U.S.C. 1015 and 611, prohibit foreign nationals from registering to vote or voting in Federal elections. Yet States fail adequately to vet voters' citizenship, and, in recent years, the Department of Justice has failed to prioritize and devote sufficient resources for enforcement of these provisions. Even worse, the prior administration actively prevented States from removing aliens from their voter lists.

6

Austin J. Inf. from:
DOJ
USPS
S.S.
DPHHS
DPHS

Maintain accurate voter rolls. H.A.V.A. W.V.R.A.

Additionally, Federal laws, such as the National Voter Registration Act (Public Law 103- 31) and the Help America Vote Act (Public Law 107-252), require States to maintain an accurate and current Statewide list of every legally registered voter in the State. And the Department of Homeland Security is required to share database information with States upon request so they can fulfill this duty. See 8 U.S.C. 1373(c). Maintaining accurate voter registration lists is a fundamental requirement in protecting voters from having their ballots voided or diluted by fraudulent votes.

7

No contributions by foreign nationals + N.G.O.

Federal law, 52 U.S.C. 30121, prohibits foreign nationals from participating in Federal, State, or local elections by making any contributions or expenditures. But foreign nationals and non-governmental organizations have taken advantage of loopholes in the law's interpretation, spending millions of dollars through conduit contributions and ballot-initiative-related expenditures. This type of foreign interference in our election process undermines the franchise and the right of American citizens to govern their Republic.

8

Above all, elections must be honest and worthy of the public trust. That requires voting methods that produce a voter-verifiable paper record allowing voters to efficiently check

9

2.

their votes to protect against fraud or mistake. Election-integrity standards must be modified accordingly.

10 It is the policy of my Administration to enforce Federal law and to protect the integrity of our election process.

11 *Sec. 2. Enforcing the Citizenship Requirement for Federal Elections.* To enforce the Federal prohibition on foreign nationals voting in Federal elections:

12 (a)(i) Within 30 days of the date of this order, the Election Assistance Commission shall take appropriate action to require, in its national mail voter registration form issued under 52 U.S.C. 20508:

13 (A) documentary proof of United States citizenship, consistent with 52 U.S.C. 20508(b)(3); and

14 (B) a State or local official to record on the form the type of document that the applicant presented as documentary proof of United States citizenship, including the date of the document's issuance, the date of the document's expiration (if any), the office that issued the document, and any unique identification number associated with the document as required by the criteria in 52 U.S.C. 21083(a)(5)(A), while taking appropriate measures to ensure information security.

PRR from our county on foreign nationals

15 (ii) For purposes of subsection (a) of this section, "documentary proof of United States citizenship" shall include a copy of:

(A) a United States passport;

16 (B) an identification document compliant with the requirements of the REAL ID Act of 2005 (Public Law 109-13, Div. B) that indicates the applicant is a citizen of the United States;

17 (C) an official military identification card that indicates the applicant is a citizen of the United States; or

18 (D) a valid Federal or State government-issued photo identification if such identification indicates that the applicant is a United States citizen or if such identification is otherwise accompanied by proof of United States citizenship.

(b) To identify unqualified voters registered in the States:

19 (i) the Secretary of Homeland Security shall, consistent with applicable law, ensure that State and local officials have, without the requirement of the payment of a fee, access to appropriate systems for verifying the citizenship or immigration status of individuals registering to vote or who are already registered;

(ii) the Secretary of State shall take all lawful and appropriate action to make available information from relevant databases to State and local election officials engaged in verifying the citizenship of individuals registering to vote or who are already registered; and

has this been done? Connor

20 (iii) the Department of Homeland Security, in coordination with the DOGE Administrator, shall review each State's publicly available voter registration list and available records concerning voter list maintenance activities as required by 52 U.S.C. 20507, alongside Federal immigration databases and State records requested, including through subpoena where necessary and authorized by law, for consistency with Federal requirements.

has this been done?
is there a report about this.

21 (c) Within 90 days of the date of this order, the Secretary of Homeland Security shall, consistent with applicable law, provide to the Attorney General complete information on all foreign nationals who have indicated on any immigration form that they have registered or voted in a Federal, State, or local election, and shall also take all appropriate action to submit to relevant State or local election officials such information.

has this been done?

So why did Christy send 2 notices to the Federal Judge Alme?

22 (d) The head of each Federal voter registration executive department or agency (agency) under the National Voter Registration Act, 52 U.S.C. 20506(a), shall assess citizenship prior to providing a Federal voter registration form to enrollees of public assistance programs.

23 (e) The Attorney General shall prioritize enforcement of 18 U.S.C. 611 and 1015(f) and similar laws that restrict non-citizens from registering to vote or voting, including through use of:

24 (i) databases or information maintained by the Department of Homeland Security;

25 (ii) State-issued identification records and driver license databases; and

26 (iii) similar records relating to citizenship.

27 (f) The Attorney General shall, consistent with applicable laws, coordinate with State attorneys general to assist with State-level review and prosecution of aliens unlawfully registered to vote or casting votes.

- SHOULD HAVE A BILL.

28 Sec. 3. Providing Other Assistance to States Verifying Eligibility.

To assist States in determining whether individuals are eligible to register and vote:

29 (a) The Commissioner of Social Security shall take all appropriate action to make available the Social Security Number Verification Service, the Death Master File, and any other Federal databases containing relevant information to

all State and local election officials engaged in verifying the eligibility of individuals registering to vote or who are already registered. In determining and taking such action, the Commissioner of Social Security shall ensure compliance with applicable privacy and data security laws and regulations.

30 (b) The Attorney General shall ensure compliance with the requirements of 52 U.S.C. 20507(g).

31 (c) The Attorney General shall take appropriate action with respect to States that fail to comply with the list maintenance requirements of the National Voter Registration Act and the Help America Vote Act contained in 52 U.S.C. 20507 and 52 U.S.C. 21083.

this has not been done the state is not following the HAVA law.

32 (d) The Secretary of Defense shall update the Federal Post Card Application, pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. 20301, to require:

Explain Connor or SOS

33 (i) documentary proof of United States citizenship, as defined by section 2(a)(ii) of this order; and

34 (ii) proof of eligibility to vote in elections in the State in which the voter is attempting to vote.

Denying funds

Sec. 4. Improving the Election Assistance Commission. (a) The Election Assistance Commission shall, pursuant to 52 U.S.C. 21003(b)(3) and 21142(c) and consistent with applicable law, take all appropriate action to cease providing Federal funds to States that do not comply with the Federal laws set forth in 52 U.S.C. 21145, including the requirement in 52 U.S.C. 20505(a)(1) that States accept and use the national mail voter registration form issued pursuant to 52 U.S.C. 20508(a)(1), including any requirement for documentary proof of United States citizenship adopted pursuant to section 2(a)(ii) of this order.

SOS ?

35 (b) (i) The Election Assistance Commission shall initiate appropriate action to amend the Voluntary Voting System Guidelines 2.0 and issue other appropriate guidance establishing standards for voting systems to protect election integrity. The amended guidelines and other guidance shall provide that voting systems should not use a ballot in which a vote is contained within a barcode or quick-response code in the vote counting process, except where necessary to accommodate individuals with disabilities, and should provide a voter-verifiable paper record to prevent fraud or mistake.

Order -

no Barcode

36 (ii) Within 180 days of the date of this order, the Election Assistance Commission shall take appropriate action to review and, if appropriate, re-certify voting systems under the new standards established under subsection (b)(i) of this section, and to rescind all previous certifications of voting equipment based on prior standards.

has this been done?

Austin James / Connor

- the Express Vote Contains a Barcode on Express Vote. But how do we prove the paper (re construction) ballot exists?

37

was this done on Oct. 3rd 2025
SOS. What are the new standards (EAC 2.0) want to see new certification paper.

38 (c) Following an audit of Help America Vote Act fund expenditures conducted pursuant to 52 U.S.C. 21142, the Election Assistance Commission shall report any discrepancies or issues with an audited State's certifications of compliance with Federal law to the Department of Justice for appropriate enforcement action.

39 (d) The Secretary of Homeland Security and the Administrator of the Federal Emergency Management Agency, consistent with applicable law, shall in considering the provision of funding for State or local election offices or administrators through the Homeland Security Grant Programs, 6 U.S.C. 603 *et seq.*, heavily prioritize compliance with the Voluntary Voting System Guidelines 2.0 developed by the Election Assistance Commission and completion of testing through the Voting System Test Labs accreditation process.

40 *Sec. 5. Prosecuting Election Crimes.* To protect the franchise of American citizens and their right to participate in fair and honest elections:

41 (a) The Attorney General shall take all appropriate action to enter into information-sharing agreements, to the maximum extent possible, with the chief State election official or multimember agency of each State. These agreements shall aim to provide the Department of Justice with detailed information on all suspected violations of State and Federal election laws discovered by State officials, including information on individuals who:

has Austin received violation yes-(2) of them. Counties?

42 (i) registered or voted despite being ineligible or who registered multiple times;

43 (ii) committed election fraud;

44 (iii) provided false information on voter registration or other election forms;

45 (iv) intimidated or threatened voters or election officials; or

46 (v) otherwise engaged in unlawful conduct to interfere in the election process.

47 (b) To the extent that any States are unwilling to enter into such an information sharing agreement or refuse to cooperate in investigations and prosecutions of election crimes, the Attorney General shall:

48 (i) prioritize enforcement of Federal election integrity laws in such States to ensure election integrity given the State's demonstrated unwillingness to enter into an information-sharing agreement or to cooperate in investigations and prosecutions; and

(ii) review for potential withholding of grants and other funds that the Department awards and distributes, in the Department's discretion, to State and local governments for law enforcement and other purposes, as consistent with applicable law.

49

(c) The Attorney General shall take all appropriate action to align the Department of Justice's litigation positions with the purpose and policy of this order.

50

Sec. 6. Improving Security of Voting Systems. To improve the security of all voting equipment and systems used to cast ballots, tabulate votes, and report results:

51

(a) The Attorney General and the Secretary of Homeland Security shall take all appropriate actions to the extent permitted by 42 U.S.C. 5195c and all other applicable law, so long as the Department of Homeland Security maintains the designation of election infrastructure as critical infrastructure, as defined by 42 U.S.C. 5195c(e), to prevent all non-citizens from being involved in the administration of any Federal election, including by accessing election equipment, ballots, or any other relevant materials used in the conduct of any Federal election.

Dep U.S. election infrastructure is critical infrastructure

52

(b) The Secretary of Homeland Security shall, in coordination with the Election Assistance Commission and to the maximum extent possible, review and report on the security of all electronic systems used in the voter registration and voting process. The Secretary of Homeland Security, as the head of the designated Sector Risk Management Agency under 6 U.S.C. 652a, in coordination with the Election Assistance Commission, shall assess the security of all such systems to the extent they are connected to, or integrated into, the Internet and report on the risk of such systems being compromised through malicious software and unauthorized intrusions into the system.

Not connected to Internet for voter registration + voting process

53

Sec. 7. Compliance with Federal Law Setting the National Election Day. To achieve full compliance with the Federal laws that set the uniform day for appointing Presidential electors and electing members of Congress:

54

(a) The Attorney General shall take all necessary action to enforce 2 U.S.C. 7 and 3 U.S.C. 1 against States that violate these provisions by including absentee or mail-in ballots received after Election Day in the final tabulation of votes for the appointment of Presidential electors and the election of members of the United States Senate and House of Representatives.

could only verify if counted @ Precinct. no Absentee ballots for Presidential & Senate use ballots

56

(b) Consistent with 52 U.S.C. 21001(b) and other applicable law, the Election Assistance Commission shall condition any available funding to a State on that State's compliance with the requirement in 52 U.S.C. 21081(a)(6) that each State adopt uniform and nondiscriminatory standards within that

Austin James, Boston
Trump Team, Certified

{ Austin,
Richey Melby
Sen. Manzella

Back story:

Patrick Byrne - Serbia

Rep ESTS Sara Cain

200 Ex U-3 - New
550 window 10
950

55

Christy Newsletter
Trust Trumps Team??

Ballet
Receipt
Deadline

State that define what constitutes a vote and what will be counted as a vote, including that, as prescribed in 2 U.S.C. 7 and 3 U.S.C. 1, there be a uniform and nondiscriminatory ballot receipt deadline of Election Day for all methods of voting, excluding ballots cast in accordance with 52 U.S.C. 20301 et seq., after which no additional votes may be cast.

Why
are Provisional Ballots counted
on the following days

Sec. 8. Preventing Foreign Interference and Unlawful Use of Federal Funds. The Attorney General, in consultation with the Secretary of the Treasury, shall prioritize enforcement of 52 U.S.C. 30121 and other appropriate laws to prevent foreign nationals from contributing or donating in United States elections. The Attorney General shall likewise prioritize enforcement of 31 U.S.C. 1352, which prohibits lobbying by organizations or entities that have received any Federal funds.

Prohibit
Lobbying by

57

Sec. 9. Federal Actions to Address Executive Order 14019. The heads of all agencies, and the Election Assistance Commission, shall cease all agency actions implementing Executive Order 14019 of March 7, 2021 (Promoting Access to Voting), which was revoked by Executive Order 14148 of January 20, 2025 (Initial Rescissions of Harmful Executive Orders and Actions), and, within 90 days of the date of this order, submit to the President, through the Assistant to the President for Domestic Policy, a report describing compliance with this order.

14019
Encourage
registration
+ voters
for main-
inlized
groups

58

Sec. 10. Severability. If any provision of this order, or the application of any provision to any agency, person, or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other agencies, persons, or circumstances shall not be affected thereby.

59

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

60

61

(i) the authority granted by law to an executive department or agency, or the head thereof; or

62

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

63

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

64

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



DONALD J. TRUMP

The White House,

March 25, 2025.

NOTE: This Executive order was published in the Federal Register on March 28.

Donald J. Trump (2nd Term), Executive Order 14248—
Preserving and Protecting the Integrity of American
Elections Online by Gerhard Peters and John T. Woolley, The
American Presidency Project
<https://www.presidency.ucsb.edu/node/376806>

MACHINES USING BARCODES

President Trump Executive Order 14824 Section 4
addresses the standards of voting systems to protect election integrity. “The voting systems should not use a ballots in which a vote is contained within a barcode in the vote counting process, except where necessary to accommodate individuals with disabilities ,and should provide a voter verification paper record to prevent fraud or mistake.” My county as 24 Express Vote Machines.

ELECTIONWARE COUNTY/ELECTIONWARE STATE
FT ENGLISH (EVS 6.5.0.0)
11/27/2026
PRECINCT ONE, PRECINCT ONE



FAVORITE DOG BREED-----

LABRADOR

FAVORITE U.S. BEACH-----

DAYTONA BEACH, FLORIDA

FAVORITE WAY TO SPEND FREE TIME-----

BROWSING THE INTERNET

NO SELECTION

PROPOSITION 1-----

YES

PROPOSITION 2-----

YES

Dual Factor
authentication

Tab 3



State of Montana Canvass Findings Summary

Total Invalid Votes	120,261
Total Invalid Voter Registrations	196,370



**Total Invalid
Montana Votes**

120,261 VOTES

Tab 4

NOTARIAL CERTIFICATE

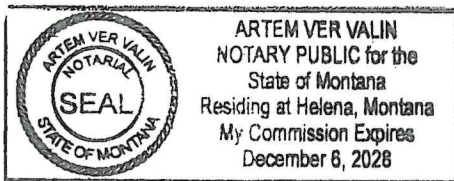
Verification on Oath or Affirmation (Jurat)

State of Montana

County of Lewis + Clark

The attached record was signed and sworn to or affirmed before me on

April 13th, 2026 by Wayne Beckman
(Date) (Name of signer(s).)



Artem Ver Valin
(Notary Signature)

[Affix stamp above]

This certificate has been attached to the Statement of Event
(Type of record or document)

consisting of 3 page(s), dated April 13th, 2026

Any evidence that this certificate has been detached or removed from the above described document may render the notarization invalid or unacceptable.

To whom it may be of concern.

