

# NOTICE OF OPEN MEETING

## Wisconsin Elections Commission

Special Teleconference-Only Meeting

Wednesday, May 27, 2020

4:00 P.M.

*Due to the COVID-19 pandemic, this meeting is being held via teleconference only. Members of the public and media may attend by telephone. Please visit <https://elections.wi.gov/node/6912> for call-in information. All public participants' phones/microphones will be muted during the meeting. Members of the public wishing to communicate to the Commissioners should email [elections@wi.gov](mailto:elections@wi.gov) with "Message to Commissioners" in the subject line. Those messages will be provided to the Commission members.*

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### AGENDA – OPEN SESSION

- A. Call to Order**
- B. Administrator's Report of Appropriate Meeting Notice**
- C. Discussion of Federal CARES Grant** 2
- D. Discussion of ERIC Mailing to Eligible but Unregistered Voters** 14
- E. Adjourn**





**DATE:** For the May 27, 2020 Commission Meeting

**TO:** Wisconsin Elections Commission

**FROM:** Meagan Wolfe, Administrator

**SUBJECT:** Revised CARES Act Grant Spending Recommendations

At its May 20, 2020 meeting, the Commission directed staff to adjust details of the CARES Act spending plan for the Commission to reconsider at its May 27 meeting. WEC staff adjusted three areas of the spending plan: 1) sub-grant to local jurisdictions (formerly postage sub-grant), 2) options for an informational mailing to voters about how to request an absentee ballot, and 3) absentee ballot certificate envelope redesign. WEC staff proposes changes to these programs as outlined below. The total expenditures recommended for each program area are:

Program	Expense
Sub-Grant Program to Local Election Officials*	\$4,126,528
Absentee Informational Mailer*	\$1,800,000- \$2,252,035
Envelopes	(Part of Subgrant)
Supplies (already approved by Commission)	\$500,000
WEC staff and development costs for intelligent mail bar codes. Also, reserve fund for April/May costs not yet billed.	\$400,000
<b>Total Grant Award</b>	<b>\$7,278,563</b>

*\*Some jurisdictions may decide to not request grant funds. Those funds would then be used to offset additional WEC staff time and development costs on approved CARES grant projects. If less expensive mailer options are chosen those funds will also be used to offset agency costs and to cover costs not yet billed from the April 7, 2020 and May 12, 2020 elections.*

## 1) CARES Act Sub-grant to Municipalities

At the Commission’s May 20, 2020 meeting, staff was directed to look into a sub-grant process for distributing CARES Act funds to municipalities in the form of a block sub-grant. To facilitate the sub-grant process, staff researched disbursement, documentation, audit, and reporting requirements.

**Sub-grant Process.** Once a methodology has been established for the disbursement of funds, sub-grant recipients will be required to complete an agreement that requests the funds from the WEC and contains certifications stating they will use the CARES sub-grant funds solely for allowable costs incurred due to the pandemic affecting the 2020 federal elections. Municipalities will be required to submit the request by September 1, 2020. Once a request has been received, Commission staff will calculate the amount the municipality qualifies for under the formula and

provide a check or transfer funds directly through and electronic transfer of funds to each approved municipality. Municipalities will be required to maintain all documentation of purchases made for a minimum of three years from the date of expenditure in case of an audit by the State or Federal government. Finally, municipalities will be required to submit a report to the Commission by December 1, 2020 of total expenditures made with grant funds as well as all other COVID-19 expenses incurred from January 20, 2020 through November 30, 2020. If a municipality does not spend the sub-grant funds they were allocated, they must return any unused funds by December 15, 2020.

Examples of Allowable Use Costs that Sub-grant funds may be used for include:

- Additional Ballot supplies, printing, and postage costs
- Additional cleaning supplies and services and protective equipment
- Additional staffing for processing a higher level of absentee ballot requests
- Additional mailings for public communication of changes in the voting process
- Additional absentee drop-box installation and security
- Additional leasing of new polling places when existing sites are closed or relocated
- Additional acquisition of equipment necessary to process higher volumes of absentee ballots.

