



Wisconsin Elections Commission

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DATE: For the July 30, 2020 meeting of the Commission

TO: Wisconsin Elections Commission

FROM: Meagan Wolfe
Administrator

SUBJECT: County HAVA Security Sub-Grant – Supplemental Information

Purpose

This supplemental memorandum introduces one additional county application and provides further analysis of application packets previously identified for further discussion.

New Application

Taylor County submitted an application on-time but was not included in the Commission's original packet. Their application summary is attached to this memorandum and staff recommend approval of their request.

Supplemental Research

1. La Crosse and Marathon Counties

Both La Crosse and Marathon Counties requested funding to upgrade their Election Management Systems (EMS). After further analysis, Commission staff recommend approval of the EMS funding requests.

The EMS is responsible for several critical elections purposes, including programming voting equipment, collating results, and generating election night results reports. The potential impacts of any breach of security are therefore high.

Election management systems are certified as static systems, including components that in typical applications receive regular updates. Due to the cost and challenges of certification, updates are typically only provided for previously certified systems in the event of major security or functionality issues. As a result, each major version upgrade in an EMS will include significant security improvements including anti-virus updates, improvements to auditing software, and patches to operating systems and application stack software. Therefore, upgrading the EMS version within a product line can always be considered an important security improvement and as such should qualify for funding under the current grant terms.

La Crosse County's proposed transition from a non-modemed EMS to a modemed EMS is worthy of additional analysis. The modemed EMS equipment certified for use in Wisconsin has no known vulnerabilities, however,

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the use of modemed transmissions inevitably opens an attack surface that was not previously available, broadens the pool of possible attackers, and increases the perception of risk from critics. In return, it hardens the system against certain types of data entry errors that have historically been issues in election night reporting, can dramatically reduce the time, effort and number of people involved in election night reporting, and allows for much faster turnaround of election night results which may improve voter confidence. While staff sees no issue with counties moving to a modemed system for these and other reasons, the additional security considerations are worth noting. Many Wisconsin counties also use similar, if not identical, system versions to transmit their unofficial election night results.

2. Waupaca County

Waupaca County requested funding for in ImageCast Emergency Ballot Printing System. After further analysis, Commission staff recommend approval of their request.

Waupaca County reports that this device would only be used to print emergency ballots for ImageCast users in Waupaca County. Having this secure printer will ensure that if an ImageCast user runs low of absentee or election day ballots, or if corrections need to be made to replace a ballot style that has an error, it can be done securely and efficiently. If additional ballots are needed in a time frame that does not allow us to have those ballots printed and delivered, it can result in the municipality having to then go to hand count paper ballots. Having a dedicated printer which will print ballots that can be used in their optical scan ImageCast election machine, will eliminate the need to hand count these ballots.

3. Waushara County

Waushara County requested funds for a physical security equipment, an external security assessment, and security training for staff. Commission staff recommend approval of the assessment and training requests, as these are fundamental needs explicitly authorized by the subgrant terms.

Additional Guidance

On Wednesday, July 29, 2020, the U.S. Elections Assistance Commission provided supplemental guidance, clarifying that subgrant expenditures must specifically produce a benefit to federal elections. Requests without a nexus to federal elections cannot be approved. Commission staff therefore intend to ensure all supporting documentation references federal elections and, if necessary, ask counties to revise their submission before disbursing funds.

Recommended Motions – Revisions Underlined

Motion #1

The WEC approves the grant applications, subject to the EAC guidance referenced above, for the 55 counties listed and partial approval for two counties listed. WEC further directs staff to allocate the funds requested (up to \$35,000 base and \$.30/eligible voter) to the 57 counties listed.

Counties: Barron, Bayfield, Brown, Buffalo, Calumet, Chippewa, Clark, Columbia, Dane, Dodge, Door, Douglas, Dunn, Eau Claire, Florence, Fond Du Lac, Green, Green Lake, Jackson, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse (partial), Lafayette, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Oconto,

Oneida, Outagamie, Ozaukee, Polk, Portage, Price, Racine, Rock, Rusk, Sauk, Sawyer, Shawano, Sheboygan, St. Croix, Taylor, Trempealeau, Vernon, Vilas, Walworth, Washburn, Washington, Waukesha, Waupaca, Waushara (partial), Winnebago, and Wood

Motion #2

WEC directs staff to work with the five counties identified for further discussion to obtain more information about how their proposal will improve their county's election cybersecurity posture and/or to modify their application to meet the terms of the grant. Modifications to the proposals will be considered by the Commission at a future meeting.

Counties: Iron, La Crosse (partial - voting equipment), Langlade, Milwaukee, and Waushara (partial - video surveillance equipment)