

NOTICE OF OPEN AND CLOSED MEETING

Wisconsin Elections Commission

Regular Meeting
Wednesday, June 2, 2021
9:00 A.M.

This meeting is being held via video teleconference only. Members of the public and media may attend online or by telephone. Please visit <https://elections.wi.gov/node/7340> for login/call-in information. All public participants' phones/microphones will be muted during the meeting. Members of the public wishing to speak before the Commissioner should email electioncomments@wi.gov with "Message to Commissioners" in the subject line by the day before the meeting.

AGENDA

- A. Call to Order**
- B. Administrator's Report of Appropriate Meeting Notice**
- C. Minutes of Previous Meetings**
(Draft Minutes available here: <https://elections.wi.gov/node/7340>)
- D. Personal Appearances (Time reserved for personal appearances may be limited by the Chair)**
- E. Consideration of Electronic Registration Information Center (ERIC) Processes**
- F. Voter Felon Audit Report**
- G. Consideration/Approval of Report of Suspected Election Fraud, Irregularities or Violations**
- H. Consideration/Approval of Dominion Voting Systems Democracy Suite 5.5-C and 5.5-CS**
- I. Commission Staff Update**
 - 1. Consideration/Approval of Internal Control Plan**

NOTICE OF OPEN AND CLOSED MEETING

J. Closed Session

- 1. Election Complaints – Wis. Stat. § 5.05**
- 2. Litigation Update**

§19.851 – The Commission’s deliberations concerning an investigation of any violation of the law under the jurisdiction of the Commission shall be in closed session.

§19.85(1)(g) – The Commission may confer in closed session with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

K. Adjourn

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- E. Consideration of Electronic Registration Information Center (ERIC) Processes** **3**
- F. Voter Felon Audit Report** **22**
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- I. Commission Staff Update** **100**
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J. Closed Session

1. Election Complaints – Wis. Stat. § 5.05

2. Litigation Update

K. Adjourn



Wisconsin Elections Commission

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(608) 266-8005 | elections@wi.gov | elections.wi.gov

DATE: For the June 2, 2021 Commission Meeting

TO: Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator

Prepared by Commission Staff

SUBJECT: Electronic Registration Information Center (ERIC) Processes

This memo provides a comprehensive examination of current and future ERIC processes including the 2019 Mover's List, the 2021 Mover's List, voter participation reports, and the eligible but unregistered (EBU) mailing.

A. Background and Legal Analysis

Wisconsin is required by statute to be a member of the Electronic Registration Information Center (ERIC) and to abide by the membership agreement.¹ ERIC is an inter-state consortium formed to improve the accuracy of voter registration data and to assist voters to become registered at their current addresses. Through ERIC, the WEC receives data reports regarding citizens who may be eligible to vote but are not registered as well as data reports that indicate a currently registered voter's record may be inaccurate or out of date. In both instances of data being received, the ERIC membership agreement requires the state to initiate contact with at least 95% of the individuals who appear on those lists. *See* ERIC Membership Agreement (November 2018), pgs. 16-17. One of the data reports the WEC receives from ERIC is the Movers Report. The ERIC Movers Report provides data from a variety of sources including the Wisconsin Department of Motor Vehicles and the United States Postal Service (National Change of Address) to identify where a difference in their address in one source exists when comparing it to the address in their voter registration record. Per the ERIC agreement, the WEC is required to contact them to let them know about the difference and to provide information on how to re-register to vote if they need to. Neither state law nor the ERIC agreement requires any further action be taken on these records. In 2019 232,579 voters were identified by ERIC as potentially having moved and were sent a mailer.

¹ The chief election officer shall enter into a membership agreement with Electronic Registration Information Center, Inc., for the purpose of maintaining the official registration list under this section. Wis. Stat. § 6.36(1)(ae)1. If the chief election officer enters into an agreement under subd. 1., the chief election officer shall comply with the terms of the agreement, including the transmission of information and data related to the registration of electors in this state to the Electronic Registration Information Center, Inc., for processing and sharing with other member states and governmental units. Wis. Stat. § 6.36(1)(ae)2. *See also* 2015 Wisconsin Act 261.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

At the June 11, 2019 meeting, the Commission adopted a process for the 2019 Movers list maintenance. Among other things, this process flagged voters who did not respond to Movers mailings within 30 days with a pollbook watermark. It also allowed those voters to affirm their active registrations during the 2020 and 2021 election cycles. Under the adopted process, any voters that did not affirm their active registrations would be inactivated following the Spring 2021 election.

On November 13, 2019, a lawsuit was filed against the Commission and five of its members in Ozaukee County Circuit Court. The lawsuit sought declaratory relief related to the Commission's participation in ERIC regarding its treatment of voter registration records of individuals contacted as a result of the ERIC Movers report. The lawsuit also sought an injunction or writ of mandamus requiring the Commission apply provisions of Wis. Stat. § 6.50 to change the voter registration status from eligible to ineligible for voters who received the Commission's mailing in October 2019 and who did not respond within 30 days. The Circuit Court issued a writ of mandamus, ordering the Commission to comply with Wis. Stat. § 6.50(3). The mandamus ordered the Commission to "deactivate the registration of those electors who have failed to apply for continuation of their registration within 30 days of the date the notice was mailed." The Commission appealed the decision to the Wisconsin Court of Appeals and requested a stay of the lower court decision. Petitioner filed a petition to bypass to the Wisconsin Supreme Court. Plaintiffs filed a motion asking the Circuit Court to hold the Commission in contempt and on January 13, 2020, the Circuit Court imposed a remedial sanction against the Commission and three of the Commissioners for failure to deactivate voters identified in the initial decision.

The Wisconsin Supreme Court denied the motion to bypass and the Court of Appeals on the next morning, stayed the contempt order and the writ of mandamus issued by the Circuit Court. After issuing a stay, the Court of Appeals ultimately issued its published decision that reversed the Circuit Court's writ of mandamus and contempt orders. The Plaintiffs petitioned the Wisconsin Supreme Court for review, which was granted.

The Wisconsin Supreme Court held oral argument in this matter in September 2020 and issued its published decision on April 9, 2021. *State of WI ex rel. Timothy Zignego, et al. v. Wisconsin Elections Commission, et al.*, (2021 WI 32). The question before the Wisconsin Supreme Court was whether Wis. Stat. § 6.50(3) placed a positive and plain duty on the Wisconsin Elections Commission to do what that law requires. The Supreme Court concluded that it does not. Instead, the Court determined that the procedure set forth by Wis. Stat. § 6.50(3) is specifically limited to municipal clerks or boards of election commissioners, which the Commission is neither. Despite arguments made by the Plaintiffs that the Commission is a board of election commissioners, and therefore has a duty to carry out the process under Wis. Stat. § 6.50(3), the Supreme Court disagreed stating that "[t]his is plainly incorrect." The Court further stated that the Plaintiff's primary argument that the Commission is a board of election commissioners under Wis. Stat. § 6.50(3) "disregards nearly every foundational principle of statutory interpretation" and ultimately concluded that "[t]he Commission has no statutory obligation, and therefore no positive plain duty, to carry out the requirements of § 6.50(3)." In great detail, the Supreme Court discussed each subsection of Wis. Stat. § 6.50, observing that, "Wis. Stat. § 6.50 sometimes directs the Commission to act (4-year maintenance), and other times it directs municipal officials to do so." The Supreme Court did affirm the Court of Appeals

decision to reverse the contempt order and remedial sanctions imposed by the Circuit Court but reminded the Commission that waiting for an appellate court to grant a stay or reverse a circuit court order it disagrees with does not justify ignoring that order.

The Supreme Court did not however, fully affirm all aspects of the Court of Appeals decision and modified certain portions of the that decision. In separate footnotes, the Supreme Court addressed portions of the Court of Appeals decision that must be modified:

- Footnote 5 of the Supreme Court decision states, “While we affirm the underlying decision of the court of appeals to reverse both orders issued by the circuit court, we withdraw portions of the court of appeals decision, as explained below.”
- Footnote 7 of the Supreme Court decision states in relevant part, “Additionally, the Commission asserts that whether the movers report constituted sufficiently “reliable” information under Wis. Stat. § 6.50(3) involves a matter of judgment and discretion, meaning action based on this data cannot be compelled by a writ of mandamus. We also need not reach this question, and because we need not reach this question, we withdraw any language in the court of appeals decision deciding this issue.”
- Footnote 14 of the Supreme Court decision states, “The court of appeals concluded the Commission's actions in 2017 and 2018 were unlawful. *State ex rel. Zignego v. WEC*, 2020 WI App 17, ¶90, 391 Wis. 2d 441, 941 N.W.2d 284. However, it is unclear whether the Commission has authority to undertake the duties in Wis. Stat. § 6.50(3) on municipalities' behalf based on some other statutory provision; the parties did not brief this question. Therefore, we do not opine on whether any other statutory sections may prove relevant in determining what the Commission may do. The question before us is simply what it must do under § 6.50(3). Accordingly, we withdraw the language from the court of appeals opinion which concludes the Commission's actions in 2017 and 2018 were unlawful.”
- Footnote 19 of the Supreme Court decision states, “Specifically, we withdraw language from the court of appeals opinion deciding the legality of the Commission’s conduct in 2017 and 2018 and the reliability of the ERIC data because these issues are not necessarily necessary to adjudicate this case. See supra ¶ 12 n. 7; ¶ 32 n. 14.”

The Supreme Court decision does not specifically direct how the Commission should handle the ERIC Movers list data. By withdrawing portions of the Court of Appeals decision regarding the Commission’s actions in 2017 and 2018, it creates some uncertainty as to the authority the Commission has to handle the data provided through ERIC. The Supreme Court makes clear that the procedure under Wis. Stat. § 6.50(3) is a municipal level process, but it does not reach the question of whether the Commission has authority to undertake the duties in Wis. Stat. § 6.50(3) on municipalities’ behalf “based on some other statutory provision.” The Supreme Court states (as indicated above) in Footnote 14 that the decision simply decides what the Commission must do under Wis. Stat. § 6.50(3), not what they may do under that statutory section.

B. 2019 Mover’s Process Assessment

On June 11, 2019, the Commission directed staff to flag voters identified by ERIC as potential in-state movers and to monitor this group through the April 2021 election. Remaining members of the 2019

group would then be deactivated in April and May of 2021.² The *Zignego* case, discussed above, subsequently called this plan into question. Of the original 232,579 records in the group, approximately 69,000 records remain in “Active-Mover” status.³ These voters did not update their registration, affirm their address, or participate in any election since 2019.

Table 1: Current Active – Mover Designations Population Over Time

Voter Status	Voter Count
Original 2019 Active – Movers Designations	232,579
May 2020 Active – Movers Designations	129,151
January 2021 Active – Movers Designations	71,579
May 2021 Active – Movers Designations	69,306

Table 2: Current Status of All 232,579 ERIC Voters Sent a Movers Mailing in 2019

All Movers Status as of May 13, 2021	Voter Count	Percentage of Mailing
Active - Movers Designations	69,306	29.80%
Active – Updated Registrations (includes Inactive-Merged)	153,190	65.87%
Inactive Records	8,620	3.71%
Inactive – Undeliverable Movers Mailing	1,463	0.63%
Total Records	232,579	100%

Table 3: Movers List Recipients Who Updated Their Registration

Movers List Registrations as of May 13, 2021	Voter Count	Percentage of Mailing
1. Voters who updated or affirmed their registration at same address	16,390	7.07%
2. Voters who updated their registration at new address	136,800	58.80%
3. Total Voters with Updated Address Records	153,190	65.87%

Now that the April 2021 election is past and the *Zignego* case is decided, the Commission may wish to direct staff what action, if any, to take regarding remaining 2019 Active-Movers records. Staff developed five general options for the Commission to consider.

² Out-of-state movers who registered to vote in another state were immediately deactivated pursuant to Wis. Stat. § 6.36(1)(d).

³ Approximately 39,000 of Active-Mover records are also on the Four-Year Maintenance list and may be deactivated through that process.

OPTION #1 (Deactivation). The Commission may direct staff to complete execution of the original, June 11, 2019 plan and to immediately deactivate all remaining records in Active-Mover status. Indeed, this guidance is effectively the last directive given to staff regarding this group. Although the Wisconsin Supreme Court ruled that Wis. Stat. § 6.50(3) is not applicable to this agency, the Commission might elect to direct staff to deactivate under the broad responsibilities contemplated in Wis. Stat. §§ 5.05(15)⁴ and 5.05(2w)⁵. Note, that this course of action is inconsistent with arguments the Commission made before the Supreme Court in the *Zignego case*. Summarized:

- Deactivate remaining Active-Mover records
- Neither state law nor the ERIC agreement requires any further action be taken on these records

OPTION #2 (Clerk Communication *with* Commission Guidance). The Supreme Court's decision does not preclude municipal clerks from performing an individual assessment of each Active-Mover record and determining if the voter should remain eligible to vote. The Commission may therefore issue a clerk communication explaining the Supreme Court's decision and advising clerks of their discretionary authority to deactivate records or restore records to Active-Registered status.⁶ A draft clerk communication is attached as *Appendix A*. The Commission may also consider whether to: (1) express any opinion regarding the reliability of ERIC data; (2) provide new address data to clerks⁷, or (3) continue to employ a watermark in poll books.

Summarized:

- Clerk communication explaining the court order and offering guidance to clerks regarding local assessment of Active-Mover records for possible deactivation
- May or may not continue poll book watermarks

OPTION #3 (Clerk Communication *without* Commission Guidance). The Commission may instead publish a clerk communication that simply explains the findings of the Supreme Court without providing any specific direction or recommendations to clerks. This would effectively be a shorter version of the draft communication at *Appendix A*. If local officials do not act, the remaining Active-Mover records will eventually be inactivated through the Four-Year Maintenance process unless the voter re-registers elsewhere. The Commission may elect to continue using the pollbook watermark or to discontinue the process.

Summarized:

- Clerk communication explaining the court order only

⁴ REGISTRATION LIST. The commission is responsible for the design and maintenance of the official registration list under s. 6.36. The commission shall require all municipalities to use the list in every election and may require any municipality to adhere to procedures established by the commission for proper maintenance of the list.

⁵ ELECTIONS COMMISSION. The elections commission has the responsibility for the administration of chs. 5 to 10 and 12.

⁶ Wisconsin law requires clerks to mail a 30-day notice to the voter before deactivating a voter record. Wis. Stat. § 6.50(3).

⁷ ERIC provides the state with some data regarding the possible new address of the voter. This information could be shared with clerks through the statewide voter registration system.

- May or may not continue poll book watermarks

OPTION #4 (Close Out 2019 Program). The Commission may elect to take no action. If local officials do not act, the remaining Active-Mover records will eventually be inactivated through the Four-Year Maintenance process unless the voter re-registers elsewhere. The Commission may elect to continue using the pollbook watermark or to discontinue the process.

Summarized:

- Take no further action with the 2019 Active-Mover group
- Remaining records will eventually be deactivated or otherwise updated
- May or may not continue poll book watermarks

OPTION #5 (Restore 2019 Active Movers). The Commission may direct staff to restore all Active-Movers to Active-Registered status. While this option is technically compliant with both statute and the Supreme Court decision, the remaining records on the 2019 list appear likely to have actually moved as this population did not vote in 2020 or 2021.

Summarized:

- Restore Active-Mover records to Active-Registered status

These options are not mutually exclusive, and the Commission may elect to choose certain elements of different options or to reject all presented options and develop their own course of action.

C. 2021 Mover's Process Assessment

The Wisconsin Supreme Court's ruling in the *Zignego* case also clarifies the options available to the Commission for future iterations of the mover's process. At the March 2, 2021 meeting, Commission staff reported on the feasibility of more frequent processing of the ERIC Movers List maintenance program. Past iterations of ERIC Movers List maintenance were performed as one-time bulk mailings to large groups of voters (2017 – 341,855 and 2019 – 232,579). Using these large data sets biannually highlighted potential areas for improvement. With more frequent processing, address change data will be timely and thus more relevant to the voter; updates will be spread throughout the year rather than in response to a one-time mailing; processing smaller sets of data will facilitate more dynamic and efficient data quality review by WEC staff; and it will help to distribute phone, email, and website traffic more evenly to both WEC and local election officials.

Wisconsin's participation in ERIC regarding Movers data requires member states to "...at a minimum, initiate contact with that voter in order to correct the inaccuracy or obtain information sufficient to inactivate or update the voter's record." There is no requirement to flag voter records or to revoke an individual's eligibility to vote. The *Zignego* case further clarified Commission responsibilities regarding the Active-Mover group, specifically finding that section 6.50(3) does not impart any duties on the Wisconsin Elections Commission and requiring that any determinations regarding voter eligibility must be made voter-by-voter and not as a group. *State ex rel. Zignego v. Wisconsin Elections Commission*, 2020 WI App 17, 391 Wis. 2d 441, 941 N.W.2d 284, 19-2397.

Following publication of the *Zignego* decision, Commission staff assessed the court's order and concluded there were effectively four options available for future iterations of the Movers process as follows.

OPTION #1 (ERIC Base Requirements). The Commission may direct staff to perform a mailing that meets the requirements of the ERIC agreement and goes no further. That is, the Commission may provide a post card notification to voters but not otherwise flag voter records or recommend any further action. A draft clerk communication is attached as *Appendix B*. A draft postcard design is attached as *Appendix C*. This option strictly adheres to agency responsibilities as delineated in statute.

Summarized:

- Post card notification to voters
- No voter status change
- No watermark
- Informational clerk communication

OPTION #2 (Commission Recommends Clerk Assessments). The Commission may send a post card to voters warning of possible deactivation and flag voter records in "Active-Mover" status. A clerk communication may then be published that advises clerks of their authority/responsibility to evaluate cases individually and make a determination regarding eligibility. A draft clerk communication is attached as *Appendix D*. A draft postcard design is attached as *Appendix E*.

Summarized:

- Post card notification to voters warning of possible deactivation
- Voters flagged as "Active-Mover"
- Pollbook watermark optional
- Clerks advised to evaluate records
- This option may require promulgation of an administrative rule

OPTION #3 (Clerk Assessments with Continuation Card). In addition to the steps in Option #2 above, the post card design may include a continuation card as with the Four-Year Maintenance process. A draft clerk communication is attached as *Appendix F*. A draft postcard design is attached as *Appendix G*. In conjunction with the paper continuation card the staff could implement an electronic continuation option as shown in *Appendix H*.

Summarized:

- Identical to Option #2 but with Continuation Card for voters
- This option may require promulgation of an administrative rule

OPTION #4 (Voter Presumed to have Moved). The Commission may proceed as with Options #2 or #3 above but also set a deadline for clerks to act. On the designated date, clerks may be reminded to deactivate records not otherwise affirmed as current and the statewide voter registration system may provide an easy mechanism to do so (e.g. a button or check box).

Summarized:

- Identical to Option #2 or Option #3 but with a set deactivation date
- This option may require promulgation of an administrative rule

Whatever option is ultimately selected by the Commission, staff recommend applying it to all subsequent quarterly mailings. At the discretion of the Commission, staff may also create a module in WisVote that would allow clerks to regularly review records in a simple to access system similar to the current Registration List Alert process. WEC would continue to send out the mailings centrally, but clerks would review responses for deactivation or continuation, as with the Four-Year Maintenance mailing. An alert would generate for clerks to review records if there was no response from the voter or if the voter had affirmed, they had moved.

Table 4: 2021 Milestones

Date	Event
4/6/2021	Spring Election, April 6
6/2/2021	WEC Quarterly Meeting
6/30/2021	Movers Mailer sent June 30
9/9/2021	WEC Quarterly Meeting
9/30/2021	2nd Quarter Movers Mailer sent Sep 30
12/1/2021	WEC Quarterly Meeting
12/31/2021	3rd Quarter Movers Mailer sent Dec 31

D. 2021 ERIC Mailing Cost

Mailing costs were discussed at the March 2, 2021 Commission meeting and are reprinted below.

Table 5: Estimated Mailing Costs

Types of Mailing (Includes printing, presort, postage)	Estimated Mailers	Turnaround Time	Cost	Cost per unit
4.25x6" two-sided color postcard, First Class Presort Permit Postcard Postage <PROPOSED>	250,000	10 business days from file receipt	\$74,600	\$0.298
4x6" double postcard black ink, First Class Presort Permit Postcard Postage (similar to 2017 design)	250,000	15 business days from file receipt	\$88,900	\$0.356
1 sheet two-sided color letter, bottom 1/3 perforated, return envelope, First Class Presort Letter Postage (similar to 2019 design)	250,000	12 business days from file receipt	\$147,800	\$0.592

Table 6: Historical Mailing Costs

ERIC Movers Costs		
Project (Fiscal Year)	Mail pieces	Expense
2017 Mailing (FY18)	341,855	\$141,258
2019 Mailing (FY20)	232,579	\$142,956
2021 Mailing Estimate (FY21)	250,000	\$74,600
2021 Mailing Estimate (FY22)¹	33,300 x 4	\$40,100 - \$47,800

¹Assumes 4 quarterly mailings of approximately 33,300 pieces in FY22 utilizing either of 2 postcard options listed above. Per piece price increases slightly for smaller quantities.

G. Other ERIC Processes

In addition to the quarterly Movers list maintenance process there are additional ERIC projects that are outlined below.

Eligible but Unregistered (EBU)

By October 1 of every even numbered year, prior to the General Election, outreach to at least 95% of eligible but unregistered (EBU) voters must be completed. The EBU project was last completed in June 2020. The outreach was a postcard mailing sent to 203,064 people. The next EBU mailing will occur in 2022 by October 1.

General Election Participation Research and Referrals

After every General Election and when all ERIC member states have their elections reconciled and participation entered, ERIC provides data on potential cross-state duplicates (potentially an individual who has voted in more than one state). Staff researches and gathers documentation from clerks and the other states and based on the matching criteria approved by the commission in December 2019:

1. The voter’s first name, last name and middle name or initial (if available) must match between Wisconsin and the other state. (The use of common nicknames like “Bill” instead of “William” will also be considered a match).
2. The voter’s date of birth must match between Wisconsin and the other state.
3. If criteria #1 and #2 are met, then one of the following pieces of information (a. through e.) must also match between Wisconsin and the other state:
 - a. Last four digits of the voter’s social security number
 - b. Voter’s driver license number
 - c. Voter’s state ID number
 - d. Voter’s previous address information
 - e. Highly comparable signature on voter records

The referrals are mailed to the appropriate county district attorney's offices. As part of this data, ERIC will also provide potential duplicate in-state matches, should any be identified. This process was completed for the 2018 General Election. ERIC should provide data from the 2020 General Election to member states in summer 2021.

Death and Duplicate Registration Checks

Staff also receives and coordinates the distribution of data on death and duplicate matches. These potential matches are passed along to clerks for their review.

Enclosures:

- Appendix A. 2019 Movers Draft Clerk Communication
- Appendix B. 2021 Movers Draft Clerk Communication (Option #1)
- Appendix C. 2021 Movers Draft Postcard (Option #1)
- Appendix D. 2021 Movers Draft Clerk Communication (Option #2)
- Appendix E. 2021 Movers Draft Postcard (Option #2)
- Appendix F. 2021 Movers Draft Clerk Communication (Option #3)
- Appendix G. 2021 Movers Draft Postcard (Option #3)
- Appendix H. 2021 Mover's Draft MyVote Web Page (Option #3)

APPENDIX A: Clerk Communication Draft for 2019 Movers Minimal

As part of Wisconsin's membership in ERIC, the WEC is required to contact voters who ERIC has flagged as having potentially moved. ERIC obtains data from a variety of sources, such as Wisconsin motor vehicle records, voter registration and motor vehicle records from participating states, and the National Change of Address (NCOA) database from the U.S. Postal Service.

At the June 11, 2019 meeting, the Commission adopted a process for the 2019 Movers List maintenance. Among other things, this process flagged voters who did not respond to Movers mailings within 30 days with a pollbook watermark. It also allowed those voters to affirm their active registrations during the 2020 election cycle. Under the adopted process, any voters who did not affirm their active registrations would be inactivated following the Spring 2021 election.

In April 2021, the Wisconsin Supreme Court issued a decision in the *Zignego* case, which challenged the Commission's plans for handling the registrations of voters who did not respond to the ERIC Movers mailing.

The Supreme Court concluded that the Wisconsin Elections Commission does not have a duty to deactivate voter records based on Wis. Stat. § 6.50(3). The Supreme Court decision does not specifically direct how the Commission should handle the ERIC Movers list data. The decision also did not do anything to limit or otherwise alter the authority that clerks have under law to maintain voter registrations in their jurisdiction. Clerks retain the discretion to assess each case individually and may elect to deactivate records or restore the record to "Active/Registered" status.

Decisions to modify these voter records are to be made by clerks at the municipal level. You may want to contact your municipal attorney for assistance in interpreting applicable statutes.

If you have any questions regarding the 2019 ERIC Movers mailings, please contact the Elections Help Desk at elections@wi.gov or 608-261-2028.

APPENDIX B: Clerk Communication Draft for ERIC Base Requirements (Option 1) postcard.

This week, the WEC mailed nearly XXX,XXX postcards to Wisconsin residents who were identified as potentially moving. As part of Wisconsin's membership in ERIC, the WEC is required to contact voters who ERIC has flagged as having potentially moved. ERIC obtains data from a variety of sources, such as Wisconsin motor vehicle records, voter registration and motor vehicle records from participating states, and the National Change of Address (NCOA) database from the U.S. Postal Service.

A similar mailing was previously done in the summer of 2019. Beginning in 2021, WEC staff are implementing the Movers process on a quarterly basis. There are three mailings planned in 2021. This first mailing will be the largest, as the last Movers mailing was in 2019. The next mailings are planned for September 30, 2021 and December 31, 2021 respectively.

The postcard notifies voters that a transaction with WisDOT Division of Motor Vehicles or NCOA indicates their address may be different than their voter registration address. Voters who received the postcard and have moved, may choose to register online, by mail, at their clerk's office, or at their polling place on the next Election Day.

The postcard includes a toll-free number which routes them to the WEC Help Desk. Some voters may contact their municipal or county clerk in response to this postcard. This mailing is not being tracked in WisVote and will not result in any voter records being deactivated by WEC.

If you have any questions regarding the 2021 ERIC Movers mailings, please contact the Elections Help Desk at elections@wi.gov or 608-261-2028.

APPENDIX C Draft Post Card Option #1



Have you moved?

Te has mudado?

MyVote

MyVote.wi.gov

The Wisconsin Elections Commission wants to help you keep your voter registration record up-to-date.

A transaction with the WisDOT Division of Motor Vehicles or United States Postal Service indicates your address may be different than your current Wisconsin voter registration.

See options on back for next steps.

Wisconsin Elections Commission
212 E. Washington Ave.
Madison, WI 53703-2855



If you have moved, you can register at your new address in one of three ways:

- Online at myvote.wi.gov or
- On the next election day at your polling place.

Proof of residence is required to register to vote in Wisconsin or

- Submit a registration form to your clerk's office, in-person or by mail. A voter registration form, clerk information and proof of residence requirements can be found here: elections.wi.gov/voters

If you still reside at this address, please use one of the following options below to confirm:

- Click the gray *My Voter Info* button at myvote.wi.gov, enter your first and last name, and date of birth, then click the search button. Click the green *Confirm Your Address* button; or
- Vote in the next election where you can confirm with poll workers that you have not had a change of address.

If you have questions, call the WI Elections Commission toll free at (866) 868-3947 or email elections@wi.gov.

¿Necesitas ayuda en Español? Llama a su secretario municipal o visita myvote.wi.gov/es-es.

APPENDIX D: Clerk Communication Draft for Clerk Assessment Option (Option #2) postcard.

This week, the WEC mailed approximately XXX,XXX postcards to Wisconsin residents who were identified as potentially moving. As part of Wisconsin's membership in ERIC, the WEC is required to contact voters who ERIC has flagged as having potentially moved. ERIC obtains data from a variety of sources, such as Wisconsin motor vehicle records, voter registration and motor vehicle records from participating states, and the National Change of Address (NCOA) database from the U.S. Postal Service.

A similar mailing was previously done in the summer of 2019. Beginning in 2021, WEC staff are implementing the Movers process on a quarterly basis. There are three mailings planned in 2021. This first mailing will be the largest as the last Movers mailing was in 2019. The next mailings are planned for September 30, 2021 and December 31, 2021 respectively.

The postcard notifies voters that a transaction with WisDOT Division of Motor Vehicles or NCOA indicates their address may be different than their voter registration address. Voters who received the postcard and have moved, may choose to register online, by mail, at their clerk's office, or at their polling place on the next Election Day.

The voter records identified for this mailing will remain active but will have an updated status reason of "Movers" and will appear as "Active/Movers" in WisVote. Clerks have discretion to assess each case individually and may elect to deactivate records or restore the record to "Active/Registered" status.

Decisions to modify these voter records are to be made by clerks at the municipal level. You may want to contact your municipal attorney for assistance in interpreting applicable statutes.

The postcard includes a toll-free number which routes them to the WEC Help Desk. Some voters may contact their municipal or county clerk in response to this postcard. This mailing is not being tracked in WisVote and will not result in any voter records being deactivated by WEC.

If you have any questions regarding the 2021 ERIC Movers mailings, please contact the Elections Help Desk at elections@wi.gov or 608-261-2028.

APPENDIX E: Draft Post Card Option #2




Have you moved?

Te has mudado?



MyVote.wi.gov

The Wisconsin Elections Commission wants to help you keep your voter registration record up-to-date.

A transaction with the WisDOT Division of Motor Vehicles or United States Postal Service indicates your address may be different than your current Wisconsin voter registration.

If you do not affirm your current address or register at a new address, your voter registration status may be changed to Inactive and you may be required to re-register the next time you vote.

Contact your local clerk to keep your registration active.

See options inside for next steps.

Wisconsin Elections Commission
212 E. Washington Ave.
Madison, WI 53703-2855

If you have moved, you can register at your new address in one of three ways:

- Online at myvote.wi.gov or
- On the next Election Day at your polling place. Proof of residence is required to register to vote in Wisconsin or
- Submit a registration form to your clerk's office, in-person or by mail. Requirements can be found here: elections.wi.gov/voters

If you still reside at this address, use one of the following options below to confirm:

- Click the gray *My Voter Info* button at myvote.wi.gov, enter your first and last name, and date of birth then click the *Search* button. Click the green *Confirm Your Address* button; or
- Contact your clerk. Clerk information can be found here: elections.wi.gov/voters or call number below.

If you have questions, call the WI Elections Commission toll free at (866) 868-3947 or email elections@wi.gov.

¿Necesitas ayuda en Español? Llama a su secretario municipal o visita myvote.wi.gov/es-es.



Bulk
Mail
Permit #

VOTER NAME
STREET ADDRESS
CITY STATE ZIP



APPENDIX F: Clerk Communication Draft for Continuation Card Option (Option #3) postcard.

This week, the WEC mailed nearly XXX,XXX postcards to Wisconsin residents who were identified as potentially moving. As part of Wisconsin's membership in ERIC, the WEC is required to contact voters who ERIC has flagged as having potentially moved. ERIC obtains data from a variety of sources, such as Wisconsin motor vehicle records, voter registration and motor vehicle records from participating states, and the National Change of Address (NCOA) database from the U.S. Postal Service.

A similar mailing was previously done in the summer of 2019. Beginning in 2021, WEC staff are implementing the Movers process on a quarterly basis. There are three mailings planned in 2021. This first mailing will be the largest as the last Movers mailing was in 2019. The next mailings are planned for September 30, 2021 and December 31, 2021 respectively.

The postcard notifies voters that a transaction with WisDOT Division of Motor Vehicles or NCOA indicates their address may be different than their voter registration address. Voters who received the postcard, and have moved, may choose to register online, by mail, at their clerk's office, or at their polling place on the next Election Day. The postcard also provides an affirmation option for the voter to sign and return to clerk if they have not moved.

The voter records identified for this mailing will remain active but will have an updated status reason of "Movers" and will appear as "Active/Movers" in WisVote. If the postcard is returned to the clerk's office as undeliverable, update the status reason for the mailing record in WisVote (under Mailings tile) as "Undeliverable" and Save & Close the mailing record. *Clerks must still send a 30-day notice letter to the voter before deactivating the record.* Once the 30-day notice comes back as undeliverable then it would be handled normally, and clerks can inactivate the voter record.

Clerks have discretion to assess each case individually and may elect to deactivate records or restore the record to "Active/Registered" status.

Decisions to modify these voter records are to be made by clerks at the municipal level. You may want to contact your municipal attorney for assistance in interpreting applicable statutes.

APPENDIX G: Draft Post Card Option #3

	<h1>Have you moved?</h1>	
	<p>Te has mudado?</p>	
	 <p>MyVote.wi.gov</p>	
	<p>The Wisconsin Elections Commission wants to help you keep your voter registration record up-to-date.</p>	
	<p>A transaction with the WisDOT Division of Motor Vehicles or United States Postal Service indicates your address may be different than your current Wisconsin voter registration.</p>	
	<p>Respond promptly to keep your registration active.</p>	
	<p>See options inside for next steps.</p>	
<p>CLERK NAME MUNI NAME MUNI STREET ADDRESS MUNI CITY STATE ZIP</p>	 <p>OFFICIAL ELECTION MAIL Authorized by the U.S. Postal Service</p>	<p>Bulk Mail Permit #</p>
<p>OFFICIAL VOTER REGISTRATION NOTICE</p>		
		
<p>*****AUTO**ALL FOR AADC 530 22 8079</p>		
<p>VOTER NAME VOTER MAILING STREET ADDRESS VOTER MAILING CITY STATE ZIP</p>		

APPENDIX G: Draft Post Card Option #3 (Continued)

If you have questions, call the WI Elections Commission toll free at (866) 868-3947 or email elections@wi.gov. **¿Necesitas ayuda en Español?** Llame a su secretario municipal o visita myvote.wi.gov/es-es.

Have you moved? Contact your local clerk

If you do not affirm your current address or register at a new address, your voter registration status may be changed to Inactive and you may be required to register the next time you vote.