The CARES Act specifies that these funds must be used for unbudgeted costs so expenditures in the above categories must meet that standard and cannot be used to pay for expected costs already covered in the municipal budget. For example, CARES Act grant funds could be used to pay for postage costs in addition to those accounted for in 2020 municipal election budgets or municipalities who use touchscreen voting equipment that does not use a traditional paper ballot could use grant funds to order more paper ballots to support increased absentee by mail voting.

**Proposed Disbursement of Funds.** Upon approval of the sub-grant program by the Commission, municipalities will be able to request sub-grant funds by submitting a sub-grant request and certification form, which sets forth the applicable terms and conditions, and requires the municipality to certify that they will meet the terms of the grant, including the filing of expense reports. The period to request sub-grant funds from the WEC will close on September 1, 2020.

WEC staff recommends an initial base grant of \$200 per municipality regardless of population or number of registered voters, with an additional \$1.10/per registered voter allocation, to ensure all municipalities receive adequate funding under the sub-grant. This base amount will be useful for smaller jurisdictions that may have a small number of registered voters but have increased COVID expenses independent of their population size – for example, cleaning supplies for a clerk’s office conducting in-person absentee. With the base grant amount, a municipality with 50 registered voters, for example, would be eligible to receive \$255 vs. \$55. This amount will allow jurisdictions to purchase postage, envelopes, labels, and other materials needed to adjust to

increase in absentee by mail activity. In addition, this larger amount of sub-grant funds supports in-person voting needs for the municipalities. It is estimated that postage for each absentee ballot by mail costs about \$1.10 per voter.

In the April 7, 2020 election about 62% of voters cast an absentee ballot by mail. If this trend continues, most jurisdictions will spend about 60% of their sub-grant allotment on unbudgeted postage costs, leaving nearly 40% that can be spent on unbudgeted personnel, envelopes, and other COVID-19 related expenses.

Minimum \$200 Base Grant- All Municipalities	\$370,000
Statewide Registered Voters ~3,415,026	\$3,756,528
TOTAL	\$4,126,528

**Documentation/Audit.** Administering a sub-grant program will require each receiving municipality to maintain a standard inventory of equipment purchased (if applicable) and keep track of all expenditures used with grant funds for a minimum of three years from the date of expenditure. All subgrant funds are also subject to audit by the Commission and/or the federal government to ensure funds have been spent appropriately and in accordance with all applicable federal and state laws.

**Reporting Requirements.** Under the agreement, municipalities will be required to submit to the Commission a simple report of the total expenditures in seven categories listed below by December 1, 2020.

1. Ballots
2. Cleaning Supplies and Personal Protective Equipment (PPE)
3. Staffing
4. Public Communications
5. Drop Boxes
6. Additional Leased Space
7. Equipment (plexiglass barriers, Dymo label printers, etc.)

**Match Reporting.** As discussed earlier, municipalities that receive a sub-grant will be required to report their COVID-19 related expenses in seven categories. The reporting is necessary to ensure that funds spent by municipalities are not only allowable under the grant, but is also necessary to calculate how much of the expenditures made by municipalities can be applied towards the match requirement of the State. As the recipient of the CARES grant, the WEC is required to document and report a match of 20% of the funds received. To document that municipalities have spent funds beyond their current election budgets to respond to the COVID-19 public health emergency, municipalities will be required to report all allowable expenses that were incurred between January 20, 2020 and the close of the subgrant period, November 30, 2020.

Commission staff will aggregate the expenses reported by municipalities and include those amounts in reports that demonstrate the State has met its obligation to match 20% of the total amount of funds it received through the grant. For additional details on the reporting requirements and proposed timelines, please see the attached CARES subgrant agreement.

