

Congress of the United States  
Washington, DC 20515

November 20, 2020

The Honorable William P. Barr  
Attorney General  
U.S. Department of Justice  
Washington, DC 20530

The Honorable Michael R. Pompeo  
Secretary  
U.S. Department of State  
Washington, DC 20520

The Honorable John Ratcliffe  
Director  
Office of the Director of National Intelligence  
Washington, DC 20511

The Honorable Chad F. Wolf  
Acting Secretary  
Department of Homeland Security  
Washington, DC 20528

Dear Mr. Attorney General, Mr. Secretaries and Director:

We are writing you concerning troubling reports involving election software that was used by states and counties during the 2020 general election. *The Washington Times* recently reported that the election software that was used in Dominion Voting Systems' equipment has corporate origins that can be traced back to Smartmatic Corporation.<sup>1</sup>

Our understanding is that the origins of Smartmatic began in Venezuela under the regime of Hugo Chavez. The election software was used for the presidential elections that President Hugo Chavez and Nicolás Maduro won. In each of those elections, opposition parties claimed that fraud occurred. In fact a 2013 U.S. Department of State country report on Venezuela states in the executive summary that "...authorities announced that Nicolas Maduro had won the presidency [April 14, 2013] by a 1.49 percent margin, amid allegations of pre- and post-election fraud based on a number of irregularities, including government interference, the use of state resources by the ruling party, and *voter manipulation*."<sup>2</sup> (Emphasis added).

Furthermore, in a recent sworn affidavit filed with a Georgia election lawsuit, a key witness describes firsthand accounts of how Hugo Chavez asked Smartmatic to design a new election system for Venezuela and "**was most insistent that Smartmatic design the system in a way that the system could change the vote of each voter without being detected.**"<sup>3</sup> We understand that Smartmatic went on to participate in every Venezuelan election until 2018.

The witness goes on to state that in the 2013 election, the "**...Smartmatic Electoral Management System was used to manipulate and change the results for the person to succeed Hugo Chavez.**"<sup>4</sup> He adds, "**Persons controlling the vote tabulation computer had the ability to change the reporting of votes by moving votes from one candidate to another by using the Smartmatic software.**"<sup>5</sup> It is concerning that the creation of such a system could have circumvented the will of the Venezuelan people, and contributed to keeping Hugo Chavez and Nicolás Maduro in power while their people suffered greatly.

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<sup>1</sup> See. <https://www.washingtontimes.com/news/2020/nov/15/trumps-legal-team-claims-issues-with-dominion-voti/>

<sup>2</sup> See. <https://2009-2017.state.gov/j/drl/rls/hrrpt/2013/wha/220479.htm>

<sup>3</sup> (L. Lin Wood, Jr. v. Brad Raffensperger, 2020)

<sup>4</sup> *Id.*

<sup>5</sup> (L. Lin Wood, Jr. v. Brad Raffensperger, 2020)

The witness adds that the “...software and fundamental design of the electronic electoral system and software of Dominion and other election tabulating companies relies upon software that is a descendant of the Smartmatic Electoral Management System.”<sup>6</sup> He stated an eerily juxtaposition between that which happened in 2013 and to our general election in 2020 with the following:

*I am alarmed because of what is occurring in plain sight during the 2020 election for President of the United States. The circumstances and events are eerily reminiscent of what happened with Smartmatic software electronically changing votes in the 2013 presidential election in Venezuela. What happened in the United States was that the vote counting was abruptly stopped in five states using Dominion software. At the time that vote counting was stopped, Donald Trump was significantly ahead in the votes. Then during the wee hours of the morning, when there was no voting occurring and the vote count reporting was off-line, something significantly changed. When the vote reporting resumed the very next morning there was a very pronounced change in voting in favor of the opposing candidate, Joe Biden.<sup>7</sup>*

It is also of concern that former Vice-President Biden recently named Vice Admiral Peter Neffenger (USCG retired) as a senior advisor to his team. Mr. Neffenger is the current chairman of the board for Smartmatic.<sup>8</sup>

Many Americans have questions about this election such as did Smartmatic manipulate votes in the 2020 United States election in the same manner as was done in past Venezuela elections? We have already in this election seen “vote switching errors” involving Dominion voting machines. And, we have seen in the Georgia election audits that thousands of votes were not tabulated – disenfranchising thousands of legal votes. Why did this happen and how widespread is this disenfranchisement across the states that used this software and these voting machines? The federal government has a duty to expeditiously investigate these allegations.

If our elections are susceptible to manipulation, or have been compromised, our leaders must act to protect the nation. We urge the Department of Justice, Department of State, the Office of the Director of National Intelligence and Department of Homeland Security to fully investigate allegations of election fraud, vote switching and vote recording errors with expediency. If these actions are widespread and deliberate, our national security may be at risk.

With such a closely divided nation, Americans need to be assured that their government is listening to their concerns and will act to protect our nation and ensure transparent and fair elections.

Thank you for your service and consideration of our request. We look forward to your responses.

Sincerely,



Bill Posey  
Member of Congress



Brian Babin, D.D.S.  
Member of Congress

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<sup>6</sup> *Id.*

<sup>7</sup> (L. Lin Wood, Jr. v. Brad Raffensperger, 2020)

<sup>8</sup> See. <https://www.smartmatic.com/us/about/leadership/detail/peter-neffenger/>



Matt Gaetz  
Member of Congress



Paul A. Gosar, D.D.S.  
Member of Congress



Jody B. Hice  
Member of Congress



John Rose  
Member of Congress

CC: The Honorable Donald J. Trump  
President of the United States  
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