

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, COUNTY DIVISION

BOARD OF ELECTION COMMISSIONERS OF THE  
CITY OF CHICAGO, LANGDON D. NEAL,  
RICHARD A. COWEN, and THERESA M.  
PETRONE,

Plaintiffs,

vs.

HANS BERNHARD, LUZIUS A. BERNHARD,  
OSKAR OBEREDER, CHRISTOPH JOHANNES  
MUTTER, JAMES BAUMGARTNER and DOMAIN  
BANK, INC.,

Defendants.

00 CE 031

2ND OCT 30 PM 5:25

PLAINTIFFS' EMERGENCY VERIFIED PETITION FOR RULE TO SHOW CAUSE

Plaintiffs BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO,  
LANGDON D. NEAL, RICHARD A. COWEN and THERESA M. PETRONE, petition this  
Court for an order and rule to show cause why Defendants HANS BERNHARD, LUZIUS A.  
BERNHARD, OSKAR OBEREDER, CHRISTOPH JOHANNES MUTTER and JAMES  
BAUMGARTNER should not be held in civil contempt of Court and in support of this petition  
state as follows:

1. On October 18, 2000, this Court entered a Preliminary Injunction Order  
(hereinafter referred to as the "Order") against Defendants HANS BERNHARD, LUZIUS A.  
BERNHARD, OSKAR OBEREDER, CHRISTOPH JOHANNES MUTTER, JAMES  
BAUMGARTNER and DOMAIN BANK, INC., and all those acting in concert with them,  
enjoining them from:

A. Using or operating any Internet web site that encourages or allows residents of Illinois to sell their votes to be cast at the November 7, 2000 General Election.

B. Using, operating, facilitating or accessing domain name "voteauction.com" and to remove such web site from the Internet completely or, in the alternative, to modify the Internet web site known as "voteauction.com" so as to remove any illegal content.

C. Allowing or continuing registration of the Internet domain name "voteauction.com" or any other domain name offering substantially the same service as voteauction.com.

D. Using or operating in the State of Illinois any Internet web site by any name in any manner that would violate prohibitions in the laws of the State of Illinois and of the United States against the buying and selling of votes in elections.

E. Accepting from residents of the State of Illinois any registration or offer to sell votes or to buy votes at auction through voteauction.com and to modify their web site to indicate that all registrations or offers to sell votes and/or buy votes from Illinois residents will be denied.

2. The Order also compelled Defendants and all those acting in concert with them to immediately disclose to the proper election authorities the names and addresses of every individual in Illinois who has sold his or her vote or has offered to sell his or her vote through voteauction.com and the names and addresses of every individual and/or entity that has paid or has offered to pay for votes of Illinois residents through voteauction.com.



3. The Order further compelled Defendants to report to the Court within 10 days of the order on the measures they have taken to implement this order.

4. The Order stated that the Court was to retain jurisdiction over this matter.

5. The Order is still in full force, not having been modified or vacated.

6. A copy of the Order was served on the Defendants as more fully explained in the proof of service attached to this Petition as Exhibit A and as made a part hereof as though fully set forth herein.

7. In response to the Order, Defendant DOMAIN BANK, INC., took immediate steps to place a hold on the domain name "voteauction.com" as more fully explained in DOMAIN BANK, INC.'S, report to the Court attached to this Petition as Exhibit B and made a part hereof as though fully set forth herein. The effect of this effort was to make the domain name "voteauction.com" and the web site associated with that name inaccessible to most computers throughout the United States within two to three days after entry of the Order.

8. On October 18, 2000, the same day as the Order was entered by this Court, Defendant LUZIUS A. BERNHARD registered a new domain name – "vote-auction.com" – with and through an organization called CORE Internet Council of Registrars ("CORE") and one of its affiliate members, Joker.com, as evidenced by CORE's "Whois" file report, a copy of which is attached to this Petition as Exhibit C and made a part hereof as though fully set forth herein.

9. On October 20, 2000, a web-site known as "vote-auction.com" became accessible on the Internet. The web site consisted of two pages, a copy of which is attached to this Petition as Exhibit D and made a part hereof as though fully set forth herein. This web site's first page had a banner stating: "URGENT NOTICE TO ALL VOTE-AUCTIONEERS: Vote-auction.com services had been temporarily offline due to". An image of the first page of the Plaintiffs'

Emergency Motion for a Temporary Restraining Order or Preliminary Injunction, redacted to remove the names of certain of the Defendants, appeared below the banner. Below the first page of the Plaintiffs' motion was a notice stating, "you can now reach us at WWW.VOTE-AUCTION.CO for further statements or anything else, please contact pr@vote-auction.com."

10. It was determined that the domain name "vote-auction.com" was registered through CORE and a copy of the Order was emailed to the Secretariat of CORE and to each of the members of CORE's Executive Committee on October 20, 2000, as more fully set forth in the Affidavit of Daniel Doyle, attached to this Petition as Exhibit E, which is made a part hereof as though fully set forth herein.

11. On or about October 22 or 23, 2000, "vote-auction.com" was "on-line" and appearing on computers accessing the URL "vote-auction.com." A true and correct copy of the web site pages for "vote-auction.com" as they appeared on October 27, 2000, along with the affidavit of Daniel Doyle, is attached to this Petition as Exhibit F and made a part hereof as though fully set forth herein.

12. Include as a part of the "vote-auction.com" web site is a copy of a "press release" dated October 22, 2000 announcing that "vote-auction.com" regained access to the web via its new domain name and relating its version of the legal proceedings against the Defendants. See Exhibit F, 6-8.

13. The "vote-auction.com" site includes a page entitled "legal documents regarding 'chicago board of elections'" and that provides a hypertext link to the documents filed by the Plaintiffs in connection with this action – the complaint, memorandum of law, the emergency motion for a temporary restraining order and the preliminary injunction order – that are posted on the Chicago Board of Election Commissioners' web site. See Exhibit F, 17.

individuals in the State of Illinois to register on-line to sell their votes to the highest bidder, except now the vote selling is characterized as, "Sell: Register to ask for donations." Exhibit F, 23-25. The site also solicits and allows individuals or organizations to register to "bid" on and buy the votes that are placed for sale, except that the vote buying is now characterized as, "Bid: register to donate funds." Exhibit F, 26-29.

15. The "vote-auction.com" site still states that the "winning bidder for each state will be able to choose who the group will vote for en masse." Exhibit F, 14. As in the earlier version of "voteauction.com," the starting bid for each state's block of votes is \$100, with a minimum bid increase of \$50. Id. "Vote-auction.com" again states that it will not receive money from the auction. Id. The site states, "The winning bidder will have to contact the [V]ote-auction.com voters in order to provide payment and for the voters to provide verification." Id.

16. By and through the domain name "vote-auction.com" Defendants HANS BERNHARD, LUZIUS A. BERNHARD, OSKAR OBEREDER and CHRISTOFF JOHANNES MUTTER are still in violation of the election laws of the State of Illinois and of the United States in that the operators of this site still solicit and allow voters to sell their votes and solicit and allow others to bid and buy such votes.

17. By and through the domain name "vote-auction.com" Defendants HANS BERNHARD, LUZIUS A. BERNHARD, OSKAR OBEREDER and CHRISTOFF JOHANNES MUTTER are knowingly and willfully violating the terms of this Court's Order and they have done nothing to comply with the terms of the Order. These Defendants have failed to report to the Court within 10 days on measures they have taken to implement the Order. The only communication is an October 30, 2000 fax from Defendant LUZIUS A. BERNHARD, aka, HANS BERNHARD, to the undersigned requesting a "suspension" of the case for a 30-day

period, a copy of which is attached to this Petition as Exhibit G and made a part hereof as though set forth fully herein.

18. Meanwhile, Defendant DOMAIN BANK, INC., which served only as the domain name registrar for "voteauction.com," took immediate steps to comply with the terms of the Order.

19. Defendant JAMES BAUMGARTNER executed an affidavit under oath on October 24, 2000, stating that the "voteauction.com" web site was designed and intended to be only a "political parody and satire" and that at no time did he intend to buy or sell votes or facilitate any third party buying or selling a vote. He also states in part that he no longer has any involvement with the web site. A copy of Defendant BAUMGARTNER'S affidavit is attached hereto as Exhibit H and made a part hereof as though fully set forth herein. However, it is still uncertain whether Defendant BAUMGARTNER has possession of, access to or control over any records pertaining to the names and addresses of Illinois residents who registered to sell their vote or who offered to bid upon and buy such votes so as to be within the terms of the Order compelling the immediate disclosure to the proper election authorities of such information. See, e.g., a copy of the undersigned's October 25, 2000 letter to Defendant BAUMGARTNER'S New York attorney seeking additional information and clarification of the affidavit, attached to this Petition as Exhibit I and made a part hereof as though fully set forth herein. Therefore, it is possible that Defendant BAUMGARTNER may be in continuing violation of that part of the Order compelling disclosure of information as to sellers and buyers.

WHEREFORE, Plaintiffs pray that an order and Rule to Show Cause be entered against Defendants HANS BERNHARD, LUZIUS A. BERNHARD, OSKAR OBEREDER, CHRISTOFF JOHANNES MUTTER and JAMES BAUMGARTNER to show cause, if any, why

they should not obey the Order of this Court of October 18, 2000. Plaintiffs also pray that further proceedings may be conducted as may be consistent with the provisions of the Rule to Show Cause.

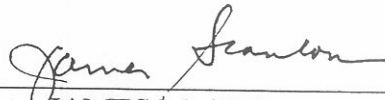
BOARD OF ELECTION COMMISSIONERS OF  
THE CITY OF CHICAGO, LANGDON D. NEAL,  
RICHARD A. COWEN and THERESA M.  
PETRONE, Plaintiffs

By: James Scanlon  
Their Attorney

Atty. No. 70383  
James M. Scanlon  
James M. Scanlon & Associates  
70 West Madison Street, Suite 3600  
Chicago, Illinois 60602  
312-977-4881

### CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

  
\_\_\_\_\_  
JAMES M. SCANLON

## PROOF OF SERVICE

I, KRISTEN DAVIS, being duly sworn and upon oath, state as follows:

1. I am employed as a Paralegal to James M. Scanlon, Attorney, of James M. Scanlon & Associates, and my office is located at 70 West Madison Street, Suite 3600, Chicago, Illinois.

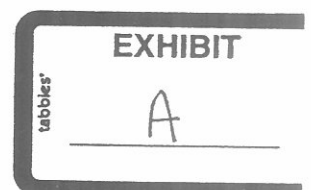
2. I have personal knowledge of the facts stated herein.

3. On October 18, 2000, between the time of 5:30 p.m. and 6:30 p.m. Central Daylight Saving Time, I did the following:

A. I prepared a Federal Express USA Airbill slip, FedEx tracking No. 814015314911, addressed to Mr. James Baumgartner, c/o Rensselaer Polytechnic Institute, 110 8<sup>th</sup> Street, DCC 135, Troy, NY 12180. I placed a copy of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, into a Federal Express Overnight Pack and affixed the prepared label for James Baumgartner onto the package.

B. I prepared a Federal Express USA Airbill slip, FedEx tracking No. 814015314900, addressed to Mr. James Baumgartner, 212 3<sup>rd</sup> Street, Troy, NY, 12180. I placed a copy of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, into a Federal Express Overnight Pack and affixed the prepared label for James Baumgartner onto the package.

C. I prepared a Federal Express USA Airbill slip, FedEx tracking slip No. 814015314896, addressed to Domain Bank, Inc., c/o Henry Lubsen, 23 West Fourth Street, Bethlehem, PA, 18018. I placed a copy of the Preliminary Injunction Order



entered by the Circuit Court of Cook County on October 18, 2000, into a Federal Express Overnight Pack and affixed the prepared label for Domain Bank, Inc., onto the package.

D. I prepared a Federal Express International Air Waybill slip, FedEx tracking slip No. 8167 2339 7127, addressed to Hans Bernhard, Kurrentgasse 10/22, Vienna, Austria, A-1010. I placed a copy the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, into a Federal Express Overnight Pack and affixed the prepared label for Hans Bernhard onto the package.

E. I prepared a Federal Express International Air Waybill slip, FedEx tracking slip No. 8167 2339 7116, addressed to Luzius Bernhard, Kurrentgasse 10/22, Vienna, Austria, A-1010. I placed a copy of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, into a Federal Express Overnight Pack and affixed the prepared label for Luzius Bernhard onto the package.

F. I prepared a Federal Express International Air Waybill slip, FedEx tracking slip No. 8167 2339 5190, addressed to Oskar Obereder, Lorenz Mandelgasse 31-33, Vienna, Austria 1160. I placed a copy of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, into a Federal Express Overnight Pack and affixed the prepared label for Oskar Obereder onto the package.

G. I prepared a Federal Express International Air Waybill slip, FedEx tracking slip No. 8167 2339 5180, addressed to Christoph Johannes Mutter, Lorenz Mandelgasse 31/1, Vienna, Austria 1160. I placed a copy of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, into a Federal Express Overnight Pack and affixed the prepared label for Christoph Johannes Mutter onto the package.



4. On October 18, 2000, at approximately 6:40 p.m. Central Daylight Saving Time I placed all six Federal Express packages in the Federal Express receiving station for pick-up on the 36<sup>th</sup> floor at 70 West Madison Street, Chicago, Illinois.

5. On October 18, 2000 between the time of 2:00 p.m. and 6:45 p.m. Central Daylight Saving Time, I attempted service of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, by facsimile transmission to Defendants Oskar Obereder and Christoph Johannes Mutter at fax number 011.43.1.149.332.5611. I attempted service of the five pages of the preliminary injunction order and a one-page cover memo by facsimile to that telephone number on six separate occasions. Each attempt resulted in a busy signal and I was unable to transmit the motion by facsimile transmission.

6. On October 18, 2000, I sent copies of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000 to all Defendants at the addresses listed on the Service List that was attached to the Notice of Motion by U.S. Postal Service, postage pre-paid.

7. On October 20, 2000, I sent a copy of the Preliminary Injunction Order entered by the Circuit Court of Cook County on October 18, 2000, by U.S. Registered or Certified Mail, return receipt requested, postage pre-paid, to the following

A. Hans Bernhard, Kurrentgasse 10/22, Vienna, Austria, A-1010, by U.S. Registered Mail, No. R260788816;

B. Luzius Bernhard, Kurrentgasse 10/22, Vienna, Austria, A-1010, by U.S. Registered Mail, No. R260788815;

C. Oskar Obereder, Lorenz Mandelgasse 31-33, Vienna, Austria 1160, by U.S. Registered Mail, No. R260788817;

D. Christoph Johannes Mutter, Lorenz Mandelgasse 31/1, Vienna, Austria 1160, by U.S. Registered Mail, No. R260788818;

E. Domain Bank, Inc, c/o Henry Lubsen, 23 W. Fourth Street, Bethlehem, PA, 18018, by U.S. Certified Mail, No. 7000 0520 0012 3619 1522;

F. James Baumgarnter, 212 3<sup>rd</sup> Street, Troy, NY 12180, by U.S. Certified Mail, No. 7000 0520 0012 3619 1515, return receipt requested, postage pre-paid.

8. If sworn as a witness, I can testify competently and would testify as to the matters set forth herein.

\_\_\_\_\_  
KRISTEN DAVIS

Signed and sworn to (or affirmed) before me by Kristen Davis  
this \_\_\_\_\_ day of October, 2000.

\_\_\_\_\_  
Notary Public

October 30, 2000

Hon. Michael J. Murphy  
Circuit Court of Cook County  
c/o James M. Scanlon, Esq.  
James M. Scanlon & Associates, P.C.  
70 West Madison Street  
Suite 3600  
Chicago, Illinois 60602

Re: Board of Election Commissioners of the City of Chicago, et. al. vs. Hans  
Bernard, et. al. — 00 CE 031

Dear Judge Murphy:

In accord with the Preliminary Injunction Order you issued on October 18, 2000 with respect to the above referenced action, Domain Bank, Inc. has taken the following actions:

1. We have placed the domain name "voteauction.com" on hold, thereby deleting the name from the zone files maintained by the registry for the .com top level domain. Such action effectively renders the domain name inactive in that Internet browsers are no longer able to resolve the domain name to the IP address of any web site.
2. We have locked the domain name so that (i) no changes can be made to the record associated therewith, and (ii) the registrant will be precluded from transferring the name to any other person, or transferring the registration sponsorship to any other registrar.

As Mr. Scanlon has indicated to the Court, Domain Bank has played no role in the development or operation of the voteauction.com web site. We are simply the registrar of record for the domain name. We believe that the actions that we have taken, as set forth above, constitutes our full compliance with your Order.

Please feel free to contact me if you have any questions in this matter.

Very truly yours,



M. Scott Hemphill  
Vice President & General Counsel

[About CORE](#)[Find a registrar](#)[Documents](#)[Join CORE](#)[Press release](#)[Glossary](#)[Contact](#)[Home](#)

## CORE WHOIS

Example of input for domain-names: **domain.com**

Luzius A. Bernhard (template COCO-781664)

[hans@ubermorgen.com](mailto:hans@ubermorgen.com)

Kurrentgasse 10-22

Vienna, Austria 1010 AT

Domain Name: [vote-auction.com](http://vote-auction.com)

Status: production

Admin Contact, Technical Contact, Zone Contact:

Luzius A. Bernhard ([COCO-781664](#)) [hans@ubermorgen.com](mailto:hans@ubermorgen.com)

+43-676-9300061

CORE Registrar: [[CORE-11](#)]

Record last modified: 2000-10-20 03:15:03 MET by [[CORE-11](#)]

Record created: 2000-10-18 15:37:55 MET by [[CORE-11](#)]

Domain servers in listed order:

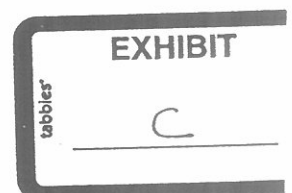
ns1.sil.at 194.152.178.1

ns2.sil.at 194.152.178.10

Database last updated on 2000-10-24 16:51:32 MET

INTERNET COUNCIL OF REGISTRARS - WORLD TRADE CENTER II -- 29, ROUTE DE PRE-BOIS - CH-1215  
GENEVA - SWITZERLAND - PHONE: +41.22.929 57 44 - FAX: +41.22.929 57 45

E-MAIL: [secretariat@corenic.org](mailto:secretariat@corenic.org)





IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, COUNTY DIVISION

BOARD OF ELECTION COMMISSIONERS OF THE  
CITY OF CHICAGO, LANGDON D. NEAL,  
RICHARD A. COWEN and THERESA M. PETRONE,

Plaintiffs,

vs.

HANS BERNHARD, [REDACTED],  
[REDACTED], [REDACTED] and DOMAIN  
BANK, INC.,

Defendants,

00 CE 031

PLAINTIFFS' EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER  
OR PRELIMINARY INJUNCTION

NOW COMES the BOARD OF ELECTION COMMISSIONERS OF THE CITY OF  
CHICAGO, LANGDON D. NEAL, RICHARD A. COWEN and THERESA M. PETRONE,  
Plaintiffs in the above-entitled cause, by their attorney, James M. Scanlon & Associates, and  
moves this Court to enter a temporary restraining order, without bond, pursuant to Section 11-  
101 of the Code of Civil Procedure (735 ILCS 5/11-101) or a preliminary injunction pursuant to  
Section 11-102 of the Code of Civil Procedure, notice having been given to the defendants,  
restraining and enjoining Defendants HANS BERNHARD, [REDACTED], [REDACTED],  
[REDACTED], [REDACTED], [REDACTED] and DOMAIN  
BANK, INC., and each them and their agents, employees, and all others acting in concert with  
them from using or operating an Internet web site known as "Voteauction.com" or any web site  
by any other name in any manner as a forum for conducting an "auction" for the purpose of  
encouraging, soliciting and allowing residents of the State of Illinois to sell their votes to be cast

00 OCT 16 PM 05  
FILED  
CLERK OF COURT

EXHIBIT

tabbles

D

# WWW.VOTE-AUCTION.CO

for more information, or anything else, please email  
[pr@vote-auction.com](mailto:pr@vote-auction.com)

## AFFIDAVIT OF DANIEL DOYLE

I, DANIEL DOYLE, being duly sworn and upon oath, state as follows:

1. I am employed as Director of Registration Records for the Chicago Board of Election Commissioners, which is located at 69 West Washington Street, Chicago, Illinois.

2. I have personal knowledge of the facts stated herein.

3. On October 20, 2000, at approximately the hour of 4:10 P.M. Central Daylight Savings Time, I searched on my computer and found an Internet web site known as "vote-action.com" at <http://www.vote-auction.com/>.

4. While I was on the Internet, I switched to an Internet registration site named [www.Internic.net](http://www.Internic.net). This site has a feature call "Whois" whereby you can enter a domain name and receive select information. A portion of the information I received was:

Domain Name: VOTE-AUCTION.COM  
Registrar: CORE INTERNET COUNCIL OF REGISTRARS  
Whois Server: whois.corenic.net  
Referral URL: [www.corenic.net](http://www.corenic.net)  
Name Server: No nameserver  
Updated Date: 18-oct-2000

5. I then highlighted and copied into memory the text: CORE INTERNET COUNCIL OF REGISTRARS and went into the infoseek.com search engine Internet site.

6. I "pasted" the text that was in memory into the search box of Infoseek and clicked on the "Go" button. The search returned many choices, the first of which was:

1. CONTACT

&NB SP; .CONTACT CORE INTERNET COUNCIL OF  
REGISTRARS World Trade Center II 29, route de Pre-Bois CH

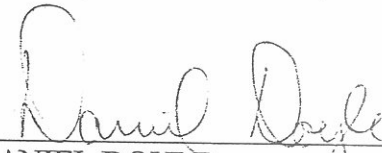
1215 Geneva-Switzerland Phone: +41.22.929.57 ...  
<http://www.corenic.org/contact.htm>

7. I clicked on the word CONTACT and was taken to

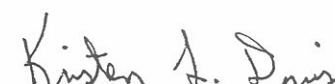
<http://www.corenic.org/contact.htm>.

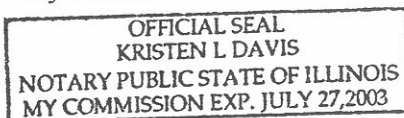
8. The page located at <http://www.corenic.org/contact.htm> contains email addresses for various individuals associated with this company. At the direction of James Scanlon, general counsel for the Board of Election Commissioners, I then sent emails containing preliminary injunction order entered by the Circuit Court of Cook County on October 18, 2000 to each of the Executive Committee whose email addresses are on the copy of the CORE web site page and to [secretariat@corenic.org](mailto:secretariat@corenic.org). A true and correct copy of the email that I sent to these individuals is attached hereto.