**Sub-Grant Conclusion.** While the implementation of a block sub-grant program is a reasonable way to spend the 2020 CARES Act fund grant, administration of the program does present several timing challenges for both the clerks and Commission staff. The high volume of work already placed upon our clerks and the reporting requirements associated with the subgrant, could present issues for some jurisdictions. There are also several challenges for the Commission financial staff given the various federal reporting requirements, year-end close of our 2020 operating budget, planning for the implementation of the 2020 Elections security grant, and preparing our 2021-23 biennial budget. Overall, Commission staff believe the administration of this block sub-grant as proposed is feasible.

## 2) Absentee Voting Information Program (Absentee Mailing)

**Summary.** This is a revised proposal regarding the mailing to inform voters about the legal requirements and option to vote absentee in the State of Wisconsin. This proposal incorporates suggestions and questions raised by Commissioners at their May 20, 2020 meeting. This revised proposal attempts to address the following points:

- Clarify the purpose of the mailing
- Revise the mailing timeline to allow for consistency and Commission review
- Explain the design concept (for future Commission approval)
- Detail mailing costs in scalable terms
- Explain the variety of possible recipients
- Offer choices for Commissioners to consider.

The proposals for the Commission's consideration include a range of possibilities with potential audience size ranging from 2.2 million to 3.4 million and estimated costs ranging from \$1.8 million to \$2.8 million. Staff ask for the Commission's guidance on the following questions:

1. Should Commission staff prepare the proposed mailing?
2. What is the target audience and authorized budget for the mailing?

**Purpose.** The purpose of the mailing is to assist voters who wish to vote absentee by mail in the November General Election because of the COVID-19 crisis. Based on experiences in March and April of this year, voters new to the absentee process often have difficulty understanding how to request, complete, and return an absentee ballot. In addition, many organizations – both partisan and non-partisan – often send Wisconsin voters incomplete or misleading information about the absentee voting process. While Commission staff have no mandate, or desire, to

promote one form of voting over another, staff anticipate that the COVID-19 crisis may continue to generate interest in the absentee voting process through the November General Election. Commission staff therefore propose an official mailing to voters who may not be familiar with the absentee process (“Absentee Mailing”).

**Design.** Commission staff intend to develop a draft mailing design for final approval by the Commission at a future date. The proposed design is a letter describing: (1) the legal requirements to vote absentee by mail in the State of Wisconsin; (2) the process to request an absentee ballot online at the MyVote Wisconsin website, (3) the process to request an absentee ballot by paper form, and 4) information on all options available to voters by Wisconsin state law including in-person absentee and Election Day. The letter will also contain a sample of the paper form (EL-121). Finally, the mailing will include a pre-addressed business reply envelope so voters may return the paper form if desired. Staff propose working with our graphic design consultants to develop mailing content and obtaining approval for the content from the Commission prior to publication.

**Mailing Costs.** Based on estimates from the DOA Bureau of Publishing, the proposed mailing will cost just under 82 cents per voter, plus business reply costs based on actual usage at 61 cents per piece. The use of business reply mail ensures that the WEC will only pay for mail that is actually returned to the agency. Thus, the total estimated mailing expenses are as follows:

$$(\text{Recipients} \times \$0.82) + (\text{Returned Pieces} \times \$0.61) = \text{Mailing Cost}$$

The by-mail response, or number of returned pieces, cannot be known before the mailing is sent. Therefore, staff developed an estimated 1% return rate using available data on direct mailings and absentee applications.<sup>1</sup> Voters will also have the option to request their absentee ballot using the MyVote website. WEC staff expects a much higher “return rate” using the electronic system. Prior to the April 7 election over 80% of voters who requested an absentee ballot made their request electronically.

**Returned Request Processing.** Commission staff recommend that any paper applications resulting from this initiative be processed by the state. This will save local governments both the time and expense of processing these applications. To accommodate possible volume, staff recommend hiring temporary workers or a data entry service to process these applications at a cost not to exceed \$10,000. Therefore, the total program costs will be:

$$(\text{Mailing Cost}) + (\text{Post Processing Labor}) = \text{Total Cost}$$

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<sup>1</sup> According to the Association of National Advertisers ([www.ana.net](http://www.ana.net)), the average response rate for a targeted mailing to prospects is 5%. Commission data indicates that approximately 80% of people choose to submit their absentee applications via the online via MyVote Wisconsin. This suggests that 4% of respondents may apply via MyVote and 1% may use the paper application.