If you have moved, you can register at your new address in one of three ways:
Online at myvote.wi.gov or
On the next Election Day at your polling place. Proof of residence is required to register to vote in Wisconsin or
Submit a registration form to your clerk's office, in-person or by mail. A voter registration form, clerk information and proof of residence requirements can be found here: elections.wi.gov/voters

If you still reside at this address, use one of the following options below to confirm:
Click the gray *My Voter Info* button at myvote.wi.gov, enter your first and last name, and date of birth then click the *Search* button. Click the green *Confirm Your Address* button; or
Sign and return this card, by mail or in-person, to your municipal clerk.

I hereby certify I still reside at the address listed below and want to keep my voting registration active.
Sign _____ Date: ____/____/2021

VOTER NAME CITY OF WAUKESHA - WAUKESHA COUNTY
VOTER MAILING STREET ADDRESS 0009240857
VOTER MAILING CITY, STATE, ZIP



5 0 0 0 1 6 7 5 4 6

Wisconsin Elections Commission
212 E. Washington Ave.
Madison, WI 53703-2855



Return Postage Required

CLERK NAME
MUNI NAME
MUNI STREET ADDRESS
MUNI CITY STATE ZIP



APPENDIX H: Draft MyVote Wisconsin Web Page

Movers – MyVote Response Option

Voter information screen for voters marked Active-Movers

MY VOTER INFORMATION

 Johnson, John

Status: You are Registered to Vote! **Current Address:** 212 E Washington Ave , Madison, WI 53703-2855

Response pop-up w/ certification text and redirect to OVR option

You are registered to vote at: ×

212 E Washington Ave , Madison, WI 53703-2855

OR

Confirmation pop-up after choosing certification option

Your address has been confirmed at: ×

212 E Washington Ave , Madison, WI 53703-2855

Thank you!

You do not need to take any further action



Wisconsin Elections Commission

212 East Washington Avenue | Third Floor | P.O. Box 7984 | Madison, WI 53707-7984

(608) 266-8005 | elections@wi.gov | elections.wi.gov

DATE: For the June 2, 2021 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

Prepared by:
Jodi Kitts, Senior WisVote Specialist

SUBJECT: Voter Felon Audit Update

1. The Voter Felon Audit is a required post-election comparison of voters who cast a ballot at an election with the list of persons who were under Department of Corrections (DOC) supervision for a felony conviction at the time the vote was cast. Wis. Stat. §6.56(3m). The audit is conducted for any election that has a state or federal office position on the ballot.
2. The Voter Felon Audit occurs in several stages. The matches are first reviewed by the Department of Corrections, then by the municipal clerks and finally by Wisconsin Elections Commission staff before a referral is made to county district attorneys for their own investigation. The process provides the Commission the ability to identify any potential voter/felon matches and it also allows the Commission to identify any discrepancies with the matches. It is the final check in identifying potential felon participation in an election, should such activity not be caught earlier through other statutory required processes, such as the felon list check by election officials at the polls. The process also ensures that election officials at all levels have performed their due diligence before cases are referred to a District Attorney.
3. Updates for the most recent Voter Felon Audits conducted by the Commission are as follows:
 - A. *2020 Spring Primary.* The Voter Felon Audit for the February 18, 2020 Spring Primary ran on October 2, 2020 and the initial comparison identified 15 potential matches. Of the 15 matches, eight have been closed because DOC staff determined the individual identified was either not a felon at the time of the election, their conviction was for misdemeanor, or the clerk had information determining they were different individuals. Three of the seven remaining matches are in the clerk review stage and the other four were referred to the appropriate district attorney.

Wisconsin Elections Commissioners

Ann Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

B. *2020 Spring Election.* The Voter Felon Audit for the April 7, 2020 Spring Election and Presidential Preference Vote ran on February 2, 2021 and the initial comparison identified 32 potential matches. Of the 32 matches, 19 have been closed because DOC staff determined the individual identified was either not a felon at the time of the election, their conviction was for misdemeanor, or the clerk had information determining they were different individuals. Seven of the 13 remaining matches are in the clerk review stage and the other six were referred to the appropriate district attorney.

C. *2020 CD7 Special Election.* The Voter Felon Audit for the May 12, 2020 Special Election Representative in Congress District 7 ran on May 6, 2021 and the initial comparison identified three potential matches. It was sent to DOC for the first stage of review on May 7, 2021 and their review has not yet been completed at the time this memo was written.

D. *2020 Partisan Primary.* The Voter Felon Audit for the August 11, 2020 Partisan Primary ran on March 3, 2021 and the initial comparison identified 11 potential matches. Of the 11 matches, three have been closed because DOC staff determined the individuals identified were not felons at the time of the election. The eight remaining matches are in the clerk review stage.

E. *2020 General Election.* The Voter Felon Audit for the November 3, 2020 General Election ran on May 3, 2021 and the initial comparison identified 147 potential matches. It was sent to DOC for the first stage of review on May 4, 2021 and their review has not yet been completed at the time this memo was written.

F. *2021 Elections.* The Voter Felon Audit for both 2021 elections will run once outstanding participation records are recorded in WisVote. Commission staff are conducting outreach to those remaining municipalities with outstanding participation left to be recorded in the voter registration system for these elections.

4. Staff is also providing its bi-yearly comprehensive update on the status of the past Voter Felon Audits and District Attorney response information. Attachment F.2. contains statistics regarding the number of initial matches between records of voters and records of felons, as well as the disposition of the cases referred to district attorneys that the Commission has been made aware of. Additional details regarding specific cases are included in the Commission's supplemental materials folder.

Attachments:

- F.1. June Commission Report (Open Session)
- F.2. VFA Referral Statistics (Open Session)
- F.3. June Commission Report (Closed Session – includes voter names)

DA Tracker - 2010 GENERAL ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
ASHLAND - 02	5 – Referred to DA	11/20/2014		
BROWN - 05	5 – Referred to DA	10/09/2014		
RACINE - 52	5 – Referred to DA	11/20/2014		
RACINE - 52	5 – Referred to DA	11/20/2014		
WAUKESHA - 68	5 – Referred to DA	11/20/2014		

DA Tracker - 2011 SPRING ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
DANE - 13	5 – Referred to DA	11/18/2014	02/13/2018	Under investigation.
WAUKESHA - 68	5 – Referred to DA	11/20/2014		

DA Tracker - 2012 PRES. PREFERENCE & SPRING

County	Stage	Date Notice Sent	DA REPORT	Status
MILWAUKEE - 41	5 – Referred to DA	11/19/2014	08/25/2017	Under investigation.

DA Tracker - 2012 JUNE 5 RECALL ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
DANE - 13	5 – Referred to DA	11/18/2014	02/13/2018	Under investigation.
LA CROSSE - 32	5 – Referred to DA	11/18/2014		
MILWAUKEE - 41	5 – Referred to DA	10/16/2014	08/25/2017	Under investigation.
RACINE - 52	5 – Referred to DA	11/18/2014		

DA Tracker -2012 PRESIDENTIAL AND GENERAL

County	Stage	Date Notice Sent	DA REPORT	Status
LA CROSSE - 32	5 – Referred to DA	04/09/2014		
MILWAUKEE - 41	5 – Referred to DA	05/30/2014	08/25/2017	Under investigation.
RACINE - 52	5 – Referred to DA	04/09/2014		
RACINE - 52	5 – Referred to DA	04/09/2014		
RACINE - 52	5 – Referred to DA	04/09/2014		
RACINE - 52	5 – Referred to DA	04/09/2014		

DA Tracker - 2014 GENERAL ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
ASHLAND - 02	5 -Referred to DA	03/31/2015		
DANE - 14	5 -Referred to DA	03/31/2015		
DANE - 14	5 - Referred to DA	03/31/2015		
DANE - 14	5 - Referred to DA	03/31/2015		
MILWAUKEE - 41	5 – Referred to DA	04/02/2015	08/25/2017	Under Investigation.
MILWAUKEE - 41	5 – Referred to DA	03/31/2015	08/25/2017	Under Investigation.
ONEIDA - 44	5 - Referred to DA	04/01/2015		
OZAUCKEE - 46	5 – Referred to DA	04/02/2015		
RACINE - 52	5 – Referred to DA	04/03/2015		
RACINE - 52	5 – Referred to DA	04/02/2015		
RACINE - 52	5 – Referred to DA	04/03/2015		

RACINE - 52	5 - Referred to DA	03/31/2015		
RACINE - 52	5 - Referred to DA	04/02/2015		
RACINE - 52	5 - Referred to DA	04/03/2015		
RACINE - 52	5 - Referred to DA	03/26/2015		
RACINE - 52	5 - Referred to DA	04/03/2015		
SHEBOYGAN - 60	5 - Referred to DA	03/31/2015	08/08/2017	Under Investigation.
WAUKESHA - 68	5 - Referred to DA	03/31/2015		
WINNEBAGO - 71	5 - Referred to DA	03/31/2015	07/26/2018	Under Investigation.

DA Tracker - 2015 SPRING PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
DOUGLAS- 16	5 - Referred to DA	04/03/2015	08/19/2017	Under Investigation.
VILAS - 64	5 - Referred to DA	04/03/2015		

DA Tracker - 2015 SPRING ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
ASHLAND - 02	5 - Referred to DA	07/03/2015		
ASHLAND - 02	5 - Referred to DA	07/03/2015		
JACKSON - 27	5 - Referred to DA	07/03/2015		
LANGLADE - 34	5 - Referred to DA	07/03/2015	08/17/2017	Under Investigation.
MARATHON - 37	5 - Referred to DA	07/03/2015		

DA Tracker - 2016 SPRING PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
ONEIDA - 44	5 - Referred to DA	05/06/2016		

DA Tracker - 2016 SPRING ELECTION & PRES.

County	Stage	Date Notice Sent	DA REPORT	Status
BROWN - 05	5 - Referred to DA	08/09/2016		
BROWN - 05	5 - Referred to DA	08/09/2016		
DANE - 13	5 - Referred to DA	08/09/2016	02/13/2018	Under investigation.
DANE - 13	5 - Referred to DA	08/09/2016	02/13/2018	Under Investigation.
DANE - 13	5 - Referred to DA	08/09/2016	02/13/2018	Under Investigation
MILWAUKEE - 41	5 - Referred to DA	08/09/2016	08/25/2017	Under Investigation
RACINE - 52	5 - Referred to DA	08/09/2016		
SHEBOYGAN - 60	5 - Referred to DA	08/09/2016	08/08/2017	Under Investigation.
WINNEBAGO - 71	5 - Referred to DA	08/09/2016	07/26/2018	Under Investigation.
WINNEBAGO - 71	5 - Referred to DA	08/09/2016	07/26/2018	Under Investigation.

DA Tracker - 2016 PARTISAN PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
DANE - 13	5 - Referred to DA	11/21/2016	02/13/2018	Under Investigation.

DA Tracker - 2016 PRESIDENTIAL AND GENERAL ELECTION

SHEBOYGAN - 60	5 - Referred to DA	07/17/2017	08/08/2017	Under Investigation.
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DA Tracker - 2017 SPRING ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
MARATHON - 37	5 - Referred to DA	08/18/2017		
MILWAUKEE - 41	5 - Referred to DA	08/18/2017		
MILWAUKEE - 41	5 - Referred to DA	08/18/2017		

DA Tracker - 2018 SPRING ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
WAUKESHA - 68	5 - Referred to DA	07/18/2018		

DA Tracker - 2018 PARTISAN PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
ASHLAND - 02	5 - Referred to DA	02/15/2019		
BROWN - 05	5 - Referred to DA	02/18/2019		
CRAWFORD - 12	5 - Referred to DA	02/18/2019		
DANE - 13	5 - Referred to DA	02/15/2019	03/05/2019	Under Investigation.
MENOMINEE - 40	5 - Referred to DA	02/18/2019	02/18/2019	Under Investigation.
MILWAUKEE - 41	5 - Referred to DA	02/15/2019		
MILWAUKEE - 41	5 - Referred to DA	02/15/2019		

DA Tracker - 2018 GENERAL ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
BROWN - 05	5 - Referred to DA	06/03/2019		
BROWN - 05	5 - Referred to DA	08/27/2019		
BROWN - 05	5 - Referred to DA	06/03/2019		
DANE - 13	5 - Referred to DA	06/03/2019		
DANE - 13	5 - Referred to DA	06/04/2019		
DANE - 13	5 - Referred to DA	06/03/2019		
DANE - 13	5 - Referred to DA	06/03/2019		
DANE - 13	5 - Referred to DA	06/03/2019		
DANE - 13	5 - Referred to DA	09/09/2019		
DANE - 13	5 - Referred to DA	06/05/2019		
GRANT - 22	5 - Referred to DA	06/03/2019		
JACKSON - 27	5 - Referred to DA	09/09/2019	09/16/2019	Under Investigation.
KENOSHA - 30	5 - Referred to DA	06/03/2019		
KENOSHA - 30	5 - Referred to DA	06/03/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019	01/04/2021	Charges filed.
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		

MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/04/2019		
MILWAUKEE - 41	5 - Referred to DA	06/06/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019		
MILWAUKEE - 41	5 - Referred to DA	06/05/2019	08/17/2020	Charges Filed.
PORTAGE - 50	5 - Referred to DA	08/27/2019		
PORTAGE - 50	5 - Referred to DA	08/27/2019		
RACINE - 52	5 - Referred to DA	08/27/2019		
ST. CROIX - 56	5 - Referred to DA	08/27/2019		
SAUK - 57	5 - Referred to DA	06/06/2019		
SHEBOYGAN - 60	5 - Referred to DA	08/27/2019		
WASHINGTON - 67	5 - Referred to DA	08/27/2019		
WAUSHARA - 70	5 - Referred to DA	08/27/2019		
WINNEBAGO - 71	5 - Referred to DA	06/03/2019		

DA Tracker - 2019 SPRING PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
BROWN - 05	5 - Assigned to DA	09/09/2019		
VILAS - 64	5 - Assigned to DA	09/09/2019		

DA Tracker - 2019 SPRING ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
KENOSHA - 30	5 - Referred to DA	09/18/2019		
MANITOWOC - 36	5 - Referred to DA	09/19/2019	11/14/2019	Charges Filed.
MILWAUKEE - 41	5 - Referred to DA	09/19/2019		
WAUKESHA - 68	5 - Referred to DA	09/19/2019		

DA Tracker - 2020 SPRING PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
DANE - 13	5 - Referred to DA	4/12/22021		
EAU CLAIRE - 18	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	5 - Referred to DA	05/11/2021		
MILWAUKEE - 41	5 - Referred to DA	05/11/2021		
MILWAUKEE - 41	5 - Referred to DA	05/05/2021		
SAWYER - 58	3 - Assigned to Clerk			

DA Tracker - 2020 SPRING ELECTION & PRESIDENTIAL

County	Stage	Date Notice Sent	DA REPORT	Status
DANE - 13	5 - Referred to DA	05/06/2021		
DODGE - 14	5 - Referred to DA	05/06/2021		
KENOSHA - 30	5 - Referred to DA	05/06/2021		
KENOSHA - 30	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			

MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	5 - Referred to DA	05/06/2021		
OUTAGAMIE -	5 - Referred to DA	05/06/2021		
PEPIN - 47	3 - Assigned to Clerk			
VERNON - 63	5 - Referred to DA	05/06/2021		

DA Tracker - 2020 PARTISAN PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
DOOR - 15	3 - Assigned to Clerk			
FOREST - 21	3 - Assigned to Clerk			
LANGLADE - 34	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
PEPIN - 47	3 - Assigned to Clerk			
VERNON - 63	3 - Assigned to Clerk			

DA Tracker - 2020 GENERAL ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
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147 potential, but DOC is still conducting their review of the potential matches for this election.

DA Tracker - 2020 SPRING PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
DANE - 13	5 - Referred to DA	4/12/22021		
EAU CLAIRE - 18	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	5 - Referred to DA	05/11/2021		
MILWAUKEE - 41	5 - Referred to DA	05/11/2021		
MILWAUKEE - 41	5 - Referred to DA	05/05/2021		
SAWYER - 58	3 - Assigned to Clerk			

DA Tracker - 2020 SPRING ELECTION &

County	Stage	Date Notice Sent	DA REPORT	Status
DANE - 13	5 - Referred to DA	05/06/2021		
DODGE - 14	5 - Referred to DA	05/06/2021		
KENOSHA - 30	5 - Referred to DA	05/06/2021		
KENOSHA - 30	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	5 - Referred to DA	05/06/2021		
OUTAGAMIE -	5 - Referred to DA	05/06/2021		
PEPIN - 47	3 - Assigned to Clerk			
VERNON - 63	5 - Referred to DA	05/06/2021		

DA Tracker - 2020 PARTISAN PRIMARY

County	Stage	Date Notice Sent	DA REPORT	Status
DOOR - 15	3 - Assigned to Clerk			
FOREST - 21	3 - Assigned to Clerk			
LANGLADE - 34	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
MILWAUKEE - 41	3 - Assigned to Clerk			
PEPIN - 47	3 - Assigned to Clerk			
VERNON - 63	3 - Assigned to Clerk			

DA Tracker - 2020 GENERAL ELECTION

County	Stage	Date Notice Sent	DA REPORT	Status
147 potential, but DOC is still conducting their review of the potential matches for this election.				

AUDITS - FULLY CLOSED

ELECTION	Number of voters matched with felons per Election	Number of matches referred to district attorneys	Number of referrals closed by DA without charges	Number of referrals resulting in a conviction	Number of remaining referrals with current charges filed status	Number of matches or cases referred remaining open or under investigation	Number of matches closed	All matches have reached final disposition	Total number of voters	Referrals as a percentage of total number of voters
2/16/2010 Spring Primary	1	0	0	0	0	0	1	yes	152,532	0%
4/6/2010 Spring Election	6	2	1	1	0	0	6	yes	574,130	0.000348%
9/14/2010 Partisan Primary	8	3	3	0	0	0	8	yes	930,511	0.000322%
2/15/2011 Spring Primary	5	2	2	0	0	0	5	yes	444,766	0.000450%
2/21/2012 Spring Primary	3	2	2	0	0	0	3	yes	139,343	0.001435%
5/8/2012 Recall Primary Election	13	3	1	2	0	0	13	yes	1,360,750	0.000220%
8/14/2012 Partisan Primary	3	2	2	0	0	0	3	yes	851,572	0.000235%
2/19/2013 Spring Primary	1	0	0	0	0	0	1	yes	374,631	0.000000%
4/2/2013 Spring Election	8	3	2	1	0	0	8	yes	889,008	0.000337%
2/18/2014 Spring Primary	0	0	0	0	0	0	0	yes	4,310	0.000000%
4/1/2014 Spring Election	8	5	3	2	0	0	8	yes	506,566	0.000987%
8/12/2014 Partisan Primary	10	1	0	1	0	0	10	yes	638,677	0.000157%
6/23/15 Special Primary State Senate 33	0	0	0	0	0	0	0	yes	11,449	0%
7/21/15 Special Election State Senate 33	0	0	0	0	0	0	0	yes	10,012	0%
9/1/2015 Special Primary Assembly 99	0	0	0	0	0	0	0	yes	3,422	0%
9/29/15 Special Election Assembly 99	0	0	0	0	0	0	0	yes	1,591	0%
2/21/17 Spring Primary	0	0	0	0	0	0	0	yes	375,216	0%
2/20/18 Spring Primary	3	0	0	0	0	0	3	yes	541,627	0%
5/15/2018 Special Partisan Primary Senate District 1	0	0	0	0	0	0	0	yes	10,149	0%
5/15/2018 Special Partisan Primary Assembly District 42	0	0	0	0	0	0	0	yes	2,851	0%
6/12/2018 Special Partisan Election Senate District 1	0	0	0	0	0	0	0	yes	23,342	0%
6/12/2018 Special Partisan Election Assembly District 42	0	0	0	0	0	0	0	yes	10,760	0%
2/20/2018 Spring Primary	3	0	0	0	0	0	3	yes	541,627	0%
10/2/2018 Trempealeau County DA Recall	0	0	0	0	0	0	0	yes	2,711	0%
2019 Representative to the Assembly District 64	0	0	0	0	0	0	0	yes	6,581	0.00000

72 23 16 7 0 0 72

ELECTION	Number of voters matched with felons per Election	Number of matches referred to district attorneys	Number of referrals closed by DA without charges	Number of referrals resulting in a conviction	Number of remaining referrals with current charges filed status	Number of matches or cases referred remaining open or under investigation	Number of matches closed	All matches have reached final disposition	Total number of voters	Referrals as a percentage of total number of voters
2020 General Election	147	In process							3,297,524	
2020 Partisan Primary	11	In process					3		957,197	
2020 May 12 Special Election	3	In process								
2020 Spring Election and Presidential Preference Vote	32	6 (so far)	0	0	0		19		1,605,912	0.00037%
2020 Spring Primary	15	4 (so far)	0	0	0	7	8		729,307	0.00055%
2019 Spring Election	10	4	0	0	1	3	6		1,225,087	0.000327%
2019 Spring Primary	2	2	0	0	0	0	0		8,295	0.024111%
2018 General Election	79	53	8	2	2	41	36		2,688,879	0.001971%
8/14/2018 Partisan Primary	15	8	0	1	0	7	8		1,043,074	0.000767%
4/3/2018 2018 Spring Election	8	2	0	1	0	1	7		1,017,513	0.000197%
4/4/2017 Spring Election	4	4	1	0	0	3	1		747,671	0.000535%
11/8/2016 General Election	111	79	13	12	1	53	58		3,004,051	0.002630%
8/9/2016 Partisan Primary	4	2	1	0	0	1	3		645,619	0.000310%
4/5/2016 Spring Election and Presidential Pref.	33	24	10	4	0	10	23		2,130,221	0.001127%
2/16/2016 Spring Primary	7	3	2	0	0	1	6		578,083	0.000519%
4/7/2015 Spring Election	9	6	1	0	0	5	4		858,683	0.000699%
2/17/15 Spring Primary Election	6	3	1	0	0	2	4		32,119	0.009340%
11/4/2014 General Election	229	43	17	7	0	19	210		2,420,811	0.001776%
11/6/2012 Presidential and General Election	89	33	19	8	0	6	83		3,085,450	0.001070%
6/5/2012 Recall Election	53	22	12	6	0	4	49		2,516,371	0.000874%
4/3/2012 Presidential Pref. and Spring Election	13	7	5	1	0	1	12		1,144,351	0.000612%
4/5/2011 Spring Election	16	7	4	1	0	2	14		1,524,528	0.000459%
11/2/2010 General Election	60	21	11	5	0	5	55		2,185,017	0.000961%
Total for all not fully closed elections	956	323	105	48	4	171	609			



Wisconsin Elections Commission

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(608) 266-8005 | elections@wi.gov | elections.wi.gov

MEMORANDUM

DATE: For the June 2, 2021 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe
Administrator

SUBJECT: Report of Suspected Election Fraud, Irregularities or Violations

Wis. Stat. § 7.15(1)(g) requires municipal clerks to “report suspected elections frauds, irregularities, or violations of which the clerk has knowledge to the district attorney for the county where the suspected activity occurs and to the commission.” The Commission is then required to “annually report the information obtained ... to the legislature under s. 13.172(2).” Wis. Stat. § 13.172(2) directs state agencies to submit reports to the chief clerks of each house of the Legislature who in turn publish notice of the report in the journals of the respective houses and then distribute the report to members of the Legislature upon request.

Municipal clerks typically provide reports of suspected election fraud or irregularities to the Commission by email or letter, and in most cases the report is a copy of the referral they have made to the District Attorney under Wis. Stat. § 7.15(1)(g). Attached to this memorandum is the proposed cover letter and report to be submitted to the Legislature, which summarizes the information received from local election officials. This report is limited in that it only reports District Attorney referrals made by municipal clerks that the Commission has been made aware of and it is possible that other suspected election frauds, irregularities or violations have been referred without the Commission’s knowledge. It is also possible that citizens or organizations may have filed complaints directly with a District Attorney which the Commission has no way of knowing or tracking.

The Commission has directed staff to compile this report to be submitted for review in the spring of each year. Last year’s report was delayed until September partially due to unexpected shifts in staff work priorities in March and April when this information has typically been compiled and presented to the Commission. The timeframe for this report picks up from the last report and covers August 22, 2020 through May 19, 2021.

The report provides the Legislature with four key pieces of information: date on which the Commission received information from the municipal clerk about the referral, the county in which the referral was made, a brief description of the suspected election fraud, irregularity or violation, and the election during

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Administrator
Meagan Wolfe

which the event occurred. Where the referral was specific or contained multiple instances of the same type of activity that was referred, the report notes the multiple activity referred in parentheses.

For most types of referrals, the Commission has no information about whether the District Attorney found enough evidence to file charges or whether any charges resulted in a conviction.

Recommended Motion:

Direct Commission staff to submit the attached cover letter and report titled “Report of Suspected Election Fraud, Irregularities or Violations” to the Legislature per Wis. Stat. §§ 7.15(1)(g) and 13.172(2).



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June __, 2021

Sent Via Email Only

Edward Blazel
State Assembly Chief Clerk
17 W. Main St., Room 401
Madison, WI 53703
Ted.Blazel@legis.wisconsin.gov

Michael Queensland
State Senate Chief Clerk
P.O. Box 7882
Madison, WI 53707
Michael.Queensland@legis.wisconsin.gov

Re: Submission of Report to Legislature – Report of Suspected Election Fraud, Irregularities or Violations pursuant to Wis. Stat. § 7.15(1)(g)

Chief Clerks Blazel and Queensland:

Enclosed please find the Wisconsin Election Commission's report to the Legislature of suspected election fraud, irregularities or violations as reported to the Commission by municipal clerks pursuant to Wis. Stat. § 7.15(1)(g). This report is submitted to your offices pursuant to Wis. Stat. § 13.172(2) and notice of this report is to be included in the journals of each respective house, with distribution of the report to members of the Legislature upon request.

Report Notes

The report provides the Legislature with four key pieces of information: date on which the Commission received information from the municipal clerk about the referral, the county in which the referral was made, a brief description of the suspected election fraud, irregularity or violation, and the election during which the event occurred. Where the referral was specific or contained multiple instances of the same type of activity that was referred, the report notes the multiple activity referred in parentheses.

This report includes notices of referrals received August 22, 2020 through May 19, 2021 and is limited in that it only reports referrals to District Attorneys made by municipal clerks that the Commission has been made aware of, and it is possible that other suspected election frauds, irregularities or violations have been referred without the Commission's knowledge. It is also possible that citizens or organizations have filed complaints directly with a District Attorney which the Commission has no way of knowing or tracking. For most types of referrals, the Commission has no information about whether the District Attorney found enough evidence to file charges or whether any charges resulted in a conviction.

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If you have any questions regarding this report, please contact the Elections Helpdesk at 608-261-2028 or elections@wi.gov.

Sincerely,

WISCONSIN ELECTIONS COMMISSION

A handwritten signature in black ink that reads "Meagan H.M. Wolfe". The signature is written in a cursive style with a large initial 'M'.

Meagan Wolfe
Administrator

Cc: Wisconsin Elections Commission

Enclosure



Wisconsin Elections Commission

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Report of Suspected Election Fraud, Irregularities or Violations

Pursuant to the requirement contained in Wis. Stat. § 7.15(1)(g), the Wisconsin Elections Commission (WEC) submits to the Wisconsin Legislature the following report of “suspected election fraud, irregularities or violations” based on information submitted to the WEC by municipal clerks. This report is submitted to the chief clerks of each house of the Legislature per Wis. Stat. § 13.172(2).

The timeframe for this report is information the WEC received from August 22, 2020 through May 19, 2021. Please see the transmittal letter to the chief clerks which accompanies this report that describes the contents and limitations of this report.

Date	County	Suspected Election Fraud, Irregularity or Violation	Related Election
9/3/20	Rock	Voting twice in same election (in-person and absentee by mail)	2020 Partisan Primary
11/3/20	Brown	Voting twice in same election (in-person absentee and absentee by mail)	2020 General Election
11/5/20	Dodge	Voting twice in same election (in-person and absentee by mail)	2020 Partisan Primary
11/12/20	Columbia	Felon Vote (still under supervision)	2020 General Election
11/12/20	Waukesha	Voting twice in same election (in-person and absentee by mail)	2020 General Election
11/13/20	Milwaukee	Voting twice in same election (in-person and absentee by mail)	2020 General Election
11/19/20	Jackson	Improper absentee request/voting	2020 General Election
12/4/20	Langlade	Voting twice in same election (two different municipalities)	2020 General Election
12/10/20	Sheboygan	Voting twice in same election (two different municipalities)	2020 General Election
12/14/20/ 12/16/20	Portage/Waushara	Voting twice in same election (two different municipalities) (two instances)	2020 General Election
12/15/20	La Crosse	Voting twice in same election (two different municipalities)	2020 General Election
12/15/20	La Crosse	Improper residential address on voter registration (twenty-two instances)	Not specific to single election
12/22/20	St. Croix	Voting twice in same election (two different municipalities)	2020 General Election
2/8/21	Columbia	Voting after incompetency adjudication	2020 General Election
2/8/21	Columbia	Voting after incompetency adjudication	2018 Spring, 2018 General, 2019 Spring Elections

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2/8/21	Columbia	Voting after incompetency adjudication	2016 Spring Election
2/9/21	Waukesha	Voting after incompetency adjudication	2017 Spring Primary, 2017 Spring, 2018 Spring Primary, 2018 Spring, 2018 Partisan Primary, 2018 General, 2019 Spring, 2020 Spring Primary, 2020 Partisan Primary, 2020 General Election
4/12/21	Milwaukee	Voting twice in same election (two different municipalities)	2021 Spring Election
4/17/21	Jefferson	Voting in wrong municipality	2021 Spring Election



Wisconsin Elections Commission

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DATE: For the June 2, 2021 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe
Administrator

Prepared and Presented by:

Robert Williams Cody Davies
Elections Specialist Elections Specialist

SUBJECT: Dominion Voting Systems
Petition for Approval of Electronic Voting Systems
Democracy Suite 5.5-C and 5.5-CS

Introduction

Dominion Voting Systems (DVS) is requesting the Wisconsin Elections Commission (“WEC” or “Commission”) approve Democracy Suite 5.5-C and 5.5-CS voting systems for sale and use in the State of Wisconsin. The Government Accountability Board originally approved the Democracy Suite system, with Democracy Suite 4.14 D and 4.14 DS, on June 18, 2015 and this is an upgrade to that system. No electronic voting equipment may be offered for sale or utilized in Wisconsin unless first approved by the Commission based upon the requirements of Wis. Stat. § 5.91 (Appendix C). WEC has also adopted administrative rules detailing the approval process in Wis. Admin. Code Ch. EL 7 (Appendix D).

Recommendation

WEC staff is recommending approval of Democracy Suite 5.5-C and 5.5-CS for sale and use in Wisconsin. Detailed recommendations are listed on pages 24-26 following the analysis of functional and telecommunications testing performed by WEC staff.

Background

On September 3, 2020 WEC staff received an initial application for approval of Democracy Suite 5.5-CS. DVS submitted complete specifications for hardware, firmware, and software related to the voting system. In addition, DVS submitted technical manuals, documentation, and instruction materials necessary for the operation of Democracy Suite and 5.5-CS. Also included with the

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original application documentation was the testing report from the Voting Systems Testing Lab (VSTL) which conducted federal level testing for this system. Following conversations between WEC staff and representatives from DVS, the company also submitted an application for approval for Democracy Suite 5.5-C. This application was filed with all of the aforementioned supporting documentation, as well the system certification document from the federal Election Assistance Commission (EAC).

When an application is received for a system containing a telecommunications component for the transmission of unofficial election results, the voting system will contain a “base” system version which is federally tested and EAC certified, as well as a secondary system version which is identical to the “base” system except for the addition of telecommunications hardware. In such applications, Democracy Suite 5.5-C and 5.5-CS being among them, the secondary system version lacks EAC certification, but is federally tested by an approved VSTL to comply with the 2005 Voluntary Voting Systems Guidelines (VVSG). While Wisconsin state law (Wis. Stat. § 5.91) allows for state testing and Elections Commission certification of voting systems that lack federal EAC approval, it has been the practice of WEC to test both system versions where applicable. For the current test campaign, the Democracy Suite 5.5-C system has been granted EAC certification. Democracy Suite 5.5-CS lacks EAC certification but has undergone federal testing by a federally certified VSTL, Pro V&V, and Wisconsin specific functional testing by WEC staff.

Democracy Suite 5.5-CS is a federally tested modification to the EAC certified Democracy Suite 5.5-C voting system. Democracy Suite 5.5-CS provides support for modeming of unofficial election results from an ImageCast Evolution or ImageCast Precinct 2 tabulator to a Secure File Transfer Protocol (SFTP) server through encrypted wireless telecommunications networks after the polls close on Election Day. The modeming components of Democracy Suite 5.5-CS do not meet federal certification standards. However, the underlying voting system is federally certified.

System Overview

Democracy Suite 5.5-C is a federally tested, and EAC certified, paper based, digital scan voting system powered by the Democracy Suite software platform. It consists of seven major components:

- Election Management System (EMS) server.
- EMS client workstation (desktop and/or laptop computer).
- ImageCast X Ballot Marking Device (ICE X BMD) an Americans with Disabilities Act (ADA) compliant vote capture device for polling place use.
- ImageCast X Direct Record Electronic voting device (ICE X DRE) an ADA compliant vote capture device for polling place use.
- ImageCast Evolution (ICE), a polling place scanner and tabulator, which also meets ADA compliance requirements as a ballot marking device.
- ImageCast Precinct 2 (ICP2), a polling place scanner and tabulator.
- ImageCast Central (ICC), a high-speed scanner and tabulator for use in central count locations.

Updates introduced in this system version include:

- Election Management System client workstation upgraded to Windows 10.
- Upgrade to modems with available 4G capabilities via the Verizon Private Network.
- EMS and backend system components available in a standard and express configuration.
- Optional write-in report printed along with the results tapes on ICE and ICP2.
- Addition of ICE X assistive voting devices with BMD and DRE configurations.

The following paragraphs describe the design of the Democracy Suite 5.5-C and 5.5-CS hardware taken in part from DVS technical documentation.