9. If sworn as a witness, I can testify competently and would testify as to the matters set forth herein.

  
\_\_\_\_\_  
DANIEL DOYLE

Signed and sworn to (or affirmed) before me by Daniel Doyle  
this 27th day of October, 2000.

  
\_\_\_\_\_  
Notary Public





## Chicago Board of Elections

From: Chicago Board of Elections <cboe@chicagoelections.net>  
To: <secretariat@corenic.org>  
Sent: Friday, October 20, 2000 4:16 PM  
Attach: injunction5.JPG; injunction2.JPG; injunction3.JPG; injunction4.JPG; injunction1.JPG  
Subject: Injunction against Voteauction.com

individual in Illinois who has sold his or her vote or has offered to sell his or her vote through  
voteauction.com and the names and addresses of every individual and/or entity that has paid or  
has offered to pay for votes of Illinois residents through voteauction.com.

3. Defendants shall within 10 days report to the Court on the measures they have  
taken to implement this order.

4. The Court shall retain jurisdiction over this matter.

JUDGE MICHAEL J. MURPHY

OCT 18 2000

Entered: \_\_\_\_\_

Circuit Court-209

Atty. No. 70383  
James M. Scanlon  
James M. Scanlon & Associates  
70 West Madison Street, Suite 3600  
Chicago, Illinois 60602  
312-977-4881

I HEREBY CERTIFY THE ABOVE TO BE CORRECT  
DATE OCT 18 2000

*Quetta Pucinski*

CLERK OF THE CIRCUIT COURT OF COOK COUNTY, IL  
THIS ORDER IS THE COMMAND OF THE CIRCUIT  
COURT AND VIOLATION THEREOF IS SUBJECT TO THE  
PENALTY OF THE LAW.

-5-

- 
2. This Court has personal jurisdiction over all of the parties in this action.
  3. Venue is proper in Cook County.
  4. Plaintiffs BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO, LANGDON D. NEAL, RICHARD A. COWEN and THERESA M. PETRONE, having standing to bring this action.
  5. Plaintiffs have demonstrated a likelihood of success on the merits and the proofs, once submitted would likely show that:

A. Defendants James Baumgartner, Hans Bernhard, Luzius Barnhard, Oskar Obereder, and Christoff Johannes Mutter, and those acting in concert with them, have violated the election laws of the State of Illinois and of the United States by using and operating an Internet web site known as "voteauction.com" as an auction forum for the purpose of encouraging, soliciting and allowing residents of Illinois to sell their votes to be cast at the November 7, 2000 General Election and encouraging, soliciting and allowing individuals and corporations to "bid" on and buy such votes.

B. These Defendants' continued use and operation of the Internet web site known as Voteauction.com as an auction forum for purpose of encouraging, soliciting and allowing residents of Illinois to sell their votes to be cast at the Election and encouraging, soliciting and allowing individuals and corporations to "bid" on or buy such votes constitutes knowing and willful violations of the election laws of the State of Illinois and of the United States that will result in illegal and fraudulent voting at the Election if not prevented.

C. These Defendants and all those acting in concert with them, including those Illinois residents who have or will sell their votes or who have or will buy such

-2-

votes, owe a duty to Plaintiffs and to all citizens of the State of Illinois not to violate the election laws of the State of Illinois and of the United States.

D. These Defendants and all those acting in concert with them, including those Illinois residents who have or will sell their votes or who have or will buy such votes, owe a duty to Plaintiffs and to all citizens of the State of Illinois not to deprive them or defraud them of their rights and privileges under the Constitutions and laws of the State of Illinois and of the United States to a free and equal election and to a fair and impartially conducted election process.

E. These Defendants and all those acting in concert with them, including those Illinois residents who have or will sell their votes or who have or will buy such votes, have deprived and defrauded, and will continue to deprive and defraud if not enjoined, the Plaintiffs and all citizens of the State of Illinois of their rights and privileges under the Constitutions and laws of the State of Illinois and of the United States to a free and equal election and to a fair and impartially conducted election process.

F. That anyone selling or attempting to sell his or her vote, and anyone buying or attempting to buy the votes of another is in violation of the election laws of the State of Illinois and of the United States as enumerated herein.

6. Plaintiffs possess certain and clearly demonstrated rights which need protection.
7. Plaintiffs will suffer irreparable harm without protection of an injunction.
8. There is no adequate remedy at law to compensate for Plaintiffs' injuries.
9. In the absence of injunctive relief, the Plaintiffs would suffer greater harm without an injunction than Defendants will suffer if it is issued.
10. Defendants have been notice of the Plaintiffs' Emergency Motion for a

---

Temporary Restraining Order.

IT IS THEREFORE ORDERED that:

1. Defendants and all those acting in concert with them are enjoined from:
  - A. Using or operating any Internet web site that encourages or allows residents of Illinois to sell their votes to be cast at the November 7, 2000 General Election.
  - B. Using, operating, facilitating or accessing domain name "voteauction.com" and to remove such web site from the Internet completely or, in the alternative, to modify the Internet web site known as "voteauction.com" so as to remove any illegal content.
  - C. Allowing or continuing registration of the Internet domain name "voteauction.com" or any other domain name offering substantially the same service as voteauction.com.
  - D. Using or operating in the State of Illinois any Internet web site by any name in any manner that would violate prohibitions in the laws of the State of Illinois and of the United States against the buying and selling of votes in elections.
  - E. Accepting from residents of the State of Illinois any registration or offer to sell votes or to buy votes at auction through voteauction.com and to modify their web site to indicate that all registrations or offers to sell votes and/or buy votes from Illinois residents will be denied.
2. Defendants and all those acting in concert with them and order them shall immediately disclose to the proper election authorities the names and addresses of every

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, COUNTY DIVISION

BOARD OF ELECTION COMMISSIONERS OF THE  
CITY OF CHICAGO, LANGDON D. NEAL,  
RICHARD A. COWEN, and THERESA M.  
PETRONE,

Plaintiffs,

vs.

HANS BERNHARD, LUZIUS A. BERNHARD,  
OSKAR OBEREDER, CHRISTOPH JOHANNES  
MUTTER, JAMES BAUMGARTNER and DOMAIN  
BANK, INC.,

Defendants.

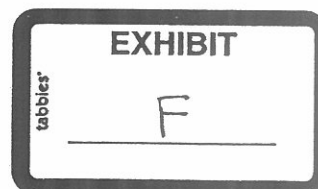
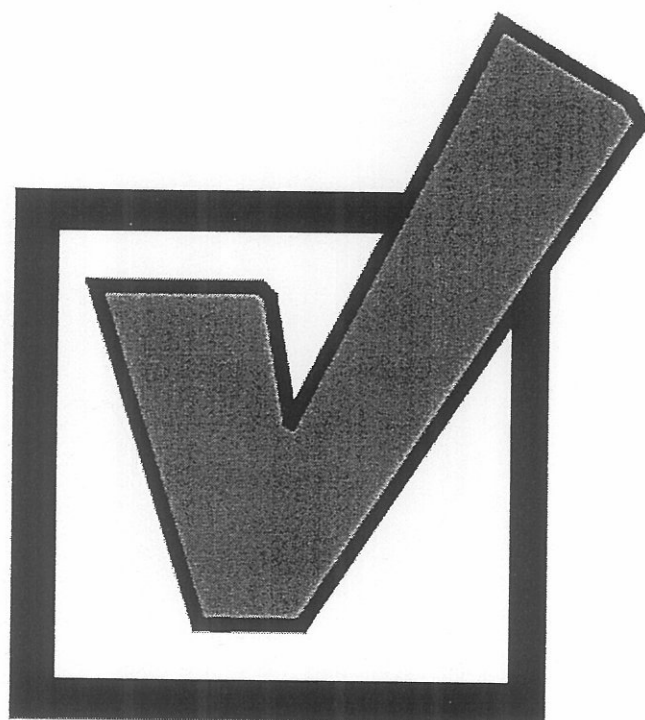
00 CE 031

PRELIMINARY INJUNCTION ORDER

This matter coming before the Court upon Plaintiffs' Emergency Motion for a Temporary Restraining Order or Preliminary Injunction pursuant to Sections 2-701, 11-101 and 11-102 of the Code of Civil Procedure (735 ILCS 5/2-701, 5/11-101 and 5/11-102), seek declaratory judgment, injunctive and other relief against said Defendants either jointly, severally or in the alternative, and upon Plaintiffs' verified Complaint for Declaratory Judgment, Injunction and other relief filed against Defendants HANS BERNHARD, LUZIUS A. BERNHARD, OSKAR OBEREDER, CHRISTOPH JOHANNES MUTTER, JAMES BAUMGARTNER and DOMAIN BANK, INC., and the Court having reviewed and considered the allegations in the verified complaint and exhibits thereto, as well as evidence presented at the hearing on this Motion, and having heard and considered oral argument, the Court finds as follows:

1. This Court has subject matter jurisdiction over this action.





## "Bringing Capitalism and Democracy Closer Together"

### History

[v]ote-auction.com is owned by an Austrian holding company that has invested in many of America's new, emerging industries. Like the Prison industry....

Take a closer look [here](#).

### Statistics

Pollsters use them, politicians use them, liars use them, and now [v]ote-auction.com is using them too. Check out some interesting statistics on the type of person who registers with voteauction.com.

Take a closer look [here](#).

### Voteauction Message Board

Interact with other voteauction.com users and post your opinions about voteauction.com, vote-selling, campaign investing, and campaign finance.

Take a closer look [here](#).

### Press Release

We have subject to diverse legal calamities during the last few weeks. We, however, feel the moral obligation to keep up our services to all our users....

Read our Press Release [here](#).

### Voter Empowerment Kit

Are campaign dollars flowing as freely in your local election as they are in the Presidential election? Are your local candidates wasting campaign investors' money on advertising, instead of giving it to the people?...

Take a closer look [here](#).

### "Political Site of the Day"

Voteauction.com has been awarded "Political Site of the Day" for September 11, 2000

from [aboutpolitics.com](#)


2



 [How it works](#)

 [Election History](#)

 [V.E.K.](#)

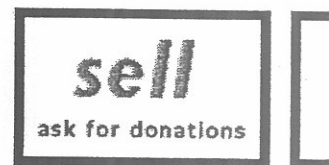
 [Legal Issues](#)

 [Message Board](#)

 [News & Press](#)

 [Contact](#)

 [Links](#)



# [ history ]

## A short history of the U.S.A. Election Market

From the "Father of our Country," George Washington, to the mafia-connected political bosses of the prohibition era, to today's politicians funded by "soft money", big money has often had an important influence on United States elections.

Here are a few examples of vote-buying in America:

In 1757, George Washington ran for a seat in the Virginia House of Burgesses. For this election he purchased more than a quart and a half of alcoholic beverages for each of the 391 voters in his district.

A candidate in the 1838 New York mayoral election paid \$22 per uncommitted vote.

In 1907, Congress passed legislation to prohibit corporations from making direct campaign contributions for federal candidates. Unions were banned from making the same types of contributions in 1947. By the late 1960's and early 1970's candidates began ignoring these laws by accepting large donations. Insurance executive Clement Stone gave \$2.8 million to Richard Nixon's 1968 election campaign. The Milk Producers Association gave \$2 million for Nixon's re-election campaign in 1972. (Nixon subsequently supported an increase in milk price subsidies.) Although these instances are examples of big corporations purchasing influence with candidates as opposed to purchasing influence with voters, it is significant that the donations were made to Nixon's campaign. This money was then used to pay for advertising, and other expenses. It is media advertising that now influences the voter.

Paul Allen (co-founder of Microsoft) purchased the Seattle Seahawks in 1997. He then called for a referendum to ask for \$300 million in state money to build a new stadium. Instead of obtaining the thousands of required signatures necessary to put an issue on the ballot, he simply paid for the costs of the election. He then spends over \$4 million in advertising to convince the people of Washington to vote for the new stadium. The result: The Football/Soccer stadium is expected to be finished in 2002.



## LATEST PRESS RELEASE

FOR IMMEDIATE RELEASE - Berlin, October 22, 2000

### **Vote-auction.com back online**

Below you find the latest press release by Vote-auction.com [formerly voteauction.com].

We have included any information on the latest developments of the site and the people and users behind it.

You can also find this press release at  
<http://www.vote-auction.com/pr.htm>

For any further information feel free to contact  
[pr@vote-auction.com](mailto:pr@vote-auction.com) or in urgent cases call +49-175-2066954.

### **[V] Voteauction.com is dead, long live Vote-auction.com**

The "Leader of the Election Industry", vote-auction.com has regained access to the web via its new domain <http://www.vote-auction.com>. During the past week, diverse rumours and hear-say has been passed concerning the website which explores the high-risk consumer markets of the American election industry. The site's original domain had been ordered shut down by a local American court in the U.S. state of Illinois earlier this week. But whilst the American authorities took their time and tax payers' money to legally pursue almost everybody related to the existence of the website, the owners of the site worked on a re-design and strategy paper for version 2.0 of the project.

### **[V] Sue 'em 'til they drop...**

The legal authorities of Chicago, Illinois, made every effort to get the site out of service during the last 2 weeks. Amongst the original creator of the project, James Baumgartner, and the owner of the domain, Hans Bernhard, they also found it in the public's interest to sue:

. domainbank.com: Domainbank inc., is the registry where the original domain "votauction.com" is registered. It is defendant in named Chicago legal case.

. silverserver.at: Both SILVER SERVER's president as well as of

one of the top technical staff are also named defendants in the Chicago legal case. SILVER SERVER is vote-auction.com's internet access provider.

### **[V] (II)legal Battle?**

It remains open for discussion how it should be possible that a dns (domain name service) or an access provider could ever be responsible for contents accessible via domains they are providing routing services for.

Vote-auction.com sees this as illegal practice in total violation of standards set by ICANN.

We can only interpret domainbank's and SILVER SERVER's name on the list of defendants as a indirect means of repression to force vote-auction.com to go offline.

Concerning domainbank inc., this strategy seemed to work out for Chicago prosecutors:

Because of domain- bank being involved in the legal case, the provider "politely asked" vote-auction.com to provide them with a USD 100,000.00 bond for potential legal costs.

Vote-auction.com decided not to comply.

Instead, we asked them to transfer our "voteauction.com" domain to another provider. This order was not fulfilled by domainbank, as they had at that time already made a "deal" with Chicago authorities "not to move the domain anywhere", as we were told by one of domain- banks executives.

Concerning "defendant" SILVER SERVER, we can provide you with a clear statement from their president:

"SILVER SERVER clearly and fully supports vote-auction.com. SILVER SERVER president, o.o., is proud to be the billing contact

for vote-auction.com. actually we received very interesting offers

by investors to launch vote-auction.com in russia and japan."

### **[V] Users give full support - despite potential respression**

Lots of users of Vote-auction.com have described their support in various emails. This is another reason why we decided not to wait to get back online until local U.S. legal authorities understand that Vote-auction.com works for and NOT against democracy.

We will keep on protecting any data which has been submitted to us by trusting users.

Chicago courts have a somewhat different approach to user rights. The court has ordered all data of users registered with the site to be disclosed to the authorities. This would then enable prosecutors in Chicago to sue users of vote-auction.com individually for "voter fraud".

### [V] Where to go from here

Vote-auction.com is ready to deliver even more services to the vital elections markets. We will keep on focusing on the American elections until mid-November this year. In the meantime we will also finish our redesign and software upgrade in order to get ready for upcoming elections worldwide.

For the Vote-auction.com team:

lizvix (pr@vote-auction.com)

PLEASE NOTE: if you want to access Vote-auction.com via web or mail, please be sure to use the correct domain:

pr@vote-auction.com  
<http://www.vote-auction.com>

We will not be able to receive messages sent to the old address. Thank you.

**press and media  
contact:**

[pr@vote-auction.com](mailto:pr@vote-auction.com)

**User Statistics**

Income Bracket		Occupation		Political_Affiliation	
Less than \$15,000	22%	Administrative/Clerical	14%	Communist	9%
\$15,000 - \$24,999	11%	Attorney	1%	Democrat	18%
\$25,000 - \$34,999	13%	Doctor	1%	Green	4%
\$35,000 - \$49,999	13%	Educator	3%	Independent	15%
\$50,000 - \$74,999	21%	Managerial/Executive	8%	Libertarian	4%
\$75,000 - \$99,999	9%	Professional/Technical	34%	Reform	1%
Over \$100,000	11%	Sales	7%	Republican	18%
		Service Labor	2%	Socialist	2%
		Skilled Labor/Construction	3%	None	29%
		Police/Armed Forces	1%		
		Other	26%		
Education		Gender		Race	
Some High School	13%	Female	10%	Asian/Pacific Islander	10%
High School Graduate	11%	Male	85%	Black/African American	6%
Some College	39%	Unspecified	5%	Native American	3%
College Graduate	26%			Spanish/Hispanic/Latino	3%
Graduate School	11%			White/Caucasian	78%

remark: all numbers are based on users registered so far.

## Voter Empowerment Kit

- Why should you get active? Until recently, [V]ote-auction.com only has had the resources to concentrate on the United States Presidential election. We will keep on concentrating on this election until its final date at Nov. 7th, 2000.
- What is the V.E.T.? Although the Presidential election is generating more wealth than any other election this year, it is not generating as much wealth per vote as many of the senatorial, congressional and other elections. The voter empowerment kit will allow you to access some of this additional wealth.
- What do I do with a V.E.T.? The kit includes a form letter that you can send to a local political candidate who is spending a great deal of money on this year's election. Or, you could send a letter to the candidate's financial supporters and let them know that they are wasting their money on political advertisements, that this money should go directly to the voters instead.
- Any copyrights? Feel free to use the [V]ote-auction.com logo on your own website. You can also take the [V]ote-auction.com logo and create your own promotional material. Unless otherwise noted, all files are microsoft word (.doc)

### Download Materials to cash in on your voting capital.

We ask for your understanding that we are currently in the process of redesigning our V.E.K. materials. Please come back soon to check for the new materials!

For information about avery label and business card templates, go to [www.avery.com](http://www.avery.com)



## "Bringing Capitalism and Democracy Closer Together"

### History

[v]ote-auction.com is owned by an Austrian holding company that has invested in many of America's new, emerging industries. Like the Prison industry....

Take a closer look [here](#).

### Statistics

Pollsters use them, politicians use them, liars use them, and now [v]ote-auction.com is using them too. Check out some interesting statistics on the type of person who registers with voteauction.com.

Take a closer look [here](#).

### Voteauction Message Board

Interact with other voteauction.com users and post your opinions about voteauction.com, vote-selling, campaign investing, and campaign finance.

Take a closer look [here](#).

### Press Release

We have subject to diverse legal calamities during the last few weeks. We, however, feel the moral obligation to keep up our services to all our users....

Read our Press Release [here](#).

### Voter Empowerment Kit

Are campaign dollars flowing as freely in your local election as they are in the Presidential election? Are your local candidates wasting campaign investors' money on advertising, instead of giving it to the people?...

Take a closer look [here](#).

### "Political Site of the Day"

Voteauction.com has been awarded "Political Site of the Day" for September 11, 2000

from [aboutpolitics.com](#)

## MESSAGE BOARD

[V]ote-auction.com provides this message board as a forum for the free exchange of ideas about [V]ote-auction.com, vote-selling, campaign investing, and campaign finance.

You will have to regulate yourself, otherwise we will not have the time nor morals to interfere.

Advertising is not allowed. Except if it is good advertizing, or extremely bad advertizing. If it is not suitable for our target audience, you will make a fool out of yourself.

If you spam, don not get caught.

### Enter the Message Board

message board hosted by:

**www.wØØf.com**

12

## [how it works]

### General

[V]ote-auction.com is devoted to combining the American principles of democracy and capitalism by bringing the big money of campaigns directly to the voting public. We provide a forum for campaign contributors and voters to come together for free-market exchange.

### Classic Approach

Until recently, the Election Industry was controlled by an exclusive group of political consultants. These consultants spend the campaign contributors' money on advertising while taking a 10-15% cut for themselves. The political consultants are paid based on their ability to "deliver" voters to the candidates. This effectively treats the voters as a product to be sold to the candidates (and/or their campaign contributors.) This is similar to the way television (and other media outlets) operate. In television, the end product is the viewer whose attention is sold to television's customer, the advertiser.

### The [V]ote-auction.com Approach

[V]ote-auction.com has created a new paradigm in the election industry. Now the voters can take control of their voting capital and campaign investors will see a greater return on their investment. Control your vote - control your democracy!

### The worldwide Approach

[V]ote-auction.com is planning on going worldwide soon. We are already talking to diverse democratic countries in South America, Africa and Asia. Nevertheless, the E.U. [European Union] will be our next market of service. With our worldwide services voters will be able to control their vote worldwide, and thusly able to control democracies worldwide directly!

### Target Markets

#### The Voters:

50% of the voting age population routinely stays home on election day. Are they fed up with the system? Are they disappointed by the two major parties? Are they desensitized by the thousands of political ads they see on Television? [V]ote-auction.com will allow these voters to profit from their democratic capital. By offering their voting capital at auction, these traditionally non-voting citizens will be participating in the democratic process and the expanding economy.

#### The campaigners:

Voteauction.com also provides a more efficient method for campaign investors to obtain their objectives. When a major communication company contributes over a million dollars to a political party, do they hope that this investment will result in increased profits? Of course they do! Although they may have a net worth of billions of dollars, most corporations do not spend 1 million dollars without some hope of a return on their investment. Unfortunately, 10-15% of this investment is taken off the top by the campaign consultants. [V]ote-auction.com allows campaign investors to get their dollar's worth by connecting them directly with the voters.

### The way the Markets work

The winning bidder for each state will be able to choose who the group will vote for en masse. The free market will determine the value of the votes in each state. Votes in heavily populated states may be more valuable than votes in less populous states; however, if there is a large number of voteauction voters in a small state, the voteauction voters could help swing that state and thus the state's electoral votes. The value of a vote in a particular state could change on a daily basis. Votes have been purchased in the past (in fact the United States has a long history of vote buying going back to George Washington) but it has never taken this form.

The starting bid for each state is \$100, with a minimum bid increase of \$50. [V]ote-auction.com will not receive any money from the auction. The winning bidder will have to contact the [V]ote-auction.com voters in order to provide payment and for the voters to provide verification.