If the WEC receives applications, Commission staff will only be performing data entry. All absentee applications and photo IDs will still need to be reviewed and approved by the municipal clerk. WEC staff would not be making any decisions as to the sufficiency of the applications, only entering data into the statewide system.

**Potential Audience.** Determining the appropriate audience for the mailing introduces several variables for the Commission’s consideration. The total pool of active registered voters in Wisconsin is approximately 3.4 million voters. This represents the maximum number of possible candidates for the mailing. The Commission may, however, wish to exclude one or more subgroups as outlined below. Note that all figures are approximations because they change almost daily.

<b>Subgroup</b>	<b>Category</b>	<b>Count</b>
A	Absentee Application on File	528,000
B	Assigned to the Active Mover’s List	158,000
C	Photo Identification on File (not in groups B or C)	531,000

Subgroup A: Voters already have an absentee request on file for one or more elections in 2020. They have recently demonstrated the ability to submit a valid request for an absentee ballot and may not have the need to make any further requests for calendar year 2020.

Subgroup B: Voters are assigned to the Active Mover’s list. This means the state received information that the voter may have moved, mailed the voter a mover’s letter in October 2019, and the voter has not taken any action, including re-registering or confirming their address, to respond to the mailing or to vote.

Subgroup C: Voters have a photo ID on file with their local clerk and likely voted absentee by mail at least once after 2016. They do not have a current absentee application on file and are not on the Active Mover’s list. These voters may be familiar with absentee voting requirements, but the recency of their absentee voting experience is not known. Because of how absentee requests are associated with voter records, determining how recently their by mail application was made is a data point that was not easily available for this report but that could be explored if the Commission so directs.

**Suggested Possibilities.** Based on the factors described above, the possibilities in the chart below are offered for the Commission’s consideration. Staff recommend Option 3 as we believe it excludes the two subgroups least likely to respond to the mailing.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>
<b>Excluded Subgroups</b>	Exclude None	Application On File (A)	Application On File & Movers (A+B)	Application On File & Photo ID (A+C)	Exclude All (A+B+C)
<b>Recipients</b>	3,400,000	2,872,000	2,714,000	2,341,000	2,183,000
<b>Est. Replies by Mail</b>	34,000	28,720	27,140	23,410	21,830
<b>Total Cost</b>	\$2,818,740	\$2,382,559	\$2,252,035	\$1,943,900	\$1,813,376

**Proposed Timeline.** Staff offer a revised timeline designed to reach voters before absentee ballots are available for November General Election. The staff’s original timeline envisioned a very aggressive schedule that attempted to reach voters ahead of the August Partisan Primary. The previous schedule would have required immediate approval and very rapid development in order to reach voters in time. On May 20, 2020, the Commissioners indicated they would prefer a more deliberate development process focused on November, particularly in light of the fact that August is, historically, a very low turn-out election in Wisconsin. The revised timeline will also allow all of the mail pieces to go in the mail at the same time, rather than the staggered mailing that was part of the earlier timeline. Staff therefore offer the following timeline:

- 5/27/2020 Commission approves concept and budget. Staff begin work on design.
- 6/10/2020 Commission approves mailing content. Staff revise design as needed.
- 6/25/2020 Final data update for mailing. Staff finalize mailing specifications.
- 7/1/2020 Specifications delivered to DOA Bureau of Publishing. Staff complete post processing plans.
- 9/1/2020 Mailing to Voters Begins. Staff implement post processing plan.
- 9/7/2020 Deadline to send absentee ballots to UOCAVA voters.
- 10/29/2020 Deadline (5:00 p.m.) for regular and overseas electors to request absentee ballots by mail (online, email or fax) for the General Election.