I spent 2 ½ hrs. the night of the school election from 8:00 PM to 10:30 PM observing the election at the city county building. Most of the time I was there, I was looking in the windows that oversee the three machines and three people counting the ballots. Of the three machines there was one in the middle that was not used; one on the left side of the stone walled room had 4 wires coming out of it, two in the front and two in the back. There was a second working machine to the right side of the room opposite the other working machine also with 4 wires coming out of it. Around 9:00 Amy pulled the election results for the election from the machine on the right side of the room. I later realized that this means that either by the wires, which did not go across the room from machine to machine, but more likely they were hooked to internet, or by wireless connection the two machines were interconnected so that the results of the machine on the left were known by the machine on the right. After the results were pulled and given to a reporter and myself, the lady from IS and S pulled out some kind of device like a cell phone and looked to be running an app on the phone. Sometime before I left at 10:30 she pulled this device out again and looked once more looked like she was running an app. I was afraid that she was somehow changing the results of the election, and it bothers me that the results are pulled prior to the end of the election, as this is a way of knowing how much you need to cheat to win. So, if you have the method of cheating in place, you know just how much you need cheat to win. I was also bothered by the fact that the machines obviously had either internet connection or wireless connection, as they had to have that to talk to each other. In that rock walled and floored room, there were no wires running between the machines; at least not that I could see.

Wayne Beckman

Some things I have seen in regard to elections, as an election Judge and someone working for election integrity. 4/13/26

I saw that the Lewis and Clark County commissioners hired Conner Fitzpatrick from the Missoula election system after Missoula showed that it could rig an election in 2020. If you don't know about that election nightmare you need to inform yourself.

I was at a meeting wherein Frank, from Frankspeach was speaking and he told us how he and a computer expert he had with him used a cell phone to break into our election system in front of our Attorney General, Austin Knudsen; within a few minutes and changed the data in our election system, and our attorney General did nothing after being shown how easy it was to break into our election system.

I was at a meeting at the Capital for the House and Senate, in which the Vice President of ES & S and their top security man addressed our congress, and they lied to our congress about the machines being totally stand alone and not connected and I gave proof that the machines were connected to each other. I was at the school board election observing the voting in the granite City and County building, stone floors and stone walls. There were three vote counting machines in the room and two were being used. The machines were 50 feet apart. Around 10 PM the media people wanted to get a heads up on the vote and Amy Reeves went to the machine on the right and stuck a thumb drive in it. She then went to the computer which was also on the same side of the room where the machine was that she put the thumb drive in, and with that she printed off the status of the vote at that time. So by ES & S statement to Congress the machine that was 50 feet away to the left should have to have a thumb drive inserted into it, but somehow the machine on the right had the count of both machines, in other words the machines were communicating to each other and thereby were connected.

I saw cheating at the Lewis and Clark Library in regard to the gathering of signatures for 128 as an Election Judge there at the library. They allowed the lady that was pro I-128 sit in the room before the one the election was taking place in so that all the people going to vote had to pass by her, set up a table there. She claimed she was in pain and couldn't be the required distance from the polls which was I believe 100 feet, even though she walked around in that room and could have set at the same distance they required the people against I-128 to be. They forced the people that were trying to stop people from signing the petition for I-128 to remain outside and they were not to talk to the people until they exited.

This meant that the lady getting them to sign the petition had already got them to sign before they heard the reasons to not sign the petition.

That election: at my table, there were about 17 people who came in and were denied the right to vote and had to vote provisionally. I talked to many of them and the main cause was that our records showed that they had already voted. They all said that they had not voted, and some said they were against mail in voting and would never do that. So, either someone sent in their mail in ballot for them or otherwise voted for them. If this happened in all precincts, that would be a lot of votes, and it does not include people who didn't vote. Someone else would have voted for them and no one would know.

I know that ES & S verifies their own systems and won't let anyone else look at them. Etc. etc. There are so many things wrong with the system, I find it frightening that our leaders do nothing to clean it up.

Wayne Beckman



State of Montana

County of Lewis and Clark

This instrument was acknowledged before me on April 13th, 2026 by

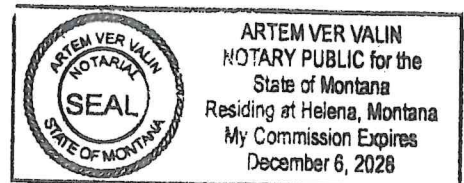
Wayne Beckman

Artem Ver Valin Notary

Public for the State of Montana

Residing at Helena

My Commission Expires 12-06-2028



Election observation of June 7th/8th, 2022

My name is Michael Leach and I am a certified Network Administrator/Manager and System support Specialist with 41 years of computer systems experience including the private sector and 20 years at the State of Montana Lottery as the Network Administrator and IT Security Officer. I retired from the Lottery in March of 2019 and have been helping people become familiar with computers since then.

I was an Election Observer between the hours of 7:30pm on June 7th until 5:39am the morning of June 8th, in the tabulation room in the basement of the City/County building on Park Ave.

During the evening while observing the tabulation process (not sure of the exact time) Amy Reeves left for a while and when she returned, she explained to me that she needed to get a flash drive for the laptop and she had gone to Walmart (I believe) to get one. I observed her open the package to use it. This seemed odd to me as I would have thought she would have got one from her IT staff to know that it was safe. This would have been against State of Montana policy as any media to be used on State computers needed to be scanned for viruses or bugs by the IT staff. She said that it was to transfer data from the tabulator to the laptop or visa versa, which also didn't make sense to me as ES&S uses proprietary USB ports in their equipment and a standard USB drive would not work in them.

Additionally, at approximately 5:00am when the final tabulations were being done, I witnessed Connor Fitzpatrick come up behind one of the females and lean over her in a way as to make contact with her, and after talking with her began to massage her shoulders and back. He then proceeded to massage the shoulders of two other females on the other side of the table before stopping this action. I thought this to be inappropriate behavior in the County work environment, as it would not be acceptable behavior in the State of Montana work environment.

If you have any further questions I may be reached at the following address:

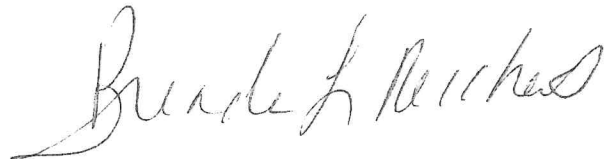
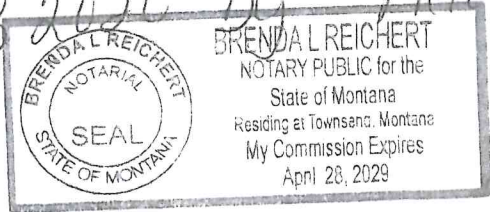
Michael Leach



1376 Mustang Rd.

Helena, MT 59602

*This Record was signed before me on
April 13, 2021 by Michael Leach*



AFFIDAVIT OF SHARON KUENZLI

State of Montana

County of Lewis and Clark

I, **Sharon Kuenzli**, being first duly sworn, depose and state as follows:

1. I am a resident of the State of Montana, over the age of 18, and have personal knowledge of the matters stated herein.
2. On May 3, 2022, I served as an observer at the Lewis & Clark County Election Office.
3. I arrived at approximately 10:45 a.m. at the Election Office, Room 168. I informed a staff member at the counter that I was present to observe ballot processing and counting. I was provided with a clipboard and completed the "Sign-In Sheet for Observers."
4. Shortly thereafter, Amy Reeves approached and informed me that the office was not open to the public until 11:00 a.m., as the room was not yet open and staff were not present downstairs. After waiting approximately five minutes without further instruction, I exited the room and made a phone call.
5. While in the hallway, I overheard an individual identified as Connor expressing frustration, stating, "How am I supposed to do my job with all these people interrupting me." His demeanor appeared frazzled and rude.
6. At approximately 10:56 a.m., I observed Amy Reeves and a man later identified as Daniel proceed downstairs.
7. At approximately 11:00 a.m., I re-entered Room 168 and asked where I should report. A staff member directed me to Room 7.
8. Upon entering Room 7, Amy Reeves asked whether I had signed a disclosure form and obtained a name tag. I had not yet done so. She provided the necessary documents, which I completed, and I created a name tag. I also took a photograph of the document I signed.
9. Ms. Reeves instructed me to remain behind a designated area and explained where election judges would deliver ballots for processing. She emphasized that the area must remain clear.
10. Inside the machine room, there were three individuals present. Chairs were placed in front of the doorway, which Ms. Reeves stated was to prevent the door from closing while maintaining the required 10-foot distance. However, based on my observation, I was approximately six feet from the doorway and approximately four feet when viewing through the window.
11. I asked whether the individuals present were county employees. Ms. Reeves explained that Daniel was a temporary worker trained to operate the ES&S machines, and that Tabatha was a representative from ES&S. Tabatha stated she was contracted from Kansas, had previously served as an election clerk, and had no vested interest in the election, nor knowledge of candidates on the ballot.
12. Daniel had a password to operate the ES&S ballot counting machine.
13. Ms. Reeves powered on the machine and stated that over 5,000 ballots had already been processed on that machine and approximately 8,000 ballots had been processed on another machine the previous day, May 2, 2022.

14. I observed that individuals in the room were not initially wearing name tags. Upon my inquiry, Ms. Reeves directed Daniel to retrieve his name tag; however, Tabatha did not put on a name tag.
15. Ms. Reeves explained that observers could take photographs or videos, provided that cast ballots were not visible. She stated she would conceal ballots if necessary.
16. Ms. Reeves stated that four passwords were required to operate the machines. She and Daniel each possessed one, and she stated that she alone could power on the machines, break seals, and download results to a designated "military-grade" thumb drive.
17. I observed one power cord plugged into the wall and two additional cords connected to printers beneath the machine.
18. Ms. Reeves broke the seal on the power switch and powered on the machine. She stated she would later break another seal to insert the thumb drive to retrieve vote totals throughout the day.
19. She further stated that after data was transferred, she would break the seal on her laptop, which she indicated was not connected to Wi-Fi or Bluetooth, in order to view election results.
20. When asked about software updates, Ms. Reeves stated the system had not been updated in a long time and was due for an update prior to a future election.
21. Ms. Reeves explained the ballot processing procedure, including batch handling, sorting, and the treatment of unreadable ballots. Ballots that could not be read were sorted into trays for reprocessing or review by election judges.
22. She stated that the machine determined ballot outcomes and that the display screen showed only the number of ballots processed or rejected.
23. At approximately 2:00 p.m., there were no ballots to process, and Ms. Reeves and Daniel took a lunch break.
24. I then observed ballot drop-off activity and the parking lot for approximately 20 minutes. I observed numerous individuals depositing ballots, most of whom appeared to be over the age of 50.
25. All statements herein are based on my personal observations on May 3, 2022.

FURTHER AFFIANT SAYETH NOT.

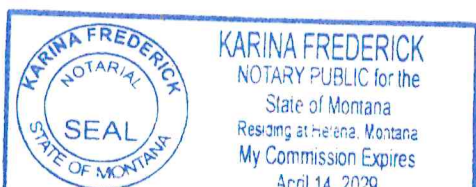
DATED this 15 day of April, 2026.

Sharon Kuenzli

Sharon Kuenzli

SUBSCRIBED AND SWORN to before me this 15 day of April, 2026.

Notary Public for the State of Montana
My Commission Expires: April 14, 2029



On June 13 at 8:00 AM, i went to the Election Office to watch opening of the provisional ballots. Conner instructed me that he didn't have a procedure for the hand counted ballots and that they DIDN'T HAVE TO NECESSARILY FOLLOW TH E JUDGES HANDBOOK!

He also said if he were the election judge and I requested a "hand Count" ballots then the election judge would know who I was and that would go against the constitution! I'm saying that judge may know, but when I deposited that ballot into the box without my name on it how would the person who opened it know who it was? His excuse is ridiculous.

Amy also told Corrine and I that there was no connection to the internet for the machines. I asked Amy if Melinda Keen (ES&S) lady at the Primary if she had a device like Tabatha did at the School Election and Amy said Tabatha didn't put any device up to the DS850 Tabulator, I told her 2 people had seen this happen and she said she didn't see it because her back was turned.

Loy Chvilicek

Helena Resident

AFFIDAVIT

The State of Montana)
) S.S.
County of Lewis & Clark)

I, Loy Chvilicek, of Helena, in Lewis & Clark County, Montana, MAKE OATH AND SAY THAT:

- 1. I am a resident of Lewis & Clark County, Montana, and have been for many years. I took my name off the absentee voter rolls in 2022. I did not receive an absentee ballot for the Primaries this year, but did receive an absentee ballot in the mail for the General election! I voted in person at my precinct on Election Day. I still have the absentee ballot in my possession. My voting status was not questioned when I went to vote in person. I am recorded by the Secretary of State Office as being an "in-person" voter.

STATE OF MONTANA

COUNTY OF LEWIS & CLARK

SUBSCRIBED AND SWORN TO BEFORE

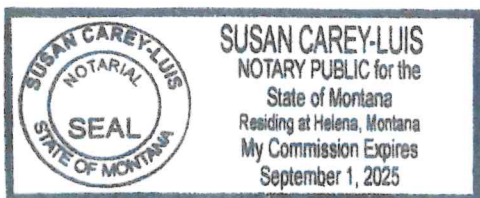
ME, on the 11 day of
November, 2024

Loy Chvilicek
(Signature)

Loy Chvilicek

Signature
Susan Carey-Luis (Seal)
NOTARY PUBLIC

My Commission expires:
09/01/2025



Tab 5



UNITED SOVEREIGN AMERICANS

...for Freedom!



September 23, 2024

Christi Jacobsen
Secretary of State
State Capitol, Room 260
1301 6th Avenue, P.O. Box 202801
Helena, MT 59620-2801
Phone: (406) 444-2034
E-mail: SOSelections@mt.gov

Reference:

Your response to the United Sovereign Americans complaint letter dated 09-02-24

Dear Secretary of State Jacobsen:

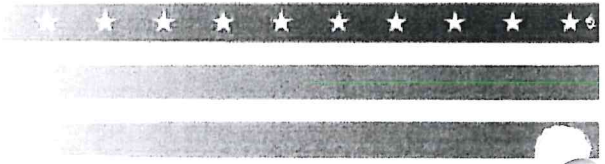
We are greatly disappointed with your response addressing the concerns expressed in our previous complaint letter. You may or may not be aware of the fact that United Sovereign Americans (USA) has issued similar complaint letters in many states across our country. Though Montana is a relatively small state in terms of the number of voters, in proportion to the numbers of voters, the magnitude of the issues found in Montana are comparable to those found by USA analysts across the country.

USA has informed officials in twenty states of major problems compromising the validity of their elections. The rule of law sets the boundaries of what is required to ensure accuracy and fairness in measuring voter intent. When gross violations of the law go unresolved, the certification of an election is a fraud upon the people of your state. The reports we filed, based on the state's own official data, show significant problems with the election and a broad failure to conform to the requirements of state and federal laws. Thus far, like Montana, these officials have remained defensive, unresponsive or unwilling to comprehensively examine this hard evidence of civil rights violations. It is time for Montana to clean up their election system and bring it into compliance. United Sovereign Americans has already filed law suits in federal court in Colorado, Georgia, Michigan, Maryland, Pennsylvania, Florida, North Carolina, Texas, and Ohio against the Chief Election Officials. These complaints allege that by ignoring minimum safeguards designed to protect the election of federal representatives from any uncertainty in the 2022 general election, Defendants "destroyed the meaning of the right to vote," thereby undermining the legitimacy of the general government.