Individuals, corporations and organizations must first register in order to bid on one of the voting blocks. Spending money to influence voters is protected by the free speech clause of the First Amendment of the U.S. constitution. A recent U.S. Supreme Court decision (Buckley v. Valeo) has equated freedom of spending money with the freedom of speech. Freedom of spending and freedom of speech are central components of our capitalist democracy. It is however considered problematic by very local jurisdictions of a few small states of the U.S. if one pays money directly to voters [it is ok to pay campaigners directly]. We understand this twist of modern day society, and have therefore found new ways on how to solve this situation smoothly.

### The new Way

We at [V]ote-auction.com offer you the following services:

- . you can register as a potential political candidate
- . you can register as a potential political lobbyist
- . we provide the forum for the two above-mentioned parties to meet.
- > You donate money to the campaigners of the future. Do here, do it now, do it directly. No Fuzz!

# [ history ]

## A short history of the U.S.A. Election Market

From the "Father of our Country," George Washington, to the mafia-connected political bosses of the prohibition era, to today's politicians funded by "soft money", big money has often had an important influence on United States elections.

Here are a few examples of vote-buying in America:

In 1757, George Washington ran for a seat in the Virginia House of Burgesses. For this election he purchased more than a quart and a half of alcoholic beverages for each of the 391 voters in his district.

A candidate in the 1838 New York mayoral election paid \$22 per uncommitted vote.

In 1907, Congress passed legislation to prohibit corporations from making direct campaign contributions for federal candidates. Unions were banned from making the same types of contributions in 1947. By the late 1960's and early 1970's candidates began ignoring these laws by accepting large donations. Insurance executive Clement Stone gave \$2.8 million to Richard Nixon's 1968 election campaign. The Milk Producers Association gave \$2 million for Nixon's re-election campaign in 1972. (Nixon subsequently supported an increase in milk price subsidies.) Although these instances are examples of big corporations purchasing influence with candidates as opposed to purchasing influence with voters, it is significant that the donations were made to Nixon's campaign. This money was then used to pay for advertising, and other expenses. It is media advertising that now influences the voter.

Paul Allen (co-founder of Microsoft) purchased the Seattle Seahawks in 1997. He then called for a referendum to ask for \$300 million in state money to build a new stadium. Instead of obtaining the thousands of required signatures necessary to put an issue on the ballot, he simply paid for the costs of the election. He then spends over \$4 million in advertising to convince the people of Washington to vote for the new stadium. The result: The Football/Soccer stadium is expected to be finished in 2002.

15

## Voter Empowerment Kit

Why should you get active?	Until recently, [V]ote-auction.com only has had the resources to concentrate on the United States Presidential election. We will keep on concentrating on this election until its final date at Nov. 7th, 2000.
What is the V.E.T.?	Although the Presidential election is generating more wealth than any other election this year, it is not generating as much wealth per vote as many of the senatorial, congressional and other elections. The voter empowerment kit will allow you to access some of this additional wealth.
What do I do with a V.E.T.?	The kit includes a form letter that you can send to a local political candidate who is spending a great deal of money on this year's election. Or, you could send a letter to the candidate's financial supporters and let them know that they are wasting their money on political advertisements, that this money should go directly to the voters instead.
Any copyrights?	Feel free to use the [V]ote-auction.com logo on your own website. You can also take the [V]ote-auction.com logo and create your own promotional material. Unless otherwise noted, all files are microsoft word (.doc)

### Download Materials to cash in on your voting capital.

We ask for your understanding that we are currently in the process of redesigning our V.E.K. materials. Please come back soon to check for the new materials!

For information about every label and business card templates, go to [www.avery.com](http://www.avery.com)

## legal documents regarding "chicago board of elections"

### name of document

complaint against voteauction.com

[take this link](#)

memorandum of law

[take this link](#)

temporary restraining order

[take this link](#)

preliminary injunction order

[take this link](#)

## [news & press]

let us know if we missed any story or discussion board about [V]ote-auction.com

### Voteauction.com in the American Press:

**CNN.com:** Web site offers to sell U.S. presidential votes, Web site offering to sell votes shut down, Vote-selling website to be revived, possibly offshore

**Wirednews.com:** Close Vote? You Can Bid On It, Voteauction Bids the Dust, Austrian Takes Bids on U.S. Votes, Thousands Sign Up to Sell Votes

**NY1 News:** Website to Make It Possible to Sell Your Vote Online

**USA Today:** Votes Up For Auction Draw Official Inquiries

**ABC News:** Personal (Campaign) Finance

**Slate.com:** Buy This Vote!

**Washington Post:** Buy This Vote! (same article as slate.com)

**Minnesota Public Radio's Future Tense:** Sell Your Vote (real audio file)

**The Industry Standard:** Wanna Buy My Vote? Fuhgeddaboutit

**Auction watch:** Straight Talk from Voteauction.com

**Voting Integrity Project:** VIP Reports - Going, Going .... Gone!

**Fox 4 News, Kansas City:** Voteauction.com founder, James Baumgartner, phone interview. 8/23/00 (not available online)

**KPIX, San Francisco:** not available online

**Associated Press:** Web Sites Offer Votes For Sale

**Metroland, Albany, NY:** How Much Is That Voter In The Window? (9/1/00 - not available online.)

**Salt Lake Tribune:** Auction Gives New Meaning to "Check Here"

**California Secretary of State:** Jones Issues Warning Against On-line Vote Buying Schemes

**Federal Computer Week:** Is a vote-selling Web site parody or threat?



**Fortune Small Business:** [American Cynicism. 101](#)

**Chicago Sun-Times:** [Web vote sale all about buzz](#)

**Cnet:** [Chicago tries to close vote Web site](#)

**The Register:** [Votes for sale online in the US](#)

**Cluebot:** [Americans sell their votes for \\$10 each](#)

**Everett Herald (WA):** [Bid to sell votes on Web rankles officials](#)

**Sioux City Journal:** [Vote buying becomes more blatant](#)

**Thirsty:** [UPDATE: Voteauction.com up and running again](#)

**Voteauction.com in the International Press:**

**Transfert:** [Voter, c'est facile et ça peut rapporter gros ! ; Votes aux enchères : suite et... fin](#)

**Heise online:** [Chicago will Stimmenkauf per Internet stoppen](#)

**Telepolis/ixmagazin:** [Schock-Marketing aus dem Netz-Underground](#)

**Lenta.RU:** <http://lenta.ru/internet/2000/08/17/vote/>

**Denni zpravy z Internetu:** [Vsechno je prece na prodej, tak proc by ne volicske hlasy?](#)

**Spiegel Online:** [Behörden stoppen Stimmenverkauf im Web](#)

**NET-BC:** [US-Wahlkampf: Demokratie jetzt online käuflich?](#)

**Voteauction.com on discussion boards:**

**Picnet:** [Selling Your Vote for Cash](#)

**FreeRepublic:** [Discussion of "Vote-Selling Website to be revived, possibly offshore"](#)

**slashdot:** [from the retail-goods-at-wholesale-prices department](#)

**Cnet Canada:** [eBay thwarts sale of presidential election votes](#)

**October 3, 2000:** Voteauction Action Team visits the first U.S. Presidential debates. Over 200 voter empowerment kits are distributed to the crowd gathered outside the JFK Library.

**August 28, 2000:** Voteauction.com re-launches with added features to better serve the user.

**August 22, 2000:** Voteauction.com is sold to an Austrian Holding company for an undisclosed sum.

Let us know if we missed any story or discussion board about [voteauction.com](http://voteauction.com)  
[pr@vote-auction.com](mailto:pr@vote-auction.com)

# [ **contact** ]

press and media  
contact:

[pr@vote-auction.com](mailto:pr@vote-auction.com)

Your enquiries will either be answered by [V]ote-auction.com's  
hans bernhard, ubermorgen.com's lizvix or by one of our staff.

# links

Site Name	url	comments
George W. Bush for president	<a href="http://www.georgewbush.com">www.georgewbush.com</a>	official site for the campaign to elect Governor George W. Bush as president of the U.S.
Al Gore for president	<a href="http://www.algore2000.com">www.algore2000.com</a>	official site for the campaign to elect Vice President Al Gore as president of the U.S.
America 2000: The Democratic National Convention	<a href="http://www.dems2000.com">www.dems2000.com</a>	official site for the Democratic National Convention
2000 Republican National Convention	<a href="http://www.gopconvention.com">www.gopconvention.com</a>	official site for the Republican National Convention
Common Cause	<a href="http://www.commoncause.org">www.commoncause.org</a>	site devoted to campaign finance reform
Open Secrets	<a href="http://www.opensecrets.org">www.opensecrets.org</a>	facts and statistics about campaign financing and other issues
Billionaires For Bush (or Gore)	<a href="http://www.billionairesforbushorgore.com">www.billionairesforbushorgore.com</a>	lobbying organization committed to buying the candidates
The Voting Integrity Project	<a href="http://www.votingintegrity.org">www.votingintegrity.org</a>	"Defending Your Freedom by Protecting Your Vote"

## Sell: Register to ask for donations

Whether you are a first-time voter, or you've been voting since World War II, you know that your presidential vote is very valuable in our democracy. Your vote is so valuable, that the candidates, their parties and the corporations that support them are spending millions of dollars this year in an attempt to influence your decision. Unfortunately this money is spent on advertising campaigns, pollsters and high-priced consultants. [V]ote-auction.com is cutting out the middleman and bringing the big money of presidential politics directly to you.

Fields marked with a \* are required. This information will be used to create a demographic profile of the various voting blocks. Your personal information will be kept strictly confidential. It will not be sold, released, or retransmitted for any reason. When you register on this page, you will also be registered for the voters email list which will contain important updates for [V]ote-auction.com voters. You will not receive any advertising or unsolicited emails (spam) as a result of this list.

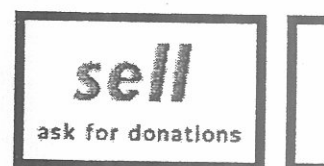
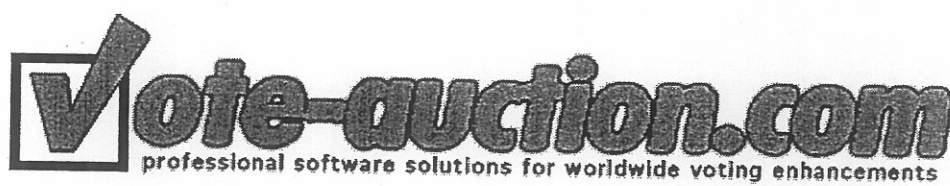
First (Given) Name	<input type="text"/>	*	Middle Initial	<input type="text"/>
Last (Family) Name	<input type="text"/>	*		
Address (Line 1)	<input type="text"/>	*		
Address (Line 2)	<input type="text"/>			
City	<input type="text"/>	*	State	<input type="text"/>
Zip Code	<input type="text"/>	*		
Email address	<input type="text"/>	*		
Age (on November 7, 2000)	<input type="text"/>	*	Sex	<input type="text"/>
I describe myself as:	<input type="text"/>	*	Employment Status	<input type="text"/>
Occupation	<input type="text"/>	*	Highest Education Level	<input type="text"/>
Household Income	<input type="text"/>	*	Political Affiliation	<input type="text"/>

d3

I am asking  
for a  
donation for  
my political  
engagements  
because:

Save your values

24



25

## Bid: register to donate funds

Is your corporation wasting its money on campaign contributions? The soft money that your corporation gives to national political committees will be spent on single-issue ads which are an ineffective method of persuading the voting populace. Voteauction.com offers a greater return on your campaign investment. When your corporation wins the auction on a particular voting block, you can be certain that the voteauction.com voters in that state will vote for your candidate. Thus, your corporation is guaranteed that its interests will be looked after.

Fields marked with a \* are required. This information will be used to create a demographic profile of the bidding corporations. You and your corporation's identity will be kept strictly confidential. This information will not be sold, distributed, or released for any reason. You will be assigned a bidder number so you can follow the bids on the [check](#) page. Registering to bid on votes also registers you for the bidders email list which will contain updates on important voteauction.com information. You will not receive any advertising or unwanted emails (spam) from this list.

Register to donate funds.

Name of Organization/Corporation	<input type="text"/>	*	
Contact's Name	<input type="text"/>	*	
Address (Line 1)	<input type="text"/>	*	
Address (Line 2)	<input type="text"/>		
City	<input type="text"/>	*	State/Province <input type="text"/>
Zip/Post Code	<input type="text"/>	*	
Country	<input type="text"/>	*	
Contact's email address	<input type="text"/>	*	Telephone <input type="text"/>
Contact's Title	<input type="text"/>		
Type of business/organization	<input type="text" value="Administrative/Clerical"/>	*	Years incorporated <input type="text" value="1 - 3"/>
Yearly sales	<input type="text" value="Less than 250,000"/>		Political Affiliation <input type="text" value="Communist"/>



How much did your  
business/organization  
spend in campaign  
contributions (hard  
and/or soft money) in  
the 1996 election cycle?

 \*

Is your  
organization a  
tax-exempt,  
non-profit? ☐ yes

Please indicate why  
your  
business/organization  
is interested in  
donating funds:

Submit

## Bid: Registrater to donate funds

Are you wasting your money on campaign contributions? The soft money that you give to national political committees will be spent on single-issue ads which are an ineffective method of persuading the voting populace. [V]ote-auction.com offers a greater return on your campaign investment. When you win the auction on a particular voting block, you can be certain that the [V]ote-auction.com voters in that state will vote for your candidate. Thus, you are guaranteed that your interests will be looked after.

Fields marked with a \* are required. This information will be used to create a demographic profile of the bidders. Your identity will be kept strictly confidential. This information will not be sold, distributed, or released for any reason. You will be assigned a bidder number so you can follow the bids on the [check](#) page. Registering to bid on votes also registers you for the bidders email list which will contain updates on important [V]ote-auction.com information. You will not receive any advertising or unwanted emails (spam) from this list.

Register to donate funds.

First (Given) Name	<input type="text"/>	*		
Last (Family) Name	<input type="text"/>	*	Middle Initial	<input type="text"/>
Address (Line 1)	<input type="text"/>	*		
Address (Line 2)	<input type="text"/>			
City	<input type="text"/>	*	State	AL <input type="text"/> *
Zip Code	<input type="text"/>	*		
Email address	<input type="text"/>	*	Telephone	<input type="text"/>
Age (on November 7, 2000)	18 <input type="text"/>	*	Sex	----- <input type="text"/> *
I describe myself as:	Asian/Pacific Islander <input type="text"/>	*	Employment Status	Full-Time <input type="text"/> *
Occupation	Administrative/Clerical <input type="text"/>	*	Highest Education Level	Some High School <input type="text"/> *
Household Income	Less than 15,000 <input type="text"/>	*	Political Affiliation	Communist <input type="text"/>

28

Amount I  
spent in  
campaign  
contributions  
(soft and/or  
hard money)  
in the 1996  
election  
cycle.

\*

I am  
interested  
in  
donating  
funds  
because:

Submit

29

## Current bids for the voting blocks:

Minimum bid is \$100. Minimum bid increase is \$50 for bids less than \$10000. For bids over \$10000, minimum bid increase is \$500.

State (# electoral votes)	Number of Voteauction.com voters	Current Total Price	Current Price per vote	Current Leading Bidder
Totals	21079	\$262550	(N/A)	(N/A)
Alabama (9)	214	\$2100	\$9.44	5601
Alaska (3)	6	0	0	none
Arizona (8)	207	\$2300	\$10.98	6301
Arkansas (6)	156	\$2500	\$16.07	8801
California (54)	2546	\$48000	\$19.61	none
Colorado (8)	162	\$2950	\$18.97	8301
Connecticut (8)	292	\$3100	\$15.12	8701
Delaware (3)	52	0	0	no
District of Columbia (3)	371	\$34	\$10.00	56
Florida (25)	540	\$95	\$11.00	63
Georgia (13)	231	\$18	\$10.00	62
Hawaii (4)	65	0	0	none
Idaho (4)	74	0	0	none
Illinois (22)	1632	\$28500	\$12.38	none
Indiana (12)	721	\$12000	\$9.79	6301
Iowa (7)	212	\$2400	\$10.42	8215
Kansas (6)	120	\$1000	\$9.62	8701
Kentucky (8)	245	\$1700	\$7.36	9501
Louisiana (9)	63	\$500	\$3.57	8101
Maine (4)	265	\$1400	\$6.57	9515
Maryland (10)	589	\$8000	\$14.34	5601
Massachusetts (12)	731	\$4000	\$6.08	8315
Michigan (18)	1429	\$28000	\$22.73	9301
Minnesota (10)	215	\$2800	\$13.64	9501
Mississippi (7)	178	\$1400	\$8.63	8301

Missouri (11)	562	\$6000	\$10.62	8701
Montana (3)	49	0	0	none
Nebraska (5)	89	\$900	\$10.98	9101
Nevada (4)	161	\$1400	\$8.75	8301
New Hampshire (4)	153	0	0	none
New Jersey (15)	1266	\$6000	\$6.96	9215
New Mexico (5)	182	\$800	\$5.00	7815
New York (33)	0	0	0	none
North Carolina (14)	422	\$4600	\$6.98	8015
North Dakota (3)	51	0	0	none
Ohio (21)	1344	\$19000	\$6.19	none
Oklahoma (8)	290	\$2000	\$5.15	5901
Oregon (7)	418	\$5100	\$11.60	8701
Pennsylvania (23)	1376	\$27000	\$18.24	9010
Rhode Island (4)	83	0	0	none
South Carolina (8)	248	\$3500	\$11.01	5201
South Dakota (3)	42	0	0	none
Tennessee (11)	367	\$3500	\$5.66	4515
Texas (32)	1164	\$2600	\$4.19	9515
Utah (5)	187	0	0	none
Vermont (3)	51	0	0	none
Virginia (13)	282	\$3200	\$11.97	8315
Washington (11)	371	\$5000	\$11.05	9215
West Virginia (5)	121	0	0	none
Wisconsin (11)	428	\$4600	\$10.14	9701
Wyoming (3)	56	0	0	none

last updated 16 October, 2000

**CNN.com**  
**STORE**

AD INFO

e-business

Buy videos

IBM

[Click Here](#)[Click Here](#)

# CNN.com.technology > computing

CNN Sites

[MAINPAGE](#)[WORLD](#)[U.S.](#)[WEATHER](#)[BUSINESS](#)[SPORTS](#)[TECHNOLOGY](#)  
[computing](#)  
[personal technology](#)[SPACE](#)[HEALTH](#)[ENTERTAINMENT](#)[POLITICS](#)[LAW](#)[CAREER](#)[TRAVEL](#)[FOOD](#)[ARTS & STYLE](#)[BOOKS](#)[NATURE](#)[IN-DEPTH](#)[ANALYSIS](#)[LOCAL](#)

EDITIONS:

[CNN.com Europe](#)[change default edition](#)

MULTIMEDIA:

[video](#)[video archive](#)[audio](#)[multimedia showcase](#)[news quiz](#)[more services](#)

E-MAIL:

Subscribe to one of our  
[news e-mail lists.](#)

Enter your address:



DISCUSSION:

[Editions](#) | [myCNN](#) | [Video](#) | [Audio](#) | [Headline News Brief](#) | [Free E-mail](#) | [Feedback](#)

## Web site offers to sell U.S. presidential votes

August 18, 2000

Web posted at: 4:17 PM EDT (2017 GMT)

 By Richard Stenger  
 CNN.com Writer

(CNN) -- A new Web site promises to "bring capitalism and democracy closer together" by auctioning votes in the 2000 presidential election.

But the political protest scheme could also bring forth criminal charges, officials said.

"The election industry is spending hundreds of millions of dollars in an attempt to influence the presidential election," reads voteauction.com, which launched in August. "This system is an inefficient waste of money for the candidates and their supporters. Voteauction.com is committed to improving this system by bringing the campaign contributors' money directly to the voters."

The August startup purports to give voters the ability to place their ballots on the auction block, state by state. The highest bidder determines which White House candidate the voteauction.com participants in each state will select en masse.

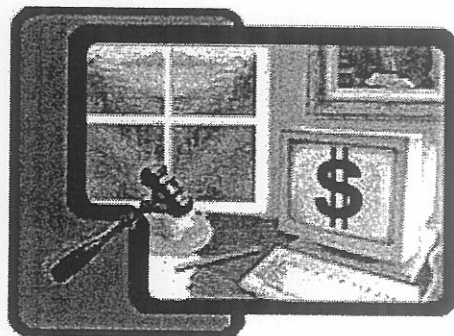
"I'm not being cynical," said founder James Baumgartner, a political science graduate student in New York. "I'm being realistic. Most people have an honest view of how the candidates are selling themselves. Voters should be included in the situation and get some of the windfall."

At least one political observer praised the message delivered by the site.

"It's really a great way to bring home to voters how much others (big donors) are gaining from the system and how little voters are getting in comparison," said Sheila Krumholz, research director of the Center for Responsive Politics, a non-partisan organization that studies the influence of money in politics.

"You have to give this guy credit, bringing this to people's attention in a provocative way," she said.

But not everyone agrees.


[MESSAGE BOARD](#)  
[Democracy for sale](#)

[message boards](#)[chat](#)[feedback](#)

CNN WEB SITES:

[myCNN.com](#) **CNN**[allpolitics](#) **CNN**[CNNfyi.com](#)[CNN.com Europe](#)[AsiaNow](#)[Spanish](#)[Portuguese](#)[German](#)[Italian](#)[Swedish](#)[Norwegian](#)[Danish](#)[Japanese](#)[Chinese Headlines](#)

TIME INC. SITES:

Go To ... 

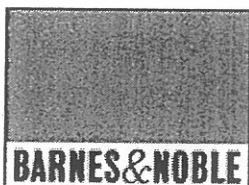
CNN NETWORKS:

**CNN****CNN** INTERNATIONAL**CNN** Headline NEWS**CNN** RADIO**CNN** AIRPORT NETWORK[CNN anchors](#)[transcripts](#)[Turner distribution](#)

SITE INFO:

[help](#)[contents](#)[search](#)[ad info](#)[jobs](#)

WEB SERVICES:

[CNN e-store](#)

"It needs to be shut down," said Deborah Phillips, president of the Voting Integrity Project, a non-profit public interest group that often deals with Internet issues. "It's cynicism raised to a new art form. It's destructive to the democratic process. If 50 state prosecutors don't jump on this guy's back and every voter that participates, they aren't doing their job."

Legal authorities have taken notice of similar escapades. The U.S. Justice Department contacted eBay this week after a handful of users offered their votes for sale on the Internet auction site.