ImageCast Evolution

The ImageCast Evolution (ICE) is a digital scan paper ballot tabulator designed for use at the polling place. After the voter marks a paper ballot, their ballot is inserted into the unit for processing. The tabulator uses a high-resolution scanner to simultaneously image the front and back of the ballot. The resulting ballot images are then processed by proprietary mark recognition software, which identifies and evaluates marks made by the voter.



The system then tabulates any votes cast on each ballot before depositing the ballot into an integrated secured storage bin. The ballot images and election results are stored on a two separate, removable, compact flash memory devices. These compact flash drives operate in unison to maintain a detailed audit log of the tabulation events on election day. The cards maintain all ballot images and ballot manifests, a text document showing how the ICE counted each ballot cast on election day. The compact flash memory cards may be taken to the municipal clerk's office or county clerk's office where the election results may be uploaded into an election results management program or transferred to another memory device to facilitate storage. The ICE includes an internal thermal printer for the printing of the zero reports, log reports, and polling place totals upon the official closing of the polls. ICE tabulators as part of Democracy Suite 5.5-CS also include external wireless and analog modems for the transmission of unofficial election results via an encrypted and secured 4G network hosted by Verizon Wireless or a standard telephone line.

The ICE also serves as an ADA compliant ballot marking device, designed for use by voters who have visual or physical limitations or disabilities. Depending upon the configuration, voting either occurs on the primary tabulator screen or on an external monitor, both of which require using an assistive input device to make ballot selections. If the primary tabulator monitor is used for accessible voting, other ballot processing must be temporarily suspended until the accessible session has ended. When utilizing the external monitor, ballot processing on the tabulator can continue during the accessible voting session. An election inspector is required to begin the accessible voting session. Instructions that guide the voter through the process appear on the screen or can be accessed via the audio ballot function. Voters use an integrated tactile keypad, sip and puff device, or paddle selectors to navigate the ballot and make contest selections. Each button on the tactile keypad has both Braille and printed text labels designed to indicate function and a related shape to help the voter determine its use. In addition, voters may use headphones to access the audio ballot

function that provides a recording of the ballot instructions and lists candidates and options for each contest. A blank ballot is inserted into the tabulator ballot slot prior to making selections when the primary screen is used. For locations with an external monitor, voters make ballot selections and place the blank ballot in the tabulator ballot slot at the end of the process. In either method, the ballot is marked according to the voter's selections and automatically returned for review. Once the voter has reviewed their ballot, it is reinserted into the tabulator for processing.

ImageCast Precinct 2

The ImageCast Precinct 2 (ICP2) is a digital scan paper ballot tabulator designed for use at the polling place. After the voter marks a paper ballot, their ballot is inserted into the unit for processing. The tabulator uses a high-resolution scanner to simultaneously image the front and back of the ballot. The resulting ballot images are then processed by proprietary mark recognition software, which identifies and evaluates marks made by the voter. The system then tabulates any votes cast on each ballot before depositing the ballot into an integrated secured storage bin.



The ballot images and election results are stored on two separate, removable, SD memory devices. These SD drives operate in unison to maintain a detailed audit log of the tabulation events on election day. The cards maintain all ballot images and ballot manifests, a text document showing how the ICP2 counted each ballot cast on election day. The SD memory cards may be taken to the municipal clerk's office or county clerk's office where the election results may be uploaded into an election results management program or transferred to another memory device to facilitate storage. The ICP2 includes an internal thermal printer for the printing of the zero reports, log reports, and polling place totals upon the official closing of the polls. ICP2 tabulators as part of Democracy Suite 5.5-CS also include external wireless and analog modems for the transmission of unofficial election results via an encrypted and secured 4G network hosted by Verizon Wireless or a standard telephone line. The ICP2 does not include any accessible voting functionality and would need to be paired with another ADA-compliant component from the system to meet the accessible voting requirements.

ImageCast Evolution and ImageCast Precinct 2 Voter Information Screens: The ICE and ICP2 feature a touchscreen display to provide feedback to the voter regarding the disposition of any ballot inserted into the machine. The screens are designed to alert voters to errors on their ballot. The tabulators will, depending on the situation, provide details about the error, identify the specific contests where the errors occurred, allow the ballot to be returned to the voter, and provide the option for the voter to cast the ballot with errors on it. Information below gives examples of the notifications provided to voters in specific situations, with approved Commission language, where applicable. Images of these screens can be found in Appendix B.

- **Overvote Notification:** If the ballot contains an overvote, a message appears that identifies the contest or contests with overvotes. The message also tells the voter that these votes will not count. The language displayed in this notification reflects language requirements as approved by the Commission, which states:

- “You have filled in too many ovals in 2 contests. These votes will not count.”
- “To correct your ballot press RETURN and ask for a new ballot.”
- “To cast your ballot with votes that will not count, press CAST.”

The voter has the option to return the ballot for review or cast the ballot. If there are multiple errors the voter is able to review them all. Instructions above the “Return” button direct the voter to press “Return” if they wish to correct their ballot. The voter is also instructed to ask for a new ballot. Instructions direct the voter to press “Cast” if they wish to submit their ballot with votes that will not count.

- **Crossover Vote Notification:** If a ballot is inserted with votes in more than one party’s primary and no selection has been made in the party preference section of the ballot, a message appears that informs the voter that their ballot contains crossover votes. As in the notification for an overvote, the language displayed in this notification reflects language requirements as approved by the Commission, which states:
 - “Cross Over Votes Detected. You selected candidates from different parties. If you cast the ballot as marked, no votes in any partisan contest will count.”
 - “To change your ballot and make selections in only one party, press RETURN and ask for a new ballot.”
 - “To cast your ballot with cross over votes, press CAST. Your votes in partisan contests will not be counted.”

The voter has the ability to return the ballot for review or cast the ballot with crossover votes. Instructions direct the voter to press “Return” if they wish to correct their ballot to reflect their party preference or vote a new ballot. The voter is instructed to ask for a new ballot. The voter does have the option to cast the crossover-voted ballot. The crossover vote warning screen is programmed to notify the voter that no votes in any partisan contest will be counted should the crossover-voted ballot be cast.

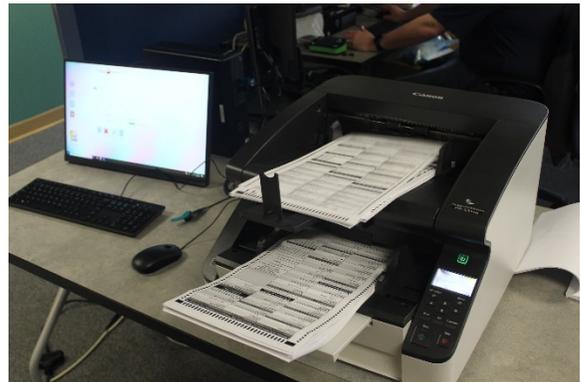
- **Blank Ballot Notification:** If the ballot contains no votes, a message appears stating that the ballot is blank. The voter is instructed to press “Return” to correct their ballot and see a poll worker for help. The voter is instructed to press “Cast Blank Ballot” to submit their ballot without any selections.
- **Error Scanning Ballot:** If a ballot is inserted incorrectly, the ICE and ICP2 will return the ballot to the voter and advise that the voter reinsert the ballot into the tabulator. The ICE and ICP2 do not allow the voter to cast the ballot without resolving the issue and, if the issue persists, the voter is instructed to contact a poll worker for assistance.
- **Ballot Jam:** This message will be displayed if a ballot becomes jammed during the scanning process. The voter is informed that the tabulator has jammed and that they should contact a poll worker. Voters are also informed of the disposition of their ballot. If the jam occurred prior to tabulation, the screen tells the voter their ballot was not counted.

This system may also be programmed, at the request of the municipality, to automatically reject all ballots with overvotes or crossover votes without the option for override, which requires the voter to correct the error by remaking his or her ballot. This ensures that voters do not mistakenly process a ballot on which a vote for one candidate or all candidates will not count. In such municipalities, absentee ballots must be remade by election inspectors without the improperly voted contests following the appropriate procedures as explained in state law and the election day manual.

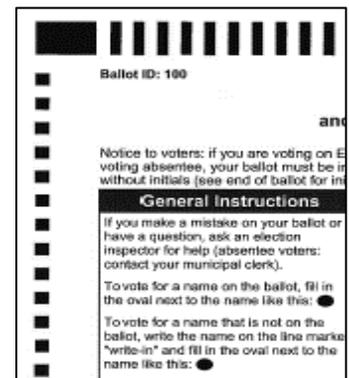
The ICE and ICP2 are also capable of producing a results report showing all candidates with write-in votes. This report captures an image of what is written on the write-in vote line if the oval was darkened. Presently, the write-in report is not approved for use. Election inspectors, instead, review ballots by hand, searching for write-in votes. This certification application is not seeking approval for the utilization of the write-in report. Per DVS, the system was developed anticipating the possibility of future legislation allowing for its use.

ImageCast Central

The ImageCast Central (ICC) is a high-speed, digital scan ballot tabulator designed for use by election officials at a central count facility. The ICC is capable of scanning ballots of various sizes. It uses a commercial off the shelf printer to read the front and back of each ballot, evaluate the result, and maintain continuous scanning and tabulating. Election officials use a touchscreen display to program these features of the ICC. While processing ballots, the ICC displays a continuous ballot scan speed indicator. Average scan speed with a 17-inch ballot approximately 100 ballots per minute. Reports can be printed from a separate connected printer. The ICC saves voter selections and ballot images to a USB flash drive for processing with the Election Management System.



Reading Ballots: The ICE, ICP2, and ICC use proprietary software to identify properly marked votes on a hand-marked ballot. Ballots used in conjunction with this system are designed with an oval next to the candidate name or write-in area. The machine uses coordinates determined by the timing marks laid out and printed on the border of the optical scan ballot to determine which contest and candidate each filled-in oval corresponds with. Tabulators do not read the actual candidate name printed next to the oval to determine voter intent. Voting equipment programming is responsible for determining the correlation between the filled-in oval and the candidate name. This programming is completed prior to the election with a statutorily required public test of the equipment included as both a way to confirm the of the accuracy of the programing and an added election transparency measure.



As the tabulator scans the ballot to determine the choices made by a voter, a digital image of both sides of the ballot is simultaneously captured by the machine. These ballot images are saved as part of the election audit trail and accessible by either the county clerk or the vendor. Accompanying each ballot image is information on how the ballot was adjudicated by the tabulator. These ballot manifestations inform election officials how each vote on every ballot was counted by the tabulator, allowing officials to know which candidates received votes on any given ballot in the event of an audit or recount.

ICE X BMD and DRE

ICE X is an accessible touchscreen device primarily designed for use by voters who have visual, auditory, or physical limitations or disabilities, which is offered in either a ballot marking device (BMD) or direct record electronic (DRE) configuration. The ICE X uses unmodified, commercially available off the shelf hardware such as touchscreen displays and desktop printers, combined with personal assistive devices, and specially developed software to form a voting device. ICE X BMD has no tabulation feature and the ballots marked using this system cannot be processed on the ICE and ICP 2 precinct tabulators.



ICE X DRE voting devices utilize the same user interface as the BMD counterpart. Instead of a ballot being printed on a standard piece of ballot stock, ballots are printed on a Voter Verified Paper Audit Trail (VVPAT) printer. The VVPAT serves as the official ballot for the voters using this device to cast their ballot and the ICE X DRE is capable of tabulating ballots cast on the device.

An activation card is necessary to begin a voting session. Depending on the type of activation card used, an election inspector may need to assist the voter to access the correct ballot style for the election. Another activation card option allows a voter specific card to be created that corresponds to a unique ballot style. Poll worker activation cards can be used an unlimited number of times. Voter activation cards must be reprogrammed after every use. It is also possible to set the voter activation cards to expire after a certain amount of time if not used. This way, activation cards cannot be taken out of the polling place and used at a later time or date. Any attempt at doing so after the programming had expired would result in a prompt displayed on the ICE X directing the voter to insert an appropriately programmed activation card in order to access the correct ballot style.

Once the correct ballot style has been selected, either by an election inspector or by the voter using a pre-programmed voter activation card, the voter is left to navigate the ballot and cast their votes privately. Voters have the option to use the touchscreen, a sip and puff device, paddle selectors, or an integrated tactile keypad to navigate the ballot and make their selections. Instructions that guide the voter through the process appear on the screen or can be accessed via the audio ballot function. Voters have the option to adjust the text display contrast and text size to suit their preferences. Each button on the tactile keypad has both Braille and printed text labels designed to indicate function and a related shape to help the voter determine its use. Voters may also use headphones to access the

audio ballot function that provides a recording of the ballot instructions and lists candidates and options for each contest. The volume of the audio can be adjusted by voters.

In both BMD and DRE configurations, the ICE X provides a ballot summary screen on which voters can review their selections before the ballot is printed. Once a voter confirms their selections, those selections are sent to an attached printer which utilizes either blank ballot stock or a VVPAT paper printer to produce a marked ballot containing all of the voter's selections. When the ballot is printed, both types of ICE X ballots differ in format from that of the hand marked optical scan ballots.

The contests on the BMD ballot, as well as voter selections, are listed in columns and rows, but there are no ovals or timing marks on the ballot. A QR code is present on the final printed ballot. However, the QR code would not be utilized due to the fact that neither the ICE nor the ICP2 are programmed to tabulate ICE X BMD ballots. After the voter completes the process, the paper ballot is the only record of the voting selections made. ICE X BMD does not save any vote or ballot information to its internal memory. Ballots marked using ICE X BMD can be deposited into a secured ballot box to be hand tabulated by election inspectors after the polls have closed. As there is no option to electronically tabulate ICE X BMD ballots, they must be hand counted.

Voter selections marked on the ICE X DRE (pictured, right) are presented to the voter on a VVPAT paper printer, as well as saved internally for tabulation after the close of polls. This style of printer uses rolls of paper that are spooled inside of a locked and secured vertical printing mechanism. Once the voter confirms their selections on the summary screen, those selections are sent to the attached VVPAT printer, which prints the voter's choices, and advances the paper roll so the voter has the opportunity to physically review the paper artifact on to which their votes are marked. Until the ballot is printed, the window through which voters view their selections remains opaque. When a ballot is advanced into the window for review, an internal light illuminates the ballot, and the window becomes transparent. Voters are given a final choice to accept the ballot as presented on the VVPAT, or to reject the ballot and vote a new one. When the voter chooses to accept the ballot, the paper roll advances so that the ballot is no longer viewable. At this time, the contests and candidates selected are also saved to the internal USB memory device for later tabulation. Both the touchscreen and printer then return to their original state, ready for the next voter. After the polls have closed on election day, election inspectors close the polls on the ICE X DRE much as they would on an optical scan tabulator. A results tape is generated by the VVPAT printer showing contest and candidate totals. Results are also saved to the internal USB memory device for transfer to the election management system.



When voting on the ICE X BMD or DRE in a Partisan Primary or Presidential Preference Primary election, voters must make a party preference selection before viewing contests so that crossover votes cannot occur. Once the voter makes their party preference selection, they will see candidates from only that party for all contests. Should the voter wish to see candidates in another party, they

would be required to navigate back to the beginning screen and make a different party preference selection. On primary ballots that contain both partisan and nonpartisan contests, there is also a nonpartisan option on the party preference selection screen. When a voter makes this selection, the ICE X automatically transitions the voter to the nonpartisan offices on the ballot.

Modeming Functionality

Democracy Suite 5.5-CS provides support for modeming of unofficial election results from an ICE or ICP2 to a Secure File Transfer Protocol (SFTP) server using the ImageCast Listener server software, located in the offices of the county clerk. Transmissions are sent through a secured and encrypted wireless telecommunications network or analog phone network. The external wireless modems used with the ICE and ICP2 communicate with the ImageCast Listener server via a 4g connection hosted on the Verizon Private Network to transmit unofficial election night results as an encrypted data packet to a secure server at a central office location, such as the county clerk's office.

The modem function on the ICE and ICP2 may only be used after an election inspector has closed the polls, utilized a multi-factor authentication token, and entered a password to access the poll worker menu. Following the printing of the results tape, election inspectors connect the external modem and select on the poll worker menu of the tabulator the option to transmit results to the county. After this option is selected, the tabulator screen provides informational prompts to the election inspectors related to where in the transmission process the machine is at any given time. The encrypted data packet comprised of the unofficial election results is received in the county office by the ImageCast Listener server and EMS server software.

In the office of the County Clerk, a firewall provides a buffer between the network segment, where the election server is located, and other internal networks which utilize separate servers. The data that is transmitted is encrypted and it is digitally signed. The network is configured to only allow valid connections with the correct encryption key to connect to the SFTP server. The firewall further restricts the flow and connectivity of traffic. Only after the system determines that an incoming data packet contains the correct encryption key, the information is passed through the SFTP server and on to the Election Management System (EMS) workstation. Any transmission received must contain the correct and matching decryption key. If the decryption key does not match that of the incoming transmission, or if some aspect of the hardware sending the transmission cannot be authenticated by the server and EMS workstation software, the transmission is rejected.

The EMS is required to be deployed on a hardened and air gapped system pursuant to the 2005 Voluntary Voting System Guidelines, meaning that all software that is not essential to the proper functioning of the EMS is removed from the computer where the EMS is installed. This procedure is designed to increase the security of the system through the elimination of applications that may provide "back door" access to the system. Access to the internet is also restricted and the EMS provides an audit log of all system actions and connection attempts that can be used to verify unauthorized access to the system while unofficial election results are being transmitted after the close of polls.

EMS servers in both the standard and express configuration as part of Democracy Suite 5.5-CS support the transmission of results via wireless or analog modems utilizing a standard phone line

connection. During this test campaign, WEC staff successfully transmitted results in each county listed below using wireless or analog modems in each municipality. During this test campaign, the strength of service ranged from zero bars (lowest indicator level is zero) to five bars (highest indicator level). In locations where signal strength is an issue, there is an optional booster antenna available that connects directly to the modem to increase wireless capabilities.

WEC staff conducted testing of Democracy Suite 5.5-CS in three counties: Washington, Green, and Walworth, between April 26 and 28, 2021. As a result of technical issues in the original modem tests, a follow up round of testing was conducted in Washington County on May 14, 2021. In consultation with each county clerk, WEC staff selected three municipalities in each county to serve as locations for testing.¹ The municipalities were selected in part because of the strength of the wireless networks in the community, or lack thereof, and the municipal clerk's willingness to host the test team. Results of these tests can be found beginning on page 14 of this report.

At its May 21, 2013, meeting, pursuant to authority granted in Wis. Stat. § 5.91 and Wis. Admin. Code Ch. EL 7, the Government Accountability Board adopted testing procedures and standards pertaining to the modeming and communication functionality of voting systems that have not received EAC certification. The standards were based upon the analysis and findings outlined in a staff memorandum and detailed in the *Voting Systems Standards, Testing Protocols and Procedures Pertaining to the Use of Communication Devices in Wisconsin*, which are attached as Appendix F. These rules apply to non-EAC certified voting systems, where the underlying voting system received EAC certification to either the 2002 Voting System Standards (VSS) or 2005 VVSG, but any additional modeming component does not meet the 2005 VVSG.

Functional Testing

As required by Wis. Admin. Code EL § 7.02(1), WEC staff conducted three mock elections with each component of Democracy Suite 5.5-C and 5.5-CS to ensure the voting system conforms to all Wisconsin requirements as laid out in Wis. Stat. § 5.91. These mock elections included: A partisan primary with a special nonpartisan school board election, a general election with both a presidential and special gubernatorial contest, and a presidential preference primary combined with a nonpartisan election with a partisan special election for Representative to the Assembly.

WEC staff designed a test script of roughly 6,200 ballot placements on 1,800 ballots using various configurations of votes over the three mock elections to verify the accuracy and functional capabilities of Democracy Suite 5.5-C and 5.5-CS. Using blank test ballots supplied by DVS, WEC staff appropriately marked votes for contests and candidates as designated on a test script spreadsheet developed for the current test campaign. For each mock election, 400 ballots were marked for tabulation. Hand marking was utilized for 300 paper ballots fed through the ICE, ICP2, and ICC. The remaining 100 ballots per mock election were marked using the accessible components of the system, the ICE Tabulator BMD and ICE X BMD. These devices were tested by

¹ Washington County: Town of Polk, Village of Jackson, Town of Trenton
Green County: Town of Monroe, Village of Browntown, City of Monroe
Walworth County: Village of Fontana, City of Lake Geneva, City of Elkhorn

marking 150 ballots per BMD type across the three mock elections for a total of 300 BMD ballots marked. This total included 50 ballots per BMD for each mock election.

The paper ballots marked, as well as the votes captured by the ICE Tabulator BMD, ICE X BMD, as well as the ICE X DRE were verified by WEC staff before being scanned and counted by the ICE, ICP2, and ICC. WEC staff ensured that the results produced by the three pieces of equipment were accurate and reconciled with the test script prior to transitioning to testing the next mock election type. A small number of results anomalies, explained below, were investigated and resolved in real time.

Votes were recorded on test ballots in a variety of configurations in all contests to ensure that the programming of the tabulation equipment was compatible with Wisconsin election law, and that the equipment processed ballot markings in accordance with statutory requirements. Ballots were purposefully marked with overvoted contests and the equipment was able to consistently identify those scenarios and inform the voter about the specific contest, or contests, that were problematic. Ballots for both the Partisan Primary and Presidential Preference mock elections were also marked with votes that crossed party lines and, in each instance, the machines were able to identify those crossover votes and display the warning screen to the voter.

Two different ballot styles were used for each mock election and one ballot style in each election had a special election contest included on the ballot. This inclusion was used to determine if the equipment could be programmed to accommodate multiple election definitions on the same ballot style and produce accurate results. The equipment was found to have accurately tabulated votes and correctly reflected Wisconsin election law in the programming on both ballot styles.

Programming on the Democracy Suite 5.5-C and 5.5-CS tabulation equipment includes a default level at which a marked oval is read as a good vote. Any mark in an oval which occupies more than 12% of the total space of the oval is counted by the tabulation equipment as a good vote. Marks that occupy less than 12% of the oval are read by the equipment as ambiguous marks. Ballots with marks not meeting this minimum threshold would be returned to the voter or election inspector for having selections not completely discernable by the tabulator. This 12% minimum mark threshold is adjustable to allow for a higher or lower percentage of the oval that must be filled in to be considered a good mark by the tabulation equipment. In an effort to maintain statewide uniformity on what will count as a good vote in municipalities using this system, if certified, the 12% threshold is included in staff recommendations beginning on page 24.

The test scripts used for this campaign were also designed to determine what constitutes a readable mark by each piece of tabulation equipment included in this system. A subset of ballots in the test deck were marked using “special marks.” The ballots with special marks were processed by the tabulation equipment. WEC staff reviewed the results to determine which of the special marks were read by the tabulation machines. The chart below illustrates actual marks from test deck ballots that were successfully read and counted as “good marks” by the ICE, ICP2 and ICC.

Examples of Marks Read by the EVS 5.3.4.1 Components during Testing				
<input checked="" type="radio"/> Turanga Leela	<input checked="" type="radio"/> William Adama	<input type="radio"/> James T. Kirk	<input type="radio"/> Roger Waters	<input checked="" type="radio"/> Delta Walker
<input type="radio"/> Philip J. Fry	<input type="radio"/> Tom Zerek	<input checked="" type="radio"/> Harry Mudd	<input checked="" type="radio"/> David Gilmour	<input type="radio"/> Susannah Dean
<input type="radio"/> Uninstructed	<input type="radio"/> Uninstructed	<input type="radio"/> Uninstructed	<input type="radio"/>	<input type="radio"/>

In each mock election, there is a subset of ballots that are marked with different shades of ink. This is done in an effort to determine what, if any, issues may arise from ballots voted with marking devices that do not adhere to vendor recommendations. All three pieces of equipment were able to correctly read marks in pencil, black pen, blue pen, as well as marks made with fine point felt tip markers, which is the marking pen recommended for use by DVS. Ballots marked with red ink, however, required additional analysis during testing due to the fact that they were initially processed inconsistently on the tabulation equipment. A more detailed description of this issue can be found in the Testing Anomalies section of this report.

The test scripts also included ballots folded to simulate hastily folded absentee ballots. Folded ballots were able to be processed on the ICE, ICP2, and ICC. Folds through the oval and write-in area on the ballots did not create any issues in testing. As tested, and recommended for certification, the equipment reviews only the oval on any ballot when scanning for marks. There is always the possibility, however, for ballots with heavy folds directly through the oval to create what is best described as a false positive vote.

Democracy Suite 5.5-C and 5.5-CS testing also included ballots with both slight and severe tears. While all three pieces of equipment successfully processed slightly torn ballots without incident, anything other than a slight tear was inconsistently processed by the equipment. In some instances, the ballot would be returned by the tabulator, only to be accepted when run through again. This is especially true if there is a tear in a ballot which runs through one of the timing marks. If the tabulator cannot clearly scan all timing marks on the ballot, any such ballots will be returned to the voter or election inspector for review. Ballots with large tears cause a jam in both the ImageCast Central and will likely not be processed by the ImageCast Evolution or ICP2.

Blank ballots were also included to determine how each of the three different tabulators would treat these ballots. The ICE and ICP2 were able to identify blank ballots and provide a warning message to the voter that indicated the ballot was blank and provide options to return the ballot or cast it as is. This functionality was also tested on the ICC, which successfully identified blank ballots in the reports and adjudication software.

Write-in votes tabulated by the ICE and ICP2 are scanned and read in the same manner as ballots for named candidates. In order for the tabulation equipment to recognize a write-in vote, voters must fill in the oval next to the appropriate write-in line. If a voter writes in the name of a candidate, but fails to mark the oval, the tabulation equipment will not recognize a valid mark. An optional write-in report can be printed at the same time as the results tape after the close of polls. This report only shows write-in votes for which the oval has been marked. For this reason, election inspectors should not rely upon the write-in report to provide a complete picture of the write-in totals, instead conducting a hand tally of all write-in votes after the close of polls. After the processing of a ballot containing write-in votes, and depending on the ballot box used, these ballots may be diverted into a separate write-in bin. Since the write-in ballot bin has a smaller capacity than the general ballot bin, election inspectors may be required to move the contents of the write-in bin to the larger ballot bin at some point on election day.

Testing Anomalies

Throughout the in-office testing process, staff encountered minor anomalies that, while explainable and which were ultimately resolved, warrant mention. It is also important to note that none of the anomalies referenced in the following paragraphs affected the outcome of the testing procedures in any way and that there was no indication of any issue with the functionality of the equipment being tested. After identifying and addressing the issues, which are further explained below, the test decks from all three mock elections reconciled appropriately without further complications.

Prior to tabulating the test deck for each election on the full suite of tabulation equipment, staff began each round of testing by first proofing the test ballots on the ImageCast Central count scanner to ensure that the ballots were marked in accordance with the test script. When proofing the test ballots for the partisan primary election, the results were consistently off in several contests. Upon further review, the cause of this issue was determined to be two ballots included in the test deck on which contests were marked with red ink. This issue was also present in the test decks for the general election and presidential preference primary, which are similarly designed to include ballots marked with red ink.

After analysis, staff determined that the ICC central count tabulator being used to proof the test decks in each election required that an optional parameter be selected to correctly read red ink. When the central count scanner settings were changed to include reviewing ballots for red ink, all ballots were appropriately tabulated by this specific tabulator. There were, however, instances where ballots marked in red ink were initially returned by the ICE and ICP2. Upon reinserting the ballots, they were ultimately accepted. The reason for this is the system capabilities and the nature of the ink used. Ballots marked with red ink that is considered to be “true red” may experience issues being processed on the tabulation equipment. Some types of red ink actually contain trace amounts of black ink. Ballots marked with this type of red ink should have no issue being processed by the tabulators. The issue of ballots marked with red ink is something that is directly addressed by DVS. Instructions are included on ballots for the currently certified Democracy Suite system, Democracy Suite 4.14, stating that red ink should not be used. It is important to note that, while voters are instructed to mark their ballots with a black felt tip marker, all pieces of tabulation equipment tested as part of Democracy Suite 5.5-C and 5.5-CS were ultimately capable of appropriately identifying ovals marked in red ink.

In a separate situation, staff was initially unable to reconcile the results of the presidential preference primary election. After multiple reviews of the results from each tabulating device and the test matrix for that election, it was determined that two ballots had been inadvertently duplicated during the preparation process. As a result, ballot number 198 and 199 were included twice in the pool of test ballots. To rectify the situation, staff located the two duplicate ballots, removed them, and retabulated the test deck on the entire suite of equipment. After this subsequent round of tabulation, the machine results and the test matrix reconciled perfectly.

Another anomaly was discovered that was specific to the ICE X DRE, which is a piece of equipment that records voter’s choices on receipt style VVPAT tape. When staff attempted to reconcile the elections marked on the ICE X DRE, each of which had a unique test matrix specific to this piece of equipment, the final results did not match the test matrix. After an extensive ballot-by-ballot review

of the VVPATs for each election, staff was able to determine certain ballots had been marked incorrectly during the initial phase of testing. After further reviewing the test matrix and determining which ballots had been mismarked during the testing protocol, and identifying and accounting for these mismarked ballots, the results for all three elections were reconciled successfully.

Anomalies such as these are common and expected during test campaigns. While the ballots in the test decks for the mock elections are proofed for errors after being marked, there is always the potential for a mismarked ballot, or duplicate ballots, to be inadvertently missed during review. When the results of an election do not match the test matrix, staff goes to great lengths to identify the root cause of the discrepancy, which can include tabulating the same test ballots multiple times and reviewing each of the ballots for a particular election until the anomaly is identified and resolved.

To reiterate, none of the anomalies encountered during this test campaign affected the ultimate outcome of the certification tests in any way. All three mock elections tabulated on the main suite of equipment and three additional mock elections specific to the ICE X DRE reconciled, as required. Testing results and staff observation of the system indicate that Democracy Suite 5.5-C and 5.5-CS consistently identifies and tabulates correctly marked ballots in a uniform fashion.

Modem Testing

WEC staff conducted functional testing of Democracy Suite 5.5-C and 5.5-CS in Washington, Green, and Walworth counties in accordance with the *Voting Systems Standards, Testing Protocols and Procedures Pertaining to the Use of Communication Devices in Wisconsin*. A four-person team of WEC staff conducted this testing campaign April 26-29, 2021 with a second round of testing in Washington County on May 14, 2021. Four representatives from DVS were on hand in each county to provide technical support. DVS provided three (3) ICE and ICP2 units in each county, each equipped with a Verizon wireless modem. Also provided by DVS as part of testing was a portable EMS environment, which included an SFTP client, firewall, etc.

In each location, DVS set up the portable environment in the county office to receive test election results from each municipal testing location. In each municipal location, WEC staff inserted a pre-marked package of 10 test ballots through both the ICE and ICP2 to create an election results packet to transmit to the county office. Both tabulators were also tested to ensure that two separate server configurations at the county were able to receive results. A WEC staff member was present at the county office to observe how the portable EMS environment handled the transmissions. As two tabulators were being tested in each location using two server configurations (Standard and Express) at the county office, staff effectively conducted four complete tests of the telecommunications capabilities of this system in each municipality.

As in previous test campaigns, staff tested both wireless and analog (wired) modems to ensure that results packets were capable of transmitting to the county on either configuration. As part of Democracy Suite 5.5-C and 5.5-CS, the unofficial results data is encrypted, digitally signed, and then transmitted via a further encrypted virtual private network (VPN) hosted by Verizon Wireless. Without the correct encryption key, the incoming data is prevented from reaching the EMS workstation.

An optional component of this system was also tested in addition to the ICE and ICP2. The Results Transfer Manager (RTM) is a standalone application used in conjunction with the Election Management System (EMS) that allows for the secure transmission of election results from a remote location to a central location. This method of results transmission is used in lieu of modeming directly from a tabulator and allows the media cartridge from the tabulator to be plugged into a secure device, from which the results from multiple tabulators/devices can all be transmitted to the EMS at the county at the same time. This component performed in accordance with testing standards and there were no issues with the results transmission process.

Washington County

On April 26, 2021, WEC staff conducted tests on the Democracy Suite 5.5-C and 5.5-CS modem component in three municipalities in Washington County: Village of Jackson, Town of Trenton, and Town of Polk. DVS conducted pre-testing of the Democracy Suite 5.5-C and 5.5-CS wireless modem components in Washington County prior to WEC testing. An ICE and ICP2, each equipped with Verizon modems, were tested in all three municipalities. A test script was used to ensure that each tabulator conforms to the communications device standards and that each was able to transmit accurate election results data to the Election Management System.

The first round of modem testing in Washington County was not successful. While staff was able to intermittently transmit results to the county office, none of the sites were able to fully complete testing and one municipality, the Town of Trenton, was not able to transmit a single results packet at any point during this test. Following this series of issues, DVS staff were able to determine that the root cause of the connectivity issue was the prepaid SIM cards being used for testing. The prepaid cards were not correctly set up with the proper IMEI number for each device and, as such, the server did not allow transmissions from the modems utilizing those cards. As this issue was not considered to be a fault of the system itself, WEC staff coordinated a second round of testing in Washington County on May 14, 2021, during which the modems all performed to adequate standards.

Washington County (Wireless)					
		ICE		ICP2	
		Standard	Express	Standard	Express
Village of Jackson					
Initial Transmission		10 of 10	10 of 10	10 of 10	10 of 10
Load Test		12 of 12	11 of 11	14 of 14	9 of 9
Town of Polk					
Initial Transmission		10 of 10	10 of 10	10 of 10	10 of 10
Load Test		9 of 9	7 of 7	11 of 11	10 of 10
Town of Trenton					
Initial Transmission		10 of 10	10 of 10	10 of 10	10 of 10
Load Test		7 of 7	4 of 4	8 of 8	5 of 5
Load Test Results		28 of 28	22 of 22	33 of 33	24 of 24

In the second round of testing, WEC staff successfully transmitted election results from each of the three municipalities. The test script calls for the verification of several certification standards and then requires 10 results sets to be transmitted from each tabulator. The machines were able to successfully transmit multiple results with a 100% success rate during this portion of testing. The functional testing concluded with a load test during which WEC staff attempted to transmit results simultaneously from all the machines for a set period of time.