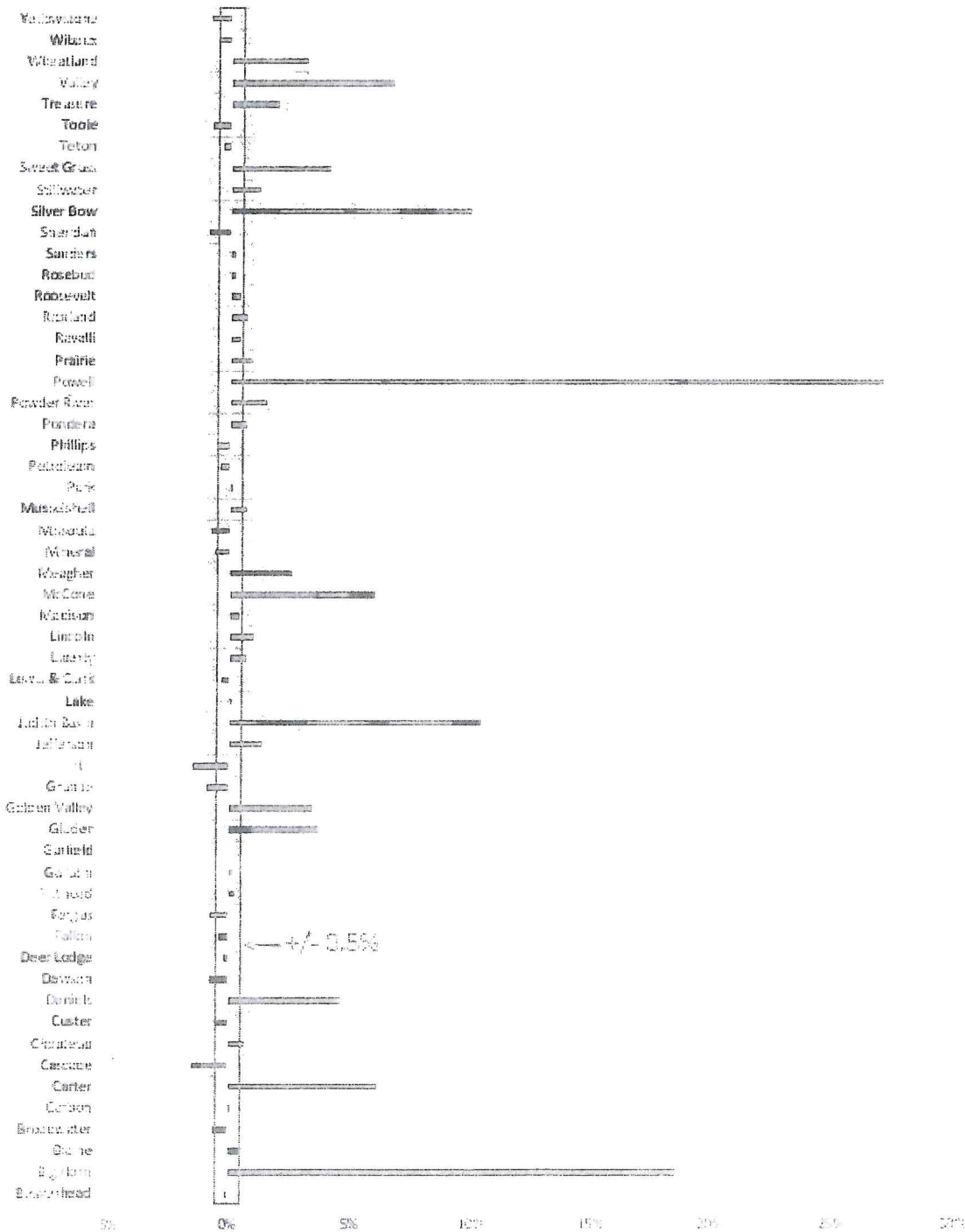


UNITED SOVEREIGN AMERICANS

Montana Chapter



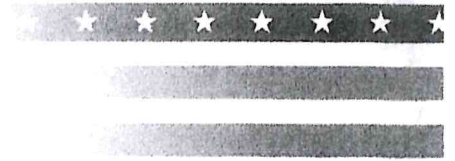
Countywide discrepancy between the turnout (number of ballots counted) and the voters who voted (per the SOS data)





UNITED SOVEREIGN AMERICANS

...for Freedom!



Also named as defendants are the state Attorney Generals, who are alleged to have failed to enforce state laws that would have prevented civil rights injury to all qualified US citizen voters in each state, and US Attorney General Merrick Garland, who has failed to enforce federal law. USA petitioners assert that these officials did not provide a legally reliable election in the 2022 general election, according to the standards set by the United States Congress. These Mandamus actions seek court orders that the 2024 election be conducted according to all applicable constitutional, federal, and state laws which protect the fundamental right of every American to choose representatives in a fairly and honestly conducted election.

In addition to the many other unaddressed issues with the Montana voter data, as can be seen from the attached summary of events regarding the ballot/vote discrepancy and the recount, it appears that there remain breaches, on both the Federal and State level, of statutory standards required by the law. In some cases, votes counted would either need to be explained or classified as illegal votes, obviously affecting: 1) compliance with Federal and state vote procedure requirements; 2) reflecting election results certified as legal but which in fact were illegal; and 3) reflecting possible election fraud in Montana during the 2022 general election and 2024 primary.

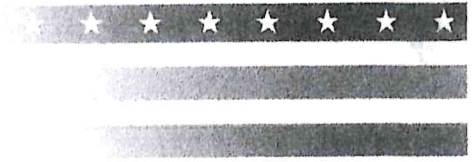
Our concern, obviously, is that the elections in Silver Bow County and many other Montana counties were apparently certified despite objective, factual data raising concerns that the State had compromised systems, and that the certifications may represent serious disregard of the voters' civil and constitutional rights within the state. The harm, when ignored, extends beyond possibly corrupted results in this particular election, into loss of trust and confidence in elections generally. This was identified by US Congress as a voter suppression risk in the "Findings" section of the National Voter Registration Act of 1993: "Discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation..." 52 USC Sec. 20501(a)(3)

Because of your past public statements and actions, many of which were listed in the referenced response letter, USA had hopes that we would not have to resort to an adversarial relationship in Montana. In fact, we hoped that Montana could be held up as a shining example of a state that rose to the challenge, by developing a plan to aggressively and proactively deal with all the issues that led to law suits in other states. Because of the referenced response letter our hopes have dimmed. We have not entirely lost hope that this may yet happen, though valuable time has been lost as the 2024 general election rapidly approaches.



UNITED SOVEREIGN AMERICANS

...for Freedom!



The June 4, 2024 Silver Bow County, Montana Primary

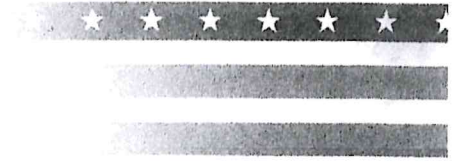
Election Issues, Efforts Made, and Unresolved Questions

- In early July, the USA - MT data team determined there were large discrepancies between the number of ballots counted in many counties in the MT 2023 primary, per a comparison of the turnout totals posted on the SOS website, and the number of voters shown to have voted in the SOS voter history files.
- The largest ballot/voter discrepancy was for Silver Bow County. A member of the USA data team met with Linda Sajor-Joyce, the election administrator for Silver Bow County, and presented these discrepancies.
- Linda verified the number of voters by counting the absentee envelopes and the voters whose names were in the poll books who voted in-person. She concluded that the discrepancy of more than 1,000 more ballots than voters did exist, and a recount was warranted.
- To be able to access the ballots for the recount, a court order was required. It was applied for and was received.
- On Monday September 2, teams were assembled in the Civic Center in Butte, and the number of physical ballots were counted for each precinct. The hand recount total was 10,925 ballots.
- On Tuesday September 3, the ballots for each precinct were run through one of the ES&S tabulators and the ballots and votes were counted for each precinct. The recount tabulation total was 10,946 votes.
- The precinct ballot totals determined by the recount tabulation matched the manual counts in all but 8 precincts. There were from 1 to 5 more ballots in 8 precincts in the recount tabulation, totaling the 21-vote difference. No explanation of the cause of the difference was sought nor determined.
- When the original primary tabulation counts were compared to the recount tabulation counts, 28 precincts showed that the primary results included more ballots than the recount: 33 more ballots in 27 precincts, 65 more ballots in 3 precincts, and 44 more ballots in 1 precinct.
- The nature of the distribution indicated the excess ballots *may* have been due to pre-election testing results not being cleared from the system before the tabulation of the primary election ballots was begun. A review of the system logs revealed this was a plausible, though ultimately incomplete, explanation.



UNITED SOVEREIGN AMERICANS

...for Freedom!



- Since the county was aware that the test deck of ballots used for pre-election testing of the tabulators contained 33 ballots for each precinct, they checked the tabulator system logs, and found that the ballot/vote count for the test deck *had been included in the election results*. The source of the remaining 11-ballot discrepancy was neither sought nor discovered.
- The primary election certified by Silver Bow officials diluted qualified voters' votes by the inclusion in the final counts, inadvertent or not, of more than a thousand test ballots amounting to fictitious votes.
- A variety of documents were made public regarding Silver Bow County voting system performance during testing and the primary election itself. While these documents substantiate the theory that these test ballots *nearly* match the number of excess votes counted, they also raise further serious questions.
- In the "BSB-3-Machine Log Report" there appear to have been 5,435 test ballots scanned from May 15, 2024 through May 29, 2024, in batches totaling 32 ballots each batch. It is not clear how only the test batches from May 29, 2024 were included in election tallies, while earlier test runs were not. The test ballots run on June 3, 2024 are not included in this report at all, and there is no explanation.
- In the "BSB-4-Media-Status-Report" there were many batches of 32 ballots each uploaded on May 30, 2024 at 1:38pm. There are absolutely no differentiating labels from one batch to the other to understand where these batches originated from. They appear to be going into a "Central Count" file, deduced by logical inference only. There are three more uploads of 32 ballots each on June 3, 2024 at 2:47pm. All of the uploads described here are under "Poll Place Name Abs" and "Poll Place ID 0002" indicating that they all originate from a single location, although logically they appear to match issues distributed across many precincts according to other records.
- Beginning on June 4, 2024 this same file shows approximately 33 uploads of random sizes between 1:02pm and 1:04pm. These would appear to be uploads from various precincts although again they are unlabeled, completely undifferentiated. Then there is a lapse in uploads until June 5, 2024 at 12:45am. At this time approximately 32 pages of uploads are recorded, ending on June 5, 2024 at 12:54am.
- However, most disturbingly the "BSB-5-Election-Audit-Events-Report," although it was printed on August 29 at 10:54am, ends at 11:15:25pm on June 4, 2024. The tracking stopped then, and the report reads "Done."



UNITED SOVEREIGN AMERICANS

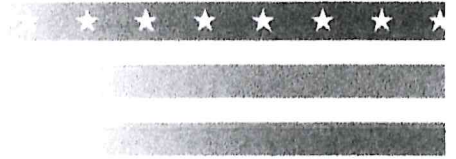
...for Freedom!

- Though the exact steps by which the excess ballots were included in the election results were not clarified, there remains an 11-ballot unexplained discrepancy, and the audit records provided either do not match or create further serious concerns requiring investigation, the majority of the Senate Committee members reviewing all facets of the recount were satisfied that no further investigation of cause or the remaining discrepancy was needed.
- According to US Congress, for a federal election to be considered ^{Certifiable} ~~reliable~~ there can be no more than 1 out of every 125,000 ballots counted in error. With 10,946 votes tabulated in the recount, Silver Bow was allowed less than 1 vote counted in error. 11 unexplained ballots grossly exceeds this maximum error rate. The discrepancy in the manual ballot count was an additional 21 unexplained excess ballots. The Silver Bow County June 4, 2024 primary election remains uncertifiable as a matter of law, without comprehensive investigation of the initial and remaining errors and questions.
- In addition to these problems in Silver Bow, a 27% discrepancy uncovered by the USA – MT data team, again between ballots counted and voters who voted in Powell County, was investigated by Secretary of State personnel, also well after certification. Like Silver Bow, the discrepancy was uncovered by comparing the turnout ballot totals posted on the SOS website to the number of voters shown to have voted in the SOS voter history files, which are the raw data underlying any legitimate vote total.
- This large discrepancy was determined to be due to in-person voters not being credited with their votes. It was found that the discrepancy was due to a system malfunction, i.e. Powell's poll book scanner not being functional. No explanation as to how this discrepancy was overlooked was given, but the only reasonable conclusion is that the election was certified without a review or reconciliation. Further, upon "correction" the discrepancy reversed, leaving 18 fewer ballots counted than voters who voted. No explanation of the cause of this was given.
- To date, the discrepancies found in other counties have gone uninvestigated.
- Though 2 more meetings of the special senate committee are planned, there have been no actions or instructions by the SOS office to the counties that would remove the possibility that the 2024 general election could be certified while significant discrepancies exist between the ballots counted and the voters who voted.



UNITED SOVEREIGN AMERICANS

...for Freedom!



To this end, as evidence of USA's sincere desire for a positive outcome, we are offering to travel to Montana to meet with you in-person to discuss constitutional and legal compliance, a path forward, and any manner in which USA could help both you and Montana achieve recognized success in your pursuit of election excellence.

Time is of the essence. We ask for a statement of intentions within ten days.

Sincerely,

Marly Hornik
Chief Executive Officer and Co-Founder
MH@unite4freedom.com

Harry Haury
Chairman and Co-Founder
HH@unite4freedom.com

United Sovereign Americans
167 Lamp & Lantern Village
Suite 194
Chesterfield, MO 63017
314-390-9330

Copy to:
Attorney General Austin Knudsen
Office of the Attorney General
Justice Building, Third Floor
215 North Sanders Street, P.O. Box 201401
Helena, MT 59620-1401
Phone: (406) 444-2026
E-mail: contactdoj@mt.gov



Montana's 2022 General Election Validity Scorecard

★ 1. Were the voter rolls accurate, as required by the National Voter Registration Act of 1993?

Ineligible or Uncertain Registration Type	Number of Instances*
Illegal duplicates	375
Votes added post certification	1,095
Altered birth dates	705
Age discrepant	9,225
Deceased	711
Back dated registration date	70,115
Altered vote status	93,330
Apparent multiple votes	16,141
Moved out of state	5,097
Inactive per MCA 13-2-402 (7)	1,163
Mismatched or missing address	417
TOTAL APPARENT REGISTRATION VIOLATIONS:	105,137

★ 2. Were the votes counted from eligible voters, as required by the US Constitution?

Ineligible or Uncertain Registration Type that Voted in 2022 GE	Votes cast in 2022 GE
Illegal duplicates	66
Votes added post certification	1,095
Altered birth dates	400
Age discrepant	5,023
Deceased	190
Back dated registration date	48,584
Altered vote status	8,552
Apparent multiple votes	7,826
Moved out of state	645
Inactive per MCA 13-2-402 (7)	0
Mismatched or missing address	190
TOTAL APPARENT VOTING VIOLATIONS:	72,571
UNIQUE VOTES IMPACTED BY APPARENT VOTING VIOLATIONS:	66,625



Oct 4, 2022

Montana Electronic Absentee System (EAS) Konnech History

A review of documentation and current events related to the implementation timeline, development evolution, and organizational structure of Montana's UOCAVA online voting system; software developed in collaboration with voting software company Konnech Inc and CEO Eugene Yu.

Research prepared October 11, 2022 by:

Roy McKenzie
Western Montana News
roy@westernmt.news

Chris Kortlander
Montana Broadcasting Radio Group LLC
chris@historicalrarities.com



2022 Montana Secretary of State EAS Overview

What is the Montana Electronic Absentee System (EAS)?

THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (UOCAVA)

UOCAVA created special provisions to make registering to vote, obtaining, returning, and tracking absentee ballots easier for members of the armed forces, their families and overseas U.S. citizens who are absent from their Montana voting residence.

ELECTRONIC ABSENTEE SYSTEM (EAS)

The EAS provides Montana voters covered under UOCAVA with a one-stop online service to seamlessly prepare voter registration materials and mark their ballot.

UOCAVA Voters

Montana resident:
their place of residence

- Member of the armed forces
- Spouse or dependent
- U.S. citizen residing overseas

- Access the EAS from either:
 - The Secretary of State's website: <https://sosmt.gov/elections/military-overseas/>
 - The EAS website: <https://www.Vote4Montana.us>
- Complete the affirmation and user information.
- Once approved, an email will be sent to confirm your information and provide a pin # to access your ballot.
- Follow the instructions for each step of the online service.

AVAILABILITY

Montana resident:

Step 2: Mark Ballot

- Mark your ballot selections.
- Review and confirm your ballot selections.

Step 3: Submit Ballot

- Select your ballot submission method:
- Depending on the return method you selected, save or print your marked ballot and related materials.
 - If returning by email, you must first save as a PDF, then attach to an email. Ensure your identification number (MT driver's license number OR last four of social security number) or digital signature is used in lieu of signature are included on the cover sheet.
 - If returning by fax or mail, ensure that your cover sheet includes your signature.
- Return your ballot and supporting documents to your Montana county election office.
- Track your ballot online at My Voter Page or contact your Montana county election office.