When eBay learned of the questionable sale items, it removed them from the site immediately, spokesman Kevin Pursglove said.

"The reality is, even if people think it's a prank, we take it very seriously," said Pursglove. "This is an act that could bring along felony charges."

Vote sellers and buyers violate both state and federal laws and could face thousands of dollars in fines or years in prison, authorities say.

Baumgartner said he is not directly selling or buying votes, only providing a forum where others can do so, provided he takes a percentage of the transaction money.

He also argues that he is protected by recent Supreme Court decisions that equate money with free speech, including one in the 1970s that sanctioned the use of soft money in political campaigns.

But even his sympathizers are not so sure. Krumholz anticipates that the site could face serious legal challenges.

"I worry for the author of the site," she said.

Baumgartner, for his part, remains optimistic.

"I hope to get investors and advertisements soon," he said.

Philips thinks he should look for something else.

"This is real vote fraud taking place on the Internet. I don't care how you couch it. I hope this guy has some good pro bono lawyers backing him up."

---

**RELATED STORIES:**[Constituent puts vote up for sale on eBay](#)[August 16, 2000](#)[Oddities on the auction block](#)[August 11, 2000](#)[E-commerce juggles technology, legislation](#)[August 1, 2000](#)[Will Internet voting be good news for American democracy?](#)[October 28, 1999](#)[Democracy Online project to find out exactly how Web affects elections](#)[October 15, 1999](#)

---

**RELATED SITES:**

[voteauction.com](#)  
[Center for Responsive Politics](#)  
[The Voting Integrity Project](#)  
[U.S. Department of Justice](#)  
[eBay](#)

**Note: Pages will open in a new browser window**  
*External sites are not endorsed by CNN Interactive.*

Search

CNN.com



Find

[Back to the top](#)

© 2000 Cable News Network. All Rights Reserved.  
[Terms](#) under which this service is provided to you.  
Read our [privacy guidelines](#).





CNN.com

ADVERTISING

e-business

IBM

CNN.com

[Click Here](#)

 Find The  
Perfect G  
Her  
↓

E→STC

 CNN.com  
CNN Sit

 Search  
CNN.co

Find

 TECHNO  
TOP STORI

 PlayStation  
American de

 Microsoft s  
attack

Home netwo

 NASA unveil  
exploration

 Clinton thre  
Internet sec

 Ex-Liquid A  
arrested

(MORE)

 CNN.com  
TOP STORI

 Ramallah cl  
gun battle

 New York Y  
World Serie

Hackers att

 Ivory Coast  
stands asid  
government

(MORE)

 CNNfn  
BUSINESS

Dow powers

Microsoft: bi

Biotech: one

(MORE)

 MARKETS  
DJIA ↑ 2

# CNN.com technology > computing

CNN Sites

[MAINPAGE](#)
[WORLD](#)
[U.S.](#)
[WEATHER](#)
[BUSINESS](#)
[SPORTS](#)
[TECHNOLOGY](#)
[computing](#)  
[personal technology](#)
[SPACE](#)
[HEALTH](#)
[ENTERTAINMENT](#)
[POLITICS](#)
[LAW](#)
[CAREER](#)
[TRAVEL](#)
[FOOD](#)
[ARTS & STYLE](#)
[BOOKS](#)
[NATURE](#)
[IN-DEPTH](#)
[ANALYSIS](#)
[LOCAL](#)

EDITIONS:

[CNN.com Europe](#)
[change default edition](#)

MULTIMEDIA:

[video](#)
[video archive](#)
[audio](#)
[multimedia showcase](#)
[news quiz](#)
[more services](#)

E-MAIL:

 Subscribe to one of our  
[news e-mail lists.](#)

Enter your address:



DISCUSSION:

[message boards](#)
[Editions](#) | [myCNN](#) | [Video](#) | [Audio](#) | [Headline News Brief](#) | [Free E-mail](#) | [Feedback](#)

## Web site offering to sell votes shut down

From...

 THE  
INDUSTRY STANDARD  
AN IDG.net SITE

August 23, 2000

Web posted at: 10:47 a.m. EDT (1447 GMT)

by Ronna Abramson

(IDG) -- If you were thinking of selling your vote in the presidential election, think again.

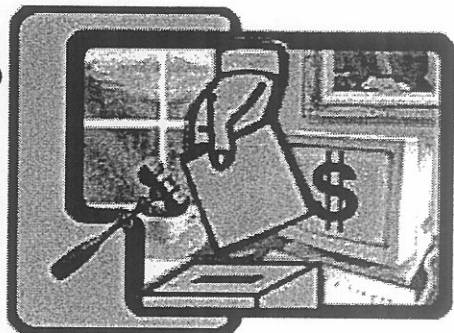
Voteauction.com, a Web site that offers a forum for citizens to sell their votes to the highest bidder, shut down Friday amid legal questions and technical glitches. EBay also has pulled the plug on at least seven people who have posted their votes for sale on its auction site since Wednesday.

The problem: Buying and selling votes violates federal and state statutes.

"You have to make your own decision how you want to vote," says Douglas Kellner, a New York City Board of Elections commissioner who helped persuade Voteauction to close. "People can spend money to influence your vote, but they can't buy it."

James Baumgartner, a graduate student working toward a master's in fine arts at Rensselaer Polytechnical Institute in Troy, N.Y., launched Voteauction earlier this month. He shut it down Friday and announced Monday that he was selling the content and domain name to an e-commerce developer in Austria. He did not disclose sales figures and did not know about the buyer's plans. No charges have been filed against Baumgartner.

Baumgartner's idea was to capitalize on undecided or disillusioned voters who intended to sit out during the November election -- a group that comprises more than half the amount of voters from four years ago. Baumgartner also hoped to divert some of the millions of dollars being spent on advertising and consultants to get voters. "I thought it'd be more direct and more democratic to have these voters make money from their vote," Baumgartner says. The site's



MORE COMPUTING INTELLIGENCE



[IDG.net home page](#)
[The Standard.com](#)
[TechInformer: The Thinking  
Internaut's Guide to the Tech Industry](#)
[How online auctions work](#)
[E-voting gets closer](#)

[chat](#)  
[feedback](#)

## CNN WEB SITES:

[myCNN.com](#) [CNSI](#)  
[allpolitics](#) [CNNfr](#)  
[CNNfyi.com](#)  
[CNN.com Europe](#)  
[AsiaNow](#)  
[Spanish](#)  
[Portuguese](#)  
[German](#)  
[Italian](#)  
[Swedish](#)  
[Norwegian](#)  
[Danish](#)  
[Japanese](#)  
[Chinese Headlines](#)

## TIME INC. SITES:

Go To ... 

## CNN NETWORKS:

[CNN](#)  
[CNN INTERNATIONAL](#)  
[CNN Headline NEWS](#)  
[CNN RADIO](#)  
[CNN AIRPORT NETWORK](#)  
[CNN anchors](#)  
[transcripts](#)  
[Turner distribution](#)

## SITE INFO:

[help](#)  
[contents](#)  
[search](#)  
[ad info](#)  
[jobs](#)

## WEB SERVICES:

[CNN e-store](#)

from their vote," Baumgartner says. The site's motto: "Bringing Democracy and Capitalism Closer Together."

Voteauction planned to auction votes in blocks according to state. Bids would start at \$100 per state and go up by \$50. Whoever had the highest bid would get to decide how the entire group of votes from the particular state would vote. Voters would divide the final price equally among themselves.

Despite server crashes last week, about 200 voters signed up at Voteauction on Thursday after an online article featured the site.

"Selling my vote I think is a very obvious political statement," said one enrollee from upstate New York, who would only give her online pseudonym, "Jenny Ondioline." "It's saying that if the buying and selling of votes is going on even now between closed doors, through the lobbyists, let's make it a little more obvious."

The vehicle for that political statement is following the course of other troubled dot-coms, albeit for a different reason. Although many Web sites have ceased operations in recent months because of financial problems, Baumgartner decided it would be "prudent" to shut the site down Friday night after his thesis adviser, Albany attorney Paul Rapp, received a call from Commissioner Kellner.

"Under New York law, it is a felony merely to offer to sell your vote or to offer to buy a vote," Kellner says. People who buy or sell votes or gamble on the outcome of an election forfeit their right to vote, he added.

Buying and selling votes also is illegal under federal law, according to a U.S. Justice Department spokeswoman. The Justice Department has been talking to eBay's counsel about the votes for sale on the auction site, which were removed, said company spokesman Kevin Pursglove.

Rapp suggests that Voteauction might not have violated the law because it merely proposed to provide a forum for votes to be bought and sold, without engaging in the actual practice. Baumgartner suggests another defense: a landmark 1976 legal decision called Buckley vs. Valeo. In the "money equals speech" decision, the U.S. Supreme Court found that to limit campaign spending was to violate free speech.

While Rapp finds the argument "interesting," he can imagine judges rolling their eyes in a courtroom. After all, "the end result would be the sanctioning the sale of an election," he says. "No judge is going to endorse that."

Reviews & in-depth info at IDG.net

[E-BusinessWorld](#)

[Industry Standard email newsletters](#)

[Questions about computers? Let IDG.net's editors help you](#)

[Industry Standard daily Media Grok](#)

[Search IDG.net in 12 languages](#)

[News Radio](#)

 [Fusion audio primers](#)

 [Computerworld Minute](#)

NAS  6  
S&P  1



[CNN Sports Illustrated](#)  
**SPORTS**

[Nebraska, O off in key Bi](#)

[Yanks edge World Serie](#)

[Hakeem say final year aft](#)

(MORE)

 [All Score](#)

**WEATHER**

Enter your



[Click here for world cities](#)

**WORLD**

[Ramallah cl battle](#)

**U.S.**

[U.S. official Laden-Cole](#)

**POLITICS**

[Gore campa country; Bu leadership i](#)

**LAW**

[Former Salv lead quiet Fi](#)

**ENTERTAI**

[U2 rocks on Can't Leave](#)

**HEALTH**

[Battling bre reporter's p](#)

**TRAVEL**

[Grand Cany visitor cente](#)

**RELATED STORIES:**

[Web site offers to sell U.S. presidential votes August 18, 2000](#)  
[Vote for sale? August 17, 2000](#)  
[Reform Party online balloting thwarts hackers August 17, 2000](#)  
[Constituent puts vote up for sale on eBay August 16, 2000](#)

36

Oddities on the auction block  
August 11, 2000

FOOD

---

**RELATED IDG.net STORIES:**

Throwing a

ARTS & ST

Curtis sacrifici  
photograph

 (MORE H

Online with the GOP  
*(The Industry Standard)*  
E-voting gets closer  
*(PC World)*  
How online auctions work  
*(PC World)*  
Online balloting thwarts hackers  
*(Civic.com)*  
Internet voting predicted to be standard by 2004  
*(InfoWorld)*  
EBay lays off 13 at Butterfields office  
*(The Industry Standard)*  
GOP to unfurl its 'eContract 2000'  
*(The Industry Standard)*  
It takes an iVillage  
*(Civic.com)*

---

**RELATED SITES:**

eBay

**Note: Pages will open in a new browser window**  
External sites are not endorsed by CNN Interactive.

---

Search

CNN.com



Find

---

[Back to the top](#)

© 2000 Cable News Network. All Rights Reserved.  
[Terms](#) under which this service is provided to you.  
Read our [privacy guidelines](#).

**listen**

Click on the product you're interested in:

[Click Here](#)**CNN.com** [technology](#) > [computing](#)

CNN Sites

[MAINPAGE](#)[WORLD](#)[U.S.](#)[WEATHER](#)[BUSINESS](#)[SPORTS](#)[TECHNOLOGY](#)[computing](#)[personal technology](#)[SPACE](#)[HEALTH](#)[ENTERTAINMENT](#)[POLITICS](#)[LAW](#)[CAREER](#)[TRAVEL](#)[FOOD](#)[ARTS & STYLE](#)[BOOKS](#)[NATURE](#)[IN-DEPTH](#)[ANALYSIS](#)[LOCAL](#)

EDITIONS:

[CNN.com Europe](#)[change default edition](#)

MULTIMEDIA:

[video](#)[video archive](#)[audio](#)[multimedia showcase](#)[news quiz](#)[more services](#)

E-MAIL:

Subscribe to one of our

[news e-mail lists.](#)

Enter your address:

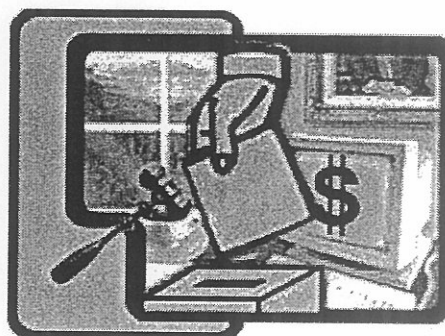
 
[Editions](#) | [myCNN](#) | [Video](#) | [Audio](#) | [Headline News Brief](#) | [Free E-mail](#) | [Feedback](#)**Vote-selling Web site to be revived, possibly offshore**

August 25, 2000

Web posted at: 3:05 p.m. EDT (1905 GMT)

By *Richard Stenger*  
CNN.com Writer

(CNN) -- An Internet site designed to auction U.S. presidential votes could reopen days after New York authorities convinced its creator to shut it down, said a maverick Austrian businessman who bought the domain name.



Hans Bernhard said his holding company would operate [voteauction.com](#) outside the United States to circumvent federal and state laws that forbid purchasing and buying ballots.

"Our lawyers are evaluating the situation. The Web site should be up in the next 24 to 48 hours," Bernhard said Thursday. "We still have the option to go offshore if there are legal problems."

Bernhard did not give the name of the holding company. But the e-mail address listed with his domain registration belongs to a Vienna-based group that specializes in unorthodox e-commerce services and works with a variety of Internet companies.

Ubermorgen.com "is a network of flexible digital uber-brains," reads the company Web site, which offers headhunting and investments as well as "guerilla marketing, shock marketing and drama marketing."

**MESSAGE BOARD**  
[Democracy for sale](#)

Bernhard said he and his European associates might need time to become familiar with U.S. elections and laws, but Bernhard seems to have an idea about U.S. commerce.

"We bought the domain name and related business because we see this as a serious business venture in which we can make money."

Critics think he and others trying to auction ballots on the Internet are making a moral mess of the voting process.

## DISCUSSION:

[message boards](#)[chat](#)[feedback](#)

"The age of Internet voter fraud is here sooner and in more sinister form than even I imagined," said Deborah Phillips, president of the Voting Integrity Project, an activist group that specializes in Internet and democracy issues.

## CNN WEB SITES:

[myCNN.com](#) [CNSI](#)[allpolitics](#) [CNNfl](#)[CNNfyi.com](#)[CNN.com Europe](#)[AsiaNow](#)[Spanish](#)[Portuguese](#)[German](#)[Italian](#)[Swedish](#)[Norwegian](#)[Danish](#)[Japanese](#)[Chinese Headlines](#)

"We don't have any moral attitude," Bernhard countered. "We are simply business-oriented. We see how the U.S. system works. There's lots of money related to elections. We just come from the other side. We don't go the top down, advertising approach. We take a direct approach with the voter."

James Baumgartner sold the site for an undisclosed price earlier this week. He launched voteauction.com in early August to allow undecided or disillusioned voters to sell their votes to the highest bidder in the November presidential election.

Whoever bid the highest for each state could decide how those participants would vote. The Troy, New York, graduate student had planned for voters to mail him absentee ballots to verify the selections.

## RELATED STORIES:

[Web site offering to sell votes shut down](#)[August 23, 2000](#)[Web site offers to sell U.S. presidential votes](#)[August 18, 2000](#)[Vote for sale?](#)[August 17, 2000](#)[Reform Party online balloting thwarts hackers](#)[August 17, 2000](#)[Constituent puts vote up for sale on eBay](#)[August 16, 2000](#)[Oddities on the auction block](#)[August 11, 2000](#)

## TIME INC. SITES:

[Go To ...](#)

## CNN NETWORKS:

[CNN](#)[CNN INTERNATIONAL](#)[CNN Headline NEWS](#)[CNN RADIO](#)[CNN AIRPORT NETWORK](#)[CNN anchors](#)[transcripts](#)[Turner distribution](#)

## RELATED SITES:

[Center for Responsive Politics](#)[The Voting Integrity Project](#)[U.S. Department of Justice](#)[ubermorgen.com](#)

## SITE INFO:

[help](#)[contents](#)[search](#)[ad info](#)[jobs](#)

**Note: Pages will open in a new browser window**  
 External sites are not endorsed by CNN Interactive.

## WEB SERVICES:

[CNN e-store](#)

Search

[CNN.com](#)[Find](#)

[Back to the top](#)

© 2000 Cable News Network. All Rights Reserved.  
[Terms](#) under which this service is provided to you.  
Read our [privacy guidelines](#).

40



LYCOS NETWORK

Lycos Home | Free Web Access | Site Map | My Lycos

CHECK IT HERE

YOUR-NAME

.COM

CLICK HERE

Wired News

BUSINESS

POLITICS

WIRE SERVICE

CULTURE

TECHNOLOGY

TOP STORIES

LOOK FOR

Wired News

GO

[Print this](#) • [E-mail it](#)

## Close Vote? You Can Bid on It

by [Mark K. Anderson](#)

3:00 a.m. Aug. 17, 2000 PDT

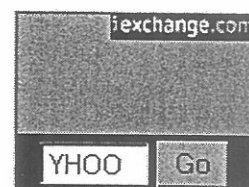
This week, as the country endures a second foregone convention, a website is gearing up to convert voter cynicism into voter income. If citizens do indeed find the choice between Gush and Bore meaningless, the proprietors of [Voteauction.com](#) say, why not at least make a little cash on the side?

That is, after all, the American way.

"The clearest language is, we're selling votes," said James Baumgartner, an MFA student at Troy, New York's [Rensselaer Polytechnic Institute](#) and founder of [Voteauction](#) -- the subject of his thesis.

✉ *Get Wired News delivered to your [inbox](#) or [hand-held device](#).*

📱 *Get The [Wired News Toolbar](#). It's so free we're giving it away.*



FREE



### POLITICS

Sponsored by [Siemens](#).

#### Today's Headlines

12:50 p.m. Oct. 27, 2000 PDT

[Mars Back on NASA's Radar](#)

[TRUSTe Suit Spies Bogus Seals](#)

[Getting Out the Gen Y Vote](#)

[CEOs Beating Around Bush, Gore](#)

[Keeping Track of Tracking Polls](#)

[It's Church Versus State of Radio](#)

[Cyberwar Also Rages](#)

#### See also:

[Parties Dancing With the Net Reform Voting Evokes E-Votes](#)  
[Vote 2000: Life after Bill \(Lycos News\)](#)  
[Everybody's got issues in Politics](#)

"The person who raises the most money is the person who almost invariably wins," Baumgartner said of the current political system. "And they're treating the voter as an end-product, like how the television industry treats the viewers."

"In the current election system, the voter is a product to be sold to the corporations. But they're being sold through this convoluted method of advertising, consultants, (and) traveling. [Voteauction](#) is making a more direct line -- the old cutting-out-the-middle-man approach."

in Mideast

Streamlining Domain Squabbles

VC's Latest Venture: Vouchers

Top Execs Heed Education's Call

China's Dramatic Telecom Reversal

Germany Looks to E-Mail Privacy

Intel: Mideast Chips Are Safe

Hopes for Mideast Tech Dashed

Rating the Reps on Net Issues

Naming Net's Best House Friends

Doolittle Does Little to Harm Net

Blu Defends its Auction Action

Rhetoric Reigns at Net Crime Meet

Italy Blu in Wireless Auction

FCC Head Takes His Agency to Task

Voteauction Booth is Closed

Do You Know Where Your Kids Are?

Math and Science Seek Fed Funds

Hacker Site Raises GM's Hackles

It's a ploy that certainly strikes the untrained ear as a violation of something -- whether it's election laws or just basic democratic values. It's also an eventuality some framers of the Constitution feared.

According to Sheila Krumholz, research director at campaign finance watchdog organization Center for Responsive Politics, the concept is clever as well as incendiary. "I can't imagine that this wouldn't be rife with legal entanglements and cause legal appeals," she said.

Nevertheless, she added, "I think it's really a brilliant ploy on their part. Through sarcasm it shows how absurd the system is. It tells voters to prize their voting franchise, and yet it tells them it's just another commodity."

Jamin Raskin, a law professor at American University, takes Krumholz's reactions further. He noted that, for starters: "For someone to facilitate an exchange of money for a vote would in most jurisdictions constitute criminal conspiracy."

However, he added, depending on the cleverness with which Voteauction is designed, the site could actually test the limits of the Supreme Court's 1976 "money equals speech" ruling.

"The proposition being tested here is whether the general theory that it's OK for money to buy elections extends to money buying individual votes," Raskin said. "The insight of the authors is that we have now evolved a system in which it's OK for money to buy elections, and yet we somehow cling to the fantasy that there's something deeply immoral about the purchase of an individual vote."

"It's as if we don't care about the big things -- that is, people purchasing public offices. But we obsess over the little things -- that is, people buying votes."



Sign up with Voteauction, and potential vote sellers are notified that the Voteauction legal agreement (still being hammered out) will be sent to them at the end of the month.

Baumgartner said he's currently considering a process in which the Voteauction participant fills out an absentee ballot and votes for whomever they want in every race but the presidency. Whether that choice will be Bush, Gore, Nader, Buchanan, or someone else entirely is determined by the outcome of the online auction.

"Then when the time comes, whoever wins the auction decides who this group is going to vote for," Baumgartner said. "So I tell those people you should vote for this person. Then they fill in the form, and then they send it to me. And I just verify that they're voting for the correct person."



**1 of 2** [Next](#) >>

Have a comment on this article? [Send it.](#)  
Printing? Use [this version](#).  
[E-mail](#) this to a friend.



[Feedback](#) | [Help](#) | [About Us](#) | [Jobs](#) | [Advertise](#)  
[Editorial Policy](#) | [Privacy Statement](#) | [Terms and Conditions](#)

Copyright © 2000 Wired Digital Inc., a Lycos Network site. All rights reserved.

CHECK IT HERE  			
YOUR-NAME	.COM	CLICK HERE	

43

LYCOS NETWORK

[Lycos Home](#) | [Free Web Access](#) | [Site Map](#) | [My Lycos](#)

3 billion people in the world



LOOK FOR

Wired News

GO

[Print this](#) • [E-mail it](#)**Voteauction Bids the Dust**by **Mark K. Anderson**

8:20 a.m. Aug. 22, 2000 PDT

Voteauction.com, which attempted to sell presidential votes to the highest bidder, is no more.