### **3) Absentee Ballot Envelope Redesign**

Staff do not believe it is essential to continue with the redesign of the absentee envelopes prior to the fall 2020 elections. Staff made this determination after considering feedback from Commissioners and hearing concerns from clerks about the timing and logistics of the redesign, printing, and distribution of new envelope versions. Delaying this project until 2021 will allow staff to give the Commission ample opportunity to provide feedback and for extensive testing to be conducted regarding the voter usability of the envelopes, awareness of instructions for required information sections and how the envelopes interact with the two regional postal service stations that process most Wisconsin mail. The clerk feedback committees also played an important role in this recommendation to delay redevelopment. Clerks were concerned about the potential to introduce new, unanticipated issues into the process for clerks and voters as well as the mail service with a new design and preferred a focus on enhancements to the current design (ability to have highlighting printed, self-sealing options, etc.) during a busy, high-stakes election year.

It was initially believed that Intelligent mail barcodes could not be incorporated into the current envelope design. Staff has continued to discuss the incorporation of Intelligent Mail Barcodes (IMBs) into the current envelope system with our development team and the USPS mail piece design analyst and both parties are confident IMBs can be successfully integrated into the current envelope design. A redesigned envelope is not required to accommodate this ballot tracking feature. IMB development will continue using the current envelope design and testing will be conducted to ensure the IMB interacts well with the envelope layout and postal equipment.

Municipalities may use their grant funds to purchase necessary absentee envelopes for the fall 2020 elections. Clerks have reported success with highlighting the required sections of the return envelope to ensure a sufficient certificate is returned with each absentee ballot and staff would recommend that this option be used for envelopes purchased with grant funds. Staff have also received significant interest in self-adhesive return envelopes that would make it easier and safer for voters to return their absentee ballot. Previous staff research indicates envelope sets (1 transmittal and 1 return) will cost municipalities at least \$.20 per set with additional costs required for self-adhesive envelopes and other customizations, such as pre-printed clerk return addresses. If the Commission approved the sub-grant program outlined above, each clerk will be able to use the funds to work with their existing print vendors to customize their envelope orders for August and November. Some envelope customization (pre-printing clerk's office information, pre-printing municipalities postage paid indicia, etc.) would not be possible if the state made a bulk envelope purchase on behalf of the clerks.

## **Conclusion**

WEC Staff recommends that the Commission consider and approve the spending plan outlined above. Because the funds must be spend to address unbudgeted costs related to the COVID-19 pandemic for federal elections in 2020, it is imperative that this plan be approved timely to ensure local election officials have the funding needed to prepare for the August and November statewide elections.

## **Recommended Motions**

Motion #1: The Commission directs WEC staff to administer a CARES Act sub-grant to local election officials at the rate of \$1.10 per registered voter (with a \$200 minimum), not to exceed a total cost of more than \$4,126,528.

Motion #2: The Commission directs staff to prepare a draft mailer for the Commission's review and approval at the June 10 meeting. The Commission further directs staff to prepare for the mailing to be sent to [categories of voters] for a total cost not to exceed \$\_\_\_\_\_.

Motion #3: The Commission directs staff not to pursue the redesign of the absentee ballot certificate envelope in 2020 and further directs staff to incorporate intelligent mail barcodes into the existing design and to issue best practices to local election officials on how to maximize usability of the current envelope design.





# Wisconsin Elections Commission

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## 2020 HAVA CORONAVIRUS AIR, RELIEF AND ECONOMIC (CARES) SUBGRANT PROGRAM

### SUBGRANT AGREEMENT, TERMS AND CERTIFICATION

The purpose of this agreement is to certify that my jurisdiction will use the CARES Subgrant funds solely for costs incurred due to the pandemic affecting the 2020 federal elections and in accordance with the Code of Federal Regulations (CFR) Title 2, and the Wisconsin Election Commission's (the Commission's) documentation retention and reporting requirements.