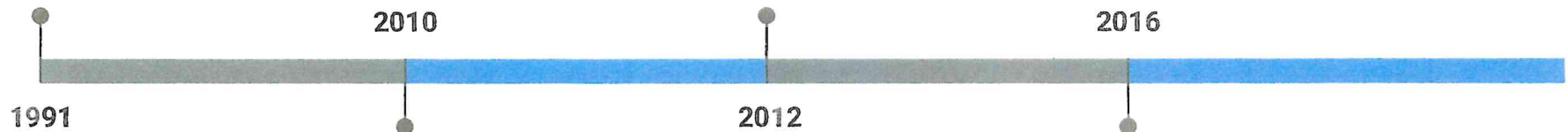


Montana Legislature Passes HB 225

"An act permitting election administrators to allow registration and voting by facsimile transmission." ([link](#))

Montana Secretary of State FVAP Grant Proposal

Secretary of State [Linda McCulloch](#) requests grant funding from Federal Voting Assistance Program to finalize Electronic Voter Support Wizard into the Montana Electronic Absentee System. Konnech and Eugene Yu listed as contractors. ([link](#)) ([Exhibit B](#))



Department of Defense Grant Award for Electronic Voting Support Wizard for UOCAVA voters

Grant awarded to Konnech for "research and development for online wizard providing absentee voting capability for the State of Montana." ([link](#))

From 2012 SoS Federal Voting Assistance Program Grant Proposal lays out Konnech collaboration:

"In 2010, the Montana Secretary of State was one of 17 state election officials that participated in the Federal Voting Assistance Program's Electronic Voting Support Wizard (EVSZ) project.

The Secretary of State worked with the vendor who was the successful bidder for the project for Montana, Konnech Inc., to develop Montana's EVSW; a model that was calculated by FVAP to have the highest usage rate among participating states."

2016

Konnech Partners with Votem

Konnech enters partnership with election software company Votem, touting long-term partnership with Eugene Yu. ([link](#))

"We are so pleased to add the ABVote product line as a complement to our Mobile Voting Platform (MVP)™. Eugene Yu and his team have built outstanding products for the mobile and online voting space. Even more importantly, they have given care and attention in deploying them at jurisdictions such as the State of Montana and Washington, DC so Votem benefits from now having an end-to-end mobile voting product line as well as a larger satisfied customer base. Eugene and Konnech are well respected in this industry and we look forward to continuing our partnership with them well into the future."

ABVote® in North America is administered by Votem, Inc., and by Konnech throughout the rest of the world. ([Exhibit C](#))

LA District Attorney Arrests Eugene Yu

Eugene Yu, CEO of Konnech, Inc., is arrested by Los Angeles District Attorney George Gascon in connection with poll worker data stored on servers in the People's Republic of China. ([link](#)) ([Exhibit E](#))

Oct 6 2022

Oct 4 2022

Detroit, Michigan Halts Use of Konnech Software

"Detroit Clerk Janice Winfrey says her office has decided to stop using a Michigan-based election software vendor that's facing a high-profile data breach allegation involving poll worker information." ([link](#))

Fairfax, Virginia Halts Use of Konnech Software

Since learning about the arrest, the Fairfax County Office of Elections has halted using Konnech's PollChief election officer management software, Eric Spicer, the director and general registrar of the county's Office of Elections, said in an emailed statement to The Epoch Times on Oct. 6." ([link](#))

EAS Development
Timeline

Montana Electronic Absentee System

2012 Technical Proposal Montana Secretary of State

CFDA: 12.217

BAA: HQ0034-FVAP-11-BAA-0001

CAGE Code: [REDACTED]

DUNS: [REDACTED]

Montana Secretary of State, Linda McCulloch

Administrative Contact: Lisa Kinnick PO Box 202801 Helena, Montana 59620 MONTANA P: (409) 444-3376 F: (409) 444-2023 11. 4. 2013	Technical Contact: Jesus Wendland Casey Sj PO Box 202801 Helena, Montana 59620 MONTANA P: (409) 444-2911 F: (409) 444-2023
--	---

Signature: [REDACTED]
Name: Lisa Kinnick
Period of Performance: July 1, 2011 – December 31, 2020
06 January 2010 through 30 November

Executive Summary

Access to voting for Montana's absent military citizens, their families, and overseas citizens long been a priority for the Montana Secretary of State. Montana has been at the forefront providing electronic voting capabilities for UOCAVA voters for several decades. Past legislation authorizing the use of electronic means for voting in 1991, Montana was one of first states to address the challenges for voters covered under UOCAVA.

In 2010, the Montana Secretary of State was one of 17 state election officials that participate the Federal Voting Assistance Program's Electronic Voting Support Wizard (EVSZ) pro and was one of a handful of states that included all local jurisdictions in the program. Secretary of State worked with the vendor who was the successful bidder for the project Montana, Konnech Inc., to develop Montana's EVSZ: a model that was calculated by FVA have the highest usage rate among participating states.

Planning for the 2012 election cycle, Montana has the advantage of being able to analyze successes and failures of the 2010 program, and to build a better product for even better results for 2012.

The Secretary of State has been working since completion of the 2010 general election to strengthen the electronic ballot marking tool to address the following main areas:

- Security of the elector's provided personal identification number
- Seamless access to and preparation of voter registration materials
- Accurate ballot access for new/updated registrants
- Electronic ballot access for primary election as well as general election
- Defined tracking of types of users for utilization in the national research effort
- Outreach to UOCAVA voters regarding availability of services, including the electronic absentee system

These efforts will not only benefit absent military voters, their families and overseas citizens will also benefit the national research effort by providing more detailed data on each type user, as well as data on the trend for voter registration and successful ballot UOCAVA voters.

Montana's tradition of high voter participation for UOCAVA voters, combine outreach and access efforts during the 2012 election cycle made possible with FVAP grant program, will help Montana to again be at the forefront for satisfaction for all eligible UOCAVA voters. A voter who utilized Montana's it best, summing up the affect the Wizard had on his right to vote:

"Hi Diane,
The voting system itself was easy to use and greatly appreciated. Last time I was even try to vote, with this system I will everytime. I would recommend it for absentee ballot. Martingly, Joseph"

TECHNICAL APPROACH

Montana's technical approach is detailed below and includes descriptions of the goals of the Secretary of State that meet the Federal Voting Assistance Program's grant objectives to assist UOCAVA voters.

Goals and Objectives

Goal No. 1

To improve the UOCAVA voter experience in Montana through the development of a successful, sustainable and affordable Electronic Absentee System (EAS). This goal was partially met in 2010 with the Ballot Marking Wizard established in conjunction with the FVAP and Konnech, Inc. Enhancements to the 2010 service will further improve those voting opportunities.

- **Successful:** Montana's 2010 absentee service was calculated by FVAP to have the highest usage rate among participating states. Montana can build on that success by implementing the enhancements described in this proposal.
- **Sustainable:** Montana's Electronic Absentee Service will be sustainable because of the Montana Secretary of State's commitment to researching and providing new and innovative approaches to making voting more efficient and accessible for voters covered under UOCAVA. Sustainability funding will be provided by remaining funds in Montana's Help America Vote Act fund, office funds, and Federal Voting Assistance Grant funds.
- **Affordable:** Montana plans to partner with Konnech, Inc. to build the 2010 service, utilizing a 2010 FVAP grant opportunity. Between Konnech, Inc. and the Montana Secretary of State, resources in the form of personnel and time have been allocated to developing the necessary enhancements to the service for 2012. Technology that was developed for another service, the Google Voting Information Project is used to match a voter with the correct precinct specific ballot, drastically reducing development costs. Affordability for 2012 is

Collaborations

Montana's collaborative efforts will involve working closely with, and seeking ideas and input from the following entities:

- The Federal Voting Assistance Program
- The Montana National Guard
- Montana Army, Navy, Air Force, and Reserve units, through commanders and contact established during the 2010 Wizard process
- Montana's 56 county election administrators
- The Montana Election and Technology Advisory Council
- A consortium of states with the same ballot creation vendor, including North and South Dakota

Contractors

- Konnech Inc.
 - o Eugene Yu
 - o Laura Potter

Current and Pending Project Proposal Submissions

- Montana is not involved in any complimentary proposals, current or pending

Montana Electronic Absentee System
2012 Technical Proposal Montana Secretary of State.
Federal Voting Assistance Program grant application.
https://www.fvap.gov/uploads/FVAP/Grants/Montana_application.pdf

Department of Defense Grant

From Jul. 2010 to Jan. 2011, the **Department of Defense** granted **Konnech** with a Blanket Purchase Agreement award of \$91,617 (exhibit D) to “provide research and development for an online wizard providing absentee voting capability for the **State of Montana.**”

EAS Development Evolution

Montana Electronic Voting Support Wizard (EVSZ)

Montana Electronic Voting Support Wizard implemented in 2010 for UOCAVA voting “in conjunction with FVAP and **Konnech, Inc.**” as noted in 2012 FVAP grant proposal from **Montana Secretary of State Linda McCulloch.**

Montana SoS FVAP Grant Application

In 2012, **Montana Secretary of State Linda McCulloch** requests Federal Voting Assistance Program grant to “improve the UOCAVA voter experience in Montana through the development of a successful, sustainable and affordable **Electronic Absentee System (EAS).**”

Montana Electronic Absentee System (EAS)

Since at least 2013, the **Montana EAS** has been active, according to Internet Archive which recorded snapshots of portal (vote4montana.us).



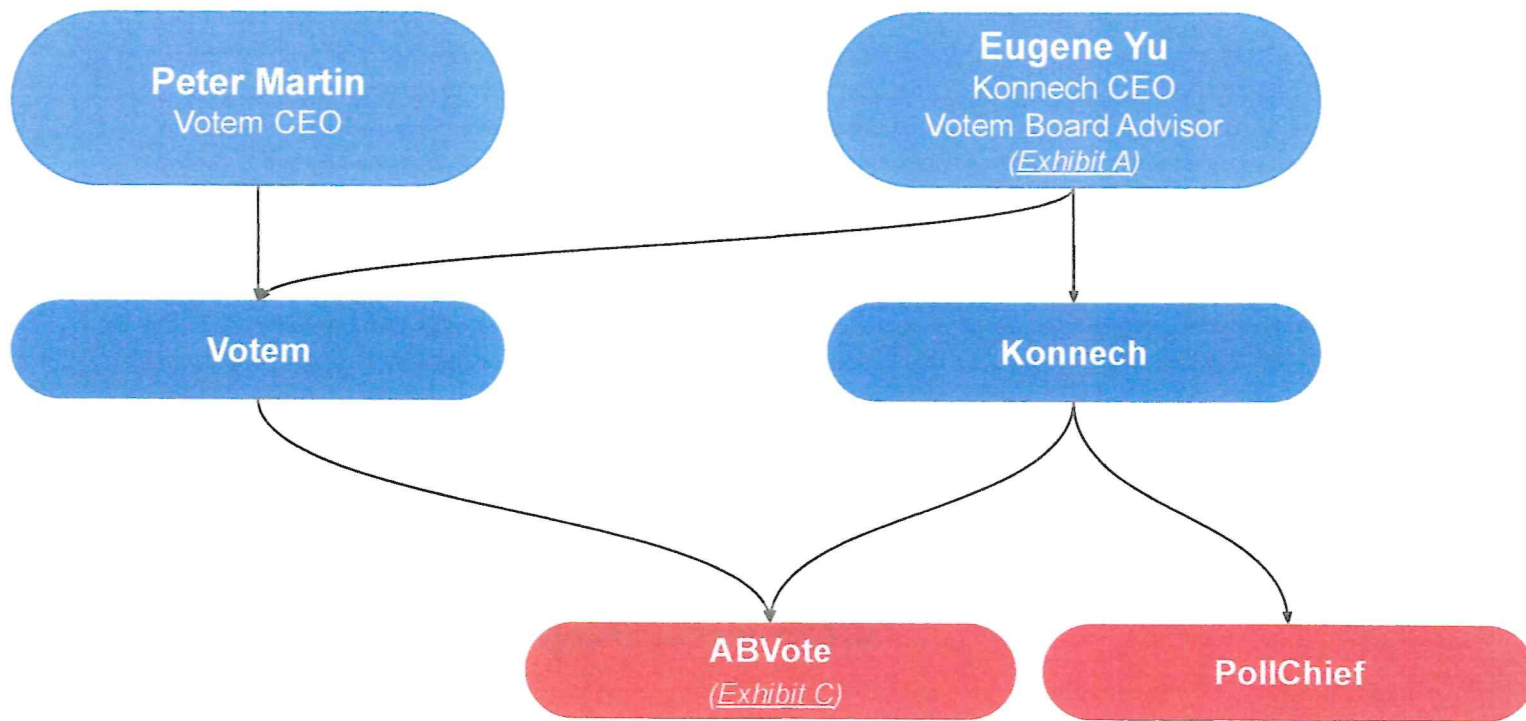
Konnech and Votem Partnership

In February 2016, Votem entered into a partnership with Konnech for access to their ABVote software. The software was deployed prior to 2016 in Montana for use as the Montana Electronic Absentee System.

Pete Martin, CEO of Votem, stated, "We are so pleased to add the ABVote product line as a complement to our Mobile Voting Platform (MVP)". Eugene Yu and his team have built outstanding products for the mobile and online voting space. Even more importantly, they have given care and attention in deploying them at jurisdictions such as the State of Montana and Washington, DC so Votem benefits from now having an end-to-end mobile voting product line as well as a larger satisfied customer base. Eugene and Konnech are well respected in this industry and we look forward to continuing our partnership with them well into the future."

Eugene Yu, CEO of Konnech, remarked, "Votem has quickly become a leader in the online voting market with a number of exciting accomplishments including the completion of their Global Innovation Challenge which brought together some of the best minds in the world to develop their secure online voting platform. Konnech is very happy to become a long-term partner of Votem so we can contribute our industry experience to speed up the implementation of new voting technologies, and enjoy mutual success in what is both a challenging and rewarding business."

Votem Announces Acquisition of Mobile Voting Business. February 15, 2016



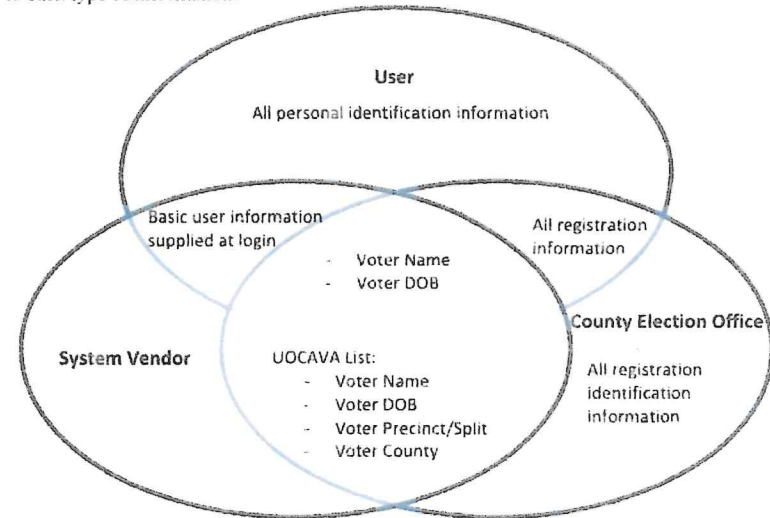
Konnech and Votem
Relationship



Personal Identification Information

The personal identification information of UOCAVA and disabled persons using the Montana Electronic Absentee System is accessible to Konnech including: login information, name, DOB, precinct, county,

The following diagram displays the correlation between personal information and the party with access to each type of information.

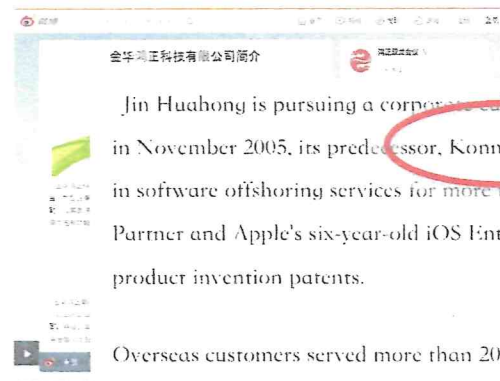


Source: Montana FVAP Grant Proposal (Page 5)

Konnech Chinese Counterpart

Jinhua Hongzheng Technology Co., Ltd is chinese company that “focuses on providing software products and overall solutions related to election, voting and voting for domestic government organs at all levels, CPPCC [Chinese People's Political Consultative Conference],” according to an [announcement](#) for the company on Weibo, the Chinese version of Twitter.

In the announcement, the company’s “predecessor” was named as “Konnech., Ltd.” described as a company founded in 2005 that does “software offshoring services for more than a decade, listing the State of Montana as a client.