Quietly operating since the beginning of August, the site posed a simple question: If entire elections can be bought and sold to the individual or corporation with the most money, why can't individual votes?

✉ *Get Wired News delivered to your inbox or hand-held device.*

📱 *Get The Wired News Toolbar. It's so free we're giving it away.*

**POLITICS***Sponsored by Siemens.***Today's Headlines**

12:50 p.m. Oct. 27, 2000 PDT

[Mars Back on NASA's Radar](#)[TRUSTe Suit Spies Bogus Seals](#)[Getting Out the Gen Y Vote](#)[CEOs Beating Around Bush, Gore](#)[Keeping Track of Tracking Polls](#)[It's Church Versus State of Radio](#)[Cyberwar Also Rages in Mideast](#)[Streamlining Domain Squabbles](#)[VC's Latest Venture:](#)**See also:**

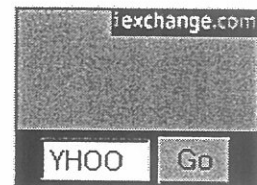
[Close Vote? You Can Bid On It](#)  
[Reform Voting Evokes E-Votes](#)  
[Parties Dancing With the Net](#)  
[Everybody's got issues in Politics](#)  
[Vote 2000: Life after Bill \(Lycos News\)](#)

Last week, Voteauction received a spate of publicity that began with a [Wired News story](#). Two days of intense press and Internet attention followed, which concluded in legal threats that compelled its operator to shut it down.

"I acted immediately when I found out about [Voteauction]," said Doug Kellner, one of two Manhattan representatives on the New York City Board of Elections.

Kellner said selling votes is not only illegal within New York state law, but the state constitution also bars it. The only other crime the constitution defines, he said, is treason.

Before last week, Voteauction had received emails from five voters



[Vouchers](#)

indicating their interest in selling their votes. When it shut down on Aug. 18, Baumgartner said, an estimated 200 had expressed their initial interest in participating. Although no contracts had been signed -- legal language was still being worked out when the site was shut down -- the interests of potential participants ranged from the pecuniary to the polemic.

[Top Execs Heed Education's Call](#)[China's Dramatic Telecom Reversal](#)[Germany Looks to E-Mail Privacy](#)[Intel: Mideast Chips Are Safe](#)

"Some were doing it as a joke, some were serious, some were cynical, some were sincere," Baumgartner said. "Somebody else said they were going to buy [voterauction.com](#)."

[Hopes for Mideast Tech Dashed](#)[Rating the Reps on Net Issues](#)

When visited on Monday afternoon, [Voterauction.com](#) -- with the extra "r" - - appeared to be a mirror of the George W. Bush [campaign website](#). Although given the history of web-based [satire](#) inspired by the Texas governor's presidential bid, one can never be sure.

[Naming Net's Best House Friends](#)[Doolittle Does Little to Harm Net](#)[Blu Defends its Auction Action](#)

Kellner stressed the seriousness of the criminal consequences for those who even indicate their interest in buying or selling a vote.

[Rhetoric Reigns at Net Crime Meet](#)[Italy Blu in Wireless Auction](#)

"The message to get out to the public is that posting (intent to sell votes) to a website even in jest is a serious matter. It could subject you to prosecution, or in New York you could forfeit your vote," Kellner said, referring to a New York state law that imposes a one-year forfeiture on vote buyers and sellers.

[FCC Head Takes His Agency to Task](#)[Voteauction Booth is Closed](#)

Baumgartner, who continues to stress that his site holds a mirror up to a larger corrupt electoral system, offered no comment in response to Kellner's charges.

[Do You Know Where Your Kids Are?](#)[Math and Science Seek Fed Funds](#)[Hacker Site Raises GM's Hackles](#)

**1 of 2 [Next](#) >>**

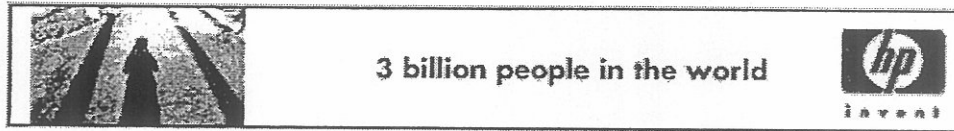
Have a comment on this article? [Send it](#).  
Printing? Use [this](#) version.  
[E-mail](#) this to a friend.



[Feedback](#) | [Help](#) | [About Us](#) | [Jobs](#) | [Advertise](#)  
[Editorial Policy](#) | [Privacy Statement](#) | [Terms and](#)

Conditions

Copyright © 2000 Wired Digital Inc., a Lycos  
Network site. All rights reserved.



LYCOS NETWORK

[Lycos Home](#) | [Free Web Access](#) | [Site Map](#) | [My Lycos](#)

3 billion people in the world



LOOK FOR

Wired News



GO

[Print this](#) • [E-mail it](#)

## Austrian Takes Bids on U.S. Votes

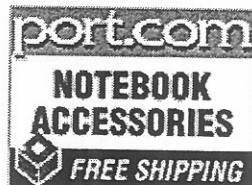
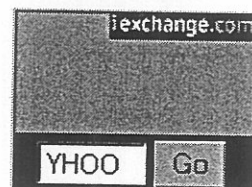
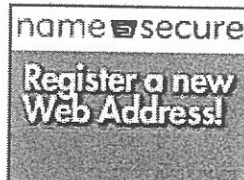
by [Mark K. Anderson](#)

3:00 a.m. Sep. 6, 2000 PDT

When a website that offered to auction presidential votes to the highest bidder was

✉ *Get Wired News delivered to your inbox or hand-held device.*

📖 *Get The Wired News Toolbar. It's so free we're giving it away.*



47



## POLITICS

*Sponsored by Siemens.*

**Today's Headlines**

12:50 p.m. Oct. 27, 2000 PDT

[Mars Back on NASA's Radar](#)

[TRUSTe Suit Spies Bogus Seals](#)

[Getting Out the Gen Y Vote](#)

[CEOs Beating Around Bush, Gore](#)

[Keeping Track of Tracking Polls](#)

[It's Church Versus State of Radio](#)

[Cyberwar Also Rages in Mideast](#)

[Streamlining Domain Squabbles](#)

[VC's Latest Venture: Vouchers](#)

[Top Execs Heed Education's Call](#)

[China's Dramatic Telecom Reversal](#)

[Germany Looks to E-Mail Privacy](#)

[Intel: Mideast Chips Are Safe](#)

[Hopes for Mideast Tech Dashed](#)

[Rating the Reps on Net Issues](#)

[Naming Net's Best House Friends](#)

[Doolittle Does Little to Harm Net](#)

**See also:**

[Voteauction Bites the Dust](#)

[Close Vote? You Can Bid On It](#)

[Parties Dancing With the Net](#)

[Vote 2000: Life after Bill \(Lycos News\)](#)  
Everybody's got issues in [Politics](#)

However, in the meantime, Voteauction.com has changed owners as well as modus operandi. And this time, it appears, the prospect of squelching the wrongdoing is going to involve more than a threatening phone call.

"Our server is in Bulgaria at the moment," said Hans Bernhard, an Austrian investor and new owner of Voteauction. "It's a Twilight Zone out there. And we can even move it further on, if it's necessary. We can disconnect it from my person. We're very flexible with this. Because we're very interested in the core business, in the idea -- and in the future of this idea."

On Aug. 22, Bernhard bought the fledgling site from James Baumgartner, an art graduate student at Rensselaer Polytechnic Institute in Troy, New York, who had conceived of the site as a satire on the

Blu Defends its  
Auction Action

Rhetoric Reigns at Net  
Crime Meet

Italy Blu in Wireless  
Auction

FCC Head Takes His  
Agency to Task

Voteauction Booth is  
Closed

Do You Know Where  
Your Kids Are?

Math and Science  
Seek Fed Funds

Hacker Site Raises  
GM's Hackles

American campaign finance system. However, where Baumgartner -- who ran Voteauction himself from his studio in upstate New York -- viewed the site as a commentary on the vagaries of American plutocracy, Bernhard espouses no such higher motives.

For the Austrian businessman, American voters have a product that can be sold. Simple as that.

"They're proving the point that the market knows no bounds," said Jamin Raskin, a law professor at American University. "These people are just 50 years ahead of their time in seeing that the ultimate destination of the current [electoral] process is that everything will be for sale -- from the votes of citizens to the votes of legislators to perhaps even, heaven forbid, the votes of Supreme Court justices.

"So the society has got to get serious and figure out what are in fact the principled limitations on the logic of the marketplace. Because right now 'May the highest bidder win' is the logic for everything."

Presently, according to Bernhard, Voteauction has a core team of

seven employees:  
lawyers,  
communications  
experts, and  
marketing people. As  
of Tuesday morning,  
the site was trafficking  
in 376 votes with  
\$10,600 in bids  
already posted. Bids  
are submitted via  
email to the Austrian  
clearinghouse and are  
broken down state by  
state.

New York, whose  
electoral boards shut  
down Voteticket with  
one phone call when it  
was run stateside, has  
been excluded from  
the bidding. But in  
every other state in  
the union -- where,  
according to Raskin,  
vote buying and  
selling are also  
unambiguously illegal  
activities --  
Voteticket blithely  
continues to facilitate  
vote fraud as if it were  
just another Beanie  
Baby auction on eBay.

The 68 California  
voters who have  
reportedly offered up  
their presidential votes  
to the highest bidder  
currently face a  
\$34.56 paycheck for  
marking their ballots  
as told -- as well as  
the possibility of  
criminal prosecution if  
they get caught. As of  
Tuesday morning, the  
price-per-vote in  
Illinois was up to  
\$64.70, while Kansas'  
two Voteticket  
participants are  
promised \$100 each.

According to Brad

50



Smith, a law professor at Capital University and current member of the Federal Election Commission, the only distinction between Voteauction and other electoral fraud systems is size.

"Conceptually, the enforcement problem is really no different from any other vote-fraud or vote-buying scheme," Smith said. "If I'm going to go out and buy votes with street money I'm going to try to keep it underground, and make sure people can't track it or get witnesses. What's different here is the potential magnitude of operation. Because what the Web does, as it does in all kinds of legitimate commerce, is provide this great worldwide auction market."

Smith, who also pointed out that prosecution of such illegal activities would most likely be up to individual states, questioned the ultimate feasibility of the Voteauction scheme -- since verification is a bottleneck that fortunately no one has been able to work around.

However, verification is only as much of a concern as buyers want it to be.

"Verification will now

be the responsibility of the winning bidder," a spokesman for Voteauction said in a recent email interview. "They can choose from a variety of methods for verification of the votes. They may have the voters send in their absentee ballots for verification, they may have the voters take a photograph inside the voting booth, or they may go on the honor system -- this is the system that many vote-purchasing endeavors have used in the past.

"We have chosen to have the winning bidders responsible for the verification because it would not be feasible to have people send their absentee ballots all the way to Austria and have us send them back to America within an appropriate time frame."

As for the obvious and undoubtedly immediate reaction Voteauction will inspire when state prosecutors and boards of election get wind of its activities, Bernhard sounded a sentiment all too familiar in an age where the difference between onshore and offshore commerce can be measured in mouse clicks.

"Why should we react on a state prosecution level?" Bernhard

asked. "Outside of the U.S., we don't care about state law. We only care about any kind of international law that might be affected. On the other hand, there might be a reaction on our side, if it might affect the users who sell their vote. That would be the only reason why we would react. But then we would be protecting our customers, and not our company."

Should Voteauction actually manage to weather the coming tempest of summons and prosecutions -- and also somehow insulate its buyers and sellers from detection and conviction -- Bernhard said he has plans to venture beyond what he calls "the American election industry."

"For us, it's a double strategy," said Bernhard, whose investments include the wily conglomerate of Internet mischief makers

Roger Pilon of the libertarian Cato Institute noted that Voteauction's illegal activities should indeed be curtailed. But he also understood the frustration of the American voters and vote-buyers who participate in the process:

"When Al Gore

promises prescription benefits for seniors, is he not buying votes? When George W. Bush says to college students, I'm going to give you free tuition if you vote for me, it's the same thing, isn't it?"

Still, according to Smith of the FEC, an important distinction remains between vote-influencing and outright vote-buying.

"There is much that is problematic about any system of financing elections, including the way we finance our elections now," Smith said. "But there is a fundamental difference between paying someone to vote in a certain way and trying to convince someone to vote in a certain way. Trying to convince any large group of people involves spending money to communicate, and that's what the Supreme Court said in Buckley v. Valeo.

"But the voter remains under no obligation to vote in any particular way. There's a reason why every state in the union makes it illegal to buy votes. But no state makes it illegal for individuals to contribute money to a candidate."

Raskin of American University reiterated that Voteauction has entered the American

54

marketplace when accusations of corruption and influence peddling have become so rampant that outright vote fraud loses some of its outrageous taint.

"Traditionally, we have thought that votes operate in a separate sphere from dollars," he said. "But the Supreme Court has not helped to build a wall of separation between public elections and the private economy. On the contrary, that wall is riddled with holes and crumbling all the time. So I think this business is appealing to a strong public sense that everybody's getting rich in politics but the voters."

*Have a comment on this article? [Send it.](#)  
Printing? Use [this](#) version.  
[E-mail](#) this to a friend.*

### ***Related Wired Links:***

---

#### **Controversy Rages at Arts Fest**

Sep. 4, 2000

#### **Finnish Touches on New Media Art**

Sep. 2, 2000

#### **Cashing In on the Elections**

Aug. 17, 2000

#### **Dems Fear Green 'Threat'**

Aug. 16, 2000

#### **Lieberman's Privacy**

55

'Tap' Dance

Aug. 15, 2000


EBallot Watching  
Reform Party

Aug. 11, 2000




[Feedback](#) | [Help](#) | [About Us](#)  
| [Jobs](#) | [Advertise](#)  
[Editorial Policy](#) | [Privacy](#)  
[Statement](#) | [Terms and](#)  
[Conditions](#)

Copyright © 2000 Wired  
Digital Inc., a Lycos Network  
site. All rights reserved.



3 billion people in the world

  
invent

The **LYCOS** Network

Find it - Talk about it - Shop for it

What do these pictures have in common?



LOOK FOR

Wired News

[Print this](#) • [Email it](#)**Thousands Sign Up to Sell Votes**by **Mark K. Anderson**

3:00 a.m. Sep. 22, 2000 PDT

According to detective novels and TV shows, criminals are those who perform illegal actions clandestinely. But some real-world scofflaws get more mileage out of the adage, "If you've got it, flaunt it."

Recently, the Austrian owner of Voteauction.com flaunted it.

**POLITICS***Sponsored by Siemens.***Today's Headlines**

12:50 p.m. Oct. 27, 2000 PDT

[Mars Back on NASA's Radar](#)

[TRUSTe Suit Spies Bogus Seals](#)

[Getting Out the Gen Y Vote](#)

[CEOs Beating Around Bush, Gore](#)

[Keeping Track of Tracking Polls](#)

[It's Church Versus State of Radio](#)

[Cyberwar Also Rages in Mideast](#)

[Streamlining Domain Squabbles](#)

**See also:**

[Austrian Takes Bids on U.S. Votes](#)  
[Voteauction Bites the Dust](#)  
[Close Vote? You Can Bid On It](#)  
[Everybody's got issues in Politics](#)

Boasting of the more than 6,000 Americans who have signed up to auction off their presidential votes to the highest bidder -- illegal activity under the laws of every state in the union -- Voteauction is now detailing its plans to begin an outreach campaign.

Using its "Voter Empowerment Kits" and "Action Teams," the company claims in a press release that it can reach more potential customers and facilitate voter fraud without the intervention of an online middleman.

Such activity leaves Deborah Phillips of the [Voting Integrity Project](#) flummoxed.

Phillips has been observing the [ups](#) and [downs](#) of the blatantly felonious site since August, when Wired News first

**Get Wired News delivered to your inbox or hand-held device.**

**Get The Wired News Toolbar. It's so free we're giving it away.**

**Earn fame and fortune...**  
 Make your stock prediction:  
    
 iexchange.com

**namesecure**  
 What Web Address do you want?

**CLICK TO WIN**  
 A PDA, Portable Keyboard, PDA Case, And Stylus Pen!  
  
 port.com

VC's Latest Venture:  
Vouchers

reported on this curious conglomeration of satire, lawlessness and voracious capitalism.

Top Execs Heed  
Education's Call

"Why isn't the Justice Department getting involved?" she said. "Why hasn't there been any comment from the White House? Why hasn't Congress held any hearings?"

China's Dramatic  
Telecom Reversal

Germany Looks to E-  
Mail Privacy

Federal Election Commission member Brad Smith noted that federal and state officials may be hesitating for three reasons.

Intel: Mideast Chips  
Are Safe

Hopes for Mideast  
Tech Dashed

First, the site probably hasn't garnered enough media attention yet to mobilize all the forces who should be opposing Voteauction.

Rating the Reps on  
Net Issues

Naming Net's Best  
House Friends

Second, since the site traffics in a novel form of overseas-instigated vote fraud, it's also undoubtedly unclear just who those forces are -- whether they be the Department of Justice, Department of State, municipal or statewide boards of election, state attorneys general or other offices tasked specifically to monitor the Internet. (Voteauction, he guessed, would probably not be handled by the FEC.)

Doolittle Does Little to  
Harm Net

Blu Defends its  
Auction Action

Rhetoric Reigns at Net  
Crime Meet

Finally, he said, it's still unclear just how widespread a threat a site like Voteauction represents.

Italy Blu in Wireless  
Auction

FCC Head Takes His  
Agency to Task

"I suspect that if this began to appear to be a problem on a large enough scale, though, you'd see action, and it'd come quickly," Smith said.

Voteauction Booth is  
Closed

Do You Know Where  
Your Kids Are?

According to Hans Bernhard, the Austrian businessman who bought Voteauction from James Baumgartner, a New York graduate student who developed the site, American reaction against his investment has already begun.

Math and Science  
Seek Fed Funds

Hacker Site Raises  
GM's Hackles

In addition to the hate emails he receives for running an offshore enterprise that facilitates American felonies, Bernhard reports that the site has also been the recipient of numerous hacks and electronic attacks.



"We do understand that there is a certain interest on the part of certain services of the U.S. government who most probably are interested in this data," Bernhard said of Voteauction's list of vote sellers and buyers. "Our job is to protect this data. We don't want this data to be public."

According to James Baumgartner, the MFA student who first conceived of the site as a commentary on wholesale corruption in American politics, a few facts can be divulged about the \$75,000 in bids so far and the 6,000 participants.

Vote-sellers on the whole tend to be in their twenties, male and with at least some college education -- including a lot of college students, he said. Vote buyers, on the other hand, tend to be in their forties, affluent and Republican.

Almost all of the bids for votes -- broken down by state -- have come from individuals seeking to increase the number of votes for their favorite candidates. Only three companies, in the "\$200 million sales range," Baumgartner said, have yet placed any bids for Voteauction votes.

The profile of both sides of the Internet auction does jibe with the history of vote-buying in America, said Larry J. Sabato, a University of Virginia political scientist and author of the 1996 book *Dirty Little Secrets: The Persistence of Corruption in American Politics*.

Especially telling is the fact that the payoff-per-vote, as tallied on the site, is settling into the \$10-\$20 range -- the amount of cash an individual vote tends to command in other, non-Internet-based schemes.

"It always seems to be about \$20," Sabato said. "That must be the going rate. And when you think about it, it makes sense. Because 10 bucks is not what it used to be. With 20 bucks you can get a pretty good meal, if you know where to go. And I think that's how

some people conceive of it. Their vote may be worth a meal. It's sad, but that may be true."

**1 of 2** [Next](#) >>

*Have a comment on this article? [Send it.](#)  
Printing? Use [this](#) version.  
[Email](#) this to a friend.*



[Feedback](#) | [Help](#) | [About Us](#) | [Jobs](#) | [Advertise](#)  
[Editorial Policy](#) | [Privacy Statement](#) | [Terms and Conditions](#)

Copyright © 2000 Wired Digital Inc., a Lycos Network site. All rights reserved.

What do these pictures have in common?



60

Download the FORTUNE **5** Hundred list

AD INFO



Time Warner Cable's  
**NY1 News** new york  
NYC's 24 Hour News Channel  
TIME WARNER CABLE  
at its best

Search

Video/Audio

Road Runner

Contact Us

Choose Video

PLAY  
33.6 DIALUP

PLAY  
ROADRUNNER

LIVING

## TOP STORIES

### WEATHER

### NEWS BEATS

Politics  
Education  
Transit  
Law Enforcement  
Fortune Business

### BOROUGHES

Manhattan  
Brooklyn  
Queens  
Staten Island  
The Bronx

### NY1 LIVING

Entertainment  
Health  
Home  
Money Matters  
Museums  
Neighborhoods  
Parenting  
Pets  
Technology  
Travel  
Whipple's World  
Top 5 Lists  
Movie Reviews  
Theater Reviews  
Zagat Reviews

### SPORTS

### POLLS

### COMMUNITY CALENDAR

### LOTTERY

### ON THE AIR

NY1 Shows  
Program Guide  
Website Links  
Winners & Losers  
NYer of the Week  
This Day in History

### ABOUT NY1

Staff Profiles  
NY1 Info & History  
Advertise on NY1  
NY1 Employment

### NY1 TO GO

POWERED BY:

October 27, 2000

On NY1 Now: News All Day

Weather: Mostly Cloudy, High 69

# Technology

## OTHER STORIES

**OCT 26TH Fans Turn Out To Get Playstation 2 At Midnight**

**OCT 26TH Internet Conference Gives Glimpses of Future Technology**

**OCT 24TH Secrets of the Bud One Airship**

**OCT 20TH Hi-Tech Devices Bring Subway Series Closer To Home**

**OCT 19TH Online Retailers Struggle with Holiday Rush**

**OCT 16TH Toy World Gets In On Interactive Craze**

**OCT 11TH Internet Radio Connects You With the Musical World**

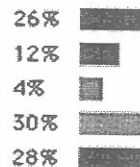
**OCT 11TH Hi-Tech World Looks To Tap Hispanic Market**

**OCT 02ND Experts Offer Tips, Links For Finding A Job In Silicon Alley**

**OCT 01ST The Industrial Revolution is Updated to the Digital Revolution in Brooklyn**

### Offer Your Opinion

Let us know your reaction to NY1 News stories by taking our latest NY1 Instant Poll.



### Superfast Internet

Get a supercharged Internet connection with Time Warner's super-affordable



61



Road Runner cable modem service, to surf NY1 and the rest of the World Wide Web at breakneck speed. [Sign up now](#), or get [more information](#) on New York City's best Internet service.