Green County

On April 27, 2021, WEC staff conducted tests on the Democracy Suite 5.5-C and 5.5-CS modem component in three municipalities in Green County: Town of Monroe, City of Monroe, and Village of Browntown. DVS conducted pre-testing of the Democracy Suite 5.5-C and 5.5-CS modem components in Green County prior to WEC testing. An ICE and ICP2, each equipped with Verizon modems, were tested in all three municipalities. The same test script used in Washington County was also used during this portion of the test campaign.

Green County (Analog)					
		ICE		ICP2	
		Standard	Express	Standard	Express
Town of Monroe					
Initial Transmission		10 of 10	5 of 5	10 of 10	5 of 5
Load Test		4 of 5	3 of 3	4 of 6	5 of 5
City of Monroe					
Initial Transmission		10 of 10	5 of 5	10 of 10	5 of 5
Load Test		5 of 5	4 of 4	5 of 7	6 of 7
Village of Browntown					
Initial Transmission		10 of 10	5 of 5	10 of 10	5 of 5
Load Test		5 of 5	3 of 4	5 of 6	1 of 4
Load Test Results		14 of 15	10 of 11	14 of 19	12 of 16

WEC staff successfully transmitted election results from each of the three municipalities. The test script calls for the verification of several certification standards and then requires 10 results sets to be transmitted from each tabulator. The three machines each were able to successfully transmit results with a 100% success rate during this portion of testing. The functional testing concluded with a load test where WEC staff attempted to transmit results simultaneously from all the machines for a set period of time.

As Green County uses analog modems to transmit election results, the load test saw a few instances of transmission failure. This is normal in analog modem testing and was expected, as three tabulators were all attempting to transmit data concurrently to the county office’s single analog phone line.

Walworth County

On April 28, 2021, WEC staff conducted tests on the Democracy Suite 5.5-C and 5.5-CS modem component in three municipalities in Walworth County: City of Elkhorn, City of Lake Geneva, and Village of Fontana. DVS conducted pre-testing of the Democracy Suite 5.5-C and 5.5-CS modem components in Green County prior to WEC testing. An ICE and ICP2, each equipped with Verizon modems, were tested in all three municipalities. The same test script used in Washington and Green Counties was also used during this portion of the test campaign.

Walworth County (Wireless)

	ICE		ICP2	
	Standard	Express	Standard	Express
City of Elkhorn				
Initial Transmission	10 of 10	10 of 10	10 of 10	10 of 10
Load Test	11 of 11	11 of 11	10 of 10	14 of 14
City of Lake Geneva				
Initial Transmission	10 of 10	10 of 10	10 of 10	10 of 10
Load Test	9 of 9	10 of 10	11 of 11	11 of 11
Village of Fontana				
Initial Transmission	10 of 10	10 of 10	10 of 10	10 of 10
Load Test	8 of 8	8 of 8	9 of 9	10 of 10
Load Test Results	28 of 28	29 of 29	30 of 30	35 of 35

WEC staff successfully transmitted election results from each of the three municipalities. The test script calls for the verification of several certification standards and then requires 10 results sets to be transmitted from each tabulator. The three machines each were able to successfully transmit results with an 100% success rate during this portion of testing. The functional testing concluded with a load test where WEC staff attempted to transmit results simultaneously from all the machines for a set period of time.

Public Demonstration

A public demonstration of Democracy Suite 5.5-C and 5.5-CS was held on April 22, 2021 from 4:30 p.m. to 5:30 p.m. at the WEC office in Madison and virtually via Zoom. The public meeting is designed to allow members of the public the opportunity to use the voting system and to provide comment. This was the first time a hybrid meeting was held as part of a voting equipment test. Previous public demonstrations were held exclusively in person. As there were zero attendees in person for the public demonstration, representatives from DVS offered a presentation of the components of Democracy Suite 5.5-C and 5.5-CS to the virtual attendees. Following the demonstration of system components, DVS representatives and WEC staff took direct questions from members of the public for the remainder of the meeting.

Wisconsin Elections Commission Voting Equipment Review Panel Meeting

In an effort to continue to solicit valuable feedback from local election officials and community advocates during the voting equipment approval process, the Wisconsin Elections Commission formed a Voting Equipment Review Panel. The Voting Equipment Review Panel is composed of municipal and county clerks, representatives of the disability community, and advocates for the interests of the voting public. Wis. Admin. Code EL §7.02(2), permits the agency to use a panel of local election officials and electors to assist in the review of voting systems. Like the public demonstration, this meeting has historically been held only in person. The Voting Equipment Review Panel meeting for the current test campaign was, instead, held in a hybrid manner with both in person attendees, as well as those viewing virtually via Zoom. The meeting was also broadcast for viewing by public attendees. However, direct participation was reserved for Review Panel members.

Four invited participants attended the Voting Equipment Review Panel Meeting in person, while a further three attended virtually. The meeting took place at the WEC office in Madison on April 22, 2021 from 2:00 p.m. to 3:30 p.m. DVS provided a demonstration of Democracy Suite 5.5-C and 5.5-CS with attendees encouraged to test the equipment. The modeming component of Democracy Suite 5.5-C and 5.5-CS was discussed but not demonstrated during the meeting. Comments and feedback from the Voting Equipment Review Panel meeting are included in Appendix G.

Statutory Compliance

Wis. Stat. § 5.91 provides the following requirements voting systems must meet to be approved for use in Wisconsin. Please see the text below of each requirement and staff’s analysis of the Democracy Suite 5.5-C and 5.5-CS compliance with the standards.

§ 5.91 (1)
The voting system enables an elector to vote in secret.
Staff Analysis
The DVS voting systems meet this requirement by allowing a voter to vote a paper ballot in the privacy of a voting booth or at the accessible voting station without assistance.

§ 5.91 (3)
The voting system enables the elector, for all elections, except primary elections, to vote for a ticket selected in part from the nominees of one party, and in part from nominees from other parties and write-in candidates
Staff Analysis
The DVS voting systems allow voter to split their ballot among as many parties as they wish during any election that is not a partisan primary.

§ 5.91 (4)
The voting system enables an elector to vote for a ticket of his or her own selection for any person for any office for whom he or she may desire to vote whenever write-in votes are permitted.
Staff Analysis
The DVS voting systems allow write-ins where permitted.

§ 5.91 (5)
The voting systems accommodate all referenda to be submitted to electors in the form provided by law.
Staff Analysis
The DVS voting systems meet this requirement. Referenda included as part of testing were accurately tabulated by all Democracy Suite 5.5-C and 5.5-CS components.

§ 5.91 (6)
The voting system permits an elector in a primary election to vote for the candidates of the recognized political party of his or her choice, and the system rejects any ballot on which votes are cast in the primary of more than one recognized political party, except where a party designation is made or where an elector casts write-in votes for candidates of more than one party on a ballot that is distributed to the elector.
Staff Analysis
The DVS voting systems can be configured to always reject crossover votes without providing an opportunity for the voter to override. The system can also be programmed to provide a warning screen to the voter that identifies any crossover voted contest. Either one of these programming options allows these systems to meet this requirement. The warning screen provides options where the voter can choose to have their ballot returned to them or they can cast the ballot without correcting the crossover vote. The use of the override function was previously prohibited by statute, but Wis. Stats. §5.85(2)(b) expressly allows for the optional use of the override function in event of an overvote and the WEC has applied the same standard to the use of the override function in the event of crossover vote.

§ 5.91 (7)
The voting system enables the elector to vote at an election for all persons and offices for whom and for which the elector is lawfully entitled to vote; to vote for as many persons for an office as the elector is entitled to vote for; to vote for or against any question upon which the elector is entitled to vote; and it rejects all choices recorded on a ballot for an office or a measure if the number of choices exceeds the number which an elector is entitled to vote for on such

office or on such measure, except where an elector casts excess write-in votes upon a ballot that is distributed to the elector.
Staff Analysis
The DVS voting systems can be configured to always reject overvotes without providing an opportunity for the voter to override. The system can also be programmed to provide a warning screen to the voter that identifies any overvoted contest. Either one of these programming options allows these systems to meet this requirement. The warning screen provides options where the voter can choose to have their ballot returned to them or they can cast the ballot without correcting the overvote. The use of the override function was previously prohibited by statute, but Wis. Stats. §5.85(2)(b) expressly allows for the optional use of the override function in event of an overvote.

§ 5.91 (8)
The voting system permits an elector at a General Election by one action to vote for the candidates of a party for President and Vice President or for Governor and Lieutenant Governor.
Staff Analysis
The DVS voting systems meet this requirement. Traditional paper ballots utilized by the ICE and ICP2, as well as the ICE X DRE and ICE X BMD candidate screens, present the two candidates in these contests as a single choice.

§ 5.91 (9)
The voting system prevents an elector from voting for the same person more than once, except for excess write-in votes upon a ballot that is distributed to the elector.
Staff Analysis
The DVS voting systems meet this requirement.

§ 5.91 (10)
The voting system is suitably designed for the purpose used, of durable construction, and is usable safely, securely, efficiently, and accurately in the conduct of elections and counting of ballots.
Staff Analysis
The DVS voting systems meet this requirement.

§ 5.91 (11)
The voting system records and counts accurately every vote and maintains a cumulative tally of the total votes cast that is retrievable in the event of a

power outage, evacuation or malfunction so that the records of votes cast prior to the time that the problem occurs is preserved.
Staff Analysis
The DVS voting systems meet this requirement. Tabulation equipment components of Democracy Suite 5.5-C and 5.5-CS image every ballot cast and saves to a detachable memory device for retrieval if necessary.

§ 5.91 (12)
The voting system minimizes the possibility of disenfranchisement of electors as the result of failure to understand the method of operation or utilization or malfunction of the ballot, voting system, or other related equipment or materials.
Staff Analysis
The DVS voting systems can be programmed to provide warning screens to the voter that identifies any problem with their ballot. The warning screens provide an explanation of the problem and allow the voter to have their ballot returned to them to review and correct the error. The systems can be configured to always reject overvotes and crossover votes without providing an opportunity for the voter to override.

§ 5.91 (13)
The automatic tabulating equipment authorized for use in connection with the system includes a mechanism which makes the operator aware of whether the equipment is malfunctioning in such a way that an inaccurate tabulation of the votes could be obtained.
Staff Analysis
The DVS voting systems meet this requirement. In the event of attempted unauthorized access, the tabulation equipment locks down and provides a port protect warning to election inspectors describing any issues perceived by the machine

§ 5.91 (14)
The voting system does not use any mechanism by which a ballot is punched or punctured to record the votes cast by an elector.
Staff Analysis
The DVS system does not use any such mechanism to record votes.

§ 5.91 (15)
The voting system permits an elector to privately verify the votes selected by the elector before casting his or her ballot.
Staff Analysis

The DVS voting systems meet this requirement through the use of hand-marked paper ballots and accessible voting equipment that provides both an electronic ballot review screen and a marked paper ballot that can be reviewed before tabulation.

§ 5.91 (16)
The voting system provides an elector the opportunity to change his or her votes and to correct any error or to obtain a replacement for a spoiled ballot prior to casting his or her ballot.
Staff Analysis
The DVS voting systems meet this requirement. Traditional paper ballots can be changed and/or spoiled at any point up to being placed in the tabulator. ICE BMD and ICE DRE ballots are printed for the voter to review prior to casting and can be spoiled or rejected and revoted at will by the voter.

§ 5.91 (17)
Unless the ballot is counted at a central counting location, the voting system includes a mechanism for notifying an elector who attempts to cast an excess number of votes for a single office the ballot will not be counted, and provides the elector with an opportunity to correct his or her ballot or to receive a replacement ballot.
Staff Analysis
The DVS voting systems provides warning screens to the voter that identifies any problem with the ballot. The warning screens provide an explanation of the problem and allow the voter to have their ballot returned to them to review and correct the error. The systems can be configured to always reject overvotes and crossover votes without providing an opportunity for the voter to override.

§ 5.91 (18)
If the voting system consists of an electronic voting machine, the voting system generates a complete, permanent paper record showing all votes cast by the elector, that is verifiable by the elector, by either visual or nonvisual means as appropriate, before the elector leaves the voting area, and that enables a manual count or recount of each vote cast by the elector.
Staff Analysis
Since the DVS voting systems presented for approval require paper ballots to be used to cast votes, and the DRE and BMD equipment automatically provide a physical review of ballots, this requirement is satisfied.

The Help America Vote Act of 2002 (HAVA) also provides the following applicable requirements that voting systems must meet:

HAVA § 301(a)(1)(A)
The voting system shall: (i) permit the voter to verify (in a private and independent manner) the votes selected by the voter on the ballot before the ballot is cast and counted; (ii) provide the voter with the opportunity (in a private and independent manner) to change the ballot or correct any error before the ballot is cast and counted (including the opportunity to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error); and (iii) if the voter selects votes for more than one candidate for a single office – (I) notify the voter that the voter has selected more than one candidate for a single office on the ballot; (II) notify the voter before the ballot is cast and counted of the effect of casting multiple votes for the office; and, (III) provide the voter with the opportunity to correct the ballot before the ballot is cast and counted
HAVA § 301(a)(1)(C)
The voting system shall ensure that any notification required under this paragraph preserves the privacy of the voter and the confidentiality of the ballot.
HAVA § 301(a)(3)(A)
The voting system shall— (A) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as other voters
Staff Analysis
The Democracy Suite 5.5-C and 5.5-CS voting system components meet these requirements through the inclusion of options for ADA-compliant voting machines which municipalities can choose to employ.

Recommendations

Staff has reviewed the application materials, including the technical data package and testing lab report, and examined the results from the functional and modeming test campaigns to determine if these systems are compliant with both state and federal certification laws. Democracy Suite 5.5-C and 5.5-CS complies with all applicable state and federal requirements. The voting system components met all standards over three mock elections and staff determined they can successfully run a transparent, fair, and secure election in compliance with Wisconsin Statutes. The system also helps grant access to the electoral process for individuals with disabilities with the inclusion of the ICE tabulator BMD, ICE X BMD, and ICE X DRE voting devices.

1. WEC staff recommends approval of DVS voting system Democracy Suite 5.5-C and 5.5-CS and components set forth in Appendix A of this report, as described below in item 3. This voting system accurately completed the three mock elections and was able to accommodate the voting requirements of the Wisconsin election process. This recommendation is based on the EAC certification, VSTL report provided by Pro V&V and on this voting system successfully completing Wisconsin functional testing as dictated by the *Voting Systems Standards, Testing Protocols and Procedures Pertaining to the Use of Communication Devices in Wisconsin*.
2. WEC staff recommends that as a continuing condition of the WEC's approval, DVS may not impose customer deadlines contrary to requirements provided in Wisconsin Statutes, as determined by the WEC. In order to enforce this provision, local jurisdictions purchasing DVS equipment shall also include such a provision in their respective purchase contract or amend their contract if such a provision does not currently exist.
3. WEC staff recommends that as a continuing condition of the WEC's approval, that voting systems purchased and installed as part of Democracy Suite 5.5-C and 5.5-CS be configured in the same manner in which they were tested, subject to verification by the Commission or its designee. Once installed, the configuration must remain the same and may not be altered by DVS nor by state, county, or municipal officials except as approved by the Commission.
4. WEC staff recommends that ballots marked with ICE tabulator BMD, ICE X BMD, and ICE X DRE equipment be included as part of the pre-election public test. ICE X BMD ballots will not scan on the tabulation equipment and would have to be hand counted. However, staff recommends the inclusion of these ballots to confirm the programming on the BMD equipment.
5. WEC staff recommends that ICE X BMD be certified for hand counting only.
6. WEC staff recommends clerks and election inspectors ensure that external modems are secured prior to, during, and after every election, with proper chain of custody documentation utilized.
7. WEC staff recommends that election inspectors continue to check both the write-in bin and main ballot bin for validly cast write-in votes after the close of polls in each election, and not rely upon the optional write-in report.

8. WEC staff recommends that any absentee ballot returned by the tabulation equipment with an overvote or crossover vote notification must be reviewed by election inspectors prior to being overridden or remade. If necessary, ballots must be remade pursuant to approved procedures listed in the Election Day and Election Administration manuals.
9. WEC staff recommends that any absentee ballot returned that has been marked with red ink be remade by election inspectors prior to any attempt at processing on the tabulation equipment.
10. WEC staff recommends that as a continuing condition of the WEC's approval, that this system must always be configured to include the following options:
 - a. Automatic rejection of crossover and overvoted ballots with or without the option to override.
 - b. Automatic rejection of all improper ballots except blank ballots.
 - c. Digital ballot images to be captured for all ballots tabulated by the system.
 - d. The ambiguous mark threshold be set to 12%, the same level at which it was tested.
 - e. Automatically return marked ballots to the voter for physical review prior to casting when marked using the ICE tabulator BMD function.
 - f. ICE X DRE voting devices must always be programmed allow for physical review and voter confirmation of ballot prior to casting.
 - g. Provide visual warning message, utilizing Commission approved language, to voters when overvotes and crossover votes are detected.
 - h. Voter ballot activation cards used as part of the ICE X BMD or DRE be reprogrammed after each use and set to expire after one hour.
 - i. ICE X BMD and DRE be programmed to present only one contest per page.
11. As part of this WEC certification, only equipment included in this certificate can be used together to conduct an election in Wisconsin. Previous system versions that were approved for use by the WEC, former Elections Board, or the former G.A.B. are not compatible with Democracy Suite 5.5-C and 5.5-CS and are not to be used in conjunction with the equipment components of Democracy Suite 5.5-C and 5.5-CS as submitted for approval. If a jurisdiction upgrades to Democracy Suite 5.5-C and 5.5-CS, it needs to upgrade each and every component of the voting system to the requirements of what is approved herein.
12. WEC staff recommends that as a condition of approval, DVS shall abide by applicable Wisconsin public records laws. If, pursuant to a proper public records request, the customer receives a request for matters that might be proprietary or confidential, customer will notify DVS, providing the same with the opportunity to either provide customer with the record that is requested for release to the requestor, or shall advise customer that DVS objects to the release of the information, and provide the legal and factual basis of the objection. If for any reason, the customer concludes that customer is obligated to provide such records, DVS shall provide such records immediately upon customer's request. DVS shall negotiate and specify retention and public records production costs in writing with customers prior to charging said fees. In absence of meeting such conditions of approval, DVS shall not charge customer for work performed pursuant to a proper public records request, except for the "actual, necessary, and direct" charge of responding to the records request, as that is defined and interpreted in Wisconsin law, plus shipping, handling, and chain of custody.

13. The Wisconsin application for approval contains a condition that requires the vendor to reimburse the WEC for all costs associated with the testing campaign and certification process. DVS agreed to this requirement on the applications submitted to WEC on September 3, 2020 requesting the approval of Democracy Suite 5.5-C and 5.5-CS.

A. Proposed Motion

MOTION: The Wisconsin Elections Commission adopts the staff's recommendations for approval of the DVS voting system's Application for Approval of Democracy Suite 5.5-C and 5.5-CS, including the conditions described above.

Appendices

- Appendix A: Hardware and Software Components
- Appendix B: Screen Shots of Approved Tabulator Language for Voter Notification Screens
- Appendix C: Wisconsin Statutes § 5.91
- Appendix D: Wisconsin Administrative Code Ch. EL 7
- Appendix E: Election Assistance Commission Certification and Scope Report
- Appendix F: Voting Systems Standards, Testing Protocols and Procedures Pertaining to the Use of Communication Devices in Wisconsin
- Appendix G: Wisconsin Voting Equipment Review Panel Feedback

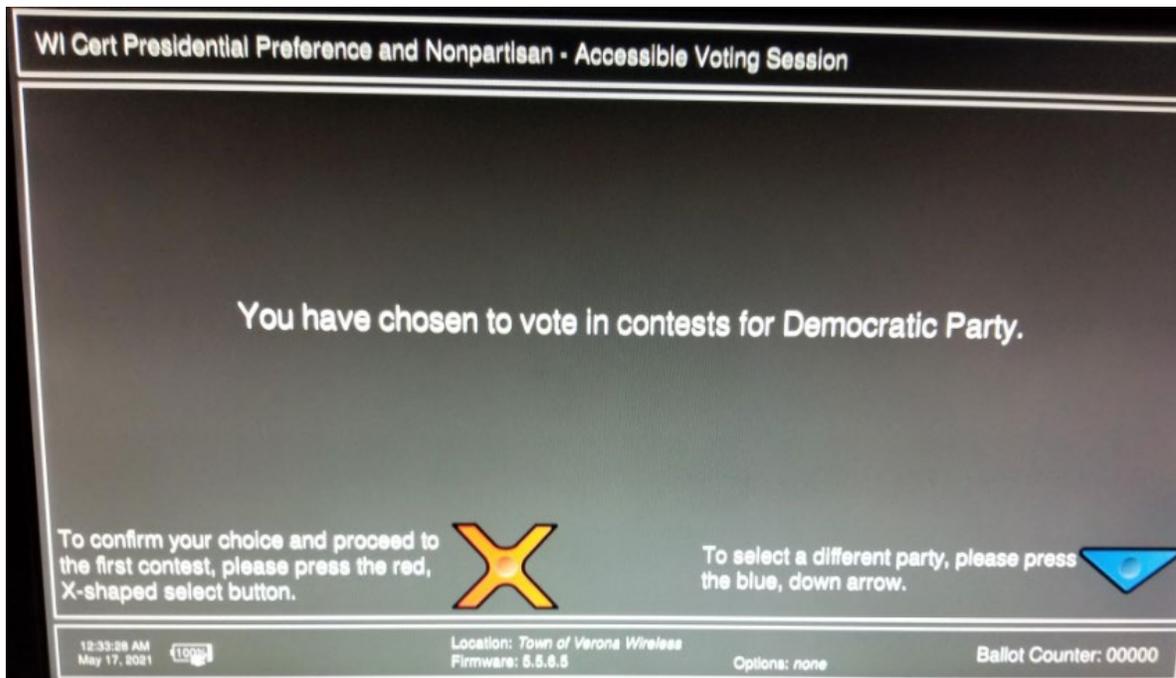
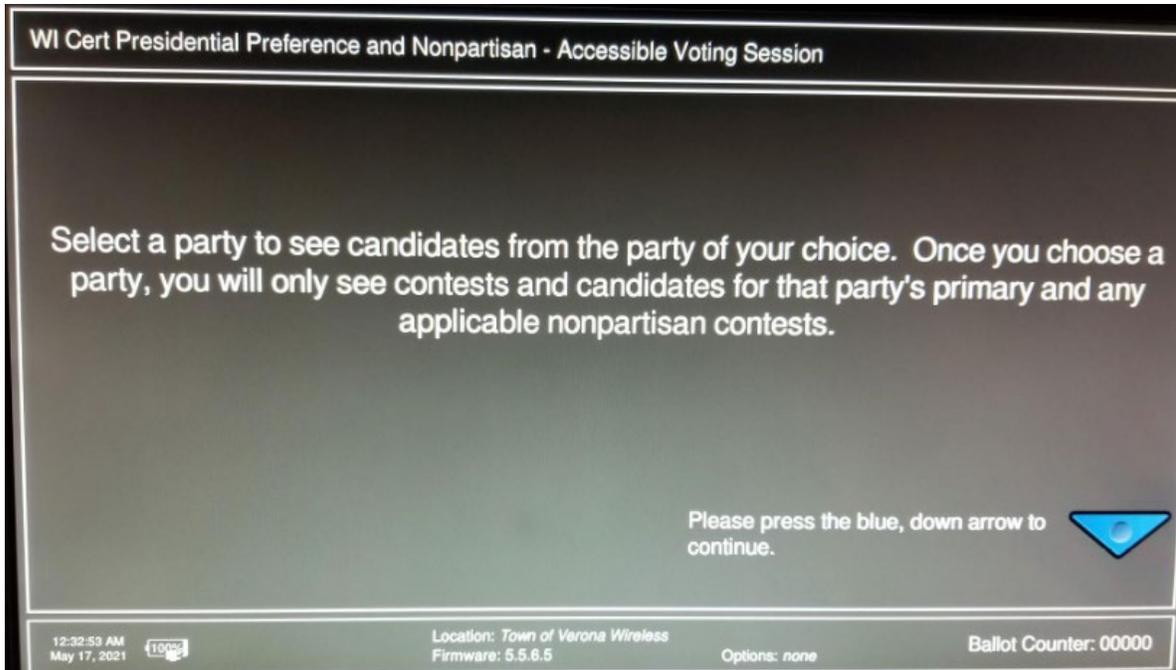
Appendix A: Hardware and Software Components

Equipment	Hardware Versions(s)	Firmware Version	Type
ImageCast X with BMD	Avalue SID-15V-Z37 Avalue SID-21V-Z37 Avalue HID-21V-BTX	5.5.15.2	Accessible touchscreen ballot marking device
ImageCast X DRE with VVPT	Avalue HID-21V-BTX	5.5.15.2	Accesible touchscreen direct recording electronic device
ImageCast X DRE with Report Printer	Avalue HID-21V-BTX	5.5.15.2	Accesible touchscreen direct recording electronic device
ImageCast Evolution	PCOS-410A	5.5.6.5	Polling place optical scan tabulator
ImageCast Evolution (Dual Monitor)	PCOS-410A AOC e1649FWU	5.5.6.5	Polling place optical scan tabulator
ImageCast Precinct	PCOS-320A PCOS-320C PCOS-321C	5.5.41.3	Polling place optical scan tabulator
ImageCast Precinct (ICP2)	PCOS-330A	5.5.2.1	Polling place optical scan tabulator
ImageCast Central	Canon DR-G2140 Canon DR-G1130 Canon DR-M160-II Canon DR-M260 InoTec HiPro 821	5.5.41.0002	High-speed central count scanner

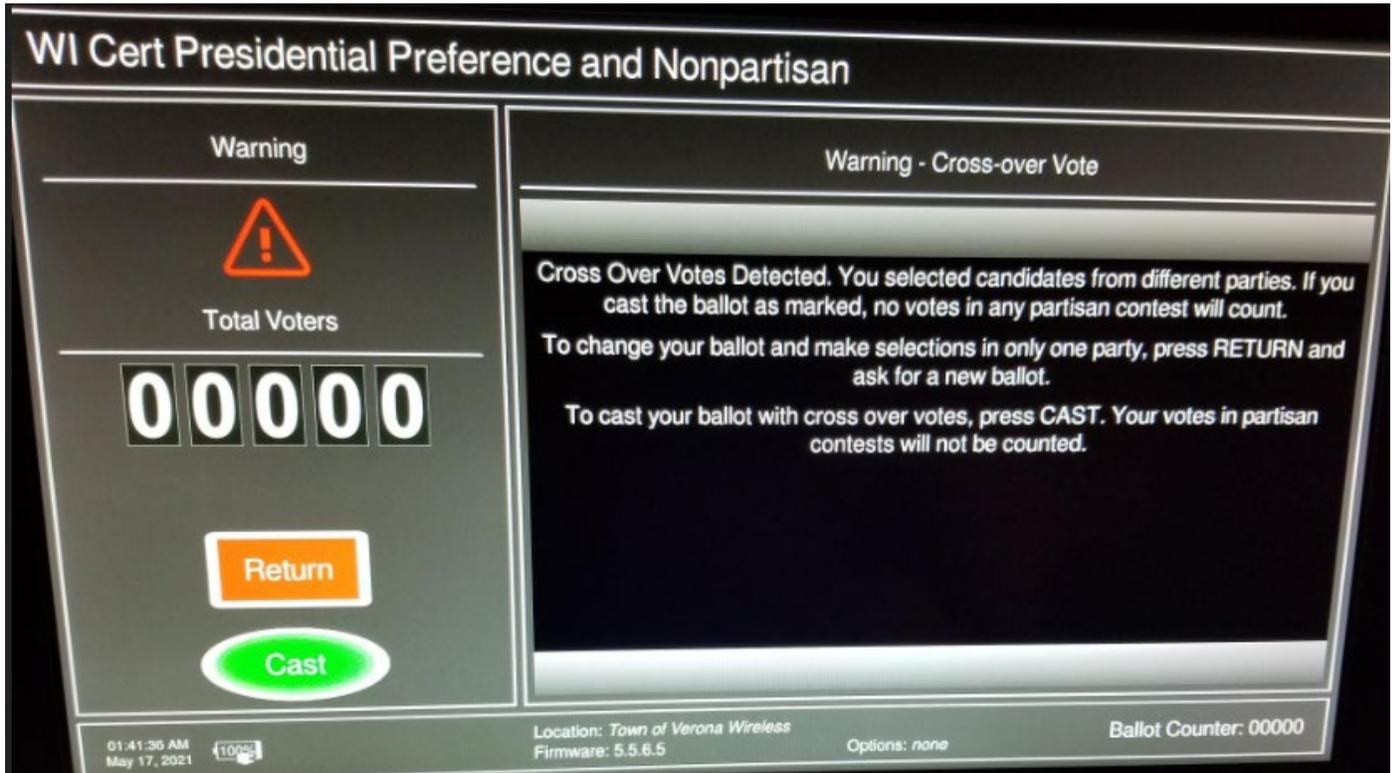
Software Component	Version
Election Management System (EMS)	5.5.40.2
ImageCast Voter Activation	5.5.40.2
Results Transfer Manager (RTM)	5.5.40.2

Appendix B: Screen Shots of Approved Language for Tabulator Voter Notification Screens

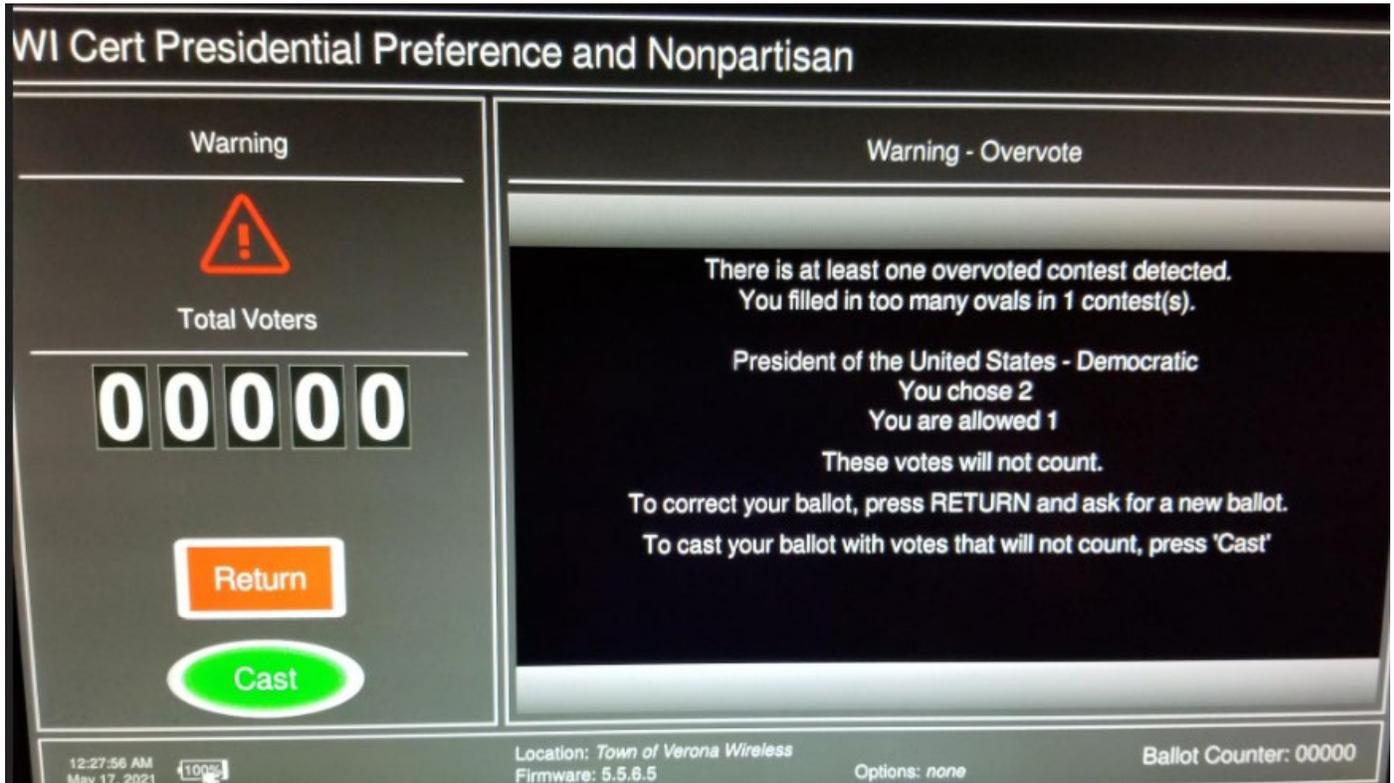
- **ICE Partisan Selection Screen/Confirmation Screen (Accessible Voting Mode)**