Page machine translated to English

Jin Huahong is pursuing a corporate culture of "caring, pragmatism and innovation". Founded in November 2005, its predecessor, Konnech., Ltd. is a software company that has been engaged in software offshoring services for more than a decade as a partner of Microsoft for 10 years, r Partner and Apple's six-year-old iOS Enterprise Developer have multi-software copyright and product invention patents.

Overseas customers served more than 20 government customers in North America, including Washington, D.C., and Edmonton, Canada.



Source: Jinhua Hongzheng Technology Co., Ltd. Weibo. April 14, 2016
<https://archive.ph/Bxiqe>



Google Translate

Text Websites

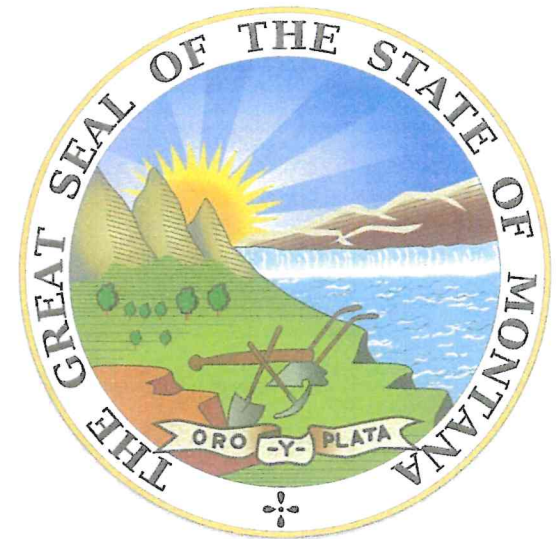
CHINESE (SIMPLIFIED) - DETECTED ENGLISH

美国
蒙大拿州

Meiguó měng dàquān zhōu

U.S.
Montana State

Sign in

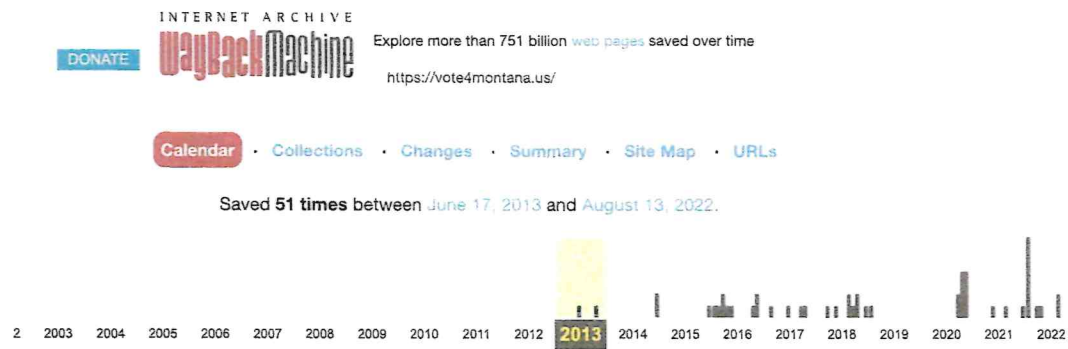


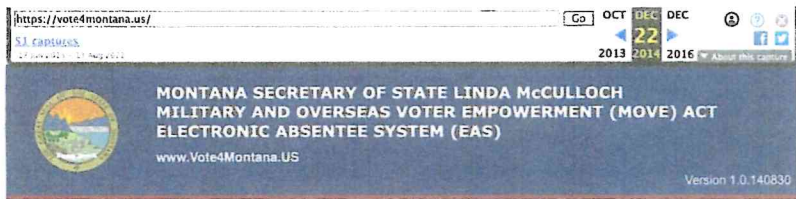
The Seal of the State of Montana on Chinese election software company Jinhua Hongzheng Technology Co., Ltd. website.



Montana EAS Portal

The Montana EAS platform portal has been in use since at least 2013, according to Internet Archive snapshots. The portal's software version has moved sequentially from 1.0.x to 2.0.0 since at least December 14, 2014 to October 10, 2022.





Polls in Montana have now closed.

If you are currently unregistered, and would like to register and request absentee ballots for future elections, please fill out an FPCA and submit it to your county election office. Register and request an absentee ballot for the next election by clicking [HERE](#).

You can track election results as they come in at: <http://electionresults.sos.mt.gov>

Thank you for visiting the Montana Electronic Absentee System.

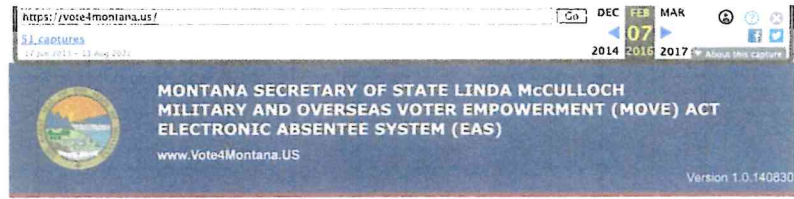
Montana Secretary of State • P.O. Box 202601 • Helena, MT 59620-2601
 (406) 444-9655 or toll free at 1-888-884-8683 • sos@elections@mt.gov • Fax (406) 444-2023
[List of Montana County Election Administrators](#)

December 2014
 Version 1.0.140830



February 2016
 Version 1.0.140830

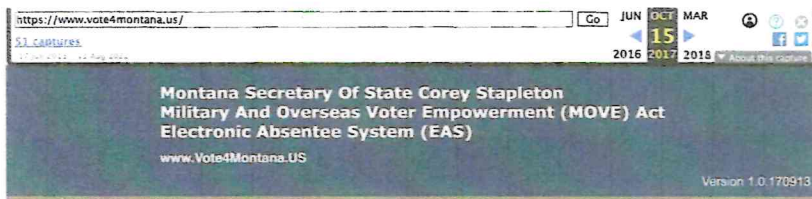
Platform Screenshots



Thank for your interest in the Montana Electronic Absentee System (EAS) for absent military and overseas citizen voters. The EAS will open for the 2016 Primary Election to voters covered under UOCAVA and allow them to access and mark a ballot, starting at 8 a.m. Mountain Time, on April 22nd, 2016, and will close at 8 p.m. on primary election day, June 7, 2016. The system will be available for the 2016 General Election starting at 8 a.m. Mountain Time on September 23 and will close at 8 p.m. on general election day, November 8, 2016.

If you are currently unregistered and you would like to register before the EAS opens for voting, or if you would like to update your voter registration, you can do so by clicking this [link](#), completing the form, saving it as a PDF and emailing it to the contact information provided for your county.

If you are unsure about, or you would like to verify your registration status, please visit [My Voter Page](#), or visit the Montana Secretary of State's website at sos.mt.gov.



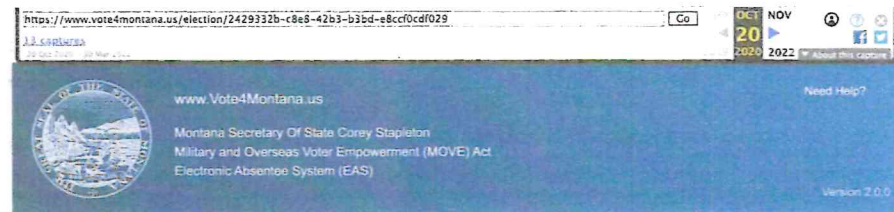
Thank you for your interest in the Montana Electronic Absentee System (EAS) for absent military and overseas citizen voters. The EAS will open to voters covered under UOCAVA for the 2017 Federal Special Election starting at 8:00 AM MDT on Monday, April 10th and will close at 8:00 PM MDT on election day, May 25, 2017.

If you are currently unregistered and would like to register before the EAS opens for voting, or if you would like to update your voter registration, you can do so by clicking this [link](#), completing the form, saving it as a PDF and emailing it to your county election office. A list of county election office contact information can be found [here](#).

If you are unsure about, or you would like to verify your registration status, please visit [My Voter Page](#), or visit the Montana Secretary of State's website at [sos.mt.gov](#).

You can track election results as they come in at: [electionresults.sos.mt.gov](#). If you have any questions, please contact soselections@mt.gov

Montana Secretary of State • P.O. Box 202801 • Helena, MT 59620-2801
 (406) 444-7911 or toll free at 1-888-884-8683 • soselections@mt.gov • Fax (406) 444-2023
[List of Montana County Election Administrators](#)



[Request Ballot](#) [Mark Ballot](#) [Submit Ballot](#)

Thank you for your interest in Montana's Electronic Absentee System (EAS) for absent military and overseas voters. The EAS will open to voters covered under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) for the 2020 Federal General Election beginning at 8:00AM MDT on Friday September 18, 2020 and will close at 8:00PM MST, on November 3, 2020.

If you are not registered to vote in Montana or need to update your voter registration before the EAS is available on September 18, 2020, click [here](#). Complete the Federal Post Card Application (FPCA), save as a PDF and email to your local county election office. Montana County Election contact information can be found [here](#).

To verify your registration status visit sosmt.gov.

You can track election results on election day at: <https://sosmt.gov>. If you have any questions, please contact soselectionshelp@service.mt.gov or call 406-444-9608 or toll free 888-884-8683.

[1. Request a PIN](#) [2. Sign in and Vote](#)

Waiting for web.archive.org...

October 2017
Version 1.0.170913



October 2020
Version 2.0.0

Platform Screenshots

www.Vote4Montana.us Need Help?

Montana Secretary Of State Christi Jacobsen
Military and Overseas Voter Empowerment (MOVE) Act
Electronic Absentee System (EAS) Version 2.0.0

Request Ballot Mark Ballot Submit Ballot

Thank you for your interest in Montana's Electronic Absentee System (EAS) for absent military and overseas voters. The EAS will open to voters covered under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) for the 2022 General Election beginning at 8:00AM MDT on Friday September 23, 2022 and will close at 8:00PM MST, on November 8, 2022.

If you are not registered to vote in Montana or need to update your voter registration before the EAS is available on September 23, 2022, click [here](#). Complete the Federal Post Card Application (FPCA), save as a PDF and email to your local county election office. Montana County Election contact information can be found [here](#).

To verify your registration status visit <https://app.mt.gov/votenr/>.

You can track election results on election day at: <https://sosmt.gov>. If you have any questions, please contact sosselectionshelp@service.mt.gov or call 406-444-9608 or toll free 888-884-8663.

[1. Register and get your PIN](#) [2. Sign in and Vote](#)

FIND YOUR COUNTY MAIL ADDRESS EMAIL OR CALL

	Purged	% of R. Voters
1/3/23 - Cascade	3,085	6%
1/23/23 - Flathead	4,280	5%
1/23/23 - Gallatin	5,205	6%
1/25/23 - Missoula	5,791	5%
2/10/23 - Silver Bow	1,349	5%
2/10/23 - Yellowstone	3,828	4%

October 2022
Version 2.0.0

Platform Screenshots

crunchbase Search Crunchbase Advanced START FREE TRIAL Solutions

Votem Corp

Summary Financials People Technology Signals & News

Board Member and Advisor Profiles

Number of Board Member and Advisor Profiles
8

Votem Corp has 8 board members and advisors, including **Steve Babbage**.







 Steve Babbage Advisor Sep 6, 2015	 Michael Barrett Advisor Sep 24, 2016
 Peter Haynes Advisor Jul 17, 2015	 Eugene Yu Advisor
 Alex Tapscott Advisor Mar 13, 2017	 Ian Scarffe Advisor Feb 2018

Exhibit A - Votem Corp Crunchbase Board Member Profiles
<https://www.crunchbase.com/organization/votem-corp/people>

Collaborations

Montana's collaborative efforts will involve working closely with, and seeking ideas and input from the following entities:

- The Federal Voting Assistance Program
- The Montana National Guard
- Montana Army, Navy, Air Force, and Reserve units, through commanders and contact established during the 2010 Wizard process
- Montana's 56 county election administrators
- The Montana Election and Technology Advisory Council
- A consortium of states with the same ballot creation vendor, including North and South Dakota

Contractors

- Konnech Inc.
 - Eugene Yu
 - Laura Potter

Current and Pending Project Proposal Submissions

- Montana is not involved in any complimentary proposals, current or pending

Key Personnel

- Linda McCulloch, Montana Secretary of State
- Lisa Kimmet, Montana Deputy Secretary of State for Elections

can also be set to provide online registration.

Security is the most significant attribute of this platform. The system has passed penetration testing from two well-known U.S. test laboratories, follows the guidelines of the National Institute of Standards and Technology (NIST), scrubs the users' personal data, and was developed with the experiences designing it for use in Nevada, Michigan, New Jersey, and Montana, as well as with the Federal Voter Assistance Program (FVAP). In addition, the smart phone mobile app was tested by City of Detroit under the terms of a grant from the Federal Voter Assistance Program.

We are also looking for your participation to enhance the platform. Civic and voting support groups are encouraged to provide feedback. Casual users are invited to forward this app or the web site link to friends. Election administrators are invited to peruse the information posted for their jurisdictions and to post their data at no charge; contact us to be given access to your jurisdiction's specific service/support channel.

ABVote® in North America is administered by Votem, Inc., and by Konnech throughout the rest of the world.

Please contact us at info@konnech.com or give us a call at 1-800-281-1499 or 517-561-1830.

AWARD PROFILE
Contract Summary

Share Download

Blanket Purchase Agreement (BPA) Call PIIID K08

Completed

Unlinked Award

Awarding Agency

Department of Defense (DOD)

Recipient

KONNECH' INC.

Related Awards

1 of 1 Related Awards
CONT_IDV_HQ056610A0004_9700

Dates

- Cont Line: 00000001
- Cont Line Effort: 00000001
- Awarding Agency: 00000001

\$ Award Amounts

\$91,617

Obligated Amount

Description

THE EFFOR WILL PROVIDE RESEARCH AND DEVELOPMENT FOR AN ON-LINE WIZARD PROVIDING ABSENTEE VOTING CAPABILITY FOR THE STATE OF MONTANA

Exhibit D - Blanket Purchase Agreement Awarded To Konnech for "online wizard providing voting capability for the State of Montana https://www.usaspending.gov/award/CONT_AWD_0003_9700_HQ056610A0004_9700

da.lacounty.gov/media/news/head-election-worker-management-comp

[News Releases & Advisories](#)
[Media Resources](#)
[Media FAQs](#)
[Open Letters](#)

Media Relations

211 West Temple Street
 Suite 1200
 Los Angeles, CA 90012
 Phone: (213) 257-2000

News Releases

2022

[January](#) [February](#) [March](#)
[April](#) [May](#) [June](#)
[July](#) [August](#) [September](#)
[October](#)

Years

[2020](#) [2021](#) [2022](#)

October 4, 2022: Head of Election Worker Management Company Arrested in Connection with Theft of Personal Data

Contact:
 Media Relations Division
 (213) 257-2000
Media@da.lacounty.gov

Los Angeles County District Attorney George Gascón announced today that an executive with a Michigan-based company responsible for the software used in managing Los Angeles County election poll workers has been arrested as part of an investigation into the possible theft of personal identifying information of those workers.

"I want to thank my prosecutors and investigators for their commitment to eliminating cyber intrusions against government entities and local businesses," District Attorney Gascón said. "Data breaches are an ongoing threat to our digital way of life. When we entrust a company to hold our confidential data, they must be willing and able to protect our personal identifying information from theft. Otherwise, we are all victims.

This investigation is concerned solely with the personal identifying information of election workers. In this case, the alleged conduct had no impact on the tabulation of votes and did not alter election results. But security in all aspects of any election is essential so that we all have full faith in the integrity of the election process."

Earlier today, Konnech Corporation Chief Executive Officer Eugene Yu was taken into custody on suspicion of theft of personal identifying information by investigators from the District Attorney's Office Bureau of Investigation with assistance from the Meridian Township Police Department in Michigan. In addition, hard drives and other digital evidence were seized by LADA investigators.

The District Attorney's Office is seeking Yu's extradition to Los Angeles.

Konnech distributes and sells its proprietary PollChief software, which is an election worker management system that was utilized by the county in the last California election. The software assists with poll worker assignments, communications and payroll. PollChief requires that workers submit personal identifying information, which is retained by the Konnech.

Under its \$2.9 million, five-year contract with the county, Konnech was supposed to securely maintain the data and that only United States citizens and permanent residents have access to it.

District Attorney investigators found that in contradiction to the contract, information was stored on servers in the People's Republic of China.

