



June 9, 2026

The Honorable Alex Padilla
The Honorable Richard Blumenthal
The Honorable Jeff Merkley
The Honorable Jon Ossoff
The Honorable Bernie Sanders
The Honorable Adam Schiff
The Honorable Jeanne Shaheen
The Honorable Chris Van Hollen
The Honorable Mark Warner
The Honorable Sheldon Whitehouse
The Honorable Ron Wyden
United States Senate
Washington, DC 20510

Dear Senators,

Thank you for your attention and action to address the deeply troubling, corrosive, and unlawful employment of Kurt Olsen as Special Government Employee to the White House.¹

Now that Mr. Olsen has moved to the Department of Justice,² we at Free Speech For People³ write to share additional information regarding Olsen's activities with

¹ "Padilla Leads Senate Democrats in Demanding White House Fire Election-Denial Czar Kurt Olsen," May 18, 2026. <https://www.padilla.senate.gov/newsroom/press-releases/padilla-leads-senate-democrats-in-demanding-white-house-fire-election-denial-czar-kurt-olsen/>

² Erin Banco, Andrew Goudsward, "Trump 2020 election denier Kurt Olsen joins Justice Department," *Reuters*, June 2, 2026. Available at: <https://www.reuters.com/legal/legalindustry/trump-2020-election-denier-kurt-olsen-joins-justice-department-2026-06-02/>

³ Free Speech For People is a non-profit, non-partisan public interest legal organization that works to renew our democracy and our United States Constitution for the people. As part of our mission, we are committed to promoting, through legal actions, secure, transparent, trustworthy and accessible voting systems for all voters.

respect to voting systems, which underscore the need for his urgent removal from the Department of Justice or for any role in which he might play a part in compromising the security and reliability of our elections. Specifically, we wish to highlight court records which suggest that Mr. Olsen has access to copies of election system software that were obtained through schemes to compromise voting equipment and take copies of the systems' software that occurred from 2020 to 2022. Access to this software and its properties introduces significant security risks to election systems and election integrity. For this reason, most states have laws in place to prevent unqualified, unauthorized individuals from gaining access to their voting machines and software to prevent precisely those long-term security risks. In two cases these operations spurred criminal charges, and in one case, resulted in two guilty pleas.⁴ We urge you to seek his removal from his new position, and to launch an investigation into the wrongful access of voting equipment and Mr. Olsen's involvement.

Background

Following the 2020 presidential election, Donald Trump mounted a multipronged campaign to overturn the election results which included filing lawsuits that challenged the legitimacy of the vote count. To support this effort, Trump allies sought access to voting machines in multiple states.⁵

At a December 18, 2020 meeting in the Oval Office, Trump campaign attorney Sidney Powell, (along with Patrick Byrne and Mike Flynn), sought access to voting equipment through the issuance of a draft Executive Order that would direct federal agencies under the Executive branch to seize voting equipment.⁶ According to testimony provided to the House Select Committee to Investigate the January 6th Attack on the U.S. Capitol from White House Staff Secretary Derek Lyons, White House counsel Pat Cipollone opposed this proposal along with Trump campaign

⁴ Kate Brumback, "Sidney Powell pleads guilty over efforts to overturn Trump's loss in Georgia and agrees to cooperate," *Associated Press*, October 19, 2023. Available at: <https://apnews.com/article/sidney-powell-plea-deal-georgia-election-indictment-ec7dc601ad78d756643aa2544028e9f5>

⁵ A.C. Thompson, "Plot to Overturn the Election," *PBS Frontline* and *ProPublica*, May 29, 2022. Available at: <https://www.pbs.org/wgbh/frontline/documentary/plot-to-overturn-the-election/>

⁶ U.S. House of Representatives. (2022). *Final report of the Select Committee to Investigate the January 6th Attack on the United States Capitol* (H. Rept. 117-663). U.S. Government Publishing Office.

attorney Rudy Giuliani. According to Lyons’ testimony, Giuliani assured those present that the president did not need to pursue the draft executive order because the campaign had ways to access the voting machines through “voluntary” means, obviating the need for the Executive Order.⁷

The Committee’s investigators did not probe this statement during Lyons’ March 17th, 2022 deposition, presumably because at that time, they did not yet know that the plan had been realized. But in the following months, evidence would surface that proved the scheme to access voting systems and software through “voluntary” means by Trump allies had been successfully carried out in several states.⁸

Over the next few years, through civil litigation, public records requests, and criminal investigations it became known that voting systems had been accessed without proper authorization in Coffee County, Georgia,⁹ Fulton County, Pennsylvania,¹⁰ Barry, Roscommon and Missaukee Counties, Michigan,¹¹ and Mesa County, Colorado.¹² In addition, public reporting revealed that voting system software that was released through legal means in Antrim County, Michigan¹³ and Maricopa County, Arizona,¹⁴ had been shared with others. Further, evidence

⁷ Danny Hakim, Richard Faussett, “Testimony Suggests Trump Was at Meeting About Accessing Voting Software,” *The New York Times*, April 21, 2023. Available at: <https://www.nytimes.com/2023/04/21/us/trump-voting-software-2020-election.html>

⁸ Emma Brown, Jon Swaine, “Inside the secretive efforts by Trump allies to access voting machines,” *The Washington Post*, October 28, 2022. Available at:

<https://www.washingtonpost.com/investigations/2022/10/28/coffee-county-georgia-voting-trump/>
⁹ *Id.*

¹⁰ Mark Scolforo, “Court sides with state over Pennsylvania county’s handling of voting machines after 2020 election,” *Associated Press*, December 31, 2024. Available at: <https://why.org/articles/pennsylvania-election-lawsuit-fulton-county/>