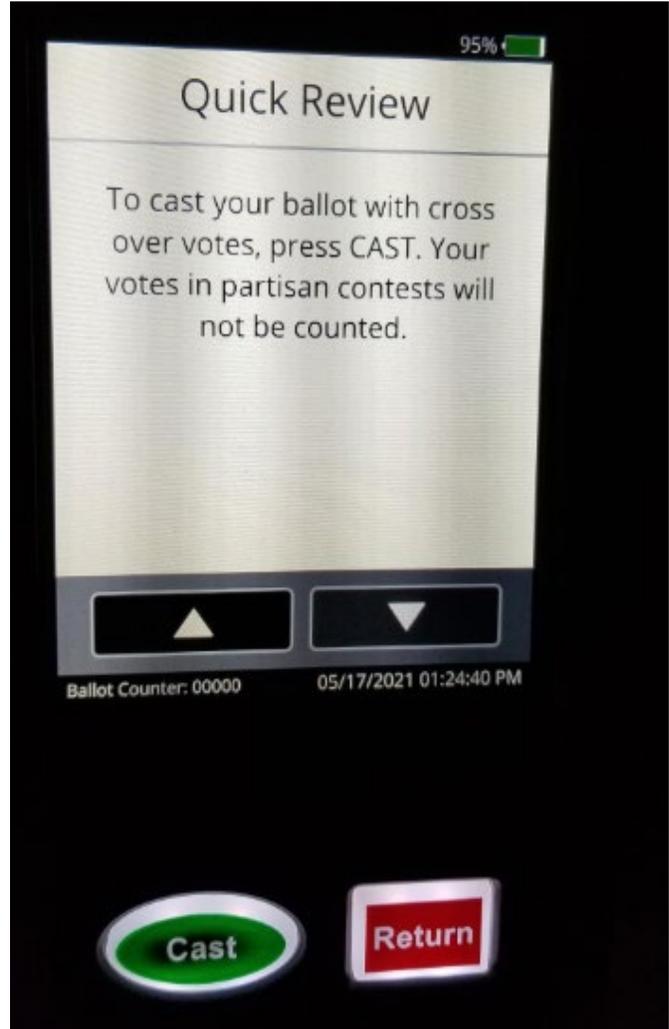
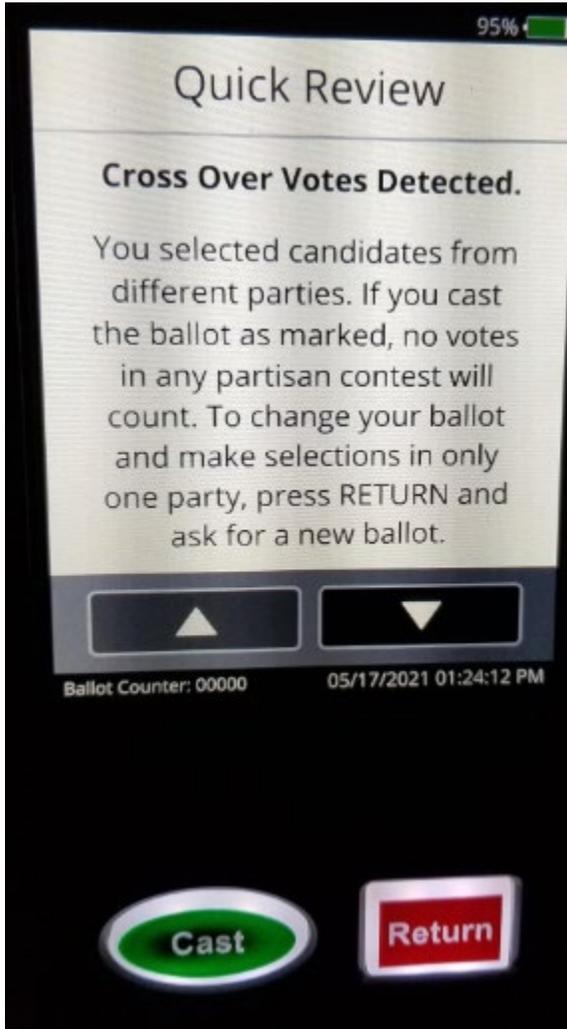
- **ICE Crossover Vote Notification Screen**



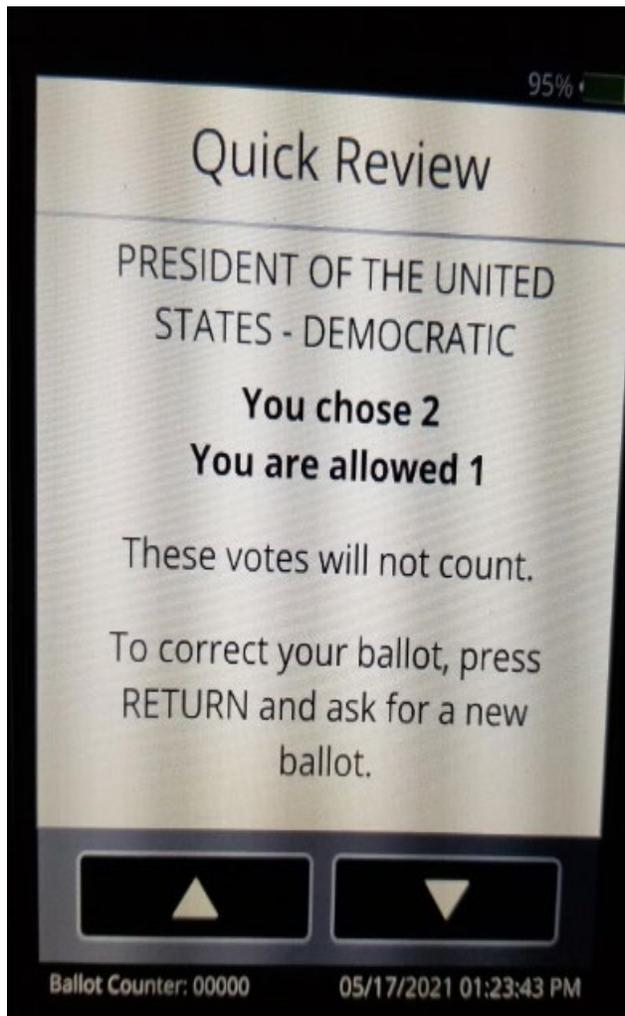
- **ICE Overvote Notification Screen**



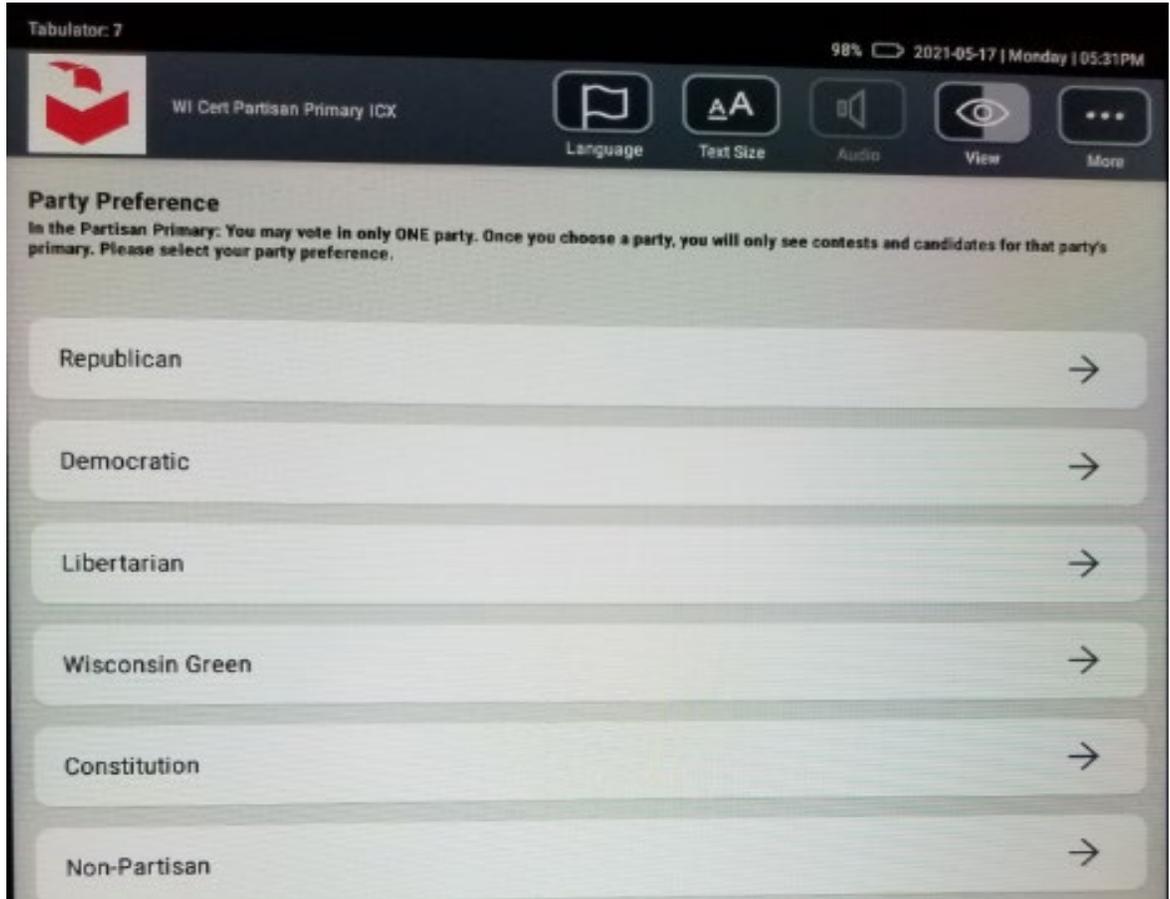
- **ICP2 Crossover Vote Screens**



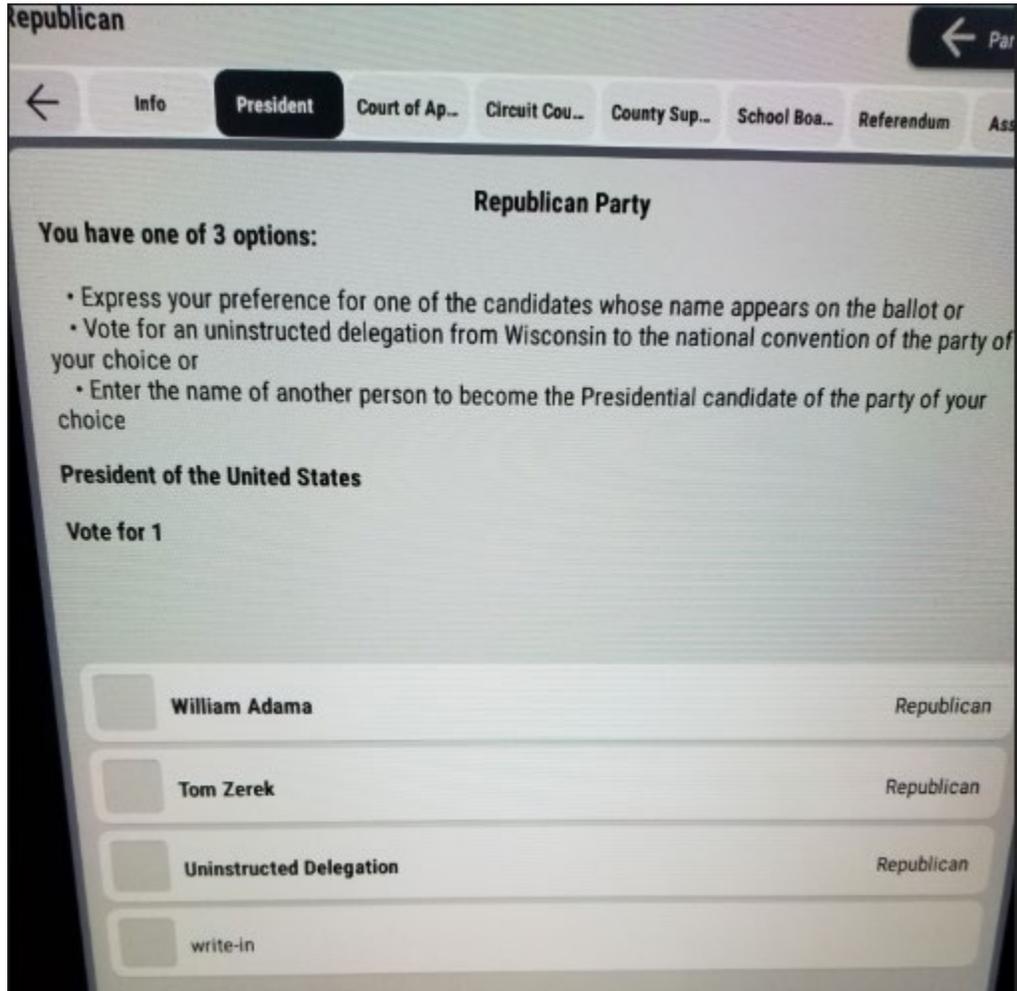
- **ICP2 Overvote Screens**



- **ICX Partisan Primary Selection Screen**
 - **Prompt reads “In the Partisan Primary: You may vote in only ONE party. Once you choose a party, you will only see contests and candidates for that party’s primary. Please select your party preference.”**



- **ICE X Presidential Preference Primary Language**



Appendix C: Wis. Stat. § 5.91

5.91 Requisites for approval of ballots, devices and equipment. No ballot, voting device, automatic tabulating equipment, or related equipment and materials to be used in an electronic voting system may be utilized in this state unless it is certified by the commission. The commission may revoke its certification of any ballot, device, equipment, or materials at any time for cause. The commission may certify any such voting device, automatic tabulating equipment, or related equipment or materials regardless of whether any such item is approved by the federal election assistance commission, but the commission may not certify any ballot, device, equipment, or material to be used in an electronic voting system unless it fulfills the following requirements:

- (1) It enables an elector to vote in secrecy and to select the party for which an elector will vote in secrecy at a partisan primary election.
- (3) Except in primary elections, it enables an elector to vote for a ticket selected in part from the nominees of one party, and in part from the nominees of other parties, and in part from independent candidates and in part of candidates whose names are written in by the elector.
- (4) It enables an elector to vote for a ticket of his or her own selection for any person for any office for whom he or she may desire to vote whenever write-in votes are permitted.
- (5) It accommodates all referenda to be submitted to the electors in the form provided by law.
- (6) The voting device or machine permits an elector in a primary election to vote for the candidates of the recognized political party of his or her choice, and the automatic tabulating equipment or machine rejects any ballot on which votes are cast in the primary of more than one recognized political party, except where a party designation is made or where an elector casts write-in votes for candidates of more than one party on a ballot that is distributed to the elector.
- (7) It permits an elector to vote at an election for all persons and offices for whom and for which the elector is lawfully entitled to vote; to vote for as many persons for an office as the elector is entitled to vote for; to vote for or against any question upon which the elector is entitled to vote; and it rejects all choices recorded on a ballot for an office or a measure if the number of choices exceeds the number which an elector is entitled to vote for on such office or on such measure, except where an elector casts excess write-in votes upon a ballot that is distributed to the elector.
- (8) It permits an elector, at a presidential or gubernatorial election, by one action to vote for the candidates of a party for president and vice president or for governor and lieutenant governor, respectively.
- (9) It prevents an elector from voting for the same person more than once for the same office, except where an elector casts excess write-in votes upon a ballot that is distributed to the elector.
- (10) It is suitably designed for the purpose used, of durable construction, and is usable safely, securely, efficiently and accurately in the conduct of elections and counting of ballots.
- (11) It records correctly and counts accurately every vote properly cast and maintains a cumulative tally of the total votes cast that is retrievable in the event of a power outage, evacuation or malfunction so that the records of votes cast prior to the time that the problem occurs is preserved.
- (12) It minimizes the possibility of disenfranchisement of electors as the result of failure to understand the method of operation or utilization or malfunction of the ballot, voting device, automatic tabulating equipment or related equipment or materials.
- (13) The automatic tabulating equipment authorized for use in connection with the system includes a mechanism which makes the operator aware of whether the equipment is malfunctioning in such a way that an inaccurate tabulation of the votes could be obtained.

- (14) It does not employ any mechanism by which a ballot is punched or punctured to record the votes cast by an elector.
- (15) It permits an elector to privately verify the votes selected by the elector before casting his or her ballot.
- (16) It provides an elector with the opportunity to change his or her votes and to correct any error or to obtain a replacement for a spoiled ballot prior to casting his or her ballot.
- (17) Unless the ballot is counted at a central counting location, it includes a mechanism for notifying an elector who attempts to cast an excess number of votes for a single office that his or her votes for that office will not be counted, and provides the elector with an opportunity to correct his or her ballot or to receive and cast a replacement ballot.
- (18) If the device consists of an electronic voting machine, it generates a complete, permanent paper record showing all votes cast by each elector, that is verifiable by the elector, by either visual or nonvisual means as appropriate, before the elector leaves the voting area, and that enables a manual count or recount of each vote cast by the elector.

History: 1979 c. 311; 1983 a. 484; 1985 a. 304; 2001 a. 16; 2003 a. 265; 2005 a. 92; 2011 a. 23, 32; 2015 a. 118 s. 266 (10); 2015 a. 261; 2017 a. 365 s. 111.

Cross-reference: See also ch. EL 7, Wis. adm. code.

Appendix D: Wis. Admin. Code Ch. EL 7

Chapter EL 7

APPROVAL OF ELECTRONIC VOTING EQUIPMENT

EL 7.01 Application for approval of electronic voting system.

EL 7.02 Agency testing of electronic voting system.

EL 7.03 Continuing approval of electronic voting system.

Note: Chapter ElBd 7 was renumbered chapter GAB 7 under s. 13.92 (4) (b) 1., Stats., and corrections made under s. 13.92 (4) (b) 7., Stats., [Register April 2008 No. 628](#). Chapter GAB 7 was renumbered Chapter EL 7 under s. 13.92 (4) (b) 1., Stats., [Register June 2016 No. 726](#).

EL 7.01 Application for approval of electronic voting system.

- (1) An application for approval of an electronic voting system shall be accompanied by all of the following:
- (a) A signed agreement that the vendor shall pay all costs, related to approval of the system, incurred by the elections commission, its designees and the vendor.
 - (b) Complete specifications for all hardware, firmware and software.
 - (c) All technical manuals and documentation related to the system.
 - (d) Complete instruction materials necessary for the operation of the equipment and a description of training available to users and purchasers.
 - (e) Reports from an independent testing authority accredited by the national association of state election directors (NASSED) demonstrating that the voting system conforms to all the standards recommended by the federal elections commission.
 - (f) A signed agreement requiring that the vendor shall immediately notify the elections commission of any modification to the voting system and requiring that the vendor will not offer, for use, sale or lease, any modified voting system, if the elections commission notifies the vendor that the modifications require that the system be approved again.
 - (g) A list showing all the states and municipalities in which the system has been approved for use and the length of time that the equipment has been in use in those jurisdictions.
- (2) The commission shall determine if the application is complete and, if it is, shall so notify the vendor in writing. If it is not complete, the elections commission shall so notify the vendor and shall detail any insufficiencies.
- (3) If the application is complete, the vendor shall prepare the voting system for three mock elections, using offices, referenda

questions and candidates provided by the elections commission.

History: Cr. [Register, June, 2000, No. 534](#), eff. 7-1-00; **correction in (1) (a), (f), (2), (3) made under s. 13.92 (4) (b) 6., Stats., Register June 2016 No. 726.**

EL 7.02 Agency testing of electronic voting system.

(1) The elections commission shall conduct a test of a voting system, submitted for approval under s. [EL 7.01](#), to ensure that it meets the criteria set out in s. [5.91](#), Stats. The test shall be conducted using a mock election for the partisan primary, a mock general election with both a presidential and gubernatorial vote, and a mock nonpartisan election combined with a presidential preference vote.

(2) The elections commission may use a panel of local election officials and electors to assist in its review of the voting system.

(3) The elections commission may require that the voting system be used in an actual election as a condition of approval.

History: Cr. [Register, June, 2000, No. 534](#), eff. 7-1-00; **correction in (1) to (3) made under s. 13.92 (4) (b) 6., Stats., and correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register June 2016 No. 726.**

EL 7.03 Continuing approval of electronic voting system.

(1) The elections commission may revoke the approval of any existing electronic voting system if it does not comply with the provisions of this chapter. As a condition of maintaining the elections commission's approval for the use of the voting system, the vendor shall inform the elections commission of all changes in the hardware, firmware and software and all jurisdictions using the voting system.

(2) The vendor shall, at its own expense, furnish, to an agent approved by the elections commission, for placement in escrow, a copy of the programs, documentation and source code used for any election in the state.

(3) The electronic voting system must be capable of transferring the data contained in the system to an electronic recording medium, pursuant to the provisions of s. [7.23](#), Stats.

(4) The vendor shall ensure that election results can be exported on election night into a statewide database developed by the elections commission.

(5) For good cause shown, the elections commission may exempt any electronic voting system from strict compliance with this chapter.

History: Cr. [Register, June, 2000, No. 534](#), eff. 7-1-00; **correction in (1), (4), (5)**

made under s. 13.92 (4) (b) 6., Stats. and corrections in (5) made under s. 13.92 (4) (b) 7., Stats., and s. 35.17, Stats., Register June 2016 No. 726.

Appendix E: EAC Certification and Scope Report

	<p>United States Election Assistance Commission</p>	
<p>Certificate of Conformance</p>		
<p>Dominion Voting Systems Democracy Suite 5.5-C</p>		
<p>The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the <i>Voluntary Voting System Guidelines Version 1.0 (VVSG 1.0)</i>. Components evaluated for this certification are detailed in the attached Scope of Certification document. This certificate applies only to the specific version and release of the product in its evaluated configuration. The evaluation has been verified by the EAC in accordance with the provisions of the <i>EAC Voting System Testing and Certification Program Manual</i> and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.</p>		
<p>Product Name: <u>Democracy Suite</u></p>		
<p>Model or Version: <u>5.5-C</u></p>		
<p>Name of VSTL: <u>Pro V&V</u></p>	<p><i>Mona Harrington</i> Executive Director</p>	
<p>EAC Certification Number: <u>DVS-DemSuite5.5-C</u></p>		
<p>Date Issued: <u>July 9, 2020</u></p>	<p>Scope of Certification Attached</p>	

Manufacturer: *Dominion Voting Systems (DVS)*
System Name: *Democracy Suite 5.5-C*
Certificate: *DVS-DemSuite5.5-C*

Laboratory: *Pro V&V*
Standard: *VVSG 1.0 (2005)*
Date: *07/02/2020*



Scope of Certification

This document describes the scope of the validation and certification of the system defined above. Any use, configuration changes, revision changes, additions or subtractions from the described system are not included in this evaluation.

Significance of EAC Certification

An EAC certification is an official recognition that a voting system (in a specific configuration or configurations) has been tested to and has met an identified set of Federal voting system standards. An EAC certification is not:

- An endorsement of a Manufacturer, voting system, or any of the system's components.
- A Federal warranty of the voting system or any of its components.
- A determination that a voting system, when fielded, will be operated in a manner that meets all HAVA requirements.
- A substitute for State or local certification and testing.
- A determination that the system is ready for use in an election.
- A determination that any particular component of a certified system is itself certified for use outside the certified configuration.

Representation of EAC Certification

Manufacturers may not represent or imply that a voting system is certified unless it has received a Certificate of Conformance for that system. Statements regarding EAC certification in brochures, on Web sites, on displays, and in advertising/sales literature must be made solely in reference to specific systems. Any action by a Manufacturer to suggest EAC endorsement of its product or organization is strictly prohibited and may result in a Manufacturer's suspension or other action pursuant to Federal civil and criminal law.

System Overview:

The D-Suite 5.5-C Voting System is a paper-based optical scan voting system with a hybrid paper/DRE option consisting of the following major components: The Election Management System (EMS), the ImageCast Central (ICC), the ImageCast Precinct (ICP and ICP2), the ImageCast Evolution (ICE), the ImageCast X (ICX) DRE w/ Reports Printer, ImageCast X (ICX) DRE w/ voter-verifiable paper audit trail (VVPAT), and the ImageCast X ballot marking device (BMD). The D-Suite 5.5-C Voting System configuration is a modification from the EAC approved D-Suite 5.5-B system configuration.

Language capability:

This section provides information describing the languages supported by the various components of the system.

Language	ICE	ICP	ICP2	ICX
Alaska Native	Yes, if using Latin alphabet	Yes	No	No
Apache	Audio only	Audio only	No	No
Bengali	Yes	Yes	Yes	Yes
Chinese	Yes	Yes	Yes	Yes
English	Yes	Yes	Yes	Yes
Eskimo	Yes, if using Latin alphabet	Yes	No	No
Filipino	Yes, if using Latin alphabet	Yes	Yes	No
French	Yes	Yes	No	Yes
Hindi	Yes	Audio only	Yes	Yes
Japanese	Yes	Yes	Yes	Yes
Jicarilla	Audio only	Audio only	No	No
Keres	Audio only	Audio only	No	No
Khmer	Yes	Audio only	No	No
Korean	Yes	Yes	Yes	Yes
Navajo	Audio only	Audio only	No	No
Seminole	Audio only	Audio only	No	No
Spanish	Yes	Yes	Yes	Yes
Tagalog	No	No	No	Yes
Thai	Yes	Audio only	Yes	Yes
Towa	Audio only	Audio only	No	No
Ute	Audio only	Audio only	No	No
Vietnamese	Yes	Yes	Yes	Yes
Yuman	Audio only	Audio only	No	No

Components Included:

This section provides information describing the components and revision level of the primary components included in this Certification.

Voting System Software Components:

System Component	Software or Firmware Version	Operating System or COTS	Comments
EMS Election Event Designer (EED)	5.5.40.2	Windows 10 Pro	EMS
EMS Results Tally and Reporting (RTR)	5.5.40.2	Windows 10 Pro	EMS
EMS Application Server	5.5.40.2	Windows Server 2012 R2 Windows 10 Pro	EMS
EMS File System Service (FSS)	5.5.40.2	Window 10 Pro	EMS
EMS Audio Studio (AS)	5.5.40.2	Windows 10 Pro	EMS
EMS Data Center Manager (DCM)	5.5.40.2	Windows Server 2012 R2 Windows 10 Pro	EMS
EMS Election Data Translator (EDT)	5.5.40.2	Windows 10 Pro	EMS
ImageCast Voter Activation (ICVA)	5.5.40.2	Windows 10 Pro	EMS
EMS Adjudication (ADJ)	5.5.40.1	Windows 10 Pro	EMS
EMS Adjudication Services	5.5.40.1	Windows 10 Pro	EMS
Smart Card Helper Service (SCHS)	5.5.40.2	Windows 10 Pro	EMS
Election Firmware	5.5.41.3	uClinux	ICP
Firmware Updater	5.5.41.3	uClinux	ICP
Firmware Extractor	5.5.41.3	uClinux	ICP
Kernel (uClinux)	5.5.41.3	Modified COTS	ICP
Boot Loader (COLILO)	20040221	Modified COTS	ICP
Asymmetric Key Generator	5.5.41.3	uClinux	ICP
Asymmetric Key Exchange Utility	5.5.41.3	uClinux	ICP
Firmware Extractor (Technician Key)	5.5.41.3	uClinux	ICP
ICP2 Application	5.5.2.1	uClinux	ICP2
ICP2 Update Card	5.5.2.1	uClinux	ICP2
Voting Machine	5.5.6.5	Ubuntu Linux	ICE
Election Application	5.5.6.5	Ubuntu Linux	ICE
ImageCast Central Application	5.5.41.0002	Windows 10 Pro	ICC
ICX Application	5.5.15.2	Android 5.1.1 (ICX Prime) Android 4.4.4 (ICX Classic)	ICX

Voting System Platform:

System Component	Version	Operating System or COTS	Comments
Microsoft Windows Server	2012 R2 Standard	Unmodified COTS	EMS Server SW Component
Microsoft Windows	10 Professional	Unmodified COTS	EMS Client/Server SW Component
.NET Framework	3.5	Unmodified COTS	EMS Client/Server SW Component
Microsoft Visual J#	2.0	Unmodified COTS	EMS Client/Server SW Component
Microsoft Visual C++ 2013 Redistributable	2013	Unmodified COTS	EMS Client/Server SW Component
Microsoft Visual C++ 2015 Redistributable	2015	Unmodified COTS	EMS Client/Server SW Component

System Component	Version	Operating System or COTS	Comments
Java Runtime Environment	7u80	Unmodified COTS	EMS Client/Server SW Component
Java Runtime Environment	8u144	Unmodified COTS	EMS Client/Server SW Component
Microsoft SQL Server 2016 Standard	2016 Standard	Unmodified COTS	EMS Client/Server SW Component
Microsoft SQL Server 2016 Service Pack 2	2016 SP1	Unmodified COTS	EMS Client/Server SW Component
Microsoft SQL Server 2016 SP1 Express	2016 SP2	Unmodified COTS	EMS Client/Server SW Component
Cepstral Voices	6.2.3.801	Unmodified COTS	EMS Client/Server SW Component
Arial Narrow Fonts	2.37a	Unmodified COTS	EMS Client/Server SW Component
Maxim iButton Driver	4.05	Unmodified COTS	EMS Client/Server SW Component
Adobe Reader DC	AcrobatDC	Unmodified COTS	EMS Client/Server SW Component
Microsoft Access Database Engine	2010	Unmodified COTS	EMS Client/Server SW Component
Open XML SDK 2.0 for Microsoft Office	2.0	Unmodified COTS	EMS Client/Server SW Component
Infragistics NetAdvantage Win Forms 2011.1	2011 Vol. 1	Unmodified COTS	EMS SW Platform
Infragistics NetAdvantage WPF 2012.1	2012 Vol. 1	Unmodified COTS	EMS SW Platform
TX Text Control Library for .NET	16.0	Unmodified COTS	EMS SW Platform
SOX	14.3.1	Unmodified COTS	EMS SW Platform
NLog	1.0.0.505	Unmodified COTS	EMS SW Platform
iTextSharp	5.0.5	Unmodified COTS	EMS SW Platform
OpenSSL	1.0.2K	Unmodified COTS	EMS SW Platform
OpenSSL FIPS Object Module	2.0.14	Unmodified COTS	EMS SW Platform
SQLite	1.0.103.0	Unmodified COTS	EMS SW Platform
Lame	3.99.4	Unmodified COTS	EMS SW Platform
Speex	1.0.4	Unmodified COTS	EMS SW Platform
Ghostsript	9.04	Unmodified COTS	EMS SW Platform
One Wire API for .NET	4.0.2.0	Unmodified COTS	EMS SW Platform
Avalon-framework-cvs-20020806	20020806	Unmodified COTS	EMS SW Platform
Batik	0.20-5	Unmodified COTS	EMS SW Platform
Fop	0.20-5	Unmodified COTS	EMS SW Platform
Microsoft Visual J# 2.0 Redistributable Package – Second Edition (x64)	2.0	Unmodified COTS	EMS SW Platform
Entity framework	6.1.3	Unmodified COTS	EMS SW Platform
Spreadsheetlight	3.4.3	Unmodified COTS	EMS SW Platform
Open XML SDK 2.0 for Microsoft Office	2.0.5022.0	Unmodified COTS	EMS SW Platform
Open SSL	1.0.2K	Unmodified COTS	ICP
OpenSSL FIPS Object Module	2.0.10	Unmodified COTS	ICP
Zlib	1.2.3	Unmodified COTS	ICP
uClinux	20070130	Modified COTS	ICP
Kernel (Linux)	2.6.30.9-dvs-36	Modified COTS	ICE

System Component	Version	Operating System or COTS	Comments
U-Boot	1.3.4	Modified COTS	ICE
Google Text-to-Speech Engine	3.11.12	Unmodified COTS	ICX SW
Kernel	4.9.11	Modified COTS	ICP2
U-Boot	2017.03	Modified COTS	ICP2
Zxing Barcode Scanner	4.7.5	Modified COTS	ICX SW
SoundTouch	1.9.2	Modified COTS	ICX SW
ICX Prime Android 5.1.1 Image	5.1.1-1.17.3	Modified COTS	ICX SW
ICX Classic Android 4.4.4 Image	0.0.98	Modified COTS	ICX SW
OpenSSL FIPS Object Module	2.0.10 (Cert 2473)	Unmodified COTS	ICX SW Build Library
OpenSSL	1.0.2K	Unmodified COTS	ICC SW Build Library
OpenSSL FIPS Object Module	2.0.10 (Cert 1747)	Unmodified COTS	ICC SW Build Library
1-Wire Driver (x86)	4.05	Unmodified COTS	ICC Runtime SW
1-Wire Driver (x64)	4.05	Unmodified COTS	ICC Runtime SW
Canon DR-G1130 TWAIN Driver	1.2 SP6	Unmodified COTS	ICC Runtime SW
Canon DR-G160II TWAIN Driver	1.2 SP6	Unmodified COTS	ICC Runtime SW
Canon DR-M260 TWAIN Driver,	1.1 SP2	Unmodified COTS	ICC Runtime SW
InoTec HiPro 821 TWAIN Driver	1.2.0.5	Unmodified COTS	ICC Runtime SW
Visual C++ 2013 Redistributable (x86)	12.0.30501	Unmodified COTS	ICC Runtime SW
Machine Configuration File (MCF)	5.5.15.1_20200306	Proprietary	ICX Configuration File
Device Configuration File (DCF)	5.5.41.3_20200507	Proprietary	ICP and ICC Configuration File
ICE Machine Behavior Settings	5.5.6.3_20200415	Proprietary	ICE Configuration
ICP2 Machine Behavior Settings	5.5.2.1_20200415	Proprietary	ICP2 Configuration

Hardware Components:

System Component	Hardware Version	Proprietary or COTS	Comments
ImageCast Precinct (ICP)	PCOS-320C	Proprietary	Precinct Scanner
ImageCast Precinct (ICP)	PCOS-320A	Proprietary	Precinct Scanner
ImageCast 2 Precinct (ICP2)	PCOS-330A	Proprietary	Precinct Scanner
ImageCast Evolution (ICE)	PCOS-410A	Proprietary	Precinct Scanner
ICP Ballot Box	BOX-330A	Proprietary	Ballot Box
ICP Ballot Box	BOX-340C	Proprietary	Ballot Box
ICP Ballot Box	BOX-341C	Proprietary	Ballot Box
ICP Ballot Box	ElectionSource IM-COLLAPSIBLE	Proprietary	Ballot Box
ICE Ballot Box	BOX-410A	Proprietary	Ballot Box
ICE Ballot Box	BOX-420A	Proprietary	Ballot Box
ICP2 Ballot Box	BOX-350A	Proprietary	Ballot Box
ICP2 Ballot Box	BOX-340C	Proprietary	Ballot Box
ICP2 Ballot Box	BOX-341C	Proprietary	Ballot Box
ICP2 Ballot Box	ElectionSource IM-COLLAPSIBLE	Proprietary	Ballot Box
ICX UPS Inline EMI Filter	1.0	Proprietary	EMI Filter
ICX Tablet (Classic)	aValue 15" Tablet (SID-15V)	COTS	Ballot Marking Device
ICX Tablet (Classic)	aValue 21" Tablet (SID-21V)	COTS	Ballot Marking Device
ICX Tablet (Prime)	aValue 21" Tablet (HID-21V) (Steel or Aluminum chassis)	COTS	Ballot Marking Device or Direct Recording Electronic
Thermal Printer	SII RP-D10	COTS	Report Printer

System Component	Hardware Version	Proprietary or COTS	Comments
Thermal Printer (VVPAT)	KFI VRP3 V1 and V1C	COTS	Voter-verifiable paper audit trail (VVPAT)
Server	Dell PowerEdge R620	COTS	Standard Server
Server	Dell PowerEdge R630	COTS	Standard Server
Server	Dell PowerEdge R640	COTS	Standard Server
ICC Workstation HW	Dell Optiplex 5270 All in One	COTS	
ICC Workstation HW	Dell OptiPlex 7440 All in One	COTS	
ICC Workstation HW	Dell OptiPlex 3050 All In One	COTS	
ICC Workstation HW	Dell OptiPlex 9030 All In One	COTS	
ICC Workstation HW	Dell OptiPlex 9020 All In One	COTS	
ICC Workstation HW	Dell OptiPlex 9010 All In One	COTS	
ICC Scanner	Canon imageFormula DR-G1130	COTS	Central Count Scanner
ICC Scanner	Canon imageFormula DR-M160II	COTS	Central Count Scanner
ICC Scanner	Canon imageFormula DR-M260	COTS	Central Count Scanner
ICC Scanner	Canon imageFormula DR-G2140	COTS	Central Count Scanner
ICC Scanner	InoTec HiPro 821	COTS	Central Count Scanner
ICC Scanner	Dell Optiplex 7070	COTS	
ICC Scanner	Dell Optiplex 7060	COTS	
ICC Scanner	Dell Optiplex 7050	COTS	
ICC Scanner Monitor	Lenovo 10QXPAR1US	COTS	
ICC Scanner Monitor	Dell 2418HT Monitor	COTS	
Client Workstation HW and Express Server	Dell Precision 3430	COTS	
Client Workstation HW and Express Server	Dell Precision 3431	COTS	
Client Workstation HW and Express Server	Dell Precision T3420	COTS	
Client Workstation HW	Dell Precision T1700	COTS	
Client Workstation HW	Dell Latitude 3400	COTS	
Client Workstation HW	Dell Latitude 3490	COTS	
Client Workstation HW	Dell Latitude E3480	COTS	
Client Workstation HW	Dell Latitude E3470	COTS	
Client Workstation HW	Dell Latitude E7450	COTS	
ICX Printer	HP LaserJet Pro Printer M402dn	COTS	
ICX Printer	HP LaserJet Pro Printer M402dne	COTS	
ICX Printer	HP LaserJet Printer M501dn	COTS	
ICE Dual Monitor	AOC e1649FWU	COTS	
ICE Dual Monitor	Display Logic LM15.6-USB-DV.B	COTS	
Monitor	Dell Monitor KM632	COTS	
Monitor	Dell Monitor P2414Hb	COTS	
Monitor	P2419H	COTS	
Monitor	P2417H	COTS	
Monitor	Dell Ultrasharp 24" Monitor U2414H	COTS	
CD/DVD Reader	Dell DVD Multi Recorder GP60NB60	COTS	
iButton Programmer	Maxim iButton Programmer DS9490R# with DS1402-RP8+	COTS	
UPS	Tripp Lite SMART1500RML2U	COTS	
UPS	APC SMT1500C Smart-UPS	COTS	
UPS	APC SMT1500 Smart-UPS	COTS	
UPS	APC BE600M1	COTS	
UPS	APC BR1000G	COTS	

System Component	Hardware Version	Proprietary or COTS	Comments
UPS	CyberPower PR1500LCD	COTS	
UPS	CyberPower PR1500LCD-VTVM	COTS	
Network Switch	Dell X1008	COTS	
Network Switch	Dell X1018	COTS	
Network Switch	Dell X1026	COTS	
Network Switch	Dell PowerConnect 2808	COTS	
Sip and Puff	Enabling Devices #972	COTS	
Headphones	Cyber Acoustics ACM-70 and ACM-70B	COTS	
4-way Joystick Controller	S26	Modified COTS	
Rocker (Paddle) Switch	Enabling Device #971	COTS	
Rocker (Paddle) Switch	AbleNet 10033400 (2x)	COTS	
Rocker (Paddle) Switch Cable	Hosa Technology YMM-261 (for use with AbleNet switches)	COTS	
CF Card Reader	IOGEAR SDHC/microSDHC 0U51USC410	COTS	
CF Card Dual-Slot Reader	Lexar USB 3.0	COTS	
CF Card Reader	Hoodman Steel USB 3.0 102015	COTS	
CF Card Reader	Lexar Professional CFR1	COTS	
CF Card Reader	Kingston FCR-HS4	COTS	
ATI	ATI handset	Proprietary	
ATI	ATI-USB handset	Proprietary	
ACS PC-Linked Smart Card Reader	ACR38U	COTS	
ACS PC-Linked Smart Card Reader	ACR39U	COTS	

System Limitations

This table depicts the limits the system has been tested and certified to meet.