The East Lansing Police Department and Ingham County Sheriff's Office in Michigan also assisted in the investigation.

Exhibit E - Los Angeles County District Attorney Press Release - October 4
<https://da.lacounty.gov/media/news/head-election-worker-management-company-arrested-connection-theft-personal-data>

ESTIMATED EXCESS VOTES

State-wide

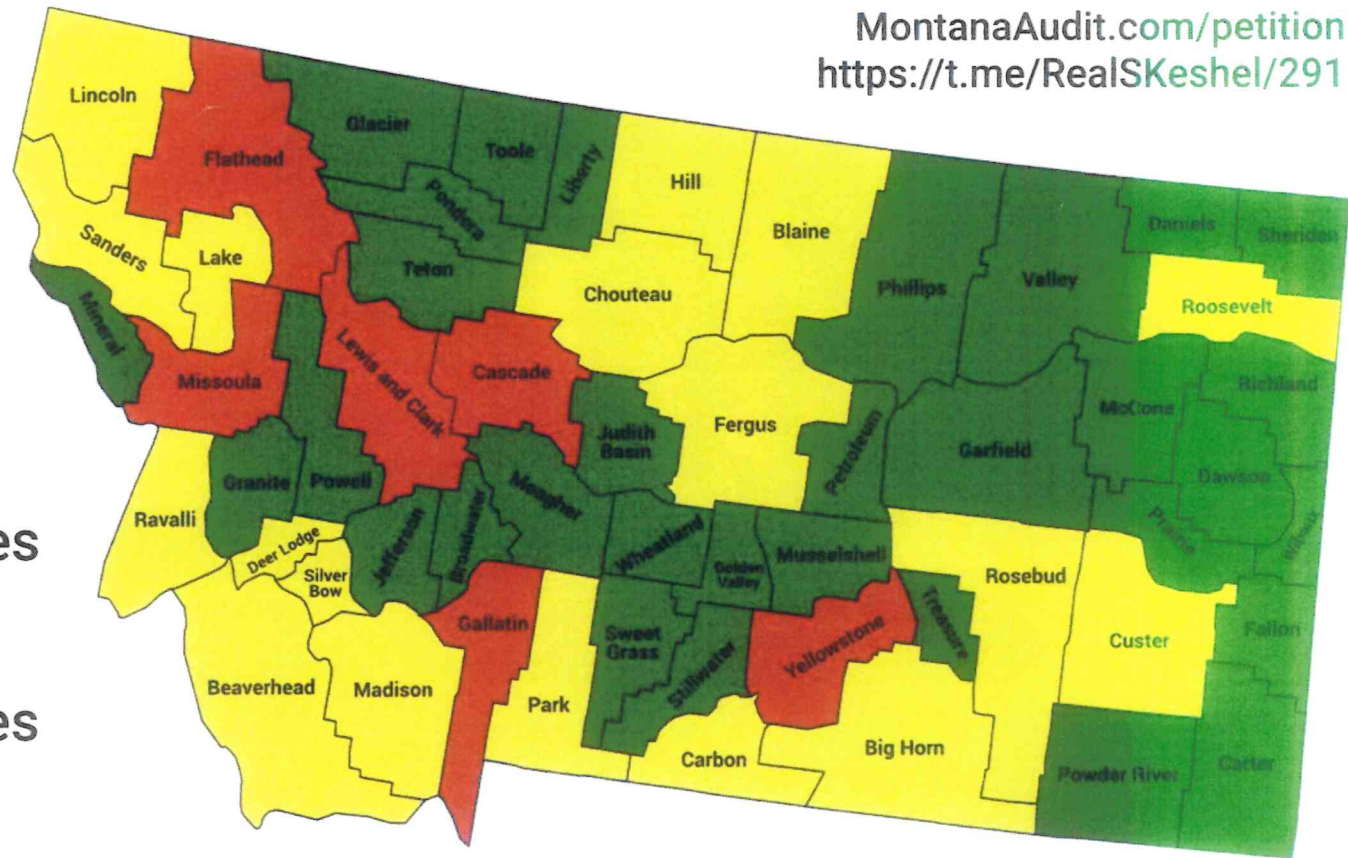
46,000 excess votes

Missoula **Flathead**
~6,000 votes ~5,000 votes

Cascade **Gallatin**
~3,000 votes ~7,000 votes

Lewis & Clark
~3,000 votes

Yellowstone
~6,000 votes



- Obviously Ugly (6)**
- Suspect / Likely Fraud (19)**
- Clean (31)**

Montana 2020 General Election Data

Seth Keshel Trend Analysis, CTCL Grant Data, Tabulation Method

Montana Counties Awarded Grants from Zuckerberg-Funded Center for Tech & Civic Life (CTCL) for use in 11/2020 Election with Seth Keshel's Analysis Indicating Potential Election Fraud

- <https://www.techandcivillife.org/our-work/civic-data/how-its-used/>
- <https://www.techandcivillife.org/grant-awards/>
- <https://docs.google.com/spreadsheets/d/1L7P3ow10GulpMY1Gaef8mVw2x6le-ib9d1/hf1r5/A/>
- <https://uncoverd.com/2021/08/03/vulnerabilities-of-the-ess-ds200-vote-tabulator/>

Seth Keshel Montana Analysis

<https://t.me/RealSethKeshel/290>

*Keshel Fraud Chart Colors

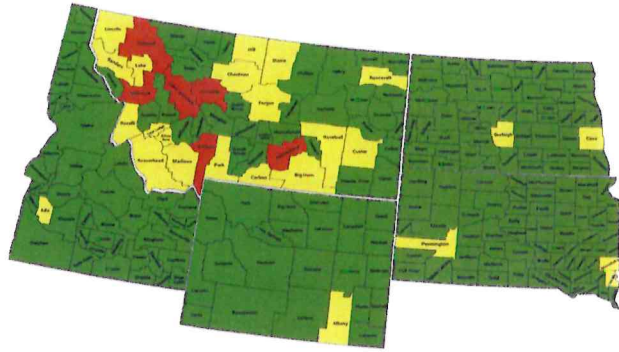
- Red - Rampant, Obvious, Ugly (6)
- Yellow - Suspect/Likely Fraud (18)
- Green - Clean (32)

Green means historic data is consistent with 2020 results, not that fraud didn't occur

Jurisdiction	CTCL Grant Award Amount	Keshel Chart Color*	Keshel Estimated Excess Voters*	Ballot Tabulation Method**
Anaconda-Deer Lodge		yellow		ES&S-DS 450
Blaine		yellow		ES&S-DS 450
Cascade	\$294,128	red	3,000	ES&S-DS 850
Custer		yellow		ES&S-DS 200
Daniels		green		Hand Count
Gallatin	\$292,839	red	7,000	ES&S-DS 850
Glacier		green		ES&S-DS 200
Hill		yellow		ES&S-DS 450
Jefferson		green		ES&S-DS 450
Lake County	\$272,932	yellow		ES&S-DS 450
Lewis and Clark	\$215,000	red	3,000	ES&S-DS 850
Liberty		green		ES&S-DS 200
Madison	\$5,000	yellow		ES&S-DS 450
Missoula	\$312,818	red	6,000	ES&S-DS 850
Park		yellow		ES&S-DS 450
Phillips County	\$5,000	green		ES&S-DS 200
Pondera		green		ES&S-DS 200
Powell County	\$5,000	green		ES&S-DS 450
Prairie		green		Hand Count
Ravalli	\$19,593	yellow		ES&S-DS 850
Sanders	\$0	yellow		ES&S-DS 850
Sheridan		green		ES&S-DS 200
Stillwater	\$5,000	green		ES&S 100
Sweet Grass		green		ES&S-DS 200
Teton County	\$5,000	green		ES&S-DS 200
Toole		green		ES&S-DS 200
Valley County		green		ES&S-DS 200
Wheatland		green		Hand Count
Wibaux		green		ES&S-DS 200
Yellowstone	\$320,593	red	6,000	ES&S-DS 850
30	\$1,752,903			

Montana 4th in Nation for Fraud Per Capita

Per Seth Keshel Nationwide Analysis



Keshel Vote Trend Shifts 2008-2020

	2008 R	2008 D	2012 R	2012 D	2016 R	2016 D	2020 R	2020 D	Pop Growth Decade	New RVs
Beaverhead	3	2	3	1	3	1	4	2	3%	383
Big Horn	2	4	2	1	2	2	2	2	2%	496
Blaine	1	2	1	2	1	1	2	2	1%	236
Bozeman	2	1	2	1	2	1	3	1	25%	801
Carbon	1	2	4	2	4	2	4	2	8%	562
Carter	1	0	1	0	1	0	1	0	7%	5
Cascade	17	18	19	15	20	12	23	15	0%	3,408
Cheyenne	2	1	2	1	2	1	2	1	2%	204
Custer	3	2	3	2	4	1	4	1	4%	88
Daniels	1	0	1	0	1	0	1	0	6%	13
Deer Lodge	3	2	3	1	3	1	4	1	5%	0
Dillon	2	1	3	2	2	2	2	1	2%	322
Flathead	1	0	1	0	1	0	1	0	2%	122
Garfield	6	2	4	2	6	1	5	1	7%	133
Glacier	1	1	1	4	2	3	2	1	1%	522
Golden Valley	23	24	24	22	24	24	32	17	11%	13,072
Grant	1	0	1	0	1	0	1	0	5%	16
Greene	1	1	1	4	2	3	2	1	1%	32
Highland	0	0	0	0	0	0	0	0	6%	36
Hill	1	1	1	1	1	0	1	1	8%	101
Judith Basin	1	4	4	1	1	2	4	1	2%	286
Lincoln	4	3	4	2	4	2	5	3	8%	1,089
Liberty	1	0	1	0	1	0	1	0	4%	66
Mineral	0	2	2	6	8	5	7	7	8%	1,082
Missoula	15	17	17	16	17	15	21	20	12%	5,289
Musselshell	1	0	1	0	1	0	1	0	1%	0
Nevada	1	0	1	0	1	0	1	0	1%	55
Phillips	6	3	6	3	2	2	3	3	1%	991
Pink Shovel	1	2	3	1	1	1	4	2	17%	335
Pondera	1	0	1	0	1	0	1	0	5%	15
Potomac	1	0	1	0	1	0	1	0	3%	15
Prairie	3	3	3	3	3	1	2	1	8%	281
Richland	21	17	23	35	22	32	26	43	12%	7,350
Roosevelt	2	1	2	0	2	0	2	0	1%	559
Sandwich	1	4	5	4	5	4	6	5	7%	1,298
Sawtooth	0	0	0	0	0	0	0	0	1%	35
Schuyler	1	0	2	0	2	0	2	0	8%	118
Sheridan	2	1	2	1	2	1	2	1	6%	111
Stillwater	1	0	1	0	1	0	1	0	4%	38
Sweet Grass	2	1	2	1	2	1	3	1	3%	347
Teton	1	0	1	0	1	0	1	0	10%	1
Toole	13	8	14	7	15	6	19	9	12%	1,670
Valley	3	1	4	1	4	1	5	1	1%	658
Wheatland	1	1	2	2	2	2	2	2	5%	513
Wibaux	2	2	2	1	2	1	2	1	4%	67
Yellowstone	4	2	4	2	4	1	6	7	7%	909
30	1	1	2	0	2	0	2	1	1%	165
30	5	12	5	11	6	9	8	10	3%	1,460
30	3	2	3	1	4	1	6	1	9%	214
30	1	1	1	1	1	0	1	1	1%	165
30	2	1	2	1	2	1	1	1	1%	165
30	1	1	1	1	1	0	2	0	22%	64
30	0	0	0	0	0	0	0	0	3%	9
30	2	2	2	1	1	1	1	1	0%	241
30	1	0	1	0	1	0	1	0	1%	22
30	0	0	0	0	0	0	1	0	8%	8
30	1%	1%	4%	2%	4%	2%	5%	1%	10%	7,899

MT Counties that did not apply for CTCL Funds

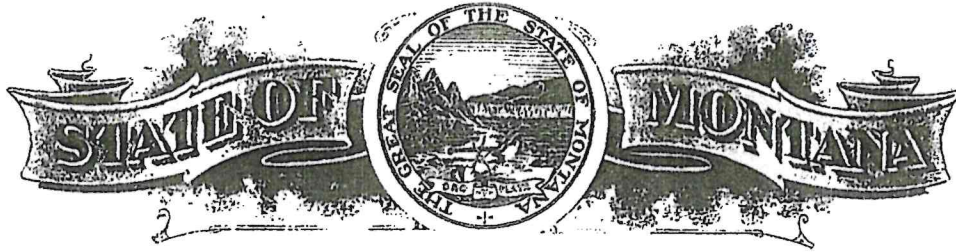
Beaverhead	yellow			ES&S-DS 450
Big Horn	yellow			ES&S-DS 850
Broadwater	green			ES&S 100
Butte-Silverbow	yellow			ES&S-DS450&DS850
Carbon	yellow			ES&S-DS 200
Carter	green			ES&S-DS 200
Chouteau	yellow			ES&S-DS 200
Crow	green			ES&S-DS 200
Fallon	green			Hand Count
Fergus	yellow			ES&S-DS 450
Flathead	red	5,000		ES&S-DS 850
Garfield	green			Hand Count
Golden Valley	green			Hand Count
Granite	green			ES&S-DS 450
Judith Basin	green			ES&S-DS 200
Lincoln	yellow			ES&S-DS 450
McCone	green			Hand Count
Meagher	green			Hand Count
Mineral	green			ES&S-DS 200
Musselshell	green			ES&S-DS 200
Petroleum	green			ES&S-DS 200
Powder River	green			Hand Count
Richland	green			ES&S-DS 450
Roosevelt	yellow			ES&S-DS 450
Rosebud	yellow			ES&S-DS 200
Treasure	green			Hand Count
26			30,000	

CTCL report not received.
Total from another source ~46,000 total

- 2 ES&S 100
- 20 ES&S-DS 200
- 14 ES&S-DS 450
- 1 ES&S-DS450 & DS850
- 9 ES&S-DS 850
- 10 Hand Count

Tab 6

IN THE NAME AND BY THE AUTHORITY OF THE



UNITED STATES OF AMERICA)
)
State of Montana)

After full consideration of the matter, and pursuant to the authority vested in the Secretary of State, I Corey Stapleton, Montana Secretary of State, hereby approve for use in any election in the State of Montana

ES&S EXPRESSVOTE (HW 2.1)

I further certify that upon examination, held August 28, 2019, that said voting systems meet the requirements set forth in Title 13, Chapter 17, Montana Code Annotated and the Administrative Rules of Montana 44.3.1701 through 44.3.1711.

A State certification is not:

- An endorsement of a manufacturer, voting system, or any of the system's components.
- A State warranty of the voting system or any of its components.
- A determination that a voting system, when fielded, will be operated in a manner that meets all Help America Vote Act requirements.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Montana at Helena, Montana, this 3rd day of September, 2019.

COREY STAPLETON
Secretary of State

CERTIFICATION

This is an old certification that we have used for many years. I find it hard to trust a machine or machines that do not guarantee or warranty that my ballot will be tabulated correctly. Austin James told me that we have a new certification so this may have been changed.

Montana Code Annotated 2021

TITLE 13. ELECTIONS

CHAPTER 17. VOTING SYSTEMS

Part 1. General Provisions

Required Specifications For Voting Systems

13-17-103. Required specifications for voting systems. (1) A voting system may not be approved under 13-17-101 unless the voting system:

- (a) allows an elector to vote in secrecy;
- (b) prevents an elector from voting for any candidate or on any ballot issue more than once;
- (c) prevents an elector from voting on any office or ballot issue for which the elector is not entitled to vote;
- (d) allows an elector to vote only for the candidates of the party selected by the elector in the primary election;
- (e) allows an elector to vote a split ticket in a general election if the elector desires;
- (f) allows each valid vote cast to be registered and recorded within the performance standards adopted pursuant to subsection (3);
- (g) is protected from tampering for a fraudulent purpose;
- (h) prevents an individual from seeing or knowing the number of votes registered for any candidate or on any ballot issue during the progress of voting;
- (i) allows write-in voting;
- (j) will, if purchased by a jurisdiction within the state, be provided with a guarantee that the training and technical assistance will be provided to election officials under the contract for purchase of the voting system;
- (k) uses a paper ballot that allows votes to be manually counted; and
- (l) allows auditors to access and monitor any software program while it is running on the system, to determine whether the software is running properly.