#### I. ALLOWABLE USES

**Purpose and Use of Funds.** The CARES Act makes clear that grant funds are for ADDITIONAL costs associated with the national emergency related to coronavirus and are to be spent *"to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle."* Additional costs are those incurred outside of the jurisdiction's budgeted costs for the 2020 federal elections. For the purpose of this subgrant, those allowable uses span the period **January 20, 2020 through November 30, 2020** and include the seven following categories:

1. ADDITIONAL BALLOT SUPPLIES, PRINTING, AND POSTAGE COSTS for higher levels of absentee or vote by mail processes.
2. ADDITIONAL CLEANING SUPPLIES, CLEANING SERVICES AND PROTECTIVE EQUIPMENT including additional disinfectants, wipes, paper towels, deep cleaning services for polling places pre- and post-election, masks, gloves, gowns, face shields, plexiglass and other equipment for staff and poll workers' virus protection for in-person absentee voting sites, election day polling places and absentee central-count locations.
3. ADDITIONAL STAFFING FOR PROCESSING of higher levels of absentee ballot requests and absentee ballot tabulation, as *unbudgeted* overtime and benefits costs for election staff and poll workers or *unbudgeted* temporary election staff or poll workers.
4. ADDITIONAL MAILINGS FOR PUBLIC COMMUNICATION of changes in registration, absentee ballot request options, or voting procedures, including information on coronavirus precautions being implemented during the voting process.
5. ADDITIONAL ABSENTEE DROP-BOX installation and security.
6. ADDITIONAL LEASING of new polling places when existing sites are closed or relocated.

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7. ACQUISITION OF ADDITIONAL EQUIPMENT necessary to process the higher volume of absentee ballots. This includes new automated letter opening equipment, high speed or central count tabulators, and necessary additional laptops and mobile IT equipment. (Additional reporting and documentation are required for allowable equipment purchases).

## II. DOCUMENTATION, AUDIT, AND REPORTING

**DOCUMENTATION:** The receiving jurisdiction must maintain all documentation of purchases made using subgrant funds provided in this subgrant for a minimum of three years from the date of the expenditure.

A standard inventory list of all items purchased using subgrant funds must be created and maintained by the jurisdiction for purposes of any state or federal audit. Such original purchasing documentation and inventory lists shall be retained by the receiving jurisdiction until the WEC authorizes destruction of said records.

**AUDIT:** All subgrant funds are subject to audit by the Commission and/or the federal government to ensure funds have been spent appropriately and in accordance with all applicable state and federal laws.

Pursuant to Wis. Stat. § 5.05(11), if the federal government objects to the use of any funds provided to a municipality under the subgrant, the municipality shall repay the amount of the subgrant to the Commission.

**REPORT:** By December 1, 2020, all receiving jurisdictions must complete and submit to the Commission a simple report of all total pandemic-related expenditures in the seven categories listed below and detailed above:

1. **Ballots/Ballot Supplies/Printing/Postage**
2. **Cleaning/PPE**
3. **Staffing**
4. **Public Communications**
5. **Absentee Ballot Drop-Boxes**
6. **Space Leasing/Polling Place Relocation**
7. **Equipment**

**Include ALL of your jurisdiction's pandemic-related allowable expenditures (January 20, 2020 – November 30, 2020) that can be sufficiently documented, not just those that document the full use of the subgrant funds.** The Commission is not requiring a subgrantee cost match from jurisdictions, however, if the total of your jurisdiction's expenditures in the seven categories listed above is greater than the CARES Subgrant funds your jurisdiction receives, the Commission will report those extra expenditures toward the required 20% state match with the U.S. Election Assistance Commission. It is imperative that municipalities report all expenses incurred in these categories to allow the Commission to use these reported expenses as part of its match requirement.