Characteristic	Limiting Component	Limit	Comment
Ballot positions	22" Ballot	292*/462**	Landscape Ballot: 240 candidates + 24 write-ins + 28 Yes/No choices.
Precincts in an election	EMS	1000; 250	Memory Standard; Express
Contests in an election	EMS	1000; 250	Memory Standard; Express
Candidates/Counters in an election	EMS	10000; 2500	Memory Standard; Express
Candidates/Counters in a precinct	22" Ballot	240*/462**	Memory Both EMS
Candidates/Counters in a tabulator	Tabulator	10000; 2500	Memory Standard; Express
Ballot Styles in an election	Tabulator	3000; 750	Memory Standard; Express
Ballot IDs in a tabulator	ICP	200	Memory Both EMS
Contests in a ballot style	ICX BMD Ballot	38*/156**	14" Ballot Both EMS
Candidates in a contest	22" Ballot	240*/231**	Ballot Both EMS
Ballot styles in a precinct	Tabulator	5	Memory Both EMS
Number of political parties	Tabulator	30	Memory Both EMS
"vote for" in a contest	22" Ballot	24*/30**	Ballot Both EMS
Supported languages in an election	Tabulator	5	Memory Both EMS

Characteristic	Limiting Component	Limit	Comment
Number of write-ins	22 "Ballot	24*/462**	Ballot Both EMS

* Reflects the system limit for a ballot printed in landscape.

** Reflects the system limit for a ballot printed in portrait.

Functionality

2005 VVSG Supported Functionality Declaration

Feature/Characteristic	Yes/No	Comment
Voter Verified Paper Audit Trails		
VVPAT	YES	
Accessibility		
Forward Approach	YES	
Parallel (Side) Approach	YES	
Closed Primary		
Primary: Closed	YES	
Open Primary		
Primary: Open Standard (provide definition of how supported)	YES	
Primary: Open Blanket (provide definition of how supported)	YES	
Partisan & Non-Partisan:		
Partisan & Non-Partisan: Vote for 1 of N race	YES	
Partisan & Non-Partisan: Multi-member ("vote for N of M") board races	YES	
Partisan & Non-Partisan: "vote for 1" race with a single candidate and write-in voting	YES	
Partisan & Non-Partisan "vote for 1" race with no declared candidates and write-in voting	YES	
Write-In Voting:		
Write-in Voting: System default is a voting position identified for write-ins.	YES	
Write-in Voting: Without selecting a write in position.	NO	
Write-in: With No Declared Candidates	YES	
Write-in: Identification of write-ins for resolution at central count	YES	
Primary Presidential Delegation Nominations & Slates:		
Primary Presidential Delegation Nominations: Displayed delegate slates for each presidential party	YES	
Slate & Group Voting: one selection votes the slate.	YES	
Ballot Rotation:		
Rotation of Names within an Office; define all supported rotation methods for location on the ballot and vote tabulation/reporting	YES	Equal time rotation
Straight Party Voting:		
Straight Party: A single selection for partisan races in a general election	YES	
Straight Party: Vote for each candidate individually	YES	
Straight Party: Modify straight party selections with crossover votes	YES	
Straight Party: A race without a candidate for one party	YES	
Straight Party: "N of M race (where "N">1)	YES	
Straight Party: Excludes a partisan contest from the straight party selection	YES	
Cross-Party Endorsement:		

Feature/Characteristic	Yes/No	Comment
Cross party endorsements, multiple parties endorse one candidate.	YES	
Split Precincts:		
Split Precincts: Multiple ballot styles	YES	
Split Precincts: P & M system support splits with correct contests and ballot identification of each split	YES	
Split Precincts: DRE matches voter to all applicable races.	YES	
Split Precincts: Reporting of voter counts (# of voters) to the precinct split level; Reporting of vote totals is to the precinct level	YES	
Vote N of M:		
Vote for N of M: Counts each selected candidate, if the maximum is not exceeded.	YES	
Vote for N of M: Invalidates all candidates in an overvote (paper)	YES	
Recall Issues, with options:		
Recall Issues with Options: Simple Yes/No with separate race/election. (Vote Yes or No Question)	YES	
Recall Issues with Options: Retain is the first option, Replacement candidate for the second or more options (Vote 1 of M)	NO	
Recall Issues with Options: Two contests with access to a second contest conditional upon a specific vote in contest one. (Must vote Yes to vote in 2nd contest.)	NO	
Recall Issues with Options: Two contests with access to a second contest conditional upon any vote in contest one. (Must vote Yes to vote in 2nd contest.)	NO	
Cumulative Voting		
Cumulative Voting: Voters are permitted to cast, as many votes as there are seats to be filled for one or more candidates. Voters are not limited to giving only one vote to a candidate. Instead, they can put multiple votes on one or more candidate.	NO	
Ranked Order Voting		
Ranked Order Voting: Voters can write in a ranked vote.	NO	
Ranked Order Voting: A ballot stops being counting when all ranked choices have been eliminated	NO	
Ranked Order Voting: A ballot with a skipped rank counts the vote for the next rank.	NO	
Ranked Order Voting: Voters rank candidates in a contest in order of choice. A candidate receiving a majority of the first choice votes wins. If no candidate receives a majority of first choice votes, the last place candidate is deleted, each ballot cast for the deleted candidate counts for the second choice candidate listed on the ballot. The process of eliminating the last place candidate and recounting the ballots continues until one candidate receives a majority of the vote	NO	
Ranked Order Voting: A ballot with two choices ranked the same, stops being counted at the point of two similarly ranked choices.	NO	

Feature/Characteristic	Yes/No	Comment
Ranked Order Voting: The total number of votes for two or more candidates with the least votes is less than the votes of the candidate with the next highest number of votes, the candidates with the least votes are eliminated simultaneously and their votes transferred to the next-ranked continuing candidate.	NO	

Feature/Characteristic	Yes/No	Comment
Provisional or Challenged Ballots		
Provisional/Challenged Ballots: A voted provisional ballots is identified but not included in the tabulation, but can be added in the central count.	YES	
Provisional/Challenged Ballots: A voted provisional ballots is included in the tabulation, but is identified and can be subtracted in the central count	NO	
Provisional/Challenged Ballots: Provisional ballots maintain the secrecy of the ballot.	YES	
Overvotes (must support for specific type of voting system)		
Overvotes: P & M: Overvote invalidates the vote. Define how overvotes are counted.	YES	Overvotes cause a warning to the voter and can be configured to allow voter to override.
Overvotes: DRE: Prevented from or requires correction of overvoting.	YES	
Overvotes: If a system does not prevent overvotes, it must count them. Define how overvotes are counted.	YES	If allowed via voter override, overvotes are tallied separately.
Overvotes: DRE systems that provide a method to data enter absentee votes must account for overvotes.	N/A	
Undervotes		
Undervotes: System counts undervotes cast for accounting purposes	YES	
Blank Ballots		
Totally Blank Ballots: Any blank ballot alert is tested.	YES	Precinct voters receive a warning; both precinct and central scanners will warn on blank ballots.
Totally Blank Ballots: If blank ballots are not immediately processed, there must be a provision to recognize and accept them	YES	Blank ballots are flagged. These ballots can be manually examined and then be scanned and accepted as blank; or precinct voter can override and accept.
Totally Blank Ballots: If operators can access a blank ballot, there must be a provision for resolution.	YES	Operators can examine a blank ballot, re-mark if needed and allowed, and then re-scan it.
Networking		
Wide Area Network – Use of Modems	NO	
Wide Area Network – Use of Wireless	NO	

Feature/Characteristic	Yes/No	Comment
Local Area Network – Use of TCP/IP	YES	Client/server only
Local Area Network – Use of Infrared	NO	
Local Area Network – Use of Wireless	NO	
FIPS 140-2 validated cryptographic module	YES	
Used as (if applicable):		
Precinct counting device	YES	ImageCast Precinct ImageCast Precinct 2 ImageCast Evolution ImageCast X DRE
Central counting device	YES	ImageCast Central

Baseline Certification Engineering Change Orders (ECO)

ECO #	Component	Description
100607	ImageCast Central - HiPro Scanner configuration	Added Dell Optiplex 7060 and 7070.
100653	ImageCast Central Scanner Workstation	Added DELL Optiplex 5270 AIO computer.
100624	ImageCast Evolution	Alternative supplier (King Cord) for ICE power cord
100648	ImageCast Precinct 2	Added new Centon SDHC memory device"
100630	ImageCast Central	Added a scanner (Canon DR-G2140) for use with the D-Suite ImageCast Central workstation
100654	ImageCast Precinct2 PCOS 330A	Adding the ICP2 adapter plate for use with Eagle ballot box
100657	ImageCast Evolution PCOS 410A	Added Addmaster KR-85A printer as an AVL replacement
100669	ImageCast X Prime	Added RRC 2054-2 battery as an AVL for the ICX Prime replacement battery.

Appendix F: Voting System Standards, Testing Protocols and Procedures Pertaining to the Use of Communication Devices

PART I: PROPOSED TESTING STANDARDS

Applicable VVSG Standard

The modem component of the voting system or equipment must be tested to the requirements contained in the most recent version or versions of the Voluntary Voting System Guidelines (VVSG) currently accepted for testing and certification by the U.S. Election Assistance Commission (EAC). Compliance with the applicable VVSG may be substantiated through federal certification by the EAC, through certification by another state that requires compliance with the applicable VVSG, or through testing conducted by a federally certified voting system test laboratory (VSTL) to the standards contained in the applicable VVSG. Meeting the requirements contained in the VVSG may substantiate compliance with the voting system requirements contained in Section 301 of the Help America Vote Act of 2002 (HAVA).

Access to Election Data

Provisions shall be made for authorized access to election results after closing of the polls and prior to the publication of the official canvass of the vote. Therefore, all systems must be capable of generating an export file to communicate results from the election jurisdiction to the Central processing location on election night after all results have been accumulated. The system may be designed so that results may be transferred to an alternate database or device. Access to the alternate file shall in no way affect the control, processing, and integrity of the primary file or allow the primary file to be affected in any way.

Security

All voting system functions shall prevent unauthorized access to them and preclude the execution of authorized functions in an improper sequence. System functions shall be executable only in the intended manner and order of events and under the intended conditions. Preconditions to a system function shall be logically related to the function so as to preclude its execution if the preconditions have not been met.

Accuracy

A voting system must be capable of accurately recording and reporting votes cast. Accuracy provisions shall be evidenced by the inclusion of control logic and data processing methods, which incorporate parity, and checksums, or other equivalent error detection and correction methods.

Data Integrity

A voting system shall contain provisions for maintaining the integrity of voting and audit data during an election and for a period of at least 22 months thereafter. These provisions shall include protection against:

- the interruption of electrical power, generated or induced electromagnetic radiation.
- ambient temperature and humidity.
- the failure of any data input or storage device.
- any attempt at an improper data entry or retrieval procedure.

Reliability

Successful Completion of the Logic and Accuracy test shall be determined by two criteria

- The number of failures in transmission
- and the accuracy of vote counting

The failure or connectivity rate will be determined by observing the number of relevant failures that occur during equipment operation. The accuracy is to be measured by verifying the completeness of the totals received.

PART II: TEST PROCEDURES AND PROTOCOLS

Overview of Telecommunication Test

The telecommunication test focuses on system hardware and software function and performance for the transmission of data that is used to operate the system and report election results. This test applies to the requirements for Volume I, Section 6 of the EAC 2005 VVSG. This testing is intended to complement the network security requirements found in Volume I, Section 7 of the EAC 2005 VVSG, which include requirements for voter and administrator access, availability of network service, data confidentiality, and data integrity. Most importantly, security services must restrict access to local election system components from public resources, and these services must also restrict access to voting system data while it is in transit through public networks. Compliance with Section 7, EAC 2005 VVSG shall be evidenced by a VSTL report submitted with the vendor's application for approval of a voting system.

In an effort to achieve these standards and to verify the proper functionality of the units under test, the following methods will be used to test each component of the voting system:

Wired Modem Capability Test Plan

Test Objective: To transfer the results from the tabulator to the Election Management System via a wired network correctly.

Test Plan:

1. Attempt to transmit results prior to the closing of the polls and printing of results tape

2. Set up a telephone line simulator that contains as many as eight phone lines
3. Perform communication suite for election night reporting using a bank with as many as seven analog modems:
 - a. Connect the central site election management system to the telephone line simulator and connect the modems to the remaining telephone line ports
 - b. Setup the phone line numbers in the telephone line simulator
 - c. Use the simulated election to upload the election results
 - i. Use at least eight tabulators in different reporting units
 - ii. Use as many as two tabulators within the same reporting units
 - d. Simulate the following transmission anomalies
 - i. Attempt to upload results from a tabulating device to a computer which is not part of the voting system
 - ii. Attempt to upload results from a non-tabulating device to the central site connected to the modem bank
 - iii. Attempt to load stress by simulating a denial of service (DOS) attack or attempt to upload more than one polling location results (e.g., ten or more polling locations)

Wireless Capability Test Plan

Test Objective: To transfer the results from the tabulator to EMS via a wireless network correctly.

Test Plan:

1. Attempt to transmit results prior to the closing of the polls and printing of results tape.
2. Perform wireless communication suite for election night reporting:
 - a. Use the simulated election to upload the election results using wireless transfer to the secure FTP server (SFTP)
 - b. Use at least eight tabulators in different reporting units
 - c. Use as many as two tabulators within the same reporting unit
3. Simulate the following transmission anomalies
 - a. Attempt to upload results from a tabulating device to a computer which is not part of the voting system
 - b. Attempt to upload results from a non-tabulating device to the SFTP server
 - c. Attempt to load stress by simulating a denial of service (DOS) attack or attempt to upload more than one polling location results (e.g., ten or more polling locations)
 - d. If possible, simulate a weak signal
 - e. If possible, simulate an intrusion

Test Conclusions for Wired and Wireless Transmission

- System must be capable of transferring 100% of the contents of results test packs without error for each successful transmission.

- Furthermore, system must demonstrate secure rate of transmission consistent with security requirements.
- System must demonstrate the proper functionality to ensure ease of use for clerks on election night.
- System must be configured such that the modem component remains inoperable until after the official closing of the polls and printing of one (1) copy of the results tape.

PART III: PROPOSED SECURITY PROCEDURES

Staff recommends that as a condition of purchase, any municipality or county which purchases this equipment and uses modem functionality must also agree to the following conditions of approval.

1. Devices which may be incorporated in or attached to components of the system for the purpose of transmitting tabulation data to another data processing system, printing system, or display device shall not be used for the preparation or printing of an official canvass of the vote unless they conform to a data interchange and interface structure and protocol which incorporates some form of error checking.
2. Any jurisdiction using a modeming solution to transfer results from the polling place to the central count location may not activate the modem functionality until after the polling place closes.
3. Any municipality using modeming technology must have one set of results printed before it attempts to modem any data.
4. Any municipality purchasing and using modem technology to transfer results from the polling location to the central count location must conduct an audit of the voting equipment after the conclusion of the canvass process.
5. Default passwords provided by DVS to county/municipality must be changed upon receipt of equipment.
6. Counties must change their passwords after every election.

PART IV: CONDITIONS FOR APPROVAL (VENDOR)

Additionally, staff recommends that, as a condition/continuing condition of approval, DVS shall:

1. Reimburse actual costs incurred by the WEC. and local election officials, where applicable, in examining the system (*including travel and lodging*) pursuant to state processes.
2. Configure modem component to remain inoperative (incapable of either receiving or sending transmissions) prior to the closing of the polls and the printing of tabulated results.

APPENDIX G: Wisconsin Voting Equipment Review Panel’s Feedback

These comments were provided via a structured feedback form.

1. How would you rate the functionality of the equipment?

Extremely Poor	Poor	Fair	Good	Excellent
	1		2	2

- I ranked the functionality of the equipment as “poor” because of how the accessibility features of the Dominion ICE machine function. The way the system is set up, a voter wanting to use the accessible features of the equipment has to have additional contact with the poll workers that other voters are not required to do. It also required additional training of poll workers to ensure they understood how to use the magnetic key. Also of note the ballot is printed using the ICX ballot marking device is clearly different from the ballots any other voter produces, as it has a QR code on it. this fact limits the ballot privacy for voters who make use of the ballot marking device. There is no way for the voter to double check the data encoded in the QR code before putting the ballot into the tabulator. This functionality is available in other equipment such as the ES&S ExpressVote. If this equipment would ever be tabulated by a machine rather than solely by hand count, I would recommend considering adding that functionality.
- Would like better sorting system on central scanner
- Report of write-ins is nice.
- Functionality of the equipment is good. Streamlined features seem to make seem to make tabulating and voting easier. Worry re: QR code and inability to read back to the voter.

2. How would you rate the accessible features?

Extremely Poor	Poor	Fair	Good	Excellent
1			1	3

- I was impressed with the variety of options that were available in terms of accessible equipment. I could see a potential line issue with the equipment that is accessible and a tabulator (please forgive me for not having the model number, it was the first item that was demonstrated) if someone is using the accessible portion while others want to simply tabulate a ballot.
- The dual nature of the Dominion ImageCast Evolution presents challenges for voters with and without disabilities. The tabulator can be converted into a touch screen machine, but that requires that the machine be temporarily closed for use by voters who wanted to submit their ballots. This can be very intimidating for a voter with a disability to have to try and vote using the accessibility functionality while a line of voters wanting to put their ballots into the machine starts to form behind them. The dual nature of the machine also

means that it is not readily identifiable as the accessible voting equipment by voters and poll workers with limited training, so voters who need to use the accessible features may not know it is available for them to use. Please consider requiring jurisdictions to acquire and set up the external screen as part of the certification requirements to use this equipment. This would address some of the biggest issues with the equipment.

- Unable to verify QR code to see if it is reading correct selections
- Accessibility features seem streamlined and allow for voters to cast a ballot privately and independently. Ability for voters to bring in own equipment is important.

3. Rate your overall impression of the system.

Extremely Poor	Poor	Fair	Good	Excellent
	1		2	2

- As previously mentioned, my biggest concerns with the equipment is the dual nature of the Dominion ICE machine. In practice it check the box of accessibility, but is not truly accessible in practice.
- We do use the equipment county wide. We continuously receive positive comments from voters that the system is easy to use. The election officials also report that the equipment is easy to use from their end. After the April 2021 election, there were 2 recounts requested. One of the contests was a 1-point difference. When the recount was completed, the vote remained the same. The second recount was a 17-point difference. Again, no vote difference. However, “unintentional” human errors that training will again need to be addressed.
- Variations in types of machines to best suit polling places and community needs.



Wisconsin Elections Commission

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DATE: For the June 2, 2021 Commission Meeting

TO: Commissioners, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

Prepared by Elections Commission Staff

SUBJECT: Commission Staff Update

Since the last Elections Commission Update staff of the Commission focused on the following tasks:

1. General Activities of Election Administration Staff

Spring Election and Special Election for Assembly District 89 and Senate District 13

At the Spring Election on April 6, 2021, voters participated in an election for State Superintendent of Public Instruction, Court of Appeals Districts I, II, and III, 64 circuit court offices in 32 different counties, and various local offices. The canvassed results were certified by Chairperson Jacobs on April 22, 2021.

The special elections for Assembly District 89 and Senate District 13 were held in conjunction with the Spring Election in the impacted counties. In Assembly District 89 there were two ballot access candidates. In Senate District 13, there were four ballot access candidates. The canvassed results were certified by Chairperson Jacobs on April 22, 2021.

Staff offered extended hours in support of clerks completing their preparations for the Spring Primary beginning on Friday, February 12 and continuing through the following Wednesday.

Friday, April 2, 2021 4:30 p.m. – 6:00 p.m.
Saturday, April 3, 2021 10:00 a.m. – 2:00 p.m.
Sunday, April 4, 2021 email coverage throughout day
Monday, April 5, 2021 4:30 p.m. – 6:00 p.m.
Tuesday, April 6, 2021 6:00 a.m. – 7:45 a.m. / 4:30 p.m.-10:00 p.m.
Wednesday, April 7, 2021 4:30 p.m. – 6:00p.m.

The Spring Election had a turnout of around 20% of all registered voters; call and email volume were steady and no major issues were reported.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

Special Election for Assembly District 37

On April 27, 2021, Governor Tony Evers ordered a special election to fill a vacancy in Assembly District 37. The special election is scheduled for July 13, 2021, with a primary scheduled for June 15, 2021 if needed. The filing deadline for this office was May 18, 2021.

Election Administration Project Planning

To prepare for the 2022 election cycle, the Election Administration team is working on multiple projects to better serve our clerk partners, voters, and candidates.

Staff is currently reviewing and updating many of the training programs available to clerks. To reach clerks across the state, staff is developing more interactive online trainings to engage clerks in an informative and interactive format. Staff is also updating and developing new material for the Election Administration Tabletop Exercise (EA TTX) program to help clerks and poll workers practice a mock election day and solve election day-specific situations and documents. In addition to these projects, staff is also reviewing the clerk training agendas to help clerks prepare and train poll workers on various election day tasks. These updates will be created with advice and input from the Clerk Advisory Committee on training as well as other volunteer clerk partners.

Staff is also focusing on the agency website and improvements that can be made. Over the years, clerks, voters, candidates, elected officials, and others have provided suggested edits and improvements to the agency website. Staff is currently inventorying the content on the current site and will be developing and usability testing potential reorganizations with our users in the coming months.

2. Education/Training/Outreach/Technical Assistance

Following this memorandum as Attachment 1 is a summary of initial certification and focused election administration and WisVote training conducted by WEC staff since the last commission meeting in March. In preparation for the 2021 April Election, elections and WisVote specialists focused on providing information and guidance about basic election processes, such as voter registration and absentee voting. Commission staff also reviewed more complex election administration procedures, such as determining voter intent and when/how to count write-in votes.

Staff provided specialized election training through its election administration and WisVote webinar training series, including a review of accessibility and curbside voting, key takeaways from the 2020-2021 elections and post-spring election processes in the WisVote system. Staff also developed webinar training on the use of Special Voting Deputies for the April election.

The Clerk Training Advisory Committee reconvened on May 18, 2021 and members discussed their experiences from the 2020-2021 elections, reviewed training tools recommended by the committee at its last meeting, and were updated about the training components of the WEC's project plan for 2021-2022.

3. Badger Voters

The Badger Voters program experienced moderate activity for the 2021 Spring Elections. Copies of filed nomination papers will continue to be available for downloading through Badger Voters.

The following statistics summarize activity through April 30, 2021.

Fiscal Year	Total Number of Voter Data Requests	Requested Files Purchased	Percentage of Requests Purchased	Total Revenue	Total Number of Nomination Paper Requests
FY2021	1298	1068	82%	\$1,085,124	290
FY2020	1291	1134	88%	\$654,557	402
FY2019	617	473	76.6%	\$328,015	NA
FY2018	706	517	73.2%	\$182,341	NA
FY2017	643	368	57%	\$234,537	NA
FY2016	789	435	55%	\$235,820	NA
FY2015	679	418	61.56%	\$242,801	NA
FY2014	371	249	67.12%	\$125,921	NA
FY2013	356	259	72.75%	\$254,840	NA
FY2012	428	354	78.04%	\$127,835	NA

4. MyVote Wisconsin Website

MyVote is the Wisconsin Elections Commission’s primary voter information tool. The website allows voters to register online during open registration, start the registration process during closed registration, request an absentee ballot, find their polling places, view sample ballots, track their absentee and provisional ballots, and more. MyVote is a critical tool that both Wisconsin voters and clerks rely on, even more so after the events of the 2020 election cycle.

MyVote usage levels, while still elevated, are beginning to return to what would be considered historical norms for the site. The April 6, 2021 Spring Election still had election day usage levels higher than similar elections, but post-election activity has quickly returned to below the pre-election numbers.

The MyVote site has handled the 2021 election cycle with no issues and continues to operate in the expected fashion. Commission staff have several projects planned for the remainder of 2021 to apply lessons learned from 2020, maintain the site’s security, and improve usability and functionality of new features added during the previous year. One such project, updating the content management system MyVote is built on, was completed on May 12, 2021. The update deployed without any issues and the MyVote site was unavailable for three hours while the deployment was completed. Commission staff added a notification banner to the MyVote site, advising of the downtime, one week prior to the update and maintained a notification page while the site was unavailable.

Remaining projects are currently in the planning stages and are expected to be deployed in the second half of 2021. Usability sessions will be scheduled for these projects, using both clerk and general public users, and commissions staff are anticipating these will continue to be conducted remotely for the near future. Feedback gathered from these sessions will be incorporated into the planned changes.

5. Badger Books

Please see the separate report attached as Addendum I.1.

6. Reconciliation and Statistical Reporting

Please see the separate report attached as Addendum I.2.

7. Four-Year Voter Record Maintenance Mailing

At its April 29, 2021 meeting the Commission approved the mailer design and timeline for the 2021 Four-Year Voter Record Maintenance. Commission staff worked with DOA printing and distribution staff and USPS staff to finalize the postcard design and approve the final postcard proof. On May 14, 2021 Commission IT staff identified 186,982 voters as not having voted in the previous four years. The final list was sent to DOA printing and distribution for processing on May 7, 2021. On May 18, 2021 Commission staff held a webinar and instructional materials about the Four-Year Voter Record Maintenance were provided to clerks.

The Four-Year Voter Record Maintenance postcard will be mailed on June 15, 2021. Clerks will have from June 15 until July 15, 2021 to update the status of voters who request continuation of their registration. Clerks will also update the status of voters whose postcards are returned as undeliverable. On July 31, 2021 Commission IT staff will run an automated job to deactivate any voters who did not requested continuation of registration by the July 15 statutory deadline. Wis. Stat. §6.50(2). On August 1, 2021, the Commission will publish the required statistics to the Commission website.

8. Election Notice Template Revisions

Election Notices are required to be published throughout election cycles, as prescribed in Wis. Stat. Chapter 10. Samples of the notices are provided by Wisconsin Elections Commission for the clerks to download from the website, modify, and use. Beginning April 7, Elections Administration staff conducted an analysis of the existing templates and compared them to the relevant statutes. It was found that many were created in and still formatted using old versions of Microsoft Word software, and included obsolete language, not prescribed by statute, potentially making them less understandable to Wisconsin voters.

Staff undertook the process of updating the language and reformatting the content in the Types A, C, and E notices. Section headers were added so that clerks and voters might find the information they need more efficiently. Please note that the opening section of the Type B notice may not be updated as the language is prescribed in Wis. Stat. §10.02(3):

The notice shall contain the following:

FACSIMILE BALLOT NOTICE
OF ELECTION

Office of [County] [Municipal] Clerk.
To the Electors of [County] [Municipality]:

Notice is hereby given of a election to be held in the several wards in the [county] [municipality] of, on the day of, (year), at which the officers named below shall be chosen. The names of the candidates for each office to be voted for, whose nominations have been certified to or filed in this office, are given under the title of the office and under the appropriate party or other designation, each in its proper column, together with the questions submitted to a vote, in the sample ballot below.

All notices including the Types B and D were updated to current file formats and had instructions changed from all-caps to sentence case. On April 14, drafts of the Types A, C, and E sample notices and on April 30, a draft of the updated Type B were sent to clerks around the state for feedback and were further edited using the input received. The Type D notice is the notice of polling locations and hours (Wis. Stat. §10.01(2)(d)) and is unique to each municipality. Because the only updates made were to the file format and font, it was not sent out for feedback or editing. This feedback included keeping or adding deadlines for posting and any additional instructions regarding publishing and posting on the notices so that newer clerks would have that information in one location.

The new sample notices are now ready for posting on the WEC website and a memo will be sent to clerks upon posting, letting them know to update the versions they may have saved in their own files. An explanation that outlines any changes to the templates will also be included.

9. Accessibility

Accessibility Advisory Committee

The Accessibility Advisory Committee (AAC) will meet sometime this summer or early fall. WEC staff continue to meet with members of the Disability Vote Coalition monthly to provide accessibility-related election updates and partner on relevant projects in between AAC meetings.

Accessibility Supply Program

Since February 2021, 572 accessibility supplies were sent out to 54 municipalities, including 138 curbside signs. Page magnifiers and curbside voting signs need to be replenished, which will be done in FY21 or early FY22 with any remaining accessibility funds.

Polling Place Accessibility Reviews (Formally known as “Audits”)

WEC staff are preparing for a robust Polling Place Accessibility Review Program to resume in 2022 with visits across the state. Staff will submit additional information about the accessibility review plan for 2022 in the future for the Commission to review.

Accessibility Concern Form

Since the last update, there have been three additional accessibility concerns reported using the “Report an Accessibility Concern” form on the agency website. Two were not specifically related to accessibility concerns, and the third was resolved by staff following up with a municipal clerk about the process for indefinitely confined voters. Additionally, WEC staff are working with a municipality to evaluate if their indoor ramp is ADA compliant after a voter raised a concern about the ramp after an injury.

10. **Legislative Update**

The Elections Administration and Legal staff monitor and provide ongoing analysis and status updates for legislation relevant to WEC. Recently, the Senate Republicans have launched a new website dedicated to tracking a set of election related bills, which can be found at this link: <https://legis.wisconsin.gov/senate/republicans/election-bills> The tracker provides a visual representation of where each Senate bill is in the legislative process.

Below are bills recently introduced and the current status:

- Senate Bill 21/Assembly Bill 21. This bill relates to aids to counties and municipalities for certain special election costs. Public hearing on Senate bill held 3/11/21.
- Senate Bill 61/Assembly Bill 35. This bill relates to the method of selecting presidential electors.
- Senate Bill 52/Assembly Bill 51. This bill relates to requiring public notice of noncandidacy for local elected officials. Senate bill passed on 5/11/21, Assembly concurred. Assembly Bill laid on the table.
- Senate Bill 102/Assembly Bill 94. This bill would allow a pupil enrolled in a home-based private educational program to serve as an election inspector. Senate bill passed on 5/12/21, Assembly concurred. Assembly Bill laid on the table.
- Senate Bill 178/Assembly Bill 304. This bill is related to various election administration changes, recall petitions and recount procedures. Senate bill passed on 4/14/21 and sent to Assembly.
- Senate Bill 179/Assembly Bill 305. This bill is related to changes to voter registration. Senate bill passed on 4/14/21 and sent to Assembly.