(2) A voter interface device may not be approved for use in this state unless:

- (a) the device meets the electronic security standards adopted by the secretary of state;
- (b) the device provides accessible voting technology for electors with hearing, vision, speech, or ambulatory impairments;

(c) the device meets all requirements specified in subsection (1);

(d) the device has been made available for demonstration and use by electors with disabilities in at least one public event held by the secretary of state; and

(e) disabled electors have been able to participate in the process of determining whether the system meets accessibility standards.

(3) To implement the provisions of subsection (1)(f), the secretary of state shall adopt rules setting a benchmark performance standard that must be met in tests by each voting system prior to approval under 13-17-101. The standard must be based on commonly accepted industry standards for readily available technologies.

History: En. Sec. 143, Ch. 368, L. 1969; R.C.M. 1947, 23-3802(1), (3); amd. Sec. 196, Ch. 571, L. 1979; amd. Sec. 33, Ch. 370, L. 1987; amd. Sec. 65, Ch. 414, L. 2003; amd. Sec. 1, Ch. 275, L. 2005; amd. Sec. 17, Ch. 286, L. 2005; amd. Sec. 27, Ch. 273, L. 2007; amd. Sec. 28, Ch. 297, L. 2009; amd. Sec. 4, Ch. 325, L. 2019.

Last amended 2022

Admin R. 44-3-1701

"may chose to use qualified technicians & advisors to examine the system"

Created by **LAWSON**

SECURITY OF MACHINES

President Trumps Executive Order 14824 in Section 6, (b) states that with the cooperation of the EAC (Election Assistance Commission, & the Department of Homeland Security “shall access the security of all such systems to the extent that they are connected to the internet, or integrated into the internet and report on the risk of such systems being compromised through malicious software and unauthorized intrusions into the system” I testified at the Judiciary Committee meeting in 2022 that our machines were not suitable,(because of the propriety contract), not certifiable (due to all the inaccuracies in the voter rolls), and are connected to the internet. Dana Corson at the time director of Elections testified before the committee I was correct! I have heard very recently that President Trump will issue another Executive Order and will be ordering the removal of the machines, if so, this will remove one way of possible cheating. It will also mandate the public to step up and help our local county clerks count and tabulate the ballots at the precincts.

PROPRIETY RIGHTS

ES&S shall own the entire right, title and interest in and to all corrections, programs, information and work product conceived, created or developed, alone or with customers or others , as a result of or related to the performance of this EXHIBIT A. Including all proprietary rights there in or based thereon. Subject to the payment of all Software License, maintenance, and support fees, ES&S hereby grants to Customers a non-exclusive license to use that portion of such corrections, programs, information and work product that ES&S actually delivers to Customers pursuant to this Exhibit A. All licensed items shall be deemed to be ES&S Software for purposes of this Exhibit A. Except and to the extent provided herein, ES&S does not grant to customer any right, license, or other prosperity right, express or implied, in or to any corrections, programs, information, or work product covered by this EXHIBIT A.

DEF CON

DEF CON (also written as **DEFCON**, **Defcon** or **DC**) is one of the world's largest and most notable hacker conventions, held annually in Las Vegas, Nevada. The first DEF CON took place in June 1993 and today many attendees at DEF CON include computer security professionals, journalists, lawyers, federal government employees, security researchers, students, and hackers with a general interest in software, computer architecture, hardware modification, conference badges, and anything else that can be "hacked". The event consists of several tracks of speakers about computer- and hacking-related subjects, as well as cyber-security challenges and competitions (known as hacking wargames). Contests held during the event are extremely varied, and can range from creating the longest Wi-Fi connection (aircrack-ng) to finding the most effective way to cool a beer in the Nevada heat.^[2]

DEF CON



Status	Active
Genre	Security Conference, Hacker Conference
Frequency	Annual
Venue	varies
Location(s)	Las Vegas, Nevada
Years active	28
Inaugurated	June 9, 1993 ^[1]
Founder	Jeff Moss
Previous event	August 5–8, 2021
Next event	August 11-14, 2022
Attendance	Over 30,000
Website	defcon.org (https://defcon.org) 🌐

Other contests, past and present, include lockpicking, robotics-related contests, art, slogan, coffee wars, scavenger hunt and Capture the Flag. Capture the Flag (CTF) is perhaps the best known of these contests and is a hacking competition where teams of hackers attempt to attack and defend computers and networks using software and network structures. CTF has been emulated at other hacking

conferences as well as in academic and military contexts (as red team exercises).

Federal law enforcement agents from the FBI, DoD, United States Postal Inspection Service, DHS via us-cert.gov and other agencies regularly attend DEF CON.^{[3][4]}

■ History

DEF CON was founded in 1993, by then 18-year-old Jeff Moss as a farewell party for his friend, a fellow hacker and member of "Platinum Net", a FidoNet protocol based hacking network from Canada.^[5] The party was planned for Las Vegas a few days before his friend was to leave the United States, because his father had accepted employment out of the country. However, his friend's father left early, taking his friend along, so Jeff was left alone with the entire party planned. Jeff decided to invite all his hacker friends to go to Las Vegas with him and have the party with them instead. Hacker friends from far and wide got together and laid the foundation for DEF CON, with roughly 100 people in attendance.

The term DEF CON comes from the movie *WarGames*, referencing the U.S. Armed Forces defense readiness condition (DEFCON). In the movie, Las Vegas was selected as a nuclear target, and since the event was being hosted in Las Vegas, it occurred to Jeff Moss to name the convention DEF CON. However, to a lesser extent, CON also stands for convention and DEF is taken from the letters on the number 3 on a telephone keypad, a reference to phreakers.^[6] Any variation of the spelling, other than "DEF CON", could be considered an infringement of the DEF CON brand. The official name of the conference includes a space in-between DEF and CON.

Though intended to be a one-time event, Moss received overwhelmingly positive feedback from attendees, and decided to host

the event for a second year at their urging. The event's attendance nearly doubled the second year, and has enjoyed continued success.^[7] In 2019, an estimated 30,000 people attended DEF CON 27.^[8]

For DEF CON's 20th Anniversary, a film was commissioned entitled *DEFCON: The Documentary*.^[9] The film follows the four days of the conference, events and people (attendees and staff), and covers history and philosophy behind DEF CON's success and unique experiences.

In January 2018, the DEF CON China Beta event was announced. The conference was held May 11-13, 2018 in Beijing, and marked DEF CON's first conference outside the United States. The second annual DEF CON China was canceled due to concerns related to COVID-19.^[10]

In 2020, due to safety concerns over COVID-19 the DEF CON 28 in-person Las Vegas event was cancelled^[11] and replaced with DEF CON Safe Mode,^[12] a virtual event planned for the same August 6-9 dates as DC 28.

Black Badge

The Black Badge is the highest award DEF CON gives to contest winners of certain events. Capture the flag (CTF) winners sometimes earn these, as well as Hacker Jeopardy winners. The contests that are awarded Black Badges vary from year to year, and a Black Badge allows free entrance to DEF CON for life, potentially a value of thousands of dollars.^[13]

In April 2017, a DEF CON Black Badge was featured in an exhibit^[14] in the Smithsonian Institution's National Museum of American History entitled "Innovations in Defense: Artificial Intelligence and the Challenge of Cybersecurity". The badge belongs to ForAllSecure's Mayhem Cyber Reasoning System,^[15] the winner of the DARPA 2016 Cyber Grand Challenge at DEF CON 24 and the first non-human entity

■ External links

Wikimedia Commons has media related to ***DEF CON***.

DEF CON

- Official website (<https://www.defcon.org>) ↗
- Official FAQ (<https://www.defcon.org/html/links/dc-faq/dc-faq.html>) ↗
- DEF CON Groups (<https://defcongroups.org>) ↗
- DEF CON v3 Tor .onion addresses (<https://defcon.org/#onionlinks>) ↗

Multimedia

- DEF CON: The Documentary (<https://vimeo.com/69695831>) ↗
- DEF CON: The Documentary (<https://www.imdb.com/title/tt3010462/>) ↗ on IMDb
- A first ever look inside the DEF CON NOC (2008) (<http://blog.wired.com/27bstroke6/2008/08/a-first-ever-lo.html>) ↗
- The Story of DEF CON – video interview with Jeff Moss, a.k.a. Dark Tangent, the founder of DEF CON (<http://www.net-security.org/article.php?id=1044>) ↗
- Transcript, audio, video of Jess Moss describing DEF CON's inception (<http://americanrhetoric.com/speeches/jeffmossdefconstory.htm>) ↗

Retrieved from

"<https://en.wikipedia.org/w/index.php?>

title=DEF_CON&oldid=1068632012"

Last edited 15 days ago by Citation bot

WIKIPEDIA

ever to earn a Black Badge.

Fundraising

Since DEF CON 11, fundraisers have been conducted for the Electronic Frontier Foundation (EFF). The first fundraiser was a dunk tank and was an "official" event. The EFF now has an event named "The Summit" hosted by the Vegas 2.0 crew that is an open event and fundraiser. DEF CON 18 (2010) hosted a new fundraiser called MohawkCon.

Trivia

Badges

A notable part of DEF CON is the conference badge, which identifies attendees and ensures attendees can access conference events and activities. The DEF CON badge has historically been notable because of its changing nature, sometimes being an electronic badge (PCB), with LED's, or sometimes being a non-electronic badge such as a vinyl record. Conference badges often contain challenges or callbacks to hacker or other technology history, such as the usage of the Konami Code in the DEF CON 24 badge, or the DEF CON 25 badge reverting to the look of the DEF CON 1 badge. DEFCON Badges do not (generally) identify attendees by name, however the badges are used to differentiate attendees from others. One way of doing this has been to have different badges, a general conference attendee (HUMAN) badge, a Staff member (GOON), Vendor, Speaker, Press, and other badges. In addition, individuals and organizations have begun creating their own badges in what has become known as badgelifelife. These badges may be purchased in many cases, or earned at the conference by completing challenges or events. Some badges may give the holder access to after hours events at the conference. In 2018 the evolution of this came with what was termed "shitty addon's" or SAO's. These were miniature

(usually) PCB's that connected to the official and other badges that may extend functionality or were just collected.^[16] ^[17]

Multiple DefCon badges, electronic and non-electronic, and other con badges.

Workshops

Workshops are dedicated classes on various topics related to information security and related topics. Historical workshops have been held on topics such as Digital Forensics investigation, hacking IoT devices, playing with RFID, and attacking smart devices.

Villages

Villages are dedicated spaces arranged around a specific topic. Villages may be considered mini conferences within the con, with many holding their own independent talks as well as hands-on activities such as CTF's, or labs. Some villages include the IoT Village, Recon, Biohacking, lockpicking, ham radio, and the well known Social Engineering and vote hacking villages. In 2018 the vote hacking village gained media attention due to concerns about US election systems security vulnerabilities.^[18]

As the Toshiba tablet is a standard off-the-shelf 'PC compatible' general-purpose device, it is supported by a wide range of general-purpose operating systems. This machine can be booted from a version of Linux using, for example, the external USB port and USB memory stick. Booting Linux allows an attacker to access data on the device without encountering any Windows operating system-based defenses. Voting Village participants confirmed that an attacker would then be able to freely access data and run custom software, including software that would allow extraction of voter data. An attacker could also change or delete any voter registration data (like party registration) stored on the machine once the machine has been accessed.

The e-poll book operating system stack lacked any attempt to perform even the most rudimentary platform hardening. In fact, none of the bloatware that would come with a standard Toshiba tablet was removed. Apps for Netflix, Hulu, and Amazon were present in the e-poll book.

The lack of hardening is especially dangerous given that for one of the recommended deployments the system is intended to communicate over WiFi with wireless internet access to either Amazon Web Services or Microsoft Azure-based cloud services. Given that the operating system is unhardened and given that the standard bloatware provided by the vendor is present on the machine, there is an extremely wide, unprotectable, exposed attack surface.

Dominion Voting Machines Allowed Election Tampering: Forensic Experts

Two cyber experts examined the hard drive from a Dominion voting machine used in Colorado for two elections (November 2020 and April 2021.)¹ These independent experts determined that *software on the machine had performed secret operations that manipulated ballot data*. Here are the key findings:

- In both elections, after vote-counting was underway, **thousands of ballots that had already been counted were secretly re-processed** inside the voting machine.
- In violation of federal and state law, the machine had an internal Wi-Fi adapter allowing Internet connectivity.² This **opens the door for virtually any computer with Internet access, anywhere in the world, to connect to the software and server**.
- The hard drive shows that, in both elections, two new “shadow” databases were secretly **created** on the machine after counting began, either through “hacking” or pre-set algorithms.
- The hard drive shows that copies of digital records of select batches of **already-counted ballots were moved over to these shadow databases without notice to election officials or judges** (including 20,346 of 25,913 ballots in 2020 and 2,974 of 4,458 ballots in 2021).
- The machine performed an **unauthorized, digital recount** on the files in the new databases.
- The machine **made only the digitally re-processed ballot files visible to local election officials and hid the original (not re-processed) ballot files**. The final vote count in the election exceeded the number of ballots that were made visible to the officials.
- The percentage of ballots the machine flagged for further (human) evaluation was significantly different in the *secret recount* than it had been in the *original count*, indicating that **the re-count was processed differently than the original count**.
- Dominion only recorded vote tabulations in a single location. This means that **if vote counts were to be changed, there would remain no record of the original votes in any other location and, therefore, no means of detecting the vote changes**. Additionally, the software code allows votes to be altered on any ballot.
- The machine was programmed to **erase critical logs within just a few days**, including the original vote tabulations (prior to the creation of shadow databases), activity logs, and logins, making it **impossible to identify any occurrences of unauthorized access, software installation, network connections or other unauthorized activity**.
- Dominion (as well as the Colorado Secretary of State) **destroyed all data on the hard drives of Colorado’s voting machines 1 month after the April 2021 election** (as part of Dominion’s required software update, referred to as the “Trusted Build”), even though *state and federal law require election records to be preserved for at least 22 months*.³

¹ The county clerk for Mesa, County, Colorado, Tina Peters, copied the hard drive from the Dominion voting machine both before and after Dominion’s required software update (referred to as the “Trusted Build”), unbeknownst to Dominion or Colorado Secretary of State. Peters submitted the copies to forensic experts for examination.

² Seven machines in the system were found to have these adapters installed.

³ It is believed that the same thing happened on Dominion machines in Maricopa County, Arizona, where auditors found that 284,412 ballot images were corrupted or missing and “all the data in the database related to the 2020 general election had been fully cleared” contrary to federal law.

Tab 7

FEDERAL TRADE COMMISSION LAW

The testimony that I gave the 2022 session, speaks of the elephant in the room, and that is the proprietary contract that goes against the MCA 13-17 -103 line "L" which says we do have the right to audit the machines! The Federal Trade Commission has set rules for deceptive practices which reads "Contracts can be found unenforceable on PUBLIC POLICY and is UNENFORCEABLE, NOT ONLY TO PROTECT ONE OF IT'S PARTIES INVOLVED, BUT ALSO BECAUSE OF WHAT THE THE CONTRACT REPRESENTS COULD POSE HARM TO SOCIETY AS A WHOLE". As of the last Legislature, citizens have no transparency in the elections because we can no longer get a court order to see the Cast Vote Records. Plus now there is software they can be installed to change the bubbles on the ballots.

“ERRORS”

MCA 13-15-209 speaks of “handling a voting machine during count”. During the 2022 election 2 observers noted that the ES&S person that is paid to monitor the machines during the elections took a device out of her pocket, walked to to the machine and began typing something on the device. When asked what she was doing our EA (Election Administrator)said she was fixing a glitch. Please refer to the law in your folder.

Elections are a no trust system!

Montana Code Annotated 2025

TITLE 13. ELECTIONS

CHAPTER 15. CANVASSING, RETURNS, AND CERTIFICATES

Part 2. Vote Count Procedures

Handling Voting System Error During Count

13-15-209. Handling voting system error during count. (1) During a count in which votes are being counted by a voting system, if the election administrator or counting board has reason to believe that the voting system is not operating correctly, the count must be halted and the system must be tested in accordance with rules adopted by the secretary of state pursuant to **13-17-211**.

(2) If the test does not show any errors, the count must proceed using the voting system.

(3) If the test shows errors and the errors cannot be corrected or if a majority of the counting board agrees that the system may not be functioning correctly, votes must be counted manually in accordance with **13-15-206(2)**.