## III. TIMELINES

- **EXPENDITURE PERIOD:** January 20, 2020 – November 30, 2020. Allowable expenses must have been incurred between January 20, 2020 through November 30, 2020. All bills/invoices do NOT have to be paid by November 30, 2020, but the expenses need to be incurred by that date to qualify under the subgrant.
- **SUBGRANT AGREEMENT RETURN DEADLINE:** September 1, 2020. The Commission will expedite the disbursement of funds as the agreements are received. Commission staff will award subgrants as a \$200 base subgrant plus an additional \$1.10 per registered voter as of May, \_\_\_ 2020. Subgrant allocation is within the sole discretion of the Commission staff administering the subgrant

program. Subgrant funds may be received through electronic transfer to a jurisdiction's shared revenues account (if available) or a physical check may be sent to a jurisdiction's shared revenues location. For questions related to the processing of subgrant checks, please contact the Commission's financial team. Julia Billingham (608) 266-2094 or [elections.finance@wi.gov](mailto:elections.finance@wi.gov)

- **PANDEMIC EXPENDITURE REPORT DEADLINE:** December 1, 2020. The jurisdiction's report of all sufficiently documented pandemic expenditures, including and above the subgrant award total, in the seven categories listed in Section II of this agreement, is due December 1, 2020. This deadline allows the Commission's financial staff to meet its federal grant reporting deadlines, therefore it is important for jurisdictions to file the expenditure report on time. The Commission will provide to participating jurisdictions a template report, and the jurisdiction will fill in the seven total expenditure amounts for the seven categories in Section II of this agreement. This is an important deadline. If a report is not received by December 1, 2020, the jurisdiction may be required to return all subgrant funds received.
- **RETURN OF UNUSED FUNDS:** December 15, 2020. Jurisdictions must return any unused subgrant funds by December 15, 2020. Also, if a jurisdiction fails to submit a Pandemic Expenditure Report by December 1, 2020, the jurisdiction may be required to return all subgrant funds received.

#### IV. CERTIFICATIONS

Federal and State law require jurisdictions receiving subgrants to certify that they will comply with the terms of the subgrant. By signing and returning this agreement, your jurisdiction certifies the following:

- As the receiving jurisdiction, we certify that we will solely use the CARES Subgrant funds for costs incurred due to the pandemic affecting the 2020 federal elections.
- As the receiving jurisdiction, we will maintain all documentation of purchases made using subgrant funds provided in this subgrant for a minimum of three years from the date of the expenditure.
- As the receiving jurisdiction, we will return any unused funds by December 15, 2020.
- As the receiving jurisdiction, by December 1, 2020 we will submit to the Commission a simple report of the total expenditures in the seven categories detailed above: 1. Ballots/Ballot Supplies/Printing/Postage, 2. Cleaning/PPE, 3. Staffing, 4. Public Communications, 5. Absentee Ballot Drop-Boxes, 6. Space Leasing/Polling Place Relocation, and 7. Equipment.
- As the receiving jurisdiction, we further certify that we will follow all state and federal laws, including the Code of Federal Regulations, Title 2 and other standard terms for receiving a federal subgrant found here: (<https://www.govinfo.gov/app/collection/cfr/2019/>)

#### V. SIGNATURE

Please enter your name and the date of certification below to certify the above and *return via your official email* address to [elections.finance@wi.gov](mailto:elections.finance@wi.gov).

Receiving Jurisdiction's Name and County \_\_\_\_\_

Signature \_\_\_\_\_  
(Authorized Representative of Jurisdiction)

Date \_\_\_\_\_





# Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984  
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**DATE:** For the May 27, 2020 Commission Meeting

**TO:** Wisconsin Elections Commission

**FROM:** Meagan Wolfe, Administrator

Prepared by:

Jodi Kitts, Senior WisVote Specialist

Connie Shehan, WisVote Specialist

**SUBJECT:** 2020 WEC Eligible But Unregistered Mailing (EBU)

This memo provides information on options, processes, and costs related to the required 2020 EBU mailing.

Wisconsin's membership with the Election Registration Information Center (ERIC) requires WEC to provide an outreach mailing to at least 95% of eligible but unregistered voters by October 1st prior to even-year General Elections.