- Senate Bill 180/Assembly Bill 306. This bill is related to changes to voter registration. Senate bill passed on 4/14/21 and sent to Assembly.
- Senate Bill 203/Assembly Bill 192. This bill is related to the secure delivery of absentee ballots and penalties. Senate bill passed on 5/11/21 and sent to Assembly.
- Senate Bill 204/Assembly Bill 201. This bill is related to absentee ballot applications, unsolicited mailing or transmission of absentee ballot applications and ballots, canvassing of absentee ballots, electronic voter registration and penalties. Public hearing on Senate bill held 4/15/21. Public hearing on Assembly bill held 4/27/21.
- Senate Bill 205/Assembly Bill 179. This bill is related to voting in certain residential care facilities and retirement homes and penalties. Public hearing on Senate bill held 4/15/21. Public hearing on Assembly bill held 4/27/21.
- Senate Bill 206/Assembly Bill 180. This bill is related to indefinitely confined voter status for purposes of receiving absentee ballots automatically and penalties. Public hearing on the Senate bill held 5/5/21.
- Senate Bill 207/Assembly Bill 173. This bill is related to private resources being used for election administration, appointment of election officials and penalties. Senate bill passed on 4/14/21 and sent to Assembly. Assembly bill passed on 5/11/21 and sent to Senate, available for scheduling.
- Senate Bill 208/Assembly Bill 172. This bill is related to the publication of Elections Commission meeting minutes. Senate bill passed on 4/14/21, Assembly concurred on 5/11/21. Assembly Bill laid on the table.
- Senate Bill 209/Assembly Bill 177. This bill is related to the returning of absentee ballot to the office of the municipal clerk. Public hearing on the Senate bill held on 5/5/21.
- Senate Bill 210/Assembly Bill 170. This bill is related to election observers and penalties. Senate bill passed on 4/14/21 and sent to Assembly.
- Senate Bill 211/Assembly Bill 178. This bill is related to applications for absentee ballots. Public hearing on the Senate bill held 4/15/21. Public hearing on the Assembly bill held 4/27/21.
- Senate Bill 212/Assembly Bill 198. This bill is related to defects on absentee ballot certificates, certain kinds of election fraud and penalties. Senate bill passed on 5/11/21 and sent to Assembly. Public hearing on Assembly bill held 4/27/21.
- Senate Bill 213/Assembly Bill 194. This bill is related to action for violations of election laws. Senate Bill passed on 4/14/21 and sent to Assembly. Public hearing held on Assembly bill 4/15/21.

- Senate Bill 214/Assembly Bill 310. This bill is related to early canvassing of absentee ballots, issuance of presidential ballots, combined polling places, timeline for sending or transmitting absentee ballots, nomination papers for certain independent candidates and penalties. Both bills currently in committee.
- Senate Bill 250/Assembly Bill 244. This bill is related to top-five primaries and instant runoff voting for office of US Senator and US Rep. to Congress. Both bills currently in committee.
- Senate Bill 268/Assembly Bill 264. This bill is related to compensation of election officials performing duties during a recount. Both bills currently in committee.
- Senate Bill 284. This bill is related to holding the presidential preference primary on the second Tuesday in March. There is currently no companion bill in the Assembly. This bill is currently in the Senate committee.
- Senate Bill 292/Assembly Bill 271. This bill is related to broadcasting election night proceedings. Senate Bill passed on 5/11/21 and sent to Assembly.
- Senate Bill 297/Assembly Bill 224. This bill is related to the terms of office for local government officers. Senate Bill passed on 5/11/21 and sent to Assembly.
- Assembly Bill 150/Senate Bill 240. This bill is related to ranked-choice voting. Both bills are currently in committee.
- Assembly Bill 246. This bill is related to entering into an agreement among the states to elect the president and vice president of the United States by means of a national popular vote. There is currently no companion bill in the Senate. The bill is currently in the Assembly committee.

11. Complaints

Elections Administration staff and Staff Counsel have continued to process and resolve formal complaints related to the actions of local election officials, as well as informal inquiries submitted by voters and the public. Since January 1, 2021, the Commission has received 30 Wis. Stat. § 5.06 and § 5.05 complaints, which is a significant increase over the 2020 numbers which were already a substantial increase from previous years. All Wis. Stat. § 5.06 complaints and information about how they are resolved are posted on the agency website: <https://elections.wi.gov/publications/complaints>. Wis. Stat. § 5.05 complaints are confidential except under certain circumstances when they have been resolved.

12. Voting Equipment

During the current reporting period, staff responsible for voting equipment received one application for an Engineering Change Order (ECO 1103). This single ECO from ES&S was related to the battery housed within the ExpressVote voting device. ES&S requested WEC

permission to change the previously approved battery in the ExpressVote devices and replace them with an extended life model. Application documents for ECO 1103 included relevant test lab and EAC approval documentation. Following submission of ECO staff analysis to Administrator Wolfe, ECO 1103 was granted approval by Commission Chair Jacobs.

Staff also continued to work with voting equipment vendors related to state certification test campaigns. Testing for Dominion Voting Systems Democracy Suite 5.5-C and 5.5-CS was conducted between April 19 and April 28. Details of this testing can be found in this packet under separate cover. Additional certifications test campaigns remain in various stages of planning. An application has been received for testing of voting systems from both Hart InterCivic and ES&S. Staff will work with representatives from those companies to plan and schedule testing. The results of any tests will be presented to the Commission for certification consideration at a future meeting.

13. Communications Report

Between February 19 and May 14, 2021, the Wisconsin Elections Commission's communications efforts have focused on the Spring Election cycle and continuing to respond to concerns about the November 2020 election, as well as court cases, public records requests, complaints, and Commission support. During this period, the Public Information Officer engaged in the following activities in furtherance of the Commission's mission:

We continue to respond to numerous contacts from voters and media inside and outside Wisconsin regarding the administration of the November 2020 General Election. This includes creating and updating a series of FAQ pages on the agency website about misinformation regarding the election: <https://elections.wi.gov/faq/2020>.

Several Wis. Stat. § 5.06 complaints related to the 2020 General Election have generated media and public contacts for information.

The WEC continues to receive public records requests for information about Commission activities during 2020, and the PIO is working with staff counsels and other staff members to fulfill those records requests.

The large number of Commission meetings in 2020 and the overwhelming number of media, clerk and public inquiries delayed the timely production of draft meeting minutes. The PIO and agency support staff have now caught up with draft minutes from all past meetings, which are on the June 2 agenda for approval. We also have plans to improve transparency by posting those approved minutes on the website, so they are easily accessible, as well as links to video recordings of Commission meetings. In the future, we will be posting summaries of Commission actions within 48 hours of meetings until draft minutes can be posted.

14. Elections HelpDesk/Customer Service Center

The Elections Help Desk staff is supporting more than 2,000 active WisVote users while also answering calls and emails from the public and election officials. Staff is monitoring state

enterprise network and data center changes and status, processing voter cancelations and voter address verification postcards. Help Desk staff has been serving on and assisting various project and development teams. Staff continues to maintain WisVote user and clerk listserv email lists and contact information, administering Elections Commission’s Exchange email system. The staff continues to administer the WisVote Active Directory system and the Elections Learning Center, maintaining system security. The majority of contacts regarded preparation for the April Spring Election; post-Election processes; Absentee mail and processing; MyVote assistance.

Customer Service Call Volume
 608-266-8005 608-261-2028

February 2021	1,826
March 2021	2,008
April 2021	1,712
Total for Reporting Period	5,546

Customer Service Email Volume
elections@wi.gov

February 2021	2,409
March 2021	2,658
April 2021	1,940
Total for Reporting Period	7,007

Address Verification Postcards Mailed

February 2021	4,209
March 2021	2,034
April 2021	12,101
Total for Reporting Period	18,344

15. Future Customer Service Support

The current environment of high demand for WEC services requires a consistent source of trusted information for elections related questions. Commission staff have managed this responsibility using antiquated email routing and transferred phone calls to different subject area experts in the agency. As previously reported, WEC HelpDesk support needs skyrocketed in 2020 in the face of the COVID-19 pandemic, pending lawsuits, and the demand for absentee by mail voting. Current processes require staff to manage voter, clerk and other customer contacts through the same, largely manual, processes used for internal agency work. Commission staff therefore plan to implement a new customer support solution before 2022 that provides these benefits:

- Improved efficiency routing contacts to available subject matter experts
- Tracking of contacts from initial outreach to resolution

- Consistent, standardized responses for common inquiries
- Data analytics to identify trends in contacts, turn-around time, etc.
- Automation of the processes above to ensure prompt, accurate service.

WEC staff evaluated several commercial products as potential solutions to these needs. Of the options, Zendesk meets all criteria listed above and is currently under contract with the State of Wisconsin. Additionally, Zendesk maintains a large business hub in Madison, which can provide for ease of support and communication. Zendesk contracts on an annual, per-user basis which may be scaled up as needed during busier election cycles. Implementation would occur over 8-10 weeks with a designated consultant to assist in training, testing, go-live, and the transition to as needed on-call support.

The use of automation to increase efficiency will become especially important if the Commission is, in the future, unable to retain the temporary, project, and limited-term staff that now make-up a significant portion of the agency's personnel. In addition to improved quality of service, a comprehensive customer support solution should enable reduced labor and costs associated with repeat contacts, common questions, staff training, and deflected contacts able to use self-service tools.

Commission staff are currently evaluating various service configurations and options. Adoption of the new customer service module is tentatively scheduled for the summer of 2021.

16. Agency Project List

With fewer elections in 2021, Commission staff are able to complete system improvements and other projects deferred during the busy 2020 election year. Major agency projects are captured in a separate document attached as Addendum I.3.

17. Election Security

Please see the separate report attached as Addendum I.4.

18. Redistricting Planning

Please see the separate report attached as Addendum I.7.

19. IT Developers Contract

In 2020, the Wisconsin Department of Administration (DOA) announced Knowledge Services was selected as the new IT Vendor Managed Services Sourcing Contract, replacing Tapfin. The contract transfer process is underway for financial year 2022. All WEC developers work with suppliers who are on now contract with Knowledge Services. To retain the contractors at their rate under the previous contract, three developers were given new titles based on the Knowledge Services classification schedule. There is no change to the IT contract expenditures previously approved by the Commission. All appropriate documentation to facilitate the transition has been submitted to DOA.

20. Internal Control Plan

Please see the separate memorandum and Internal Control Plan attached as Addendum I.5.

21. Agency Budget

Please see the separate memorandum attached as Addendum I.6

22. Financial Services Activity

- Since our last Staff Update, the financial staff worked to closeout our federal CARES grant:
- On March 30, 2021, staff submitted two separate financial sets:
 - Cumulative Federal Financial Report (FFR) via the Payment Management System (PMS)
 - Annual Progress Report via the Alchemer system
- On May 5, 2021, after working with the U.S. Election Assistance Commission (EAC) and the State Controller's Office (SCO), staff resubmitted an amended CARES FFR via PMS.
- On May 6, 2021, staff drafted and submitted a final close out certification letter to the EAC.
- On May 13, 2021, WEC received a letter from the EAC notifying us that our CARES grant has officially been closed.
- On February 25, 2021, financial staff compiled and submitted to management the costs to maintain WisVote since 2016, meeting with the WEC Management Team on March 9 and March 17 to discuss.
- On March 11, 2021, staff attended the Public Sector User Group (PSUG) to engage with other Oracle/PeopleSoft users in the Public Sector across the country.
- On March 25, 2021, staff submitted to the SCO our annual Bank and Cash Account Certification.
- On April 21, 2021, staff reviewed April's Year-End Project Costing Data Extract for inconsistencies in our data (we had none).
- On April 13 & 15, 2021, staff attended the EAC's webinar training on Mid-Year Reporting.
- On April 20, 2021, staff submitted to the SCO our submission in the DOA-Agency Cooperative Agreement workbook.

- On April 30, 2021, staff submitted to the EAC our Mid-Year Election Security grant financials, submitted in two separate financial sets:
- On May 10, 2021, staff reviewed May's Year-End Project Costing Data Extract for inconsistencies in our data (we had none).
- On May 14, 2021, staff finished substantially updating our Internal Control Plan (ICP) over financial activities so that it accurately reflects our current practices. Staff reviewed our current ICP and has found no significant deficiencies or material weaknesses.
- In addition, staff has performed the following monthly:
 - Staff has continued to perform and submit to the SCO scheduled month-end close queries, inquiries, and reports. Staff conducted necessary adjusting entries to resolve any discrepancies.
 - Staff has continued to validate Wisconsin Department of Administration (DOA)'s monthly Diverse Spend Reports.
 - Staff has continued to complete and submit to the SCO monthly COVID cost tracking reports.
 - Staff has continued to participate in monthly DOA user group webinars pertaining to Project Costing and Accounts Receivable and Billing.
 - Staff has continued to participate in the Financial Leadership Council meetings at SCO.

23. Procurements

The following six Purchase Orders totaling \$134,228.33 have been processed since the March 2, 2021 Commission meeting:

- A \$9,761.25 Purchase Order was written to SHI International Corporation for Google Maps API for Business credits used in Geographic Information Systems (GIS) in our WisVote System.
- A \$2,352.00 Purchase Order was written to Thomas Reuters for Westlaw providing two-attorney access of electronic statutes.
- A \$76,545.00 Purchase Order was written to CDW Government for RSA Cryptosystem cyber security, \$51,030.00 for service received 09/2019-03/2021 and \$25,515.00 for service 03/2021-12/2021.
- A \$1,719.18 Purchase Order was written to Environmental Systems Research Institute (ESRI) for a one-year subscription of ARCGIS Desktop Standard and Online Creator software and support.

- A \$1,299.00 Purchase Order was written to Articulate Global, Inc for a one-year subscription of StoryLine360.
- A \$42,551.90 Purchase Order was written to Paragon Development System (PDS) for 30 HP EliteBook 850 Laptops with docking stations, two HP EliteDesk 800G6 Mini Desktop, and an extra five years of warranties on all computers.

All purchases accurately followed the Wisconsin State Procurement Process.

24. Meetings and Presentations

WEC staff attended the following events since the March 2, 2021 Commission meeting.

March 4, 2021	Legislative Audit Bureau (LAB) meeting Long-term Care Facility Webinar
March 10, 2021	Elections Administration webinar LAB meeting
March 16, 2021	Meeting with the Cybersecurity & Infrastructure Security Agency (CISA) WisVote Absentee Processes webinar Meeting with USPS District and Area Managers
March 17, 2021	National Association of Secretaries of State meeting
March 24, 2021	National States Geographic Information council (NSGIC) webinar Enterprise IT planning meeting
March 27, 2021	State Convention of the National Federation of the Blind Wisconsin
March 30, 2021	LAB meeting Meeting with USPS District and Area Managers
March 31, 2021	Assembly Committee on Campaigns and Elections
April 7, 2021	State IT Director's Council meeting
April 8, 2021	Meeting with USPS Design Analysts
April 12, 2021	Meeting with the State Budget Office
April 13, 2021	Meeting with USPS District and Area Managers Post-Election Election Processes webinar LAB Meeting

April 14, 2021	LAB meeting Projects meeting with the Division of Enterprise Technology (DET)
April 15, 2021	Elections Infrastructure Information Sharing & Assistance Center (EI-ISAC) Quarterly Conference
April 20, 2021	LAB meeting
April 20-23, 2021	DVS equipment testing and review
April 21, 2021	Meeting with Department of Health Services (DHS) National Association of Secretaries of State meeting LAB Meeting
April 22, 2021	LAB Meeting Voting Equipment Review Panel Meeting Public Demonstration of Voting Equipment
April 26-28	DVS modem testing
April 27, 2021	Meeting with USPS District and Area Managers
April 28, 2021	Enterprise IT planning meeting Redistricting call with County Clerks
April 30, 2021	Annual ERIC Membership Conference LAB Meeting
May 4, 2021	Wisconsin Infrastructure Information Sharing & Assistance Center (WI-ISAC) meeting LAB Meeting
May 4, 2021	Cybersecurity meeting with Wisconsin Emergency Management (WEM)
May 5, 2021	Elections Administration Best Practices webinar LAB meeting
May 7, 2021	National Association of State Election Directors (NASSED) conference LAB meeting
May 11, 2021	Meeting with USPS District and Area Managers
May 12, 2021	Projects meeting with the DET NASSED-NASS Joint Social Media Working Group
May 13, 2021	NASSED Call with USPS Executive Team

May 14, 2021	DVS modem testing
May 18, 2021	Clerk Training Advisory Committee meeting Four Year Maintenance Process webinar
May 19, 2021	National Association of Secretaries of State meeting LAB meeting
May 25, 2021	Meeting with USPS District and Area Managers
May 26, 2021	Enterprise IT planning meeting
June 1, 2021	WI-ISAC meeting



Wisconsin Elections Commission

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MEMORANDUM

DATE: For the June 2, 2021 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

Prepared by:
Commission Staff

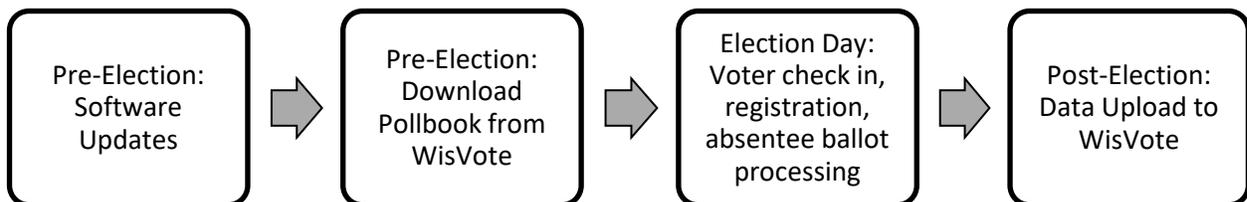
SUBJECT: Badger Book ePollbook Program Update

1. Background

Commission staff developed the Badger Book electronic poll book software in 2017 using clerk and election inspector suggestions. During the 2018 Spring Election, the agency introduced the electronic poll book pilot program starting with just eight jurisdictions. Since its inception, Commission staff has sought and received valuable feedback from clerks, election inspectors and voters. These suggestions have led to continuous improvements to software, hardware, training, security, and best practices. Commission staff will continue to use this model to collect feedback that will be used to support and improve the program.

The Badger Book is primarily used to check in voters, process Election Day Registrations (EDRs), and record absentee ballots. The Badger Book maintains the voter number and count independent of poll worker input. After Election Day, a data file generated from the Badger Book is used to upload election participation and Election Day registration information into WisVote, the statewide election management and voter registration system. The Badger Book is the only electronic poll book software with direct WisVote integration, and it does not require an internet connection. Information exchanges between WisVote and Badger Book, depicted below, are all performed locally.

Table 1 (Badger Book Data Flow)



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Administrator
Meagan Wolfe

2. General Program Status

A. 2020 Recap

Last year 76 municipalities throughout the state used Badger Books in all four statewide elections that were administered during that cycle. This number includes the 53 municipalities who joined the program in late 2019 and used Badger Books for the first time during the 2020 elections. Overall, the Badger Book program was very successful in 2020, both in terms of growth and in its performance during high-turnout elections. Clerks report that implementation of Badger Books speeds up voter check-in times and election day registration (EDR) processes, significantly cuts down the time it takes to complete post-election activities (e.g., recording voter participation and reconciliation), and generally improves data quality of the statewide voter registration list.

B. 2021 and Beyond

The Badger Book team is using 2021 to ensure the program can continue to grow sustainably in the years to come. Specific areas targeted for development include training, software improvements, hardware procurement, and customer support. Each of these areas is detailed more fully in the following sections.

(1) Training

As the Badger Book program expands, the training program must evolve to accommodate an influx of users across the state. The number of jurisdictions requesting training will eventually exceed the ability of Commission staff to support it without assistance. Future plans will leverage technology and a train-the-trainer program as multipliers to expand the reach of a small group of trainers. Along with updates to the current training resources available (User Manual, Election Inspector Manual, webinars, etc.), staff is creating an advanced tutorial for use online. The tutorial will be made available on The Learning Center training website. This medium of training will allow both current and future users to obtain a hands-on interactive experience without having to access their Badger Books. Chief Inspectors will likewise be able to access these electronic training tools in order to prepare for elections.

Another way staff is preparing to sustainably train for current and new users is to incorporate a Train-the-Trainer model. Implementing this type of training model will expand the pool of available trainers, enabling a personalized training experience for municipalities that purchase Badger Books at any given point in an election cycle. To implement this model, Commission staff will train and qualify certified Badger Book trainers throughout the state. Creating regionalized expertise around the state will ensure users always have local resources to assist them. This approach will create infrastructure that will ultimately allow more municipalities to join the Badger Book program.

This summer, staff will be working with Marathon County to pilot a train-the-trainer program that will include county level staff. This type of partnership was successful with other agency training programs and it will create a more cohesive and engaged approach to the Badger Book program in the future.

(2) Software and development

Badger Book software improvements are always implemented to improve security of the system and improve the user experience. Since the 2020 General Election, Commission staff has collected a great deal of feedback from clerks, their staff, and poll workers regarding possible improvements. This feedback has been collected through listening sessions and surveys with current users.

Currently, the primary focus of software development is improving the stability of the database used by Badger Books when operating in a polling place. Testing of the software is ongoing, and staff is planning to deploy the new framework in a live setting during the upcoming Special Election for the 37th Assembly District.

Future development will focus on improving the workflows and user experience on both the Badger Book application and its corresponding WisVote functionalities. Updates to the application include new features to the absentee processing workflow, additional reports to streamline end-of-night processes, and new pop-up features to the voter check-in workflow. Updates to the WisVote interface to Badger Book include the ability to create Badger Book user profiles and credentials for poll workers in WisVote and a new jurisdictional marker that identifies a municipality as a Badger Book user.

The jurisdictional marker will ensure that only Badger Book municipalities can generate Badger Book files and gives WEC staff additional tools in terms of tracking users onboarding into the program. In addition, the marker will enable Commission staff to validate that requisite training is being completed and assist in contacting and targeting users regarding software updates, program issues, or for pre/post-election reminders.

Another upcoming software development is the introduction of a release schedule and change freezes, which will greatly contribute to program sustainability and stability overall. In the past, Badger Book software updates have been released when a new suite of features was introduced or when legislative or legal decisions required updates to verbiage or content. While “emergency” updates may still be required and, by their nature, cannot be planned, regular and programmatic updates to the software will follow a release calendar that is set at the beginning of each year. This will give municipalities adequate time to prepare for updates and minimize the risk of software not being updated to the most current version prior to an election. Additionally, the inclusion of a change freeze, i.e., a period before each election in which no updates will be made, will also contribute to the general stability of the program.

(3) Hardware and Customer Support

Municipalities that use Badger Books vary in size from the Town of Johnson with 455 voters to the City of Appleton with over 46,000. As their size varies, so do their software and hardware support needs. Commission staff and the current hardware supplier provision, train, and support all current Badger Book users. However, to allow for all interested municipalities statewide to use Badger Books, a more sustainable Statewide Service Model is required. The Statewide Service Model includes:

- Enhanced Train-the-Trainer program

- Stable and secure software package
- New procurement contract for both hardware and support/maintenance
- Service and support agreements between WEC and participating municipalities

Currently, Badger Book's ePollbook software is installed on computer equipment that is sold and serviced by Paragon Development Systems, Inc. (PDS), one of the state's contracted computer hardware vendors. The existing arrangement does not provide for specific service requirements, on-call technical support, or hardware training programs. Thus, the Statewide Service Model is designed incorporate these elements.

The software and hardware support needs of Badger Book users in Wisconsin vary greatly. The new vendor packages will address these unique requirements. Larger municipalities may have internal IT departments while small and medium sized municipalities may require higher levels of technical support or assistance. Clerks have time sensitive support needs during peak times, i.e., pre/post-election periods and on Election Day that cannot easily be met under the current model and contracts. Commission staff can address a finite number of support calls and are not always the appropriate resource for hardware concerns.

The new contract will create a competitive price on hardware and incorporate a support component that will be awarded to a single vendor, with a focus on standard and emergency support pricing.

WEC also plans to enter into Memorandums of Understanding (MOU) and/or Service Level Agreements (SLA) with each Badger Book municipality so roles and responsibilities are clear. The agreements will define software and hardware updates, support relationships, service expectations, and training needs.

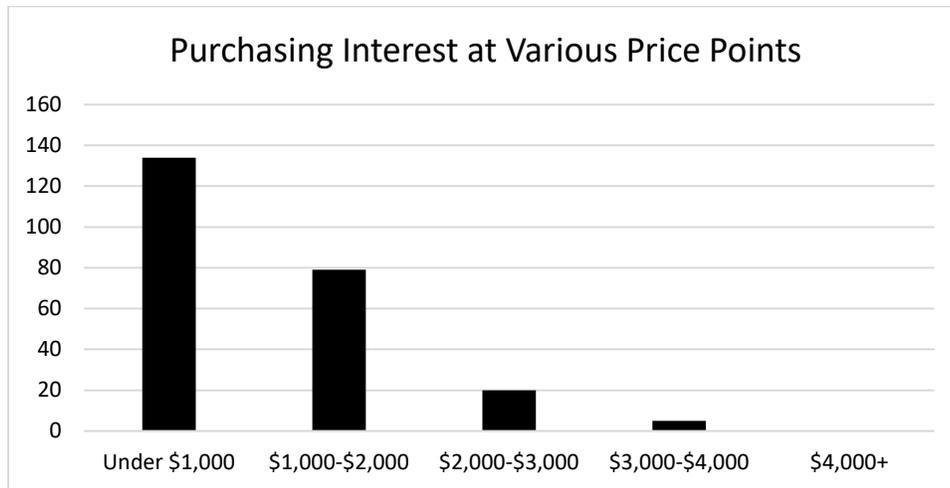
To facilitate the Badger Book Statewide Service Model, staff developed a Procurement Plan, which was sent to the Wisconsin Department of Administration Bureau of Procurement (DOA) for review and approval. The plan authorizes WEC to issue a Requests for Proposals (RFP) to vendors outside of the state Computer Equipment and Related Services contract.

The DOA Bureau of Procurement approved the Procurement Plan on April 26, 2021 and staff began work on the RFP. The RFP seeks vendors who will provide both ePollbook hardware as well as the unique IT customer support needed on and around election days, i.e., peak periods, prior to, during and post-election. The RFP seeks innovative solutions to continue the successful statewide rollout of the Badger Book ePollbook to all municipalities interested in implementation. The intent is to create a contract vehicle that offers competitive pricing for municipalities and incorporates a support component attuned to the specific needs of election cycles. WEC will not be a purchaser under this contract, except incidentally, and the municipalities joining the program will be the primary purchasers of hardware and support. This contract vehicle allows clerks to purchase the hardware and support they need to successfully implement Badger Books.

The RFP will be issued on or around June 1, 2021 and close on or near August 14, 2021. During that time, vendors will submit proposals and demos for evaluation. A contract shall be awarded from which municipalities will be able to purchase hardware and customer support services. Staff will work with the contracted vendor to test the hardware with the most current software iteration before statewide purchasing is available to municipalities. Onboarding of new municipalities will

begin with a pilot program during the Spring Primary Election in 2022 and additional onboarding will be ongoing during the Spring Election in 2022.

Based on statewide surveys, there is strong interest in Badger Book from municipalities of all sizes. The agency's more recent survey closed on May 13, at which time 152 municipal and county clerks indicated an interest in joining the program prior to the 2022 election cycle. Additionally, 28 municipalities that currently use Badger Books indicated that they would be interested in purchasing more devices to expand their existing stock. Interest in the program varies considerably depending upon equipment costs:



This response rate is very encouraging and speaks to both the success of the program and the possibility of rapid expansion on a statewide scale. As of the 2021 Spring Election, the current number of registered voters in municipalities that use Badger Books is 637,974. Onboarding all 152 new jurisdictions who expressed interest would increase the number of voters served by Badger Books by an additional 426,116 registered voters.

Another important aspect of the survey was an attempt to assess what municipalities would be willing to pay for each Badger Book unit, which includes the device itself and the peripheral components, e.g., scanner, keyboard, etc. As expected, as the theoretical cost per unit increased, interest in purchasing decreased. The plurality of respondents indicated that their ideal price point would be at \$2,000 or less per each unit. This information is valuable in drafting the RFP and will be used in the vendor evaluation process.

3. Conclusion:

While the Badger Book program is still relatively new, it has quickly become an integral feature of election administration in many municipalities throughout Wisconsin. Staff is confident that the approach outlined in this memo will ensure that the program continues to grow in a sustainable manner and that, ultimately, any municipality who is interested in joining the Badger Book program will be able to do so successfully.



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MEMORANDUM

DATE: For the June 2, 2021 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

Prepared by:
Commission Staff

SUBJECT: Election Reconciliation

Election reconciliation is a process designed to ensure election information is accurately recorded and that any variances are studied and accounted for. During the process, clerks and other election officials compare data from poll books, inspector statements, and vote counts from the local board of canvassers. Later, these sources are compared more granularly in the voter registration system which compares voter participation, voter registrations, provisional voters, absentee voters, and the number of ballots cast within an election to make sure the data balances within each reporting unit. When the data cannot be reconciled, a valid reason must be found and documented for why the data does not match.

Background

Reconciliation is rooted in Wis. Stat. § 6.275 and has evolved over time to help localities with accurate reporting. The statute provides:

6.275 Registration and voting statistics.

(1) Except as provided in par. (f), no later than 30 days after each primary and election at which a state or national office is filled or a statewide referendum is held, including any special election, the municipal clerk or board of election commissioners shall submit electronically a report to the commission and the county clerk or board of election commissioners of each county in which the municipality is located specifying:

(a) The total number of electors residing in that county who voted in the municipality in that primary or election.

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(b) The total number of electors of the municipality residing in that county who were preregistered on the deadline specified in s. 6.28 (1) (a), including valid mail registrations which are postmarked by that day and valid electronic registrations entered under s. 6.30 (5).

(c) The total number of electors of the municipality residing in that county who registered after the close of registration and prior to the day of the primary or election under ss. 6.29 and 6.86 (3) (a) 2.

(d) The total number of electors of the municipality residing in that county who registered on the day of the primary or election under ss. 6.55 and 6.86 (3) (a) 2.

(e) The total number of electors of the municipality voting absentee ballots at the primary or election.

(f) The total number of postcards sent by the municipal clerk or board of election commissioners under s. 6.56 (3), the total number of such postcards returned to the municipal clerk or board of election commissioners because the elector did not reside at the address given on the postcard, the total number of electors whose status was changed from eligible to ineligible on the registration list as a result of the audit under s. 6.56 (3), and the number of individuals referred to the district attorney under s. 6.56 (3). The municipal clerk or board of election commissioners shall provide the information described under this paragraph to the elections commission and the county clerk or county board of election commissioners at the earliest practicable time after, but no later than 90 days after, each primary and election at which a state or national office is filled or a statewide referendum is held, including any special election. The municipal clerk or board of election commissioners shall update the information described under this paragraph on a monthly basis and shall submit, on a monthly basis, any such updated information to the elections commission and the county clerk or county board of election commissioners.¹

(2) Upon receipt of each report filed under this section, the commission shall, within 7 days of receiving the report, publish the information on its Internet site. The commission shall update the information published under this subsection on a monthly basis.

The reconciliation process requires clerks and election inspectors to verify the numbers recorded on the inspector's statement on election night balance from each source including the poll book, voting equipment or hand tally, and the inspector's statement. The manual reconciliation process collects the data required by statute while simultaneously checking the figures to identify discrepancies. In late 2018, Commission staff formalized the process in the statewide voter registration database (WisVote) that compared data entered in WisVote by the clerks to assist them in a second reconciliation process. For example, the system will automatically detect and flag a report if the

¹ Voter verification postcards referenced in sub (1)(f) are tracked separately in a report published at the same time as reconciliation reporting.

number of voters from the poll book does not equal the number of ballots from the inspector's statement. This flag alerts both the clerk and WEC staff that the data needs to be checked.

Election Night Election Reconciliation

The entire process starts with ensuring that each reporting unit has an accurate count of the number of voters who cast a ballot. Voter numbers are assigned on election day when a voter checks into vote and signs the poll book or when an absentee ballot is processed by an election inspector. Voter numbers are recorded on the poll book along with the voter's signature. This enables each reporting unit to accurately track the number of voters processed on the poll book. To reconcile, the reporting unit would have a voter number assigned to each voter and at least as many voters as they have ballots. If a voter voted absentee, the absentee ballot needs to be either counted or rejected at the polls by election inspectors. All absentee ballots that arrive by 8:00pm on election night are either counted or rejected, and if rejected, the reason for rejection is documented.

Election day registrations are also considered in the process. If a voter registers on election day, reconciliation of the reporting unit requires election inspectors to account for all registrations. These voters are also assigned a voter number on the supplemental section of the poll book, sequential with pre-registered voters. In some cases, a voter may register to vote at the polling place and may not cast a ballot (ex. the voter possessed proper proof of residence but not photo identification). These voters are not provided a voter number on the poll book.

Voters who cast a provisional ballot have until 4:30 p.m. the Friday after the election to return with the information they were missing at the polls in order to have their ballot counted. Thus, reconciliation also requires the reporting unit to have all provisional ballots accounted for and know whether the voter returned with appropriate documentation or not. If the voter did not return with the documents, the record will show whether the ballot was appropriately rejected.

At the close of election day, the poll workers complete a form for each reporting unit called the Inspectors' Statement. The data from some of these fields is then manually entered into a report in WisVote, also called the Inspectors' Statement, by the clerk or their staff. The fields in this WisVote report are listed below.

