

September 10, 2009**EDITORIAL**

The Business of Voting Machines

Diebold announced last week that it has sold its United States voting machine division to its main rival, Election Systems & Software.

Given Diebold's troubling record, it is hard to lament its departure from American elections, but this sale could make a bad situation worse. Regulators should take a hard look at the anticompetitive implications. And Congress, the states and cities need to push a lot harder for fundamental reforms in the voting machine business and the way Americans vote.

Diebold has long been the company that critics of electronic voting love to hate. The company has been accused of illegally installing uncertified software and of making machines that, at least sometimes, drop votes. The company raised serious doubts about its objectivity when Diebold's then-chief executive wrote a fund-raising letter expressing his dedication to delivering Ohio for President George W. Bush in 2004. Ohio, of course, was one of the states using Diebold voting machines.

The combination of the Election Systems & Software and Diebold American voting machine divisions raises classic antitrust concerns. Election Systems & Software, which has also been criticized for making unreliable machines, would be the nation's largest voting machine maker by far. And states and cities, which have long complained about the low quality and high cost of the machines, would have less choice or bargaining power.

Government at all levels must do more to promote competition. It is important that machines are certified for use only after they pass rigorous testing. But the current state certification processes are so expensive and drawn-out that they are a significant barrier to entry.

More fundamentally, Congress, the states and cities should look for ways to have governments own and manage their voting machines, as the reform group FairVote has advocated. It makes no sense to allow private companies to count votes using secret, proprietary software. The federal government and the states should also require that all electronic voting machines produce a paper record of every vote and mandate random hand counts to ensure the reliability of the results.

Even if this business deal deserves to be blocked, it will take a lot more than that to fix the broken voting machine industry.

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