## **2020 Eligible But Unregistered Mailing List**

This mailing is expected to be sent to approximately 203,000 individuals.

To create the EBU list, ERIC starts with a list of Wisconsin residents who have an account with the Department of Motor Vehicles (DMV) and who meet the voting age. ERIC compares this list with voter records to identify anyone who is not actively registered to create the preliminary file. The list also includes records that are inactive in WisVote, but DMV has a different address than what was provided on inactive record. They have been inactivated for reasons such as four-year maintenance, voter request, moved, felony, incompetent, undeliverable mailing, incomplete EDR etc.

The preliminary number of files being analyzed for the EBU mailing is 205,891. Potential voters who were sent an EBU postcard in 2016 or 2018 will not receive one in 2020 unless they have a new address on their Department of Motor Vehicles (DMV) record since the last EBU mailing.

Staff will be removing approximately 2,074 records from where they match a previous inactive record in WisVote that is marked as Inactive-Felon. It was determined there was not an end date for the felony sentence provided to WEC yet for these individuals, so they would not qualify to vote and will not receive the mailing. There were 103 individuals on the list that also had a previous inactive record in WisVote that were marked as Inactive-Voter Request. Staff surmised these individuals

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requested their records be deactivated for a particular purpose, so they will not receive the mailing. There is still further review of the data that will be done before the final file goes to the print center, but that has not been completed at this time. Staff anticipates the final review will result in a decrease in the mailing number, but nothing remarkable as far as a drop in numbers.

### **2020 Eligible But Unregistered Mailing Format**

Staff has altered its recommendations for the EBU mailing format based on the Commission's feedback at the May 20 special meeting and based on usability testing since the meeting.

At the May 20 meeting, Commissioners expressed a preference for sending a separate mailing about absentee voting to many registered voters shortly after the August 11, 2020 Partisan Primary. For that reason, staff recommends not including absentee voting information as part of the EBU mailing because if they register, they will receive the absentee voter education mailing.

Staff also initially proposed the EBU mailing this year be a letter, which would have also included a registration form for those not comfortable registering on the MyVote site and a return envelope, on which the individual would have to supply postage/stamp to return.

Staff participated in four days of usability sessions for the EBU mailing. Usability feedback between the letter and the postcard was almost universally equal as to which the tester preferred and there may have been a slight nod to the postcard because it was succinct and testers felt the message was clear as to why they would receive it. While it is true that previous usability tests on different election mailers showed more people would have opened the letter to at least review it, testers this time did not indicate they would think the postcard is junk mail, which could be attributed to the new design or heightened awareness surrounding elections due to COVID-19.

Therefore, WEC staff recommends sending a postcard mailing for the 2020 EBU mailing. This mailing will keep us within the allotted 2020 budget of about \$81,000 (mailing costs from DOA print center and KW2 design costs); it will most assuredly meet our timeline with the print center for it to enter the mail stream by June 30, 2020, and it is a faster turnaround time for them because the entirety of the mailing can be completed in-house. Usability testers provided feedback that deadline dates for when to register by online would be desired information on the postcard, so staff reworked the design and wording. A draft version of the postcard will be provided to the Commissioners prior to the meeting for review.

The Department of Administration (DOA) Distribution and Publishing print center confirmed that it can print the intelligent mail barcodes on the postcards as well, so the EBU mailing can still serve as a "pilot" mailing for the use of intelligent mail barcodes. The barcodes will provide staff with detailed information on undeliverable mailings and other delivery statistics, which were not previously tracked or known.

### **2020 Eligible But Unregistered Mailing Cost**

Our EBU mailing is budgeted in the 2020 cycle, which means that the funds need to be used and the mailing needs to enter the mail stream by June 30, 2020. To meet this deadline, it would be ideal to

have the final data file delivered to the DOA print center staff by June 3, 2020, but no later than June 8, 2020.

**Recommended Motion:** The Commission approves the recommended plan and expenditures outlined above to fulfill the required EBU mailing by sending the postcard mailer to voters prior to June 30, 2020.