### News of the Nation

For news of the world beyond New York, see national and world coverage from online partner [CNN.com](#).



Reproduction in whole or in part without permission is prohibited.  
Copyright © 2000 NY1 News. All rights reserved.

62

Homepage • News • Money • Life • Sports • Weather • Shop

Want to go to  
Puerto Vallarta  
MEXICO?

SHOP AT  
MARKETPLACE

Travelscape  
Orlando from only  
\$39.00 a night!

Electronics Store  
Top digital cameras

Service Magic  
Quality Contractors for  
485 services.

Search

☐ the site ☐ the Web

POWERED BY LYC'S

## Inside Tech

[Talk Tech](#)[FAQ/Tips](#)[Web Column](#)[Hot Sites](#)[Tech News](#)[Tech Investor](#)[Tech Reviews](#)[Answer Desk](#)[Game Zone](#)[Daily Digest](#)[Shareware Shelf](#)[Web Potholes](#)[Web Resources](#)[Consumer Sites](#)[Tech Front](#)

## Marketplace

[Hardware](#)[Accessories](#)[Software](#)

## Print Edition

[Today](#)[Yesterday](#)[Subscribe](#)[Archive](#)

VERIO

NOW only \$19 per year!

Search:  Any-Name-Here .com USA  
TODAY

## Tech Report

08/23/00- Updated 10:21 AM ET

(none)

## The news behind the Net

## Votes up for auction draw official inquiries

By Janet Kornblum, USA TODAY

Pranks or not, legal officials and election watchdogs are taking seriously the recent attempts to buy and sell political votes on the Internet. Authorities, including the Department of Justice, are looking into several cases of Net vote commerce: In the past week a handful of people have put their votes up for sale on general auction sites, and a New York student launched a site designed to match vote buyers and sellers.

## For more information:

▶ [voting-integrity.org](http://voting-integrity.org)For past E-Briefing columns, [click here](#).

Both eBay and Yahoo! have removed the auctions and are cooperating with the Justice Department, says an agency spokeswoman. Officials in New York and

Maryland also are investigating.

It's unclear if anyone will be prosecuted, but Deborah Phillips, chairwoman of the Voting Integrity Project, a watchdog group based in Arlington, Va., worries that the Net is creating a "fundamentally dangerous" venue for fraud.

Phillips is especially concerned because James Baumgartner, 26, a student at Rensselaer Polytechnic Institute in Troy, N.Y., is selling his site, VoteAuction.com, to an Austrian businessman. Baumgartner, who says he launched the site to make money, shut it Friday after New York City's Board of Elections raised concerns. He's selling it for an undisclosed price to Hans Bernhard, a Vienna businessman who says he intends to put it back up once he figures out how to run it legally (possibly moving it offshore) and how to profit from voters wanting to make a buck.

eworld

USA TODAY's exclusive  
daily users' guide to  
thriving online.

E-Briefing: The news  
behind the Net

Game stars light up  
PlayStation 2 rollout  
Your PC can turn radio  
active

Sony isn't playing around  
with PlayStation 2

Getting your hands on a  
PlayStation 2

PlayStation 2: Kid tested,  
kid approved

ZoZa sews up the Zen of  
go-go fashion

TE  
Tech

• [Los  
weeken](#)

• [Ma  
come a  
viewin](#)

• [Ans  
while y  
only a](#)

• [Ne  
from ju  
over 12](#)

• [NA  
"smart](#)

• [Priv  
puts a f  
screen  
eyes](#)

• [Adv  
technol  
workou](#)

• [Wh  
can ma  
betwee](#)

[Click for](#)

Hea

63

**Resources**[E-mail](#)[Site map](#)[Feedback](#)[About us](#)[Jobs at USA](#)[TODAY](#)**Free premiums**[USA TODAY](#)[Update](#)[Software](#)

to make a buck.

"We'll evaluate it and have it running during the presidential election and see if this is a fruitful business," Bernhard says.

Whether the site is successful or intended to be a parody — and even though votes can't be legally sold — the cases raise troublesome issues to Phillips. "I love the Internet. But the more I've looked at this issue, the more concerned I've become, because there's a different mind-set that goes hand-in-hand with Internet entrepreneurs."

Brian Ward, 28, an Ellicott City, Md., database developer who says he was the first to offer his vote on eBay last week, has told Maryland officials that he meant it as satire. "Even if you were serious, you couldn't do this. This warrants some attention, but I think the Internet community is pretty vigilant."

[Shining light on cybercrime](#)[HitClips brings tunes to young fans](#)[Net appliances on parade](#)

**Winning Vacations  
Start with a Click!**

Vegas

Vacation

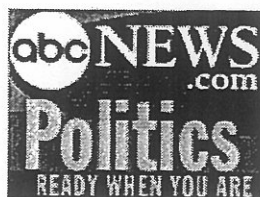
Values

[Front page](#), [News](#), [Sports](#), [Money](#), [Life](#), [Weather](#), [Shop](#)

© Copyright 2000 USA TODAY, a division of Gannett Co. Inc.

64





GO.com

GO Kids | GO Family | GO Money | GO Sports | GO Home

ABOUT GO NETWORK | SIGN IN | FREE E-MAIL

Win Unlimited Morning

No purchase necessary

abc NEWS

search

ABCNE

WEB

search

- ▶ HOME
- ▶ NEWS SUMMARY
- ▶ U.S.
- ▶ POLITICS
  - Poll Vault
  - Raw News
- ▶ WORLD
- ▶ MONEYSCOPE / BUSINESS
- ▶ TECHNOLOGY
- ▶ SCIENCE
- ▶ HEALTH&LIVING
- ▶ TRAVEL
- ▶ ESPN SPORTS
- ▶ ENTERTAINMENT
- ▶ WEATHER.com
- ▶ REFERENCE
- ▶ LOCAL
- ▶ ABCNEWS ON TV

#### POLITICS HEADLINES

Gore And Bush Back On Trail  
 Birthday Surprise for Clinton  
 McCain Resting After Surgery  
 WNT: Exclusive Interview With Gore  
 Judge Says Jury Leak Accidental

- ▶ SPECIAL SERVICES
- ▶ Auto Section
- ▶ Shopping Guide
- ▶ Tech Careers
- ▶ SEARCH
- ▶ ABC.com
- ▶ TurboNews
- ▶ EMAIL ABCNEWS.com
- ▶ SEND PAGE TO A FRIEND
- ▶ TOOLS AND HELPERS

## Personal (Campaign) Finance

### Internet Sites Try To Sell Votes

By Sascha Segan

abcNEWS.com

Aug. 20 — Your vote could be worth cash.

At least three people recently tried to auction off their votes in November's presidential election to the highest bidder on eBay. In upstate New York, a site called [voteauction.com](http://voteauction.com) is trying to be even more audacious, selling blocks of votes to interest groups who want to influence the election.

There's only one problem: it's illegal. Buying and selling votes in North America has been illegal since the 1680s, electoral historian Bob Murch said.

"Buying votes has been a crime ever since people started having elections. It was a crime in the Roman republic," he said.

The owner of [voteauction.com](http://voteauction.com), James Baumgartner, a graduate student at Rensselaer Polytechnic Institute in Troy, N.Y., insists that he's for real.

Court cases have proved, he argues, that in elections, "money is free speech. Corporations or individuals are ... influencing voters with their money. [Voteauction.com](http://Voteauction.com) is a more direct method of doing that," he said.

As a satire on the political system, the vote-sellers get their points across, said Susan Quatrone of political reform advocacy group Common Cause.

"The idea that the American voters' choices are basically auctioned off to the highest bidders through the soft money system is very true. I like direct, honest satire that cuts through the rhetoric which tries to pretend this system is clean," she said.

#### Wanna Buy a Vote?

The votes on eBay appeared for sale on Wednesday and Thursday, spokesman Kevin Pursglove said, and were taken down when a user noticed them and complained.

The auction site, which handles more than 50 million listings every three months, takes down illegal auctions when told about them — in the past people have tried to auction off things like "the dolphin which found Elian [Gonzalez] at sea" and a

#### Related Stories

WNT: Democrats Eating Rhetoric  
 Campaign Finance Reform: The Issue that Won't Catch Fire

#### WEB LINKS

[Common Cause on campaign finance](#)  
[Mirror of Voteauction site](#)  
[Federal Election Commission](#)

#### ARCHIVE

Stories from the Political Money Trail▶

#### MONEY WATCH



CAMPAIGN FINANCE

Search the campaign donor database.

young man's virginity.

One of the votes got up to \$122 before getting knocked out.

Voteauction.com is a bit more complicated than the one-seller, one-buyer votes on eBay. Apathetic voters theoretically give their votes to the site, which then auctions them off in blocks, state by state, to corporations or individuals.

Voters would order absentee ballots, fill them out based on Voteauction's recommendation, and then send them to Baumgartner for verification before he sends them to polling places. The voters would get cash; Baumgartner gets revenues from banner ads placed on his site.

"The election industry is spending hundreds of millions of dollars in an attempt to influence the presidential election. This system is an inefficient waste of money for the candidates and their supporters. Voteauction.com is committed to improving this system by bringing the campaign contributors' money directly to the voters," the site says.

As of this afternoon, 200 people had signed up with voteauction.com, according to Baumgartner. Earlier this week, votes were going for up to \$50 apiece. Four "interested individuals" — not candidates — had applied to buy some of the votes, Baumgartner said. He plans to close his auction two weeks before the election.

That is, if he isn't arrested. Any attempt at buying or selling individual votes is criminal, according to the U.S. Justice Department.

"Anyone who's going to be in a position to buy probably has a lawyer who's going to hit the roof at the very thought of it," Murch said.

Voteauction.com tries to bolster its case by citing past precedents, like a 1757 Virginia election where George Washington bought all the voters liquor. That's different from buying individual votes, Murch said. Washington threw a party after the vote to which everyone was invited, whether or not they voted for him.

### Overpriced Votes

The auctions are way above market rates, according to campaign finance data from Common Cause. During the 1995-1996 presidential election cycle, the Democrats spent \$141 million to convince 45.6 million people to vote for Bill Clinton, or \$3.09 per vote. The Democrats also spent an additional \$7.36 per vote in "soft money" — funds spent to influence the electoral process through issue-related advertisements and party support.

The Republicans spent \$7.61 per vote in direct campaign money for Bob Dole, and \$14.74 per ballot in soft money.

66



So far in 1999-2000, the Democrats have raised nearly double the amount of soft money that they had at this point in the 1995-1996 cycle, Common Cause data says. The Republicans have raised 82 percent more in 1999-2000 than at the equivalent time in 1995-1996.

### Cynical World

The political process isn't exciting Americans — that's been shown by low voter turnout rates, Murch said. Selling votes through the Internet means people see their franchise as worthless, he said.

"People see no value in their vote; they don't see their vote as something that allows them to participate in self-government ... instead of simply not voting, they think, I'll give my vote to the highest bidder," he said.

Quatrone sees it as the ultimate statement of political futility.

"If [voteauction] is serious, it is a sick sign of the depth to which cynicism has sunk," she said.

Baumgartner agrees that his vote-sellers don't feel like their votes matter much.

"Most of them are people who see the candidates spending a lot of money and feel like they deserve part of that," he said. "A lot of them also say that the two candidates are pretty much the same on issues that matter to them. They feel like they aren't making a difference if they choose one of those two candidates, so they feel like they might as well make some money as part of the process," he said. ■

SEARCH ABCNEWS.com FOR MORE ON ...

SEEK

abc

READY WHEN YOU ARE™

Copyright ©2000 ABC News Internet Ventures. Click [here for Terms of Use](#) and [Privacy Policy](#) and Internet [Safety Information](#) applicable to this site.



67

[MSN Home](#) [Hotmail](#) [Web Search](#) [Shopping](#) [Money](#) [People & Chat](#)



Slate®

HOME | [briefing](#) | [politics](#) | [culture](#) | [utilities](#)

## net election

SLATE ARCHIVES

### THE NEW REPUBLIC IS NOW ONLINE.

[Andrew Sullivan says  
the Democrats are  
finished.](#)

[John B. Judis says  
they're just getting  
started.](#)

### THE INDUSTRY STANDARD

### On★Politics

[washingtonpost.com](#)  
[Slate](#), the *Industry*  
*Standard*, and  
[washingtonpost.com](#)  
join forces to examine  
the effect of the  
Internet on Campaign  
2000.

[Currently](#)

[Buy This Vote!](#)

[By the Numbers,  
Part 7](#)

[Every Man a  
Candidate](#)

[Lost in Internet  
Alley](#)

[Where Have All the  
Dot-Coms Gone?](#)

[More Net Election](#)

TODAY IN SLATE

[Why All the Polls  
Disagree](#)

## Buy This Vote!

The Web puts democracy on sale.

By [Jeremy Derfner](#)

Posted Wednesday, Aug. 23, 2000, at 12:30 p.m. PT

[LISTEN](#) [SAVE](#) [E-MAIL](#) [PRINT](#) [MySlate](#)

Last Tuesday, an eBay user offered his vote to the highest bidder, and five copycat vote-sellers followed suit. Meanwhile, James Baumgartner, a graduate student at Rensselaer Polytechnic Institute, had launched Voteauction.com, an Internet marketplace for the wholesale purchase of votes. The model was simple: Recruit willing voters, auction them off in state blocs, double-check their absentee ballots for accuracy, and split the proceeds evenly. The schemes generated a lot of media attention and some sellers and buyers—the bidding on eBay reached \$10,100, and Voteauction found 200 takers in a single day.

But it was all over inside a week. Baumgartner shut down Voteauction after his academic adviser received a call from the state board of elections, and he sold the content and domain name to an Austrian company. eBay pulled all six auctions after a day.

The problem is that vote-buying and -selling is clearly illegal. Every state prohibits a market in votes, and buying or selling votes in a federal election is a federal crime punishable by a \$10,000 fine and five years in jail. (So far, no Internet vote-sellers have been charged.) Though Baumgartner isn't testing it, he has suggested that he could mount a defense on the grounds that money equals speech, a reference to the landmark Supreme Court decision in *Buckley vs. Valeo*, which struck down campaign spending limits and is anathema to campaign-finance reformers. In fact, a *Buckley* defense would fail. In 1982, the court ruled (in *Brown vs. Hartlage*) that buying, selling, or arranging to buy or sell votes is not constitutionally protected speech.

Baumgartner insists that votes have been for sale in America

68

**The Yanomamö  
Scandal: How The  
New Yorker Got  
Duped**

**Are You Middle  
Class?**

**Can You Outsmart  
Your Genes?**

**MSN links**

[How to raise a brainy  
kid](#)

[Canada bans Eminem?](#)

at least since 1757, when George Washington bought alcohol for every voter in his House of Burgesses district. But the reality of colonial corruption was rarely so simple. Voters were tied to each other through business and family connections, and a man was expected to vote for his patrons.

Flagrant vote-buying came into prominence with the expansion of the franchise and the rise of the political boss in the mid-1800s. Big-city machines routinely got out the vote by paying for it with cash on election morning. The practice was so common that cartoonist Thomas Nast started his career depicting it (click [here](#) for an example). On a deeper level, the machines unapologetically operated on the principle of giving favors for votes. Poor voters especially could count on food, coal, and patronage jobs as long as they voted with the boss.

By the late 1800s, reformers were sure the machines had corrupted democracy. They pushed for secret ballots and Australian ballots (as opposed to pre-marked party ballots) in part so that bosses could never be sure who voted for whom. Most political machines broke down by the 1920s, and yet a vote-buying scandal still crops up every few years. In 1996, for instance, 21 Georgians were indicted for selling their votes in a county election for \$50 apiece.

Some experts saw the abortive Internet vote auctions as old-style machine politics with a high-tech twist. The chairman of the [Voting Integrity Project](#), a conservative front group, called Voteauction an "obscenity" and warned of a "bloodless coup." But few would disagree that the problem with money in politics today is the hundreds of millions of dollars at the top, not a few dollars at the bottom. Which is why the short-lived vote sale should be seen less as a serious act of sabotage and more as guerrilla theater.


One eBay seller confirmed that the auction of his vote was a "political prank." His original posting included the following description: "Why should the American citizen be left out? Congressmen and senators regularly sell their vote to the highest bidder. Democracy for sale!"

Baumgartner's intentions are harder to figure because he never recanted or even cracked a smile, but his sense of irony is undeniable. According to Baumgartner, the biggest spenders invariably win elections today, but they do it messily, with big advertising budgets and paid consultants. Voteauction, he claimed, would bring market efficiency to the electoral process by "cutting out the middle man." Voteauction's slogan? "Bringing Democracy and Capitalism Closer Together."

Ralph Nader's now-famous MasterCard parody makes the same point (click [here](#) to see the ad), as did the protesters outside the conventions when they offered delegates money for their credentials. Many campaign-finance reformers,

including Sheila Krumholz of the Center for Responsive Politics and American University law professor Jamin Raskin, have said they appreciate the vote-selling sentiment, though they would deplore the practice.

John Bonifaz, the executive director of the National Voting Rights Institute, said the vote auctions are indeed bribery, but so is "a lot of what goes on in the halls of Congress and in the White House." What Baumgartner and the eBay seller did is "only one or two steps removed from the existing campaign-finance system," Bonifaz said.

**Join The Fray**  What did you think of this article?

[POST A MESSAGE](#)

[READ MESSAGES](#)

**Reader Comment from The Fray:**

Lucky Janet Reno doesn't run eBay. It would take four years to decide whether or not selling votes is illegal.

--Dennis

(To reply, click [here](#).)

The article raised in my mind the following question: Would it not be appropriate to establish a vote-buy-back program similar to the gun-buy-backs promoted by the gun control crowd? Suppose one were to offer, oh, \$25 to any registered voter (in a selected city or neighborhood, of course) who *did not* vote at all in a particular election? Obviously, anyone offering to sell their right to vote for such a modest sum has no particular business voting and the sponsors of the buy-back are not asking anyone to vote for or against a particular candidate so what would be the problem? In the one case, people are bribed not to exercise their right to arms, in the other they are bribed not to exercise their right to vote.

--Jack Dupont

(To reply, click [here](#).)

I wonder if it would pass legal muster if the voter offered to sell merely his attention to some free speech by the politician, rather than his vote itself. This is the theory by which campaign contributions are not held to be bribery of the politician involved, in that there is supposedly no *quid pro quo* that the politician will change his vote to favor the contributor, so that the contributor is given nothing but access and a hearing in exchange for the money. Why can't a voter make the same claim, ie that "Of course I didn't vote for Smith because his campaign credited my account for that \$50. That money simply got me to scroll through their informative web site, where I found arguments so compelling I could not but vote for Smith. That auction I held to get to the figure of \$50? Well, my time is limited, I can't waste it scrolling through everyone's web sites. My time is certainly worth more than the \$10 the Vegetarian Party offered me."

--Glen Tomkins

70

(To reply, click [here](#).)

[A number of readers made similar points--"Politicians try to buy my vote, so why can't I sell it" and "While I will not sell my vote to anyone, if someone wants to lobby me, I'm having a dinner party at \$10,000 per plate." One poster tried to answer them:]

What politicians provide in return for campaign donations is access to their time. A politician's schedule is discretionary, not an inalienable right. There is no sale of access, but rather a predisposition to hear out those who help fund election success. Be careful condemning this predisposition, for it applies to small donors as well as large, and to citizen groups as well as fat cats. If a politician assures he/she will vote a certain way in return for a specified amount money, then that is graft. The legal point with graft is not the transfer of an inalienable right but rather a dereliction of duty, a willful failure to represent the citizenry. The worst disservice to democracy created by our current campaign finance system is the time it requires from politicians and staff that is diverted from attending to public business. A representative democracy will fail if it is not both deliberative and participatory. As things stand, there is little time available for negotiated synergy, and little incentive to pursue issues that don't return a high dollar value to campaign coffers.

--Aghast

(To reply, click [here](#).)

(8/24)

*Jeremy Derfner is a Slate editorial assistant.*

◀ PREVIOUS

▲ TOP

NEXT ▶

## utilities

Search Slate Archives

More by [Jeremy Derfner](#)  
[More Net Election](#)  
[Advanced Search](#)

[MySlate](#)  
[E-Mail Services](#)  
[Print Slate](#)  
[Reader Services](#)  
[Slate Store](#)  
[Comment on This Article](#)



Return to Slate

HOME | [briefing](#) ▼ | [politics](#) ▼ | [culture](#) ▼ | [utilities](#) ▼ |

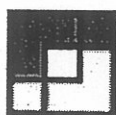
### Other Links:

[Air Tickets](#)  
[Chat](#)  
[Autos](#)  
[TV Times](#)  
[Shopping](#)  
[More...](#)

### Special Features:

[Getting scammed on auto insurance?](#)  
[What's HOT and NOT this Fall](#)  
[Looking for a new perspective?](#)  
[How to get more out of the web](#)  
[Add music to your favorite chat!](#)  
[More...](#)





**THE STANDARD**  
INTELLIGENCE FOR THE INTERNET ECONOMY



Fri Oct 27

SEARCH

Search sponsored by

enfish

G  
4

## TODAY

News & Analysis  
Opinion  
Special Reports  
DRILL-DOWN  
Commerce  
Culture  
Ideas & Strategies  
Media & Marketing  
Money & Markets  
Policy & Politics  
Site Building  
Tech & Telecom  
World

## RESEARCH

Companies  
Intelligence Store  
Metrics  
People

## CONNECT

Job Shop  
Conferences & Events  
Identity  
Rooftop Party

## MAGAZINE

Current Issue  
Subscribe  
Past Issues

## PLATFORMS

Portable  
Newsletters

## HELP

Customer Service  
My Account  
About Us

August 21, 2000, 3:53 PM PDT

## Wanna Buy My Vote? Fuhgeddaboutit

Voteauction.com, a site that enables citizens to sell their votes, shut down Friday amid legal questions.

By Ronna Abramson

If you were thinking of selling your vote in the presidential election, think again.

Voteauction.com, a Web site that offers a forum for citizens to sell their votes to the highest bidder, shut down Friday amid legal questions and technical glitches. EBay also has pulled the plug on at least seven people who have posted their votes for sale on its auction site since Wednesday.

The problem: Buying and selling votes violates federal and state statutes.

"You have to make your own decision how you want to vote," says Douglas Kellner, a New York City Board of Elections commissioner who helped persuade Voteauction to close. "People can spend money to influence your vote, but they can't buy it."