¹¹ Joey Cappelletti, “3rd Trump ally charged with vote machine tampering as Michigan 2020 election case grows,” *Associated Press*, August 3, 2023. Available at: <https://www.pbs.org/newshour/politics/3rd-trump-ally-charged-with-vote-machine-tampering-as-michigan-2020-election-case-grows>

¹² Bente Birkeland, “Voting Data From a Colorado County was Leaked Online. Now the Clerk is in Hiding,” *NPR*, September 3, 2021. Available at: <https://www.npr.org/2021/09/03/1033374723/voting-data-from-a-colorado-county-was-leaked-online-now-the-clerk-is-in-hiding>

¹³ “Text Messages Reveal Discussion of Alleged Michigan Voting Machine Breach,” *American Oversight*, August 8, 2023. Available at: <https://americanoversight.org/text-messages-reveal-discussion-of-alleged-michigan-voting-machine-breach/>

¹⁴ Maritsa Georgiou, “Arizona voting data sent to Montana lab as part of the latest audit,” *NBC Montana*, June 4, 2021. Available at: <https://nbcmontana.com/news/local/arizona-voting-system-data-sent-to-montana-lab-as-part-of-latest-audit>

indicates the voting system software was shared with a cohort of individuals and entities that sought to overturn the 2020 election results.¹⁵

Connections to Kurt Olsen

Common to all of the above-mentioned voting system breaches is an operative named Ben Cotton. Not only do the records and communications demonstrate that Mr. Cotton received copies of the misappropriated voting system software, Mr. Cotton has filed multiple declarations in litigation averring that he has accessed and examined voting system software and components from the two largest voting system vendors, Dominion Voting Systems¹⁶ and ES&S.

In a declaration filed in federal court in support of Kari Lake’s 2022 challenge to her gubernatorial loss in Arizona, Mr. Cotton stated that he examined Dominion voting software from Antrim County Michigan, Mesa County Colorado, and Coffee County Georgia.¹⁷ Cotton also submitted a declaration that claimed he reviewed not only Dominion voting software from various counties, but also components and an election server from the vendor ES&S.¹⁸ In a declaration filed in Georgia state court on behalf of the DeKalb County Republican party, Cotton re-stated he examined the Dominion software from the same jurisdictions as the Lake declaration, with the addition of Fulton County, Pennsylvania.¹⁹

Plaintiffs in these lawsuits share the same attorney – Kurt Olsen.

Election Security Dangers

Misappropriation of the software poses serious risks to election security. Before it was known that operatives had taken copies of its voting software, Dominion Voting Systems objected vehemently to a subpoena from the Arizona Senate, stating that to give its software to biased actors would cause “irreparable damage”

¹⁵ Jon Swain, Aaron C. Davis, Amy Gardner, Emma Brown, “Files copied from voting systems were shared with Trump supporters, election deniers,” *The Washington Post*, August 22, 2022. Available at: <https://www.washingtonpost.com/investigations/2022/08/22/election-system-copied-files-trump/>

¹⁶ In October 2025, it was announced that Dominion was sold and renamed Liberty Vote.

¹⁷ No. 2:22-cv-00677-JJT (D. Ariz. filed Apr. 22, 2022), Cotton Dec. Doc. 35 at page 2.

¹⁸ No. 2:22-cv-00677-JJT (D. Ariz. filed Apr. 22, 2022), Exhibit A. Doc. 36 at page 31.

¹⁹ *DeKalb Cty. Republican Party, Inc. v. Raffensperger*, No. 24CV011028 (Fulton Cty. Sup. Ct. Oct. 4, 2024) Attachment 5.

to the “election security interests of the country.”²⁰ Similarly, before it was known that Georgia’s data and election software had been taken in Coffee County, the Georgia Secretary of State’s chief information officer testified that copies of the software would give the possessor a “road map” to the ways the system could be accessed.²¹ Separately, the Georgia Attorney General opposed providing copies of the software to lawyers for the Trump campaign in a late 2020 election challenge, arguing that images of the voting system software would provide “the keys to the software kingdom.”²² The threats this poses to election security must not be dismissed.

Conclusion

As you’ve noted, Kurt Olsen has driven efforts to access election systems and documents in Fulton County, Georgia, and Puerto Rico. As an attorney in the cases referenced above, Olsen may have access to the voting system software that was taken in the various voting system breaches raising significant legal and ethical concerns, including the specter of potential criminal activity. We urge you to continue to seek his removal, and to use all available options to investigate his involvement in these election security breaches.

We welcome the opportunity to provide additional information and stand ready to assist in any way.

Very Respectfully,

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²⁰ Cooper, Jonathan J., “Arizona senate issues new subpoena for 2020 election audit,” *Associated Press*, July 27, 2021. Available at: <https://apnews.com/article/joe-biden-government-and-politics-arizona-senate-elections-election-2020-e7e26601f50611195fd47a3ffb92c311>

²¹ See: *Curling v. Raffensperger*, No. 17-cv-02989-AT (N.D. Ga. filed Aug. 8, 2017). Beaver Dep Document 1368-3 Page 157-158.

²² No.1:20-cv-04809-TCB (N.D. Ga filed Nov. 30, 2020), Document 23, page 13. Available at: <https://www.dropbox.com/scl/fi/xlvuqfqrroogx7vg1sa4p9/Pearson-transcript-gov.uscourts.gand.284055.23.0-Clean.pdf?rlkey=aghdw5w34rwqxugdxxh8ij5b&e=1&dl=0>