- Total number of voters (last voter number on poll list)
- Total number of Election Day Registrations (EDRs)
- Number of absentee voters (does not include those who's ballot was not returned on or before 8 p.m. on election day, nor those absentee ballots which needed to be rejected for various reasons)
- Number of provisional ballots
- Total number of ballots cast (includes those cast by voters at the polls and those cast through the absentee process)

Number of ballots that were hand counted, counted using an optical scan machine or counted using a touch screen machine. The inspector's statement, poll book, and appropriate ballot records are provided to a municipal board of canvassers who review and sign-off on the materials. This completes the first round of election reconciliation.

WisVote Election Reconciliation

The WisVote Election Reconciliation process was implemented in order improve overall data quality while simplifying the creation of statutorily required reports. Commission staff use this data to create the Election Voting and Registration Statistics Report for posting to the website and to meet statutory requirements. Clerks perform a multi-step process to record data in WisVote and compare it with the reconciliation report.

In the days after an election, Clerks enter their election data into WisVote.

- A participation record for each voter who voted indicating whether they checked in on the poll book and their voting method (At polls or Absentee)
- All registrations for those voters who registered on election day, commonly referred to as Election Day Registrations (EDRs)
- Mark any absentee ballots that were returned before election day or to the polling place on election day and were counted as Returned
- Mark any absentee ballots rejected by the poll workers on election day
- Enter any provisional ballots issued on election day and then later update those records if the ballot was counted, rejected or never rectified by the voter.
- Enter inspector's statement records as recorded and verified by election inspectors on election night.

Once all data is entered, the system automatically prepares an Election Reconciliation report per reporting unit that aggregates and sums the data clerks have entered. Clerks review the reconciliation report to compare data sets and identify any discrepancies. The report compares data from multiple sources in several sections. The goal is to match all numbers in each section or explain discrepancies:

- Voter statistics
 - Total Votes Canvass reports the total votes canvassed from the state or federal contest with the highest number of votes
 - Total Voters (EL-104) reports the total number of voters entered on the inspector's statement
 - Total Voters (WisVote) reports the total number of voters recorded on the poll book in WisVote
 - Total Ballots (EL-104) reports the total number of ballots cast and counted according to the inspector statement
- Absentee Statistics
 - Absentees Counted (EL104) reports the number of absentee ballots processed and counted according to the inspector's statement
 - Absentee Participation (WisVote) reports the number of voters recorded on the poll book with a voting method of "absentee" in WisVote
 - Absentee Ballots Returned (WisVote) reports the number of absentee ballot records in "Returned" status according to WisVote absentee ballot records

- Election Day Registrations
 - EDRs (EL-104) reports the number of election day registrations according to the inspector's statement
 - EDRs with Recorded Vote (WisVote) reports the number of voters who registered to vote on Election Day and cast a ballot according to WisVote
 - EDRs without Recorded Vote (WisVote) reports the number of voters who registered to on Election Day but did not cast a ballot according to WisVote
- Provisional Ballots
 - Provisional Issued (EL-104) reports the number of provisional ballots issued according to the inspector's statement
 - Provisional Issued (WisVote) reports the number of provisional ballot records tracked in WisVote

If any of these areas (Voter Statistics, Election Day Registrations, Provisional Ballots, and/or Absentee) do not match within their area, the clerk knows they have further work to do within the system to reconcile their data. In some situations, they may need to provide an explanation why the data cannot match allowing for an override of the non-matching area. For example, the voter section may not fully match if a voter checked in, was issued a ballot but then decided to not actually cast the ballot and left without voting. In this not uncommon scenario, the total ballots would be less than the total voters, clerks will record a written comment to explain why the numbers do not match.

Finally, once all the areas match, or any area that does not match has an explanation provided for the discrepancies with all other areas matching, the report moves into a status of Complete. Before this, the report is in a status of Pending. If a municipality is listed as Incomplete on the statistics report posted on the WEC website, this means at least one of their reporting units is still in Pending status at the time the data is pulled for the report.

Reporting

Wis. Stat. § 6.275 requires commission staff to post statistical data to the commission's website regarding who registered or participated in an election, as well as statistics regarding address verification postcards sent to Election Day Registrants (EDR). These reports are gathered from data entered in the WisVote database by municipal and county clerks and posted to the Election Voting and Registration Statistics Report (formerly the EL-190) section of the commission website. Statutes require initial reporting of the Election Administration and Voting Statistics Report data to the state no later than 30 days after an election. Managing and reconciling the additional data proves challenging for some municipalities and requires more staff involvement. In cases where a jurisdiction cannot reconcile voting statistics, Commission staff work with individual clerks to ensure all reasonable efforts are applied to ensure the accuracy of their data.

As of May 10, 2021, there are 116 municipalities with at least one reporting unit having an incomplete report for the 2021 Spring Primary and 132 municipalities with at least one reporting unit having an incomplete report for the 2021 Spring Election. The final report for the 2020 General Election was posted May 10, 2021 with 93 municipalities still pending in at least one reporting unit.

Seven municipalities listed below have not submitted complete inspector statement data for the 2020 General Election.

Jurisdiction	Provider Jurisdiction (If Applicable)
TOWN OF AURORA - FLORENCE COUNTY	
TOWN OF BELOIT - ROCK COUNTY	
TOWN OF BUENA VISTA - RICHLAND COUNTY	RICHLAND COUNTY
TOWN OF JACKSON - BURNETT COUNTY	BURNETT COUNTY
TOWN OF OMRO - WINNEBAGO COUNTY	
TOWN OF PLOVER - PORTAGE COUNTY	
TOWN OF SAUKVILLE - OZAUKEE COUNTY	

2021

WEC AGENCY PROJECTS

Project Name	Project Schedule	Project Team	Project Scope
ELECTION ADMINISTRATION (EA) PROJECTS			
Voting Equipment Testing	<i>Application review and test campaigns scheduled in order of applications received.</i>	Voting Equipment	There are a number of voting equipment related items that will require staff time and resources in 2021. The scope of the project is subject to change if vendors file additional applications. WEC has received applications from three vendors in 2021.
In-person Training Alternatives	<i>June 2021</i>	Training	WEC provides training, legislative and commission updates and procedural information at various statewide and district level clerk conferences. Due to concerns about public health, most of these conferences have been either cancelled or conducted virtually. The team will examine alternate methods of providing these presentations to maintain contact with county, municipal and school district clerks.
Candidate Training	<i>Anticipated completion August 2021</i>	Training	WEC provides numerous resources for prospective candidates for office but the current information needs to be reviewed and reorganized. New resources will be considered to contribute to the full content package. The scope of this project is to review current materials, determine how best to organize the information, and create any additional resources to fill gaps.
EA TTX Review	<i>July 2021</i>	Training/Security	This project is designed to supplement the existing EA TTX with new election scenarios that are both topical (i.e. public health issues), and site specific (i.e. voting equipment). A 'mini' or tabletop version will also be developed. Instructions for using distance education software such as Zoom will also be developed.

New Manuals	<i>September 2021</i>	Training	New manuals or guides will be developed for different EA procedures that require need more detail and individual attention.
Clerk Training - Webinars	<i>See Webinar Schedule Team meeting: June Draft: July Posted: August</i>	Training	The scope of this project includes agency webinar training conducted for clerks, both for new clerks and refresher courses for existing clerks. Training events include webinars on election administration topics.
Update Poll Worker Training Agendas	<i>June 2021</i>	Training	The team will update, as needed, the ten EA training agendas developed previously to help clerks train their election officials. The updates will be reviewed by the Clerk Training Advisory Committee to ensure staff is meeting the needs of clerks and poll workers.
Presentations and Videos for Agendas	<i>July 2021</i>	Training	The agendas will be developed as PowerPoint presentations and then turned into videos to give clerks additional training tools in a variety of formats.
Review Tutorial Videos	<i>Ongoing</i>	Training	Delete old and outdated webinars on the Elections website and examine content areas to identify areas of expansion (see New Training Videos).
Clerk Training Advisory Committee	<i>Returning member contact: April Reconvene: May 18, 2021 Further meetings: as needed throughout 2021</i>	Training	The current clerk training advisory committee will be surveyed to determine their interest in continuing as a member. Additional clerks will be invited to participate. A meeting for existing committee members Has been scheduled got 6/18/2021 and recruitment and a 2020 training review will be discussed.
New Training Videos	<i>September 2021</i>	Training	This project dovetails with the development of training agenda videos and storyline videos.
Refresh Baseline CIT and MCT Core	<i>August 2021</i>	Training	At a minimum, this project will freshen up the current presentations that clerk-trainers use and versions posted on our website and in TLC. Different backgrounds will be incorporated and certain sections of the presentations may be expanded, based on the questions and concerns WEC has received from clerks and election workers.

Storyline Videos	<i>Voter registration form training: Completed Other presentations: Ongoing</i>	Training	Some of the forms used by elections officials and voters are challenging to understand and properly fill out. Creating interactive storyline experiences to be used as training materials for clerks and other election officials will help get them hands-on experience.
Certified Clerk Trainer Program	<i>Survey to current CTs: May Refresher training: June-July Survey to committee for new CTs: June Training: October</i>	Training	Current clerk-trainers will be surveyed to determine interest in continuing with the program and refresher training will be developed for those who do. An additional survey will be distributed to members of the recommendations committee to determine if any experienced and qualified clerks are interested in the program. If so, training, in person or virtually, will be conducted in the fall.
UOCAVA Materials	<i>September 2021</i>	Election Administration	UOCAVA can be a complicated process with various requirements and deadlines depending on voter and election type. To assist clerks, a webinar, a manual, and other resources and guides will be created. The goal of the project is to create materials that allow clerks to follow state and federal requirements to eliminate some of the barriers that military and overseas voters face while casting a ballot.
EA Manual Updates	<i>September 2021</i>	Training	Scope includes updating all manuals to ensure that they are current prior to the 2022 election cycle. The scope of this project is subject to change pending court decisions and legislation that impact election administration. As part of the scope, the team will review the manuals throughout the year but plans to save the review and updates of sections that may be impacted by court decisions and legislation until later in the year. Currently the scope includes potential updates to the Election Administration Manual, Election Day Manual, Recount Manual, Special Voting Deputy and Care Facilities Manual, and the Recall Manual.
Review of Federal Documents	<i>FVAP Guide: April 2021 FPCA/FWAB: May 2021</i>	Election Administration	WEC is often asked to review federal election documents and guide in order to provide state specific feedback and edits. WEC staff is currently coordinating with the Federal Voting Assistance Program (FVAP) to update their state specific guide for military and overseas voters. WEC is also working with FVAP to provide feedback on federal forms that are used by military and overseas voters including the Federal Postcard Application (FPCA) and the Federal Write-in Absentee Ballot (FWAB). In addition, the WEC reviews the Overseas Vote Foundations (OVF) deadlines and guide for overseas voters. Over the course of the last few years, WEC staff has also worked with the Elections Assistance Commission (EAC) to update the state specific instructions for the National Voter Registration Form (NVRA). The goal is to have all federal documents and guides reviewed and updated in time for use in the 2018 election cycle.

Clerk Training Reports	<i>September 2021</i>	Training	Compile and post clerk training report for the 2020-2021 training term. Review results for accuracy. Post and notify clerks of the list and advise methods for achieving compliance with state training laws.
Chief Inspector Training term	<i>September 2021</i>	Training	The current 2020-2021 training term for chief inspectors expires at the end of this year. Clerks need to be informed about the deadline and options for chief inspectors to complete training, if necessary, to comply with state training laws.
WV Development Needs	<i>Ongoing throughout various sprint cycles</i>	Election Administration	Working with the IT Project Manager, IT developers and certain members of the WisVote team to develop WisVote changes that solve and simplify certain EA needs and tasks.
Updated Voter Materials	<i>Ongoing</i>	Election Administration	Voter materials must be updated when voting laws are impacted by legislation, litigation, and policy. Voter materials are housed on all three agency websites and are used by clerks and voter groups on their websites. Voter materials also include static content on agency websites, voter outreach kits for clerks and groups, and social media content.
Form Updates	<i>Ongoing and determined by potential legislative changes</i>	Election Administration	WEC is tasked with prescribing several forms for use by election officials, voters, etc. To remain harmonious with changing legislation and to ensure the forms are both useful and usable, they need to be revisited from time to time and updated where appropriate.
Internal Checklists, calendars and procedure documents	<i>September 2021</i>	Election Administration	This project is designed to help the EA team identify, standardize, and track the steps and time frames for certain tasks, such as developing, posting and distributing notices to the clerks.
Website Reorganization	<i>Ongoing</i>	Website	The website has over 4000 pages and is difficult for voters, clerks, and even WEC staff to use. The goal of this project is to create a content plan that considers various website users, redesign the website structure, and begin uploading a new website from the ground up. A plan to maintain the website and prevent there from ever being 4000 pages again will be created as well.
Election Notice Revision	<i>Completion: June, 2021</i>	Election Administration	Many of the election notice templates were created in older versions of software, use unwieldy formatting, and when language is not prescribed by statute, uses inaccessible language. The goal is to create updated templates with language and formatting that clerks and voters understand.

Ballot Work Group (Clerks, WEC Staff)	<i>September 2021</i>	Ballots	WEC prescribes the format of optical scan and hand-count paper ballots used throughout the state—staff also review sample ballots from counties and vendors prior to every election. The main goal of this project is to streamline the process by which sample templates are submitted, reviewed by staff, and approved as to form.
BringIt Overhaul	<i>Completion: by end of year in conjunction with Website Reorganization project</i>	Website	BringIt needs to be reviewed to identify better management tools for multimedia materials available on the website (radio ads, posters, etc.). The scope of this project is to streamline BringIt content and look at possible alternative options to a BringIt website.
Accessibility Program	<i>Report due: 6/30/2021 Other activities: Ongoing</i>	Accessibility	The scope of this project varies from maintaining existing programs, following statutory obligations, and expanding services and resources offered. Ongoing programs include the supply program, Accessibility Advisory Committee, and the Accessibility Concern form. Staff will also create a plan for 2022 accessibility reviews (including creating additional virtual training options) and complete the 2021 Impediments to Voting Report and submit to the legislature by June 30, 2021. The accessibility program will continue to work with partners to develop areas of improvement and expansion to promote accessibility across the state.
Legislative Analysis and Fiscal Estimates	<i>Ongoing</i>	Election Administration	Fiscal estimates will be drafted and submitted in response to legislative requests. Legislative bills will also be reviewed and feedback will be provided upon request.
2022 Election Calendar	<i>Deadline: August 2021</i>	Election Administration	WEC staff provides a downloadable calendar of election administration tasks and deadlines for municipal clerks. Clerks rely on the calendar to remember important deadlines. WEC plans to provide the 2022 calendar to clerks in advance of the 2022 election cycle so that clerks may use the calendar for 2022 planning and budgeting.
Special Elections	<i>Assembly District 37: Candidate filings: May 18, 2021 Primary (if necessary): June 15, 2021 Election: July 13, 2021 Others: as needed</i>	Election Administration	Staff will administer candidate filings and other required tasks related to and special elections for state offices.
Redistricting Support	<i>Ongoing</i>	Election Administration	EA staff will support agency redistricting efforts and supplement the larger addressing and redistricting efforts.

LEGAL PROJECTS

Administrative Rules	<i>Ongoing</i>	Legal	<p>There are currently 17 administrative rules in various stages of the process. Administrative rules that are currently in progress for 2017 include: Election Observers (Wis. Admn. Code Ch. EL4), GAB Transfer Procedures (Wis. Admn. Code Ch. EL 6), GAB Transfer Practice and Procedure (Wis. Admn. Code Ch. EL 21), Ballot and Electronic Voting System Security (Wis. Admn. Code Ch. EL 5), Approval of Electronic Voting Equipment (Wis. Admn. Code Ch. EL 7), Absentee Ballot Information Subscription Service and Fee Schedule (Wis. Admn. Code § EL 3.60), Training for Election Inspectors and Special Voting Deputies (Wis. Admn. Code Ch. EL 13), Complaint Procedure (Wis. Admn. Code Ch. 20), Responsibilities of Clerks Maintaining Records in Statewide Voter Registration System (Wis. Admn. Code Ch. EL 12), Curbside Voting (Wis. Admn. Code § EL 6.06), Filing Documents by Fax or Electronic Methods (Wis. Admn. Code § EL 6.04), Removal of Special Registration Deputy References (Wis. Admn. Code EL Ch. 3), Election notices (Wis. Admn. Code Ch. EL 8), Electronic Proof of Residence for Voter Registration (Wis. Admn. Code § EL 3.015), Absentee Voting Procedure for Overseas Voting- Wis. Admn. Code Ch. 17), Requiring Provisions of Certain Information by Election-day registration Applicants (Wis. Stat. Admn. Code § EL 3.04(2)), and Definition of “Same Ground” (Wis. Admn. Code § EL 6.07).</p>
Litigation	<i>Ongoing</i>	Legal	<p>The following cases involving the WEC will continue to require agency resources and consideration in 2017:</p> <ul style="list-style-type: none"> - Ongoing Voting equipment dispute from the Stein Recount - <i>Whitford, et al. v. Nichol, et al.</i>, Case No. 15- CV-421-bbc - <i>One Wisconsin Institute et al. v. Nichol et al.</i>, Case No. 15-CV-324 - <i>Frank et al., v. Walker et al.</i>, Case No. 11-CV-1128 - <i>Lin v. Wisconsin Government Accountability Board, et al.</i>, Case No. 16-CV-4590
Legislative Tracking	<i>Ongoing</i>	Legal	<p>As part of the bill drafting process, WEC staff is often asked to provide feedback and testimony on proposed legislation. Often this involves reviewing documents, and preparing and presenting testimony. Additional legislative proposals may be presented to the WEC in 2017, at this point in the year, the WEC is in the process of providing input on the following proposals: Alternative In-Person Absentee, Central Count, Recall Procedures.</p>

Redistricting	<i>Pending Litigation</i>	Legal	The pending legislation, Whitford, et al. v. Nichol, et al., Case No. 15- CV-421-bbc, deals with the redistricting of legislative maps in Wisconsin. WEC staff continues to monitor the ongoing legislation. Depending on the outcome, significant staff resources may be required to complete redistricting tasks in the WisVote system.
GENERAL AGENCY/FINANCIAL PROJECTS			
Records Retention	<i>Project Plan Under Development Paper Records Maintenance Phase: Ongoing</i>	Records Retention	The scope of the records retention project includes the development of an internal policy for staff on the retention of paper and electronic records. Also included is the review, organization, and potential destruction of paper records currently stored in the WEC office and basement. A future aspect of the records retention project is reviewing the agency shared computer drive to reorganize content and eliminate outdated files and digitizing paper records.
Agency Website Redesign	<i>Project Status: Underway Launch: early 2022</i>	Website	The scope of the project encompasses redesign of the agency's main website with goals of improving usability and accessibility.
Commission Meetings	<i>Meeting: January 12, 2021</i> <i>Meeting: January 15, 2021</i> <i>Meeting: February 3, 2021</i> <i>Meeting: March 2, 2021</i> <i>Meeting: April 5, 2021</i> <i>Meeting: April 29, 2021</i> <i>Meeting: June 2, 2021</i> <i>Materials Due: May 19, 2021</i> <i>Meeting: September 9, 2021</i> <i>Materials Due: August 19, 2021</i> <i>Meeting: December 1, 2021</i> <i>Materials Due: November 17, 2021</i>	All	WEC agency staff prepared materials and presentations for the Commission meetings. In addition to the date of the meetings themselves, staff typically spends two weeks prior to the meeting completing materials. Meeting materials are typically due the week prior to the meeting.
Legislative Agenda		Legal	Some items include: alternate in-person absentee process, central count.
Public Records Requests	Ongoing	Public Information	Responding to Public Records requests

Annual Report	Ongoing	All	The agency is required annually to submit a report under s.5.05 (5e). The report includes: names and duties of all employees, a summary of determinations and advisory opinions, statutory duties of the commission administrator and how those duties are fulfilled and the number of investigations conducted since the last annual report and the description of the investigations.
Biennial Report	Ongoing	Administration	The agency is required to submit a biennial report on or before October 15 of each odd-numbered year to the governor and chief clerk of each house on the performance and operations of the agency during the previous biennium under s.15.04 (1) (d). The report includes: a report on performance and operations during the previous biennium, and projected goals and objectives.
Internal Controls Plan	Ongoing	Administration	Annually, the agency is required to update and review its Internal Control Plan (ICP) and certify to the State Controller's Office (SCO) that the ICP has been reviewed and that any identified control deficiencies have been report to the SCO.
Procurements	Ongoing	Administration	Ensures purchasing procedures are adhered when procuring goods and services.

IT/WISVOTE PROJECTS

Clerk Advisory Program Recruiting	1 st Quarter Project Plan Due: January 22 Testing/Development: n/a Completion/Launch: n/a	WisVote	Refresh membership in the clerk advisory committees. These committees were initially formed in 2019 to increase collaboration between State and local government in order to improve communication, maximize election security, increase the engagement of local government, and ensure the WEC is providing user-focused service. A new round of recruiting will enable new clerks to join and participate in the committees.
EAVS	1 st Quarter Project Plan Due: January 22 Testing/Development: Jan/Feb Completion/Launch: March 1, 2021	EAVS	Prepare the Election Administration and Voting Survey (EAVS) for the U.S. Election Assistance Commission. The EAVS is the federal biennial survey that collects the most comprehensive nationwide data on election administration from nearly 6,500 local election jurisdictions across all 50 states, the District of Columbia and U.S. territories. The EAVS collects state-by-state, jurisdiction-by-jurisdiction data on a wide variety of election administration topics, including voter registration, military and overseas voting, domestic civilian by-mail voting, polling operations, provisional ballots, voter participation, and election technology.

ERIC Program Assessment & List Maintenance Processes	1 st Quarter Project Plan Due: January 22 Testing/Development: Jan/Feb Completion/Launch: March 3, 2021 (Plans)	ERIC	Review Electronic Registration & Information Center (ERIC) program requirements for 2021 and develop plans for future list maintenance and EBU mailings.
Issue/Ticket Tracking System	1 st Quarter Project Plan Due: January 22 Testing/Development: 1Q-2Q Completion/Launch: 3Q-4Q	IT	Evaluating COTS ticket/issue tracking systems to improve customer service and communication.
Password Manager Policy Refinement	1 st -2 nd Quarter Project Plan Due: n/a Testing/Development: 1Q-2Q Completion/Launch: NLT June 30	Security	Review and revise internal password policies.
PAWS Implementation	1 st Quarter Plan Due: n/a Testing/Development: 2Q Completion/Launch: NLT June 30	Security/IT	Complete implementation of Privileged Access Workstations.
Develop Internal Load Testing Program	1 st Quarter Plan Due: March 1 Testing/Development: Ongoing Completion/Launch: Ongoing	IT	Implement sustainable internal load testing program for all web based services.
Partial Server Migration	1 st -2 nd Quarter Project Plan Due: 1/13/2021 Testing/Development: 1Q Completion/Launch: 2Q	IT	Improve redundancy of systems by creating duplicate servers in alternative physical locations.
WisVote Address Point Corrections	1 st -2 nd Quarter Project Plan Due: n/a Testing/Development: Ongoing Completion/Launch: n/a	GIS	Statewide review of old/imported address points to improve data quality ahead of redistricting.
WisVote Webinar Schedule	1 st -2 nd Quarter Project Plan Due: January 22 Testing/Development: Ongoing Completion/Launch: March 2021	Training	Schedule for clerk training webinars.

TLC Security Module Updates	2 nd Quarter Plan Due: April 5 Testing/Development: 2Q Completion/Launch: NLT June 30	Training/Security	Update and expand online security training modules in conjunction with enhancements to the WisVote access policy.
TTX Program Development	2 nd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: NLT June 30	Training/Security	Refresh TTX program plans and adapt training models to the changing pandemic environment.
Complete WisVote Mirror development	2 nd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: NLT June 30	IT	Finalize mirror environment deployment in conjunction with server migrations.
Hardware Loaner Program Maintenance	2 nd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: NLT June 30	Security	Complete updates to loaner program hardware, policies and procedures.
Voter Felon Audit	2 nd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: NLT June 30	Ineligible Voters	Complete ongoing audit process updates.
.wi.gov Project	2 nd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: NLT June 30	Security	Restart .wi.gov email project for Wisconsin municipalities.
WisVote Access Policy Updates	2 nd -3 rd Quarter Project Plan Due: July 1 Testing/Development: 3Q Completion/Launch: End of 3Q	Security/IT	Improve WisVote access policies to enhance security of the statewide voter registration database.
Canvass Process Assessment	3 rd -4 th Quarter Project Plan Due: July 1 Testing/Development: 3Q Completion/Launch: NLT December 31	IT	Assess state of Canvass site and previously developed updates.

4 Year Maintenance	2 nd -3 rd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: September 30	4 Year Maintenance	To finalize the plan for 4 year maintenance, develop a new mailer, check data quality, and send postcard mailer by July 30. Other aspects of the project: Reg list alerts to the clerks, make sure that the records are all up to date, this especially important for duplicates.
Accessibility Program Upgrades	2 nd -3 rd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: September 30	Accessibility/IT	Technical improvements to accessibility program reporting tools.
Badger Book Software Updates	2 nd -3 rd Quarter Project Plan Due: April 5 Testing/Development: 2Q Completion/Launch: September 30	Badger Book	Improvements to Badger Book software.
Data Quality Process Review	3 rd Quarter Project Plan Due: July 1 Testing/Development: 3Q Completion/Launch: NLT December 31	IT	Assess Reglist-Alert process and implement improvements.
Implement 11 Digit Zip Codes	3 rd Quarter Project Plan Due: July 1 Testing/Development: 3Q Completion/Launch: NLT December 31	IT/GIS	Update address data to incorporate 11 digit codes in order to improve the speed of mail processing and the accuracy of ballot tracking tools.
Incident Tracking System	3 rd -4 th Quarter Plan Due: July 1 Testing/Development: 3Q Completion/Launch: NLT December 31	Security	Evaluate and select a tool to document and track cybersecurity reports/incidents.
MyVote Updates	3 rd -4 th Quarter Plan Due: July 1 Testing/Development: 3Q Completion/Launch: NLT December 31	IT	Review/implement proposed improvements to the MyVote site in conjunction with 11 digit code tracking project and usability testing.
Reactivate Incorrectly Inactivated Addresses	3 rd Quarter Plan Due: n/a Testing/Development: 3Q Completion/Launch: Sept 30	GIS	Review and correct deactivated address points in the database.

Reconciliation Process Assessment	3rd Quarter Plan Due: n/a Testing/Development: 3Q Completion/Launch: Sept 30	WisVote/IT	Review/implement proposed improvements to the reconciliation process.
Statewide Re-Geocode	3rd Quarter Plan Due: n/a Testing/Development: 3Q Completion/Launch: Sept 30	GIS/IT	Update/validate address points statewide in conjunction with 11 digit code deployment and in preparation for redistricting.
Updating TLC WisVote Training Videos	3rd Quarter Plan Due: n/a Testing/Development: 3Q Completion/Launch: Ongoing	Training	Update non-security training videos on TLC
Redistricting	4th Quarter Plan Due: TBD Testing/Development: TBD Completion/Launch: TBD	Redistricting	Management of the development and testing of Sprint. Also, the development of a formalized sprint policy, and a process for determining hot fixes vs. sprints.
Updated Security Plan	4th Quarter Plan Due: TBD Testing/Development: TBD Completion/Launch: TBD	Security	Prepare 2021-22 Security Plan report.
WisVote Next Generation	3 rd -4th Quarter Plan Due: TBD Testing/Development: TBD Completion/Launch: TBD	IT	Assess potential evolution of the statewide database away from CRM and SQL.
Badger Voters	Ongoing	Badger Voters	Continuing support to the BV program.
WisVote Sprint Management	Ongoing	IT	Monthly deployment of patches and updates to IT systems



2021 Election Security Report

Wisconsin Elections Commission

This comprehensive report examines all aspects of security in relation to Wisconsin's election administration technology and laws, and outlines at a broad level the coordination between the Wisconsin Elections Commission (WEC) and various other election security partners.

Wisconsin's election systems are secure thanks to the Wisconsin Elections Commission's strong partnerships with federal and state agencies, as well as with local election officials and the voters of Wisconsin. The report documents some of the WEC's more significant election security preparation measures and describes initiatives WEC staff will pursue in the future to continue to keep Wisconsin's elections secure.

The report is divided by in sections examining different participants in the elections environment. Each section is then further defined by roles and elections security considerations. For example, at the Federal Government level, the team is examining system monitoring activities and best practice guidance issued by agencies such as the U.S. Elections Assistance Commission (EAC), and the U.S. Department of Homeland Security (DHS) Cybersecurity and Infrastructure Security Agency (CISA). In the Municipal level of the outline, WEC staff has analyzed what resources municipal clerks need to securely use technology such as the WisVote system, electronic poll books, and electronic voting equipment.

Major sections in this report are:

- A. Federal Government
- B. National Election Organizations
- C. State of Wisconsin - Enterprise
- D. State of Wisconsin - Elections
- E. Counties
- F. Municipalities
- G. Poll Workers
- H. General Public

For more information, please contact the Wisconsin Elections Commission at 1-866-VOTEWIS (1-866-868-3947), or at elections@wi.gov.

Election Security Preparation and Incident Prevention

A. Federal Government

The State of Wisconsin Elections Commission (WEC) works closely with the Federal government to ensure compliance with federal law and to apply nationally recognized best practices to Wisconsin elections administration and election security initiatives. Specifically, the WEC coordinates election security efforts with the Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, the U.S. Elections Assistance Commission, and other federal agencies as needed.

The Elections Assistance Commission (EAC) is an independent agency of the United States government created by the Help America Vote Act of 2002 (HAVA). The EAC serves as a national clearinghouse for resources and information regarding election administration, including election security. The EAC is charged with developing guidance to meet HAVA requirements, adopting voluntary voting system guidelines, accrediting voting system test laboratories, and certifying voting equipment. The EAC also helps to coordinate election officials around the country so that they can share information and benefit from one another's experiences and processes.

The U.S. Department of Homeland Security (DHS) is responsible for domestic national security. Formerly it provided many services directly for elections officials, but since 2018 many of the relevant functions have been transferred to the newly created CISA. DHS continues to be involved in elections security by coordinating intelligence sharing and response as well as providing oversight to CISA.

The U.S. Cybersecurity and Infrastructure Security Agency (CISA) is responsible for safeguarding the country's infrastructure from physical and cyber threats that can affect national security, public safety, and economic prosperity. CISA works with election officials throughout the country to coordinate efforts to secure the elections process from both physical and cyber threats as well as the developing issues of mis- and dis-information. CISA also coordinates with the Multi-State Information Sharing and Analysis Center (MS-ISAC) and the Election Infrastructure Information Sharing and Analysis Center (EI-ISAC), to provide services and information sharing that enhances the ability of government agencies to prevent and respond to cyber security events.

1. Certification of Voting Equipment (EAC)

One of the major responsibilities of the EAC is the certification of voting equipment. Vendors apply to the EAC to request certification of new systems and to request certification of new components of existing systems. The EAC's certification of voting equipment ensures that there is a consistent standard of reliability and security applied to all systems. More information on the EAC's process for certifying voting equipment is available on their website.¹

In 2005, the EAC adopted the first set of Voluntary Voting System Guidelines (VVSG), as mandated under HAVA. HAVA also requires that the EAC provide certification, decertification, and recertification of voting systems as well as the accreditation of testing laboratories. The EAC accredits independent test laboratories (voting system test laboratories or VSTLs) that evaluate voting systems and software against the VVSG to determine if the equipment provides all of the basic functionality, accessibility, and security capabilities required of voting systems. The test laboratory, based on its findings, provides a recommendation to the EAC.

The Commission's Certification Division, working through the executive director, makes the final determination whether to issue a certification. Once a decision has been made, the EAC posts the information on the Voting System Certification section of the EAC Web site. Therefore, an EAC certified voting system is one that has been tested by a federally accredited test laboratory and has successfully met the requirements of the VVSG.

The purpose of EAC's national voting system certification program is to independently verify that voting systems comply with the functional capabilities, accessibility, and security requirements necessary to ensure the integrity and reliability of voting system operation, as established in the VVSG.

2. Providing Security Best Practices (EAC and DHS)

a. EAC - Managing Election Technology Documents

Among the resources that the EAC has available for states to consider is its guidance for securing election equipment and systems.² Individual resources available through the EAC's "Managing Election Technology" webpage are outlined below in sections i-v.

i. Selecting a Voting System

The EAC publishes a checklist titled "Ten Things to Know About Selecting a Voting System" for local election officials who are considering the purchase of new voting equipment. The checklist reminds local election officials that they will need to consult their state's laws prior to making a purchase. It also encourages the decision maker to consider how much training will be needed for election inspectors who will be using the new equipment to ensure that they are

¹ <https://www.eac.gov/voting-equipment/system-certification-process/>

² <https://www.eac.gov/voting-equipment/managing-election-technology>

familiar with security procedures. While the WEC is not involved in local election officials' voting equipment purchasing decisions, municipal and county clerks often request resources for consideration from the WEC staff. The WEC provides EAC guidelines to Wisconsin localities who are seeking resources as they consider any potential voting equipment purchases.

ii. Managing an Aging Voting System

Another checklist provided by the EAC to state and local elections officials is its "Ten Things to Know About Managing an Aging Voting System" checklist. This checklist provides tips for state and local jurisdictions to analyze their voting systems to ensure that the system still meets federal requirements and best practices. It also gives helpful tips on what to train poll workers to look for when preparing and operating voting systems to ensure that they are fully functional. The tips provided in this checklist are in addition to the rigorous testing and audit protocols mandated by state law.

For the State of Wisconsin, this checklist is a useful addition to the suggested poll worker training guidance and can be incorporated as a resource for clerks who are conducting poll worker training. The resource itself is intended for local jurisdictions who have direct interaction with their voting systems. While the general concepts listed on the checklist are already a part of the WEC poll worker training template, the format and reminders can be used to supplement current training materials.

iii. Implementing Voting Systems with COTS Products

The EAC also provides a checklist for considering and implementing voting systems that utilize Commercial Off-the-Shelf products (COTS) such as laptops or tablets rather than proprietary vendor hardware. At this time, the WEC has approved one COTS-based voting system, ClearBallot Group.

iv. Securing Voter Registration Data

The U.S. EAC created the "Checklist for