James Baumgartner, a graduate student working toward a master's in fine arts at Rensselaer Polytechnical Institute in Troy, N.Y., launched Voteauction earlier this month. He shut it down Friday and announced Monday that he was selling the content and domain name to an e-commerce developer in Austria. He did not disclose sales figures and did not know about the buyer's plans. No charges have been filed against Baumgartner.

Baumgartner's idea was to capitalize on

INDUSTRY STANDARD

Get Quote

## Related Companies

eBay Inc. (EBAY)

EBAY 51.38 -1.12

## Related Articles

[Online With the GOP](#)[Who Really Needs Dan Rather, Anyway?](#)[EBay Lays Off 13 at Butterfields Office](#)

## Related Research

[Snapshot: Online Auction Industry](#)[Get Your Supply Chain Processes Ready for Trading Exchanges](#)[The Half-Truths of E-Marketplace Myths](#)[Internet Auction](#)

Get The Daily News.  
The top stories of  
the Internet Economy  
delivered FREE.  
[Sign up now!](#)

undecided or disillusioned voters who intended to sit out during the November election – a group that comprises more than half the amount of voters from four years ago. Baumgartner also hoped to divert some of the millions of dollars being spent on advertising and consultants to get voters. "I thought it'd be more direct and more democratic to have these voters make money from their vote," Baumgartner says. The site's motto: "Bringing Democracy and Capitalism Closer Together."

[interact](#)[Email to a Friend](#)[Print Article](#)[Write the Editor](#)[Got a scoop? Tip us off](#)

Voteauction planned to auction votes in blocks according to state. Bids would start at \$100 per state and go up by \$50. Whoever had the highest bid would get to decide how the entire group of votes from the particular state would vote. Voters would divide the final price equally among themselves.

Despite server crashes last week, about 200 voters signed up at Voteauction on Thursday after an online article featured the site. "Selling my vote I think is a very obvious political statement," said one enrollee from upstate New York, who would only give her online pseudonym, "Jenny Ondioline." "It's saying that if the buying and selling of votes is going on even now between closed doors, through the lobbyists, let's make it a little more obvious."

The vehicle for that political statement is following the course of other troubled dot-coms, albeit for a different reason. Although many Web sites have ceased operations in recent months because of financial problems, Baumgartner decided it would be "prudent" to shut the site down Friday night after his thesis adviser, Albany attorney Paul Rapp, received a call from Commissioner Kellner.

"Under New York law, it is a felony merely to offer to sell your vote or to offer to buy a vote," Kellner says. People who buy or sell votes or gamble on the outcome of an election forfeit their right to vote, he added.

Buying and selling votes also is illegal under federal law, according to a U.S. Justice Department spokeswoman. The Justice Department has been talking to eBay (EBAY)'s counsel about the votes for sale on the auction site, which were removed, said company spokesman Kevin Pursglove.

Rapp suggests that Voteauction might not have violated the law because it merely proposed to provide a forum for votes to be bought and sold, without engaging in the actual practice. Baumgartner suggests another defense: a landmark 1976 legal decision called Buckley vs. Valeo. In the "money equals speech" decision, the U.S. Supreme Court found that to limit campaign spending was to violate free speech.

While Rapp finds the argument "interesting," he can imagine judges rolling their eyes in a courtroom. After all, "the end result would be the sanctioning the sale of an election," he says. "No judge is going

73

to endorse that."

### Get the Magazine -- 4 Risk-Free Issues!

#### Today's News

- [Microsoft Gets Hacked](#)
- [Judging Napster](#)
- [Splitville](#)

#### Featured Links

Join **Backflip**: save, discover, organize, & share Web pages.  
**HubStorm**: Launch your Commerce One® net market in NO time!  
Go direct to Wall Street with **Ameritrade®**. Click here.  
**neoIT**: Outsource your software projects and launch on-time  
**serveurope.net**: Discover Scotland's e-commerce advantages  
**Digital Island**: E-Business without limits.  
**Fidelity Rollover Express**: Consolidate your retirement plans  
**RealMoney.com**: Real-time financial news & analysis.

### The Intelligence Store

Search for the best Internet research



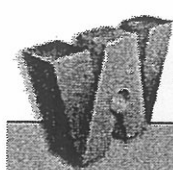
-- Choose a Hot Topic --



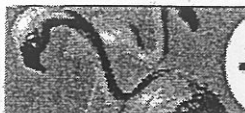
ABOUT US: [Media Kit](#) | [Learn About Us](#) | [Do Business With Us](#) | [Jobs](#) | [Contact Us](#)  
THE STANDARD AROUND THE WORLD: [Europe](#) | [Australia](#) | [Norway](#) | [Poland](#) |  
[Switzerland](#)  
Copyright(c) 2000 The Standard Media International | [Customer Service](#)  
[Privacy Policy](#)

74





AuctionWatch.com

**Just Sold your Pink Flam**

HOME

AUCTION  
MANAGERUNIVERSAL  
SEARCHAPPRAISALS  
& GALLERYMESSAGE  
CENTERNEWS &  
INFORMATIONUNIVERSAL  
REGISTRATIONMY  
ACCOUNT
[Daily News](#) | [Reviews](#) | [Features](#) | [Tips & Tactics](#) | [Collector's Beat](#) | [Viewpoint](#)
[Log In](#) | [Join Now](#) | [Webmail](#) | [Help](#)
**Universal Search**



Advanced Search

**AW Article Search**

**AW Newsletter**

Weekly updates on AW's services and content.

Email Address **Feedback**What do you think of AW's editorial? [Let us know.](#)[Home](#) > [Daily News](#) > [Story](#)**Straight Talk from Voteauction.com**by [Chris Connor](#)

August 18, 2000, 3 p.m. PT

If the pandering and vaudeville antics of the Republican and Democratic conventions inspired you with nausea instead of idealism, you're not alone.

The politicians spend millions of tax dollars and corporate and special interest contributions to purchase your vote; sadly that green goes to consultants and ad geeks. You, the taxpayer who finances the monkey show, now has a chance to partake of the corruption that is politics.

[Voteauction.com](#) (click here for a [mirror site](#)) puts the power in your hands--and the cash in your wallet--allowing you to sell your vote directly to the entity that is ready to shell out.

As the site says: "The election industry is spending hundreds of millions of dollars in an attempt to influence the presidential election. This system is an inefficient waste of money for the candidates and their supporters. Voteauction.com is committed to improving this system by bringing the campaign contributors' money directly to the voters."

They also post a history of vote-purchasing starting in the days of old George Washington.

To sell their votes, users must first register at [Voteauction.com](#), giving their name and address. Whoever bids the most for [Voteauction.com](#)'s users, which are broken down by electoral district, will be able to choose the candidate the group will vote for en masse via absentee ballot. The winnings will be split equally among each state's [Voteauction.com](#) voters.

"The free market will determine the value of the votes in each state," [Voteauction.com](#) explains. "Votes in heavily populated states may be more valuable than votes in less populous states, however, if there is a large number of [voteauction](#) voters in a small state, the [voteauction](#) voters could help swing that state and thus the state's electoral votes."

The starting bid for [voteauction.com](#)'s votes is \$100, with a minimum bid increase of \$50. Individuals, corporations, and organizations must first register in order to bid.

In related news, those Honest Abes over at eBay have done it again, halting auctions by people trying to sell their votes in the upcoming U.S. presidential election. Apparently the Department of Justice and the Federal Elections Commission are investigating. Yahoo was also investigating a vote up for auction.

**AW's guide to Online Auctions**

ADVERTISEMENT

**i won.****You could win \$10 Million**

Voteauction.com did not respond to emails by press time, so it's unclear whether it is also facing flak from the feds for its Web site. But this afternoon it was experiencing very heavy traffic, with more than 200 people registering to sell their vote in one day.

## Related News

[Collectibles Get Political](#)

 [show printable](#)  [email to friend](#)



[about us](#) | [jobs](#) | [advertising](#) | [contact us](#) | [announcements](#) | [site map](#) | [site search](#)

76



# VIP Reports

**Main Links**

[VIP Home](#)  
[Who is VIP?](#)  
[National Activity](#)  
[Projects](#)  
[How Can I Help?](#)  
[Interesting Sites](#)  
[Archives](#)

## GOING, GOING .... GONE!

There is a dangerous new wrinkle out there in the vote fraud world -- Thanks to the Internet, you can now put your vote up for auction -- or if you are on the other side of this fraudulent and felonious scheme -- you can buy blocks of votes in jurisdictions where your candidate or party may need them!

[Click here: Close Vote? You Can Bid on It](#)

I have not been successful in accessing the actual VOTEAUCTION website -- perhaps officials have already shut it down -- but to me it raises the level cynicism about elections to new and dangerous heights. Rather than performing some perverted public service by raising new legal issues about the vote -- the perpetrators of the website and all their cynical participants are engaging in illegal activity which could become tantamount to a bloodless coup. Imagine if there were widespread unfettered participation in this site -- then the presidential race truly would go to the highest bidder!

This website is an **INSULT** to every American who has ever fought to protect our freedom or for the right to vote in America!

I hope that prosecutors in all fifty states -- not to mention the U.S. Congress -- will act immediately not only to shut this obscenity down -- but to fully prosecute all of those involved.

Deborah M Phillips  
Chairman and President  
THE VOTING INTEGRITY PROJECT

Copyright © 1998 Voting Integrity Project. All rights reserved.  
Questions or comments pertaining to this site? Email [votingproj@aol.com](mailto:votingproj@aol.com).



[Home](#) - [Yahoo!](#) - [My Yahoo!](#) - [News Alerts](#) - [H](#)

[Home](#) [Top Stories](#) [Business](#) [Tech](#) [Politics](#) [World](#) [Local](#) [Entertainment](#) [Sports](#) [Science](#) [Health](#) [Full Coverage](#)

Yahoo! News

## Document Not Found

The document you requested is not found.

Try these links:

- [Yahoo! News home page](#)
- [Yahoo! News search](#)
- [Yahoo! home page](#)

If you still have problems, please visit our [Help](#) section.

[Home](#) [Top Stories](#) [Business](#) [Tech](#) [Politics](#) [World](#) [Local](#) [Entertainment](#) [Sports](#) [Science](#) [Health](#) [Full Coverage](#)

Copyright © 2000 Yahoo! Inc. All rights reserved.

[Questions or Comments](#)

[Privacy Policy](#) - [Terms of Service](#)

*Associated Press*



## The file you requested either does not exist or has been moved.

Please use the options below help you find what you need:

**The Front Page:** Today's front page for Utah OnLine, The Salt Lake Tribune's Web Edition.

**City Lights:** The Salt Lake Tribune's online entertainment magazine and events guide.

**Film Finder:** The Salt Lake Tribune's movie guide.

**Utah Bound:** The Salt Lake Tribune's outdoor and recreation magazine.

**Tribune Search:** Search the Web edition for Today and the previous week using related keywords.

**TribAccess Archives:** Articles from The Salt Lake Tribune as far back as September, 1990.

**Utah OnLine Help Desk:** Navigation tips, frequently asked questions and instructions for contacting Tribune staffers.

**Outdated Browser?:** If you are running an older browser (older than 3.0 versions) you may need to upgrade to take advantage of all our features. Free software can be downloaded from Netscape or Microsoft.

**Utah OnLine Email Address:** If you still cannot find what you need, feel free to contact us at webmaster@sltrib.com.

*SALT LAKE Tribune*

# NEWS RELEASE

## *California Secretary of State Bill Jones*

BJ00:81

FOR IMMEDIATE RELEASE  
Tuesday, August 22, 2000

Contact: Shad Balch  
Alfie Charles

### **Jones Issues Warning Against On-line Vote Buying Schemes**

**SACRAMENTO** --- Secretary of State Bill Jones today issued the following statement regarding recent stories about on-line vote buying and selling on the E-Bay auction site and through a web site at [voteauction.com](http://voteauction.com):

**"Any individual who attempts to buy or sell votes, whether through an Internet auction site or personal communication, is guilty of a felony and will be prosecuted to the fullest extent of the law.**

**"We have an absolute zero tolerance policy for voter fraud in California. My election fraud investigation unit is looking into the recent reports of Internet-based vote buying schemes, will be monitoring web sites for suspicious election activity and will forward any information they find to the appropriate prosecutors for immediate action.**

**"During the last nine months, voter fraud investigations conducted by my office resulted in six convictions for a total of 13 years in prison."**

**"Voters who have been approached regarding vote-buying or voter coercion should contact the Secretary of State's office at 1-800-345-VOTE."**

-30-

---

1500 11th Street, Sacramento, CA 95814

Internet: <http://www.ss.ca.gov>

**FCW.COM**

YOUR GOVERNMENT IT RESOURCE



Are you looking for an

HOME

FEDERAL COMPUTER WEEK

CIVIC.COM

FCW EVENTS

LINKS

MY FCW.COM

GBUYS

ABOUT

SEARCH

Submit

## NEWS BY TOPIC

[Accessibility](#)[Agencies](#)[Agenda](#)[Defense](#)[Democracy](#)[Education](#)[E-Government](#)[Industry](#)[New Products](#)[Procurement](#)[Technology](#)[Telecom](#)[Wireless](#)[Work Force](#)

## MICROSITES

[Security](#)[Records Management](#)[Seat Management](#)

## SIGN UP TODAY

[Free Subscriptions to](#)[Federal Computer](#)[Week and Civic.com](#)[E-Mail Newsletters](#)

## MEDIA CENTER

[MediaZone](#)[Contact Us](#)**The page you requested was not found.**

BELOW IS A LIST OF POSSIBLE MATCHES TO THE PAGE YOU REQUESTED :200

The **original document** can be found [here](#), we recommend you use t version if listed below.

**Online voter guide helps Oregon choose**

Oregon citizens can go online to bone up on their election choices without having to w versions arrive in the mail

**10 pols who get the Web**

Of the roughly 700 congressional campaign sites out there, many are just electronic donations, but some have come up with innovative features

**Internet filter bill endangers E-Rate**

Two legislators have urged Congress to vote in favor of cutting off E-Rate subsidies fo libraries that don't block children's access to online pornography

**Internet voting put to the test**

On Election Day, voters in Arizona, California and at military bases may decide the fut voting

**Chicago wants Voteauction gone**

The Chicago Board of Election Commissioners said it has asked federal and state attor down a Web site that offers votes to the highest bidder

**Kids to cast virtual votes**

Youth-e-Vote wants to help young people learn to do their civic duty with a program t vote electronically in school

**NEXT***Federal Computer Week*

fcw.com is a product of FCW Government Technology Group, an IDG Communications company

The fcw.com [privacy policy](#), and our [link disclaimer](#).  
fcw.com complies with the [ASME Guidelines with IDG extensions for new media](#).

Mail questions to [webmaster@fcw.com](mailto:webmaster@fcw.com)  
Copyright 2000 FCW Government Technology Group

82



[FSB Home](#)

Search

 
[RESOURCE GUIDE](#)**DEPARTMENTS****NEWS**

- [Internet World Does Small Business](#)

**ANSWER MEN**

- [Marketing Art](#)

**MANAGING**

- [When Bad Things Happen to Good Companies](#)

**MARKETING**

- [The Net Guys: Maximize your Marketing](#)

**TECHNOLOGY**

- [IT Chick: Nonpoisonous ASPs](#)

**FINANCE**

- [Getting Shelved](#)

**TRAVEL**

- [The Trekmeister: Sitting Pretty](#)

**BUSINESS LIFE**

- [Friend or Foe?](#)

**FSB**[Archives](#)**FORTUNE**[Small Business](#)

You can receive a free newsletter by e-mail. Click below.

**SIGN ME UP****FSB | businesslife****American Cynicism, 101**

**In the old days, you could rig an election by raising the dead and getting them to the polls. Student James Baumgartner wants to change the rules, by offering disinterested citizens a chance to auction their ballots online.**

by Liz Borod  
Web exclusive

*Some people find it disturbing that only 49 percent of the 196 million eligible voters cast their ballots in the last presidential election. But James Baumgartner, a 26-year-old master of fine arts student at Rensselaer Polytechnic Institute in Troy, N.Y., finds inspiration in Americans' widespread political apathy.*

*Baumgartner is the founder of [Voteauction.com](#), a Website which purports to let voters auction their votes to the highest bidder, eBay-style. The site packages "unused" votes in blocks, by state.*

*Baumgartner, who launched his venture Aug. 1, says that because big corporations and special interest groups indirectly "buy" votes using soft money contributions to political campaigns, there's no reason to keep the average Joe from selling his vote on the open market. "I wanted to provide a free service to campaign contributors and voters," he says.*

*That argument may have worked at Tammany Hall, but not at the New York City Board of Elections, which didn't find*

October 26, 2000  
THURSDAY

[MORE business life](#)[The Overpromised Land](#)[Extreme Backyards](#)[Your Business or Your Child?](#)[FSB Rankings](#)

Great Ads:  
Last Year's Winners

[FSB Services](#)[Survey on Women in the New Economy](#)[Run Your Biz the Disney Way](#)[Support Women's Businesses](#)[The American Cancer Society: FSB readers' charity of choice](#)[Instant Download:](#)

*the publicity stunt funny. Seventeen days after Baumgartner took his site live, Douglas Kellner, a commissioner at the New York City Board of Elections, phoned the student's attorney, Paul Rapp, and warned him that buying and selling votes was illegal in 50 states and could leave Baumgartner subject to criminal prosecution. "I got the impression that that he thought nobody was going to care about it," says Kellner.*

*"While the site is clearly illegal, I only regard it as a small nuisance," he adds. I don't think they can accomplish what they set out to do." Kellner believes the chances of attracting enough voters to affect the outcome of an election are extremely slim.*

*The week after Kellner's call, Baumgartner sold the site to Hans Bernhard, CEO of Ubergorgen, an Internet incubator in Vienna, Austria, for an undisclosed amount and agreed to stay on as the U.S. spokesman. Moving the company's server to Bulgaria to decrease the possibility of legal problems, Bernhard relaunched the site on Aug. 28 with a note saying that voters from New York could not participate. "We're not moral," Bernhard says. "We're interested in the consumer, because the consumer is our business."*

*Voteauction.com claims that 2,294 people have signed up to sell their votes so far, and that the highest bid -- \$7,300 -- has been for 413 votes in California. But it's unclear whether any money is changing hands; the site isn't set up for credit card transactions and simply instructs bidders to contact sellers to complete their deals. Voteauction.com has no way of actually verifying that someone who has sold his vote will actually cast his ballot as promised.*

*If anyone was actually trading in votes on the site, they probably wouldn't get in trouble, says Deborah Phillips, chairman of the Voting Integrity Project, a non-profit organization in Arlington, Va. "The Internet has a lot of loopholes when it comes to state and federal laws," she says.*

**Download  
the...**

Free Trial: Fortune  
Magazine

Free Trial: Money  
Magazine

Free Product  
Information

Fortune Conferences

*Bernhard says he hasn't yet determined how he will make money from the site. Right now, he's interested in using it as a research and development tool to let him see what kind of opportunities exist in the "election industry." If Voteauction.com generates enough traffic to make money from advertising, Bernhard says he will consider setting up similar sites for England and Germany, where elections are similar to ours. But he has no plans to create one for Austria. "The campaigns are state funded," Bernhard says. "It's too small a market, so it doesn't make sense."*

*Jay Stanley, an analyst at Forrester Research, doesn't believe that Bernhard plans to turn Voteauction.com into a lasting business, but thinks he'll attract plenty of attention while the site stays up. "It seems like more of a gimmick," Stanley says, "and scams do succeed in drawing large numbers of people to the site, so that could work as far as getting advertisers. They would have trouble getting legitimate advertisers, unless they could do it in a tongue-and-cheek way to not offend people's sensibilities."*

Copyright ©2000 Time Inc. All rights reserved.  
Reproduction in whole or in part without permission is prohibited. [Privacy Policy](#). [Terms of Use](#).



# Chicago Sun-Times

 [Home](#)**Not Found****Sections**

[News](#)  
[Sports](#)  
[Business](#)  
[Showcase](#)  
[Columnists](#)  
[Classifieds](#)  
[Yellow Pages](#)  
[Search](#)

**Inside News**

► [Architecture](#)  
► [Autos](#)  
► [Commentary](#)  
► [Health](#)  
► [Lottery](#)  
  [Numbers](#)  
► [Obituaries](#)  
► [World News](#)  
  [Wire](#)

**DEBT  
PROBLEMS?**

## The page you requested cannot be found.

Most articles remain on our site for seven days; most columns remain online for a month.

If you're searching for a movie review by Roger Ebert, they can be found in the [Review Archive](#).

If you feel you reached this message in error, please contact the [webmaster](#).

[Back to top](#)

**Visit Our Partners**

[\[News\]](#) [\[Sports\]](#) [\[Business\]](#) [\[Showcase\]](#) [\[Classifieds\]](#) [\[Columnists\]](#) [\[Feedback\]](#) [\[Home\]](#)

CNET | [News](#) | [Hardware](#) | [Downloads](#) | [Builder](#) | [Games](#) | [Jobs](#) | [Auctions](#) | [Prices](#) | [Tech Help](#)

[Free Email](#)



Search

Browse outside the lines.

[Click Here!](#)

CNET : [News](#) : Search Results

The CNET News.com page you are trying to view has expired. For related items, please view the search results below.

[One Week View](#)

[Perspectives](#)

[Newsmakers](#)

[Rumor Mill](#)

[Special Reports](#)

Metasearching for 'Chicago or Web' search complete.