History: En. Sec. 1, Ch. 586, L. 2005; amd. Sec. 25, Ch. 273, L. 2007.

Disclaimer: The Internet version of the Montana Code Annotated is provided as a research tool to users of the Code. In case of inconsistencies resulting from omissions or other errors, the printed version will prevail.

Montana Code Annotated 2021

TITLE 13. ELECTIONS

CHAPTER 17. VOTING SYSTEMS

Part 2. Preparation for Use of Systems

Performance Testing And Certification Of Voting Systems Prior To Election

13-17-212. Performance testing and certification of voting systems prior to election. (1) No more than 30 days prior to an election in which a voting system is used, the election administrator shall publicly test and certify that the system is performing properly. An election administrator shall test all central count vote tabulation machines to be used if automatic tabulation begins pursuant to **13-13-241(7)(a)** the day before the election. In accordance with subsection (3), the secretary of state shall adopt rules to meet the requirements of this subsection.

(2) The secretary of state shall ensure that at least 10% of each type of voting system in the state has been randomly tested and certified at least once every calendar year.

(3) The provisions of this section must be implemented according to rules adopted by the secretary of state pursuant to **13-17-211**.

History: En. Sec. 4, Ch. 414, L. 2003; amd. Sec. 18, Ch. 286, L. 2005; amd. Sec. 29, Ch. 273, L. 2007; amd. Sec. 30, Ch. 297, L. 2009; amd. Sec. 1, Ch. 400, L. 2021.

13-13-241 - Examination of absentee ballots. Signatures on envelopes - deposit the absentee + unvotes ballots -- rule making
(1) (a) upon receipt of each absentee Ballot signature envelope, an election administrator shall compare the signature of the elector or electors agent on the absentee ballot request or on the electors voter registration form with the signature on the signature envelope.
Created by LAWSI

Montana Code Annotated 2023

TITLE 13. ELECTIONS

CHAPTER 17. VOTING SYSTEMS

Part 5. Postelection Audit

Discrepancies -- Substitution Of Results -- Examination Of Machines

13-17-507. Discrepancies -- substitution of results -- examination of machines. (1) If a discrepancy exists between the vote-counting machine totals and the manual count totals, the random-sample audit results must serve as the definitive record for purposes of the canvass.

(2) If the random-sample audit results in a discrepancy of more than 0.5% of total ballots cast or five ballots, whichever is greater, and if the discrepancy is determined to be due to the vote-counting machine and not to administrative or user error:

* (a) the vote-counting machine involved in the discrepancy in that county may not be used in another election until it has been examined and tested by a computer software expert in consultation with a voting system vendor and approved by the secretary of state; and

(b) at least three additional precincts within the county must be audited for the office or ballot issue in question. If the county has fewer than three additional precincts, all remaining precincts must be audited.

(3) If the audit of the additional precincts results in a discrepancy for those precincts of more than 0.5% of total ballots cast or five ballots, whichever is greater, and if the discrepancy is determined to be due to the vote-counting machine and not to administrative or user error, the vote-counting machine involved in the discrepancy in that county may not be used in another election until it has been examined and tested by a computer software expert in consultation with a voting system vendor and approved by the secretary of state.

(4) The results of the random-sample audit must be public.

History: En. Sec. 7, Ch. 89, L. 2009.

CASE LAW: SEWELL ET. AL. VS CHAMBERS

Number 14929 February 27, 1948

“ We have a wholesome rule of law that the secret ballot be not treated lightly. However, there are public interest, which outweigh the individuals right to have his ballot kept secret. The ability of our government is dependent upon the honesty and purity of the ballot. The secrecy of the ballot had better be scattered to the 4 winds rather than have such secrecy shield corruption in elections. Better 1000 times that the individuals vote should be spread upon canvas under calcium light, then that fraud should be locked up within the lids of the official ballot boxes and poll books with no known legal method of exposing such fraud.”

Montana Code Annotated 2021

TITLE 13. ELECTIONS

CHAPTER 15. CANVASSING, RETURNS, AND CERTIFICATES

Part 1. General Provisions

Votes To Be Publicly Counted -- Return Forms

13-15-101. Votes to be publicly counted -- return forms. (1) Any official vote count must be open to public observation.

(2) Immediately after all the ballots are counted by precinct, the election judges shall copy the total votes cast for each candidate and for and against each proposition on the return forms furnished by the election administrator.

(3) The election judges shall immediately display one of the return forms at the place of counting and return a copy to the election administrator. Both forms must be signed by all the election judges completing the count.

History: En. Secs. 88, 171, Ch. 368, L. 1969; R.C.M. 1947, 23-3505, 23-4001; amd. Sec. 151, L. 1979; amd. Sec. 1, Ch. 100, L. 1987; amd. Sec. 13, Ch. 298, L. 1987; amd. Sec. 51, Ch. 414, L. 2003; amd. Sec. 49, Ch. 242, L. 2011; amd. Sec. 3, Ch. 229, L. 2019.

Tab 8

*Page 12



Office of the Special Counsel

Second Interim Investigative Report

On the Apparatus & Procedures of the Wisconsin Elections System

Delivered to the Wisconsin State Assembly on March 1, 2022

Judge Gablman

The OSC received information that an entity had cellphone pinging data related to the City of Milwaukee and its absentee ballot drop boxes. As of the time of this Report, the OSC has not been able to run to ground all the issues relating to obtaining this data.

The OSC consulted with multiple computer security experts regarding voting machines. Two major machine manufacturers were identified in Wisconsin, Dominion Voting and ESS. The OSC viewed extensive reporting about the integrity of the machines. The OSC learned that some Dominion machines are extremely vulnerable to hacking and manipulation. These specific machines can be manipulated to alter actual votes cast—either surreptitiously or by the machine technicians.

The Special Counsel reviewed extensive reporting of a Dominion machine failure event in another State. The OSC was able to identify, through the reports of experts, that the failed machine recorded two anonymous and unauthorized access events from its VPN. This means, contrary to what Dominion has publicly stated, that at least some machines had access to the internet on election night. Shortly after the unauthorized access was recorded, the machine failed and was reset, wiping all voting history and forcing that election administrator to rely on unverifiable paper printouts from the failed machine.

ESS machines were equally problematic. The central problem is that several of the machines are made with a 4G wireless modem installed, enabling them to connect to the internet through a Wi-Fi hotspot. One municipality under investigation in Wisconsin by the OSC admitted that these machines had these modems and were connected to the internet on election night. The reason given was to “transmit data” about votes to the county clerks.

The OSC learned that all machines in Green Bay were ESS machines and were connected to a secret, hidden Wi-Fi access point at the Grand Hyatt hotel, which was the location used by the City of Green Bay on the day of the 2020 Presidential election. The OSC discovered the Wi-Fi, machines, and ballots were controlled by a single individual who was not a government employee but an agent of a special interest group operating in Wisconsin.

The OSC began a comprehensive investigation of voting machines in Wisconsin. As part of that investigation, subpoenas were sent to Dominion, ESS, and Command Central, LLC, a Dominion reseller and servicer. The information sought included information about who, when, where, and what updates the machines were provided. The OSC learned that one machine company representative stated that the voting machines were “wiped” during updates, meaning they did not retain federally required voter data.

It was discovered that Command Central, LLC, received images of cast ballots on election night using the internet. Command Central is alleged to be holding actual ballots cast on election night at its offices in Minnesota in violation of Wisconsin law. The OSC was not able to complete this portion of its investigation, however.

As of the date of this Report, the voting machine companies have refused to comply with the OSC’s legislative subpoenas, and have provided no data. The OSC considers this investigation incomplete but ongoing.

The OSC also sought information about the machines in Wisconsin used on election night from the clerks. The clerks either did not possess the data sought by the OSC or refused to provide it, with Green Bay and Madison insinuating that providing secure voting machine data to the OSC would somehow compromise election integrity. In other words,

EXHIBIT 15

Affidavit of Ben Cotton (Apr. 8, 2021)

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF ANTRIM

WILLIAM BAILEY

Plaintiff

Case No. 20-9238-CZ

v.

ANTRIM COUNTY

HON. KEVIN A. ELSENHEIMER

Defendant,

SECRETARY OF STATE JOCELYN
BENSON

Intervenor-Defendant,

Matthew S. DePerno (P52622)
DEPERNO LAW OFFICE, PLLC
Attorney for Plaintiff
951 W. Milham Avenue
PO Box 1595
Portage, MI 49081
(269) 321-5064

Haider A. Kazim (P66146)
CUMMINGS, MCCLOREY, DAVIS & ACHO, PLC
Attorney for Defendant
319 West Front Street
Suite 221
Traverse City, MI 49684
(231) 922-1888

Heather S. Meingast (P55439)
Erik A. Grill (P64713)
Assistant Attorneys General
Attorneys for Proposed Intervenor-Defendant
Benson
PO Box 30736
Lansing, MI 48909
(517) 335-7659

AFFIDAVIT OF BENJAMIN R. COTTON 8 APRIL 2021

I, Ben Cotton, being duly sworn, hereby depose and state as follows:

1) I am over the age of 18, and I understand and believe in the obligations of an oath. I make this affidavit of my own free will and based on first-hand information and my own personal observations.

2) I am the founder of CyFIR, LLC (CyFIR).

3) I have a master's degree in Information Technology Management from the University of Maryland University College. I have numerous technical certifications, including the Certified Information Systems Security Professional (CISSP), Microsoft Certified Professional (MCP), Network+, and Certified CyFIR Forensics and Incident Response Examiner.

4) I have over twenty five (25) years of experience performing computer forensics and other digital systems analysis.

5) I have over eighteen (18) years of experience as an instructor of computer forensics and incident response. This experience includes thirteen (13) years of experience teaching students on the Guidance Software (now OpenText) EnCase Investigator and EnCase Enterprise software.

6) I have testified as an expert witness in state and federal courts and before the United States Congress.

7) I regularly lead engagements involving digital forensics for law firms, corporations, and government agencies.

8) In connection with this legal action I have had the opportunity to examine the following devices:

a) Antrim County Election Management Server Image. This image was acquired on 4 December 2020 by a firm named Sullivan and Strickler.

b) Thirty eight (38) forensic images of the compact flash cards used in Antrim County during the November 2020 elections that were imaged on 4 December 2020 by a firm named Sullivan and Strickler.

c) One (1) SID-15v-Z37-A1R, commonly known as the Image Cast X (ICX), that was used in the November 2020 elections

d) Two (2) Thumbdrives that were configured for a precinct using the ES&S DS400 tabulator that were used during the November 2020 election.

e) One ES&S server that was used in the November 2020 election.

9) **Internet Communications with the Dominion ICX.** I examined the forensic image of a Dominion ICX system utilized in the November 2020 election and discovered evidence of internet communications to a number of public and private IP addresses. Of specific concern was the presence of the IP address 120.125.201.101 in the unallocated space of the 10th partition of the device. This IP address resolves back to the Ministry of Education Computer Center, 12F, No 106, Sec.2,Hoping E. Rd.,Taipei Taiwan 106. This IP address is contextually in close proximity to data that would indicate that it was part of the socket configuration and stream of an TCP/IP communication session. Located at physical sector 958273, cluster 106264, sector offset 256, file offset 54407424 of the storage drive, the unallocated nature of the artifact precludes the exact definition of the date and time that this data was created. Also located in close proximity to the Ministry of Education IP address is the IP address 62.146.7.79. This IP address resolves to a cloud provider in Germany.

communication can only occur if the cellular modems have access to the public internet. I did not have the entire communications infrastructure for the private network and given this lack of device production associated with the DS200, I can not say which other devices may have connected to this private network nor the full extent of the communications of nor the remote accesses to the DS400 devices.

11) **Out of Date Security Updates and Virus Definitions.** An analysis of operating system, and antivirus settings on the servers and computers provided to me was conducted. It was immediately apparent that these systems were extremely vulnerable to unauthorized remote access and manipulation. For example, none of the operating systems had been patched nor the antivirus definition files updated for years. The Antrim EMS was last updated in 2016. The other systems were in a similar state. This lack of security updating has left these systems in an extremely vulnerable state to remote manipulation and hacking. Since 2016 more than ninety seven (97) critical updates have been issued for the Windows 10 operating system to prevent unauthorized access and hacking. The fact that these systems are in such a state of vulnerability, coupled with the obvious public and private internet access, calls the integrity of the voting systems into question. The Halderman report dated March 26, 2021 relating to this matter validates this finding. It also validates that the system is in a state such that an unauthorized user can easily bypass the passwords for the system and database to achieve unfettered access to the voting system in a matter of minutes. These manipulations and password bypass methodologies can be performed remotely if the unauthorized user gains access to the system through the private network or the public internet.


12) **Incomplete Compliance with the Subpoena for Digital Discovery.** Antrim County has apparently failed to produce all of the voting equipment for digital preservation and analysis. I

examined the purchase documents produced by Antrim County with respect to the purchase of the Dominion Voting system and note that the following system components listed on the purchase documents were not produced:

- (a) ImageCast Listener Express Server
- (b) ImageCast Express Firewall
- (c) EMS Express Managed Switch
- (d) ICP Wireless Modems (17)
- (e) Image Cast Communications Manager Server
- (f) ImageCast Listener Express RAS (remote access server) System
- (g) ImageCast USB Modems (5)

Without these system components it will be impossible to determine the extent of public and private communications, the extent to which remote access to the voting system components is possible and to determine if or when unauthorized access occurred.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 8th DAY OF
April 2021.


Benjamin R. Cotton

March 31, 2022 10:34 am
00 r.c.e.c.m.
o m/m/m/ in
m/ r.c.e.c.m. pa

ROSE LAW GROUP Reporter

Your source for news that matters to Arizona

(<https://roselawgroupreporter.com/>)



ROSE LAW GROUP
([HTTPS://WWW.ROSELAWGROUP.COM/](https://www.roselawgroup.com/))

Senate ‘audit’ leaders Doug Logan and Ben Cotton are facing a Michigan criminal probe



Doug Logan Cyber Ninjas /Screenshot from “The Deep Rig” of Cyber Ninjas CEO Doug Logan.

BY: JEROD MACDONALD-EVOY | Arizona Mirror

Doug Logan, the CEO of the Florida-based firm hired by the Arizona Senate to conduct the partisan “audit” of the 2020 Maricopa County election, is under investigation for allegedly illegally obtaining Michigan voting machines and breaking into them.

The office of Michigan Attorney General Dana Nessel, a Democrat, has petitioned the Michigan Prosecuting Attorneys Coordinating Council to name a special prosecutor to investigate Logan and others who falsely believed the election was stolen from Donald Trump and then set out to gather evidence by gaining access to ballot tabulators. Other targets of the probe include Arizona “audit” subcontractor Ben Cotton, the founder of the digital forensics company CyFIR, of CyFIR who was supposedly in a hotel room in early 2021 when the breach of the tabulation equipment allegedly took place.

The request for a special prosecutor is part of an ongoing investigation that also includes the Trump-endorsed candidate expected to run against Nessel, Matthew DePerno, who has said that Logan and surfer turned conspiracy theorist Conan Hayes worked with him on the flawed Arizona County report.

MORE: (<https://www.azmirror.com/blog/senate-audit-leaders-doug-logan-and-ben-cotton-are-facing-a-michigan-criminal-probe/%5C>)

Share this!

([/#facebook](#)) ([/#twitter](#)) ([/#email](#))
(<https://www.addtoany.com/share?url=https%3A%2F%2Frose-a-michigan-criminal-probe%2F&title=Senate%20%E2%80%98audit%E2%80%99%20le>)

📅 August 8, 2022(<https://roselawgroupreporter.com/2022/08/08/>)

Additional Articles



(<https://roselawgroupreporter.com/2026/03/tsa-officers-finally-get-paid-amid-ongoing-homeland-security-shutdown/>)

TSA officers finally get paid amid ongoing Homeland Security shutdown
(<https://roselawgroupreporter.com/2026/03/tsa-officers-finally-get-paid-amid-ongoing-homeland-security-shutdown/>)

March 31, 2026

By AZ Mirror Most Transportation Security Administration officers received a paycheck Monday covering four weeks of back wages that were held up by the funding

[Read More » \(https://roselawgroupreporter.com/2026/03/tsa-officers-finally-get-paid-amid-ongoing-homeland-security-shutdown/\)](https://roselawgroupreporter.com/2026/03/tsa-officers-finally-get-paid-amid-ongoing-homeland-security-shutdown/)