!!! powered by !!!  
CNET Search.com

• News & Features  
• Company Profiles

• Perspectives  
• Moreover

• CNET Investor

Search: [News.com](#) | [General News](#) | [Business Publications](#)

## News & Special Features

- [Cidco to upgrade its email-only device](#) – October 27, 2000
- [Commentary: Hacker attack stresses network security](#) – October 27, 2000
- [Microsoft hackers had access for weeks](#) – October 27, 2000
- [Petopia lays off 60 percent amid sector struggles](#) – October 27, 2000
- [Microsoft hack puts spotlight on tech espionage](#) – October 27, 2000
- [Microsoft not alone in suffering security breaches](#) – October 27, 2000
- [Congress set to crack down on hackers](#) – October 27, 2000
- [Homestore to buy rival operation in \\$761 million deal](#) – October 27, 2000
- [IBM to spend \\$300 million on Shanghai chip plant](#) – October 26, 2000
- [Inktomi's buying spree hits earnings](#) – October 26, 2000
- [HP, Intel support Microsoft e-commerce directory](#) – October 26, 2000
- [Short Take: GoTo.com acquires Internet directory](#) – October 26, 2000
- [Web-savvy teens will eventually follow the money](#) – October 26, 2000
- [Scient gives itself a new lease on life](#) – October 26, 2000
- [Microsoft quizzes kids to boost educational software](#) – October 26, 2000

[See all matching results](#)

## Perspectives

- [A quick fix for a car insurance headache](#) – October 27, 2000
- [A switch to an alternative Internet?](#) – October 13, 2000
- [U.S. lags in mobile data adoption](#) – October 12, 2000
- [The New Economy blues](#) – October 6, 2000
- [Email attachments can be pretty revealing](#) – October 5, 2000

[See all matching results](#)

More news from around the Web powered by Moreover.com

- [UAL Swings to a Loss After Strike Grounds Thousands of United Flights](#) – October 19, 2000 – Wall Street Journal
- [Dave Salute To Surgeon 'doctored'](#) – October 19, 2000 – New York Post
- [Goodbye, Lola](#) – October 19, 2000 – New York Post
- [AMR Posts 51% Profit Rise; US Airways Reports a Loss](#) – October 18, 2000 – New York Times

87

- [Three Jews Attacked in Chicago – October 13, 2000 – ABCNEWS.com](#)  
[See all matching results](#)

Search the Web for **'Chicago or Web'**.

*Didn't find what you were looking for?*

Expand Your Search:

☒ News.com ☐ General News ☐ Business Publications ☐ All CNET ☐ The Entire Web

Chicago or Web

Search

News Options: [One Week View](#) | [News to Go](#) | [Send us your News Tips](#)

**Browse outside the lines.**

[Click Here!](#)



**CNET Services:** [Auctions](#) · [Check Latest Prices](#) · [Downloads](#) · [Data Services](#) ·  
[Enterprise Business](#) · [Find a Web Host](#) · [Find an ISP](#) · [Free Newsletters](#) · [Gadgets](#) · [Games](#) ·  
[Hardware](#) · [Help & How-Tos](#) · [Latest PCs](#) · [News](#) · [Publish Your Opinion](#) · [Search](#) · [Stock Quotes](#) ·  
[Tech Jobs](#) · [Web Building](#) · [All Services](#)

[CNET Jobs](#) · [Corrections](#) · [How to advertise](#) · [Join CNET's Affiliate Program](#) · [Support](#)

[About CNET](#)

[Back to Top](#)

[Join CNET, we're hiring](#)

Copyright ©1995-2000 CNET Networks, Inc. All rights reserved. [Privacy policy](#).

88



6 October 2000  
Update: 15:23 GMT

# The Register

Biti

**Search  
The Register**

Advertisement

*Do you know who's coming to dinner?*

## Votes for sale online in the US

By: Lucy Sherriff

Posted: 05/10/2000 at 11:48 GMT

Chicago's gangster ridden past has come back to haunt city officials with the appearance of a new website - [Voteauction.com](http://Voteauction.com), where people can register to sell their vote to the highest bidder

Perhaps unsurprisingly, city officials have failed to get the joke. The Board of Elections sent letters to federal and state prosecutors demanding that the site be shut down.

Board chairman and sourpuss Langdon Neal commented: "In Chicago we react strongly and quickly to this type of activity - whether it's tongue-in-cheek or not - because we need to guard our reputation here that this is a place where voting activity is legal and above board and beyond reproach."

The value of a vote varies widely from state to state. In Illinois, where 168 votes have been registered for sale, the asking price is a mere \$15.79. Californian votes, by contrast, are going for more than \$5,000.

However, it may prove quite a trick to get the site shut down. As advertised on the front page of the site:

*"Voteauction.com has recently changed ownership. It is now owned by an Austrian holding company that has invested in many of America's new, emerging industries. We feel that the American Election Industry provides unique new opportunities for the foreign investor. We purchased voteauction.com in order to investigate the profit-making potential of the American Election Industry"*

The new owner is running the site from Austria, and might just be outside the jurisdiction of any American authorities. And according to Dai Davis, a consultant solicitor with UL legal firm Nebarro Nathanson, there may be no way to get the site closed down at all.

Advertisement

**PlanetRecruit.com**

**REQ:**

**CLICK HERE TO SEARCH**

**Windows Me**

**Special Report**

**Register For Coverage:**

**Riot vs Disaster**

**SHOW US THE MONEY**

**Reg kit - You know you love it**

**Cont  
th  
Regi**

BOF

The

**S**

**S**

If yo  
news,  
below

"If it is a criminal offence in both the US and Austria, then it would be easy to shut down," he said. "But presumably if it was criminal then there would have been a complaint made against it. If it is lawful to sell your vote, then I can't see how they could do it in practise. It isn't so much a grey area as it is an impossibility to stop people doing things abroad." ®

- 🔗 Today's top stories
- 🔗 The Week's Headlines
- 🔗 Discuss in The Register Forum



Don't buy IT until  
you ace-quote IT



DomainBuster  
cheap domain names



## \$115 Shopping Spree

IMPORTANT: If the link above is blinking, you have been selected to receive a \$115 shopping spree. [Claim Here.](#)

# cluebot.com

Politics. Technology. Get a clue.

search cluebot.com:

Go

■ cluebot.com ■

- [Home Page](#)
- [About](#)
- [FAQ](#)
- [Topics](#)
- [Authors](#)
- [Sign Up](#)
- [Preferences](#)
- [Privacy](#)
- [Advertise](#)
- [Search](#)
- [Past Polls](#)
- [Contact Us](#)
- [Submit Story](#)

### ■ Americans Sell Their Votes for \$10 Each

posted by [cosmo](#) on Friday September 29, @12:11AM  
from the [my-vote-for-a-burger-please](#) dept.

If you needed further proof that Americans are disgusted with politics, just check out [Voteauction.com](#), which allows people to auction off their votes to the highest bidder. According to a [Wired News](#) article, more than 6,000 people have already signed on, eager to profit off of their democratic rights. And how much are our fellow countrymen's voices going for? Looks like it's in the \$10 to \$20 dollar range, folks. Sad? Perhaps, but not all that new. James Baumgartner, a grad student at Rensselaer Polytechnic Institute argues that votes have been on the market since 1757 when George Washington bought drinks for all the voters in his district. Officially, the practice of selling votes is illegal, and there's at least one group that's a little miffed the site's still running. *"This website is an INSULT to every American who has ever fought to protect our freedom or for the right to vote in America!"* [raged](#) Deborah Phillips, president of the [Voting Integrity Project](#). The site operators got around America's laws by, well, leaving America. Note to Congress: shape up, or Americans will ship out.



■ cluebot.com Login ■

Username/Nickname:

Password:

Log In

■ Related Links ■

- [Wired](#)
- [Voteauction.com](#)
- [article](#)
- [argues](#)
- [raged](#)
- [Voting Integrity Project](#)
- [More on Electronic Commerce](#)
- [Also by cosmo](#)

< ["Know Your Caller" Bill Passes House](#) | [New Republic Article on ICANN Sparks Flames](#) >

'Americans Sell Their Votes for \$10 Each' [Login/Create an Account](#) | [2 comments](#) | [Search Discussion](#)

Threshold:

The Fine Print: The following comments are owned by whoever posted them. We are not responsible for them in any way.

I'd do it... (Score:0)

91

by Anonymous Coward on Friday September 29, @12:39AM EST (#1)

10 dollars for my vote is more than I've ever make by using it in an election. It's my vote, and I'll sell it if I want to!

It's amusing that those who crow the loudest about "liberty" are the most offended when they see it in action. If I cannot sell my vote, then, I do not truly HAVE it.

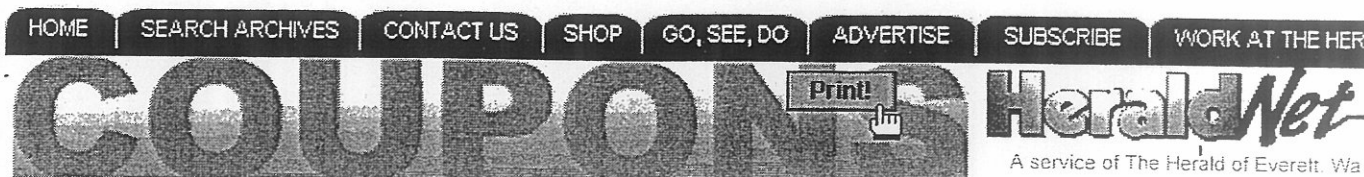
[ [Reply to This](#) | [Parent](#) ]

- [Re:I'd do it...](#) by hoyos (Score:1) Tuesday October 03, @09:04AM EST

*He who slings mud generally loses ground. -- Adlai Stevenson*

[ [home](#) | [contribute story](#) | [search](#) | [past polls](#) | [faq](#) | [authors](#) | [preferences](#) ]

92



## Local News

Top stories  
Columnists  
Crime & Justice  
Education  
Elections  
Environment  
Health  
Navy News  
Politics  
Special Reports  
Traffic & Roads

## Local News

Octobe

# Bid to sell votes on Web rankles officials

Published: Friday,  
August 18, 2000

## HEADLI

## News Wir

Hackers hit  
Microsoft, ste  
software  
blueprints

MARKET WRAP  
Dow up more  
than 200 poin

FDA to ban  
antibiotic use  
poultry farme

Investigators  
far unable to l  
blast to bin L

Gator gobble  
65-pound do

Missouri race  
tight after  
candidate's d

Growth of U.  
economy slo

I-695 may be  
history, but ef  
will linger

## Local Ne

Finch gave n  
hint of leapin

Finch's fall pu  
sentencing o  
hold

County prepa  
for possible  
terrorism

Curbing sheri  
office OT at i

Century of  
learning

2 bank robbe

93

10/27/00

By SUSANNA RAY  
Herald Writer

Was someone really trying to sell the key to democracy -- the right to vote -- for 99 cents on the Internet or was it just a cynical political protest?

Snohomish County Auditor Bob Terwilliger doesn't care -- he doesn't think it's funny, and he's hoping to find and prosecute the would-be vote-sellers.

Terwilliger got a notice Thursday8 from the Secretary of State's office that two Washingtonians, including one from Marysville, had put their votes up for sale on eBay's popular auction Web site.

"During the upcoming election whoever wins this bid gets to specify what I will vote on election day," the Marysville resident wrote as the item description. "That's right democracy is in fact for sale!"

The \$5 asking price was apparently too high, however -- no bids were received.

But someone did offer 99 cents to the other seller, who didn't list a city but said he or she is from the Seattle/Tacoma region.

Selling your vote is a gross misdemeanor and can get you thrown in jail for up to a year or fined up to \$5,000, or both.

"This is a very serious violation, for the sanctity of the vote," Terwilliger said.

The Secretary of State's office contacted eBay, and by Thursday afternoon both auctions had been removed. The company also promised to screen for such listings in the future.

Terwilliger said he plans to turn the case over to the county prosecutor's office to pursue, but because of eBay's privacy stipulations, it may be difficult to find the culprits.

## Sports

Top stories  
Colleges  
Larry Henry  
Mariners  
Outdoors  
Prep Sports  
Seahawks  
SuperSonics

## Economy

Top stories  
Boeing  
Technology

## Opinion

Editorials  
Editorial Focus  
Letters

## Features

Crosswords  
edge  
GhostCam  
Movie listings  
NIE: Help kids  
Obituaries  
Trivia  
TV listings  
Vital Statistics

## Your County

Communities  
Events  
Local guide  
School districts  
Web directory  
Your legislators  
Your  
Newspaper

## Marketplace

Main

Classifieds  
Find a house  
Find a car  
Find a job  
Coupons  
Herald jobs  
HomeSearch  
Advertise  
Introductions

About Us

Departments  
FAQ  
Feedback form  
Get the paper  
Link to us  
Privacy Policy  
Staff directory  
User's Guide

The Marysville resident's listed e-mail address did not work, Terwilliger said, and officials have only been able to ascertain the other person's last name.

State officials were also concerned about another Web site, [www.voteauction.com](http://www.voteauction.com), which they discovered Thursday through an article in the on-line magazine [Wired.com](http://Wired.com). The site offers votes for sale in every state.

"The election industry is spending hundreds of millions of dollars in an attempt to influence the presidential election," the site reads. "This system is an inefficient waste of money for the candidates and their supporters. [Voteauction.com](http://Voteauction.com) is comitted (sic) to improving this system by bringing the campaign contributors' money directly to the voters."

There were only a handful of participants listed on the site Thursday evening -- with no one from Washington -- but the price per vote in California was up to \$50.

"I think this is more of a political statement," state elections director Gary McIntosh said, "but there are other ways of making your political feelings known without breaking the law."

**You can call Herald Writer Susanna Ray at 425-339-3439 or send e-mail to [ray@heraldnet.com](mailto:ray@heraldnet.com).**

suspects in ja

Police seek  
Samaritan in  
unsolved trail  
assault

Rumors false  
Lincoln crew i  
OK, will retur  
time

Final guilty pl  
entered in 'thr  
killing'

Boiler explod  
school

[Back to top / Home page](#)

Copyright © 2000 The Daily Herald Co., Everett, Wash. If you have questions or comments, please contact u

94

Monday  
Aug. 28,  
2000

EMPLOYER PROFILES

Employers that  
are looking for — you.

SIoux CITY  
**Journal**  
IN PRINT & ONLINE

- The Best in Both Worlds®
- Get Web'd Feet®

Best viewed with  
Netscape Communicator.  
WIN font setting on  
smallest.

LIVING

HEALTH

FARMING

REAL ESTATE

FINANCIAL

AUTOMOTIVE

FLIGHT 232

GO TO Comics

- [NEW] [101 Thing to Do](#)
- [NEW] [Siouxland Faith](#)
- [NEW] [Farming Connection](#)
- [NEW] [Community Service: Please become involved in any way you can with these worthwhile causes...](#)
- [Comics Edge](#)
- [Home Show 2000](#)
- [Financial Planning Services](#)
- [Siouxland's Next 100 Years](#)

Local News  
STORY

Discussion Live Chat

## Vote buying becomes more blatant



By Kate Thompson, Journal staff writer | [E-mail](#)

### Capitol correspondent

It's been more than 200 years since George Washington bought alcohol for virtually every voter in his district to win an election. That was clearly a blatant effort to influence the election.

The more things change, the more they remain the same.

They - whoever they are - say you can buy darn near anything. It would appear to be true. Under old-style politics, people were expected to vote for those who could get things done. But that didn't mean votes were for sale in a straight cash transaction.

- [Health Care Professionals](#)
- [United Way Parenting](#)
- [Holiday CookBook](#)
- [Business Links Directory](#)
- [Daily Horoscopes](#)
- [\[NEW\] School Information](#)
- [Home Buyers Guide](#)
- [Apartment Guide August 2000](#)
- [The Arts Everyday \[Events...\]](#)  
Entertainment, comics, events calendar, datemaker and much more!
- [Health Care](#)
- Check out our new some 'Things to do this week' [calendar](#)
- [Real Estate](#)
- [Siouxlanders Are Everywhere Directory](#)
- [The Crash of Flight 232](#)

## OPINION

### JOIN IN INTERACT

- Orpheum Theater restoration fund **raising campaign begins.**  
[\[Read/Donate\]](#)
- What are your **favorite**

Political parties and candidates often help voters get to the election booth, either with rides or by helping insure that voters get absentee ballots and get those ballots turned in on time. It can make a difference in a close election. But those individuals aren't buying or selling votes.

Secret ballots pretty much prevent the ward boss or anyone else from finding out who someone voted for so there's really nothing that prevents someone from taking a ride from the Democrats and casting a ballot for Republicans.

Now there's a new twist.

Given the times, and the now pervasiveness of the Internet, I guess it was bound to happen online.

About a week ago, someone offered his vote to the highest bidder on eBay and five more people copied his proposal.

The good news is that eBay pulled those auctions after a day, but not until after bidding had reached \$100.

And, earlier in August there was a new web site [voteauction.com](#), launched by James Baumgartner, a graduate student, which is recruiting voters and auctioning off their ballots in state blocks. In just two days, more than 200 people registered with [voteauction.com](#), willing to offer their votes to the highest bidder. [Voteauction.com](#) has a slogan up on its site which says, "Bringing capitalism and democracy closer together."

I don't know how much closer together you could get them.

With the California block at \$100,



**places in Siouxland?**  
**[TELL US]**

- How do you get comfortable at home?  
**[TELL US]**
- Post **YOUR SPORTS** news... **[FANS]**
- Vote in a POLL **[NOW]**
- Start or join otheronline DISCUSSIONS at our interactive center **common-mind.net**
- Listen to **MUSIC** while you read the news...  
**HEAR Music**  
You will need the latest Windows Media Player  
**[Download here]**



**DAILY ALMANAC**

**SCOPE**  
**events**

**LOCAL NEWS**

- Issues & Politics
- e2000 Iowa
- Capitol Insights  
Kate Thompson reports from the Iowa state capitol and beyond.

**WEATHER**

- AccuWeather

**OBITUARIES**

**SPORTS**

voteauction.com apparently has quit. A statement on the site indicates the site is going through corporate restructuring and that it was illegal in New York.

That's not the only place it's illegal. It's bribery.

Buying and selling votes has been prohibited in every state and at the federal level. Selling or buying votes can be a federal crime, carrying a penalty of a fine of up to \$10,000 and up to five years in prison. That's nothing to sneeze at.

In Iowa, the crime and penalty are less. It's classified as a serious misdemeanor, according to the code, and the penalty is a fine of at least \$250 but not more than \$1,500 and the person convicted may be sentenced to up to a year in prison.

Nobody's been charged, either through eBay or voteauction.com, so far at least. Perhaps it was all a "joke."

The more cynical among us, of course, would suggest that there's not all that much difference between selling your vote for some specific number of dollars and what some lawmakers already do when they are raising money for their elections. With the high cost of getting elected, both at the federal and, increasingly, at the state level, some people would argue that there are a lot of elected officials whose votes are for sale.

It's just not usually quite so blatant.

---

We're getting closer to election time when The Sioux City Journal will be interviewing candidates particularly in legislative races that are contested. If you have questions you'd like answered or if there are issues you'd like to have candidates addressed, please let me know. I can be reached at the phone number and address below or by writing

- [Outdoor Guide](#)
- [Musketeers!](#)
- [Siouxland Outdoors](#)
- [Big 12](#)

## THE ARTS

### theatre

- [\[NEW\] Siouxland XL](#)
- [Comics Edge](#)

## CLASSIFIEDS

- [\[NEW\] Open House Directory](#)
- [Real Estate](#)
- [Employment](#)
- [Siouxland Auctioneer](#)
- [Automotive Showroom](#)
- [Submit your Classified Ads online...](#) anytime... special packages available!

The mark of a newspaper approved classified.



National Classified Network

## EMPLOYMENT

The easy way to find a job or locate a new employee in Siouxland!

[Free resume posting!](#)

## BUSINESS

### BUSINESS profiles

### FARMING

- [\[NEW\] Siouxland Business Journal](#)
- [\[NEW\] Farming Connection](#)
- [Business Links Directory](#)

to me at The Sioux City Journal, P.O. Box 118, Sioux City, Iowa 51102.

Kate Thompson is The Sioux City Journal's political reporter. She can be reached at [KateThompson@siouxcityjournal.com](mailto:KateThompson@siouxcityjournal.com) or by calling 712-293-4203.

[Go to index](#) of 1999 Capitol Insights by Kate Thompson

TO TOP OF PAGE

BACK



- [Getting Started](#)
- [Salute to Trucking](#)

---

**SEARCH**

- [Search pages](#)

---

**CONTENTS**

- [Quick access index](#)

---

**ARCHIVES**

- [Archive pages](#)

---

**SITE MENU**

SEARCH

Go to this page

---

**ABOUT SCJ**

- [The Sioux City Journal](#)  
[135 Years of Service](#)
  - [Print Subscription Rates](#)
  - [Retail Advertising Rates](#)  
[sgriffith@siouxcityjournal.com](mailto:sgriffith@siouxcityjournal.com)
  - [Classified Advertising](#)
  - [Submit your Classified](#)  
[Ads online... anytime...](#)  
[special packages](#)  
[available!](#)  
[csease@siouxcityjournal.com](mailto:csease@siouxcityjournal.com)
  - [Website Advertising](#)  
[Rates](#)  
[bre@siouxcityjournal.com](mailto:bre@siouxcityjournal.com)
  - [Meet the Staff](#)
- Contact us:
- [Website](#)  
[feedback@siouxcityjournal.com](mailto:feedback@siouxcityjournal.com)

- Editorial  
[edi@siouxcityjournal.com](mailto:edi@siouxcityjournal.com)
- Corporate  
[scj@siouxcityjournal.com](mailto:scj@siouxcityjournal.com)

(712) 293-4250

- Advertising  
[adv@siouxcityjournal.com](mailto:adv@siouxcityjournal.com)

(712) 293-4325

- Circulation  
[circ@siouxcityjournal.com](mailto:circ@siouxcityjournal.com)

(712) 293-4200

(800) 397-2213

▼ **BACK**

▼ **HOME**

© 1999 Sioux City  
Journal  
515 Pavonia Street  
P.O. Box 118  
Sioux City, Iowa 51102

[Terms of use agreement](#)

Best viewed with  
[Netscape Communicator](#).

Thank you for visiting.

▼ **TO TOP OF PAGE**

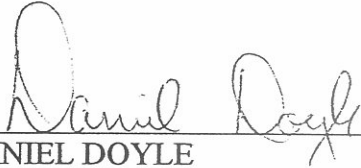
The requested page is not available at this time.

I now something  
called Thirsty

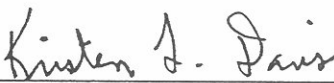
### AFFIDAVIT OF DANIEL DOYLE

I, DANIEL DOYLE, being duly sworn and upon oath, state as follows:

1. I am employed as Director of Registration Records for the Chicago Board of Election Commissioners, which is located at 69 West Washington Street, Chicago, Illinois.
2. I have personal knowledge of the facts stated herein.
3. On October 27, 2000, at approximately the hour of 3:00 Central Daylight Savings Time, I searched on my computer and found an Internet web site known as "voteaction.com" at <http://www.vote-auction.com/>.
4. On that day and time I printed to the printer attached to my computer the pages of the voteauction.com web site as they appeared on my computer screen.
5. Attached to this affidavit is a true and correct copy of the pages that I printed as described above.
6. If sworn as a witness, I can testify competently and would testify as to the matters set forth herein.

  
DANIEL DOYLE

Signed and sworn to (or affirmed) before me by Daniel Doyle  
this 27th day of October, 2000.

  
Notary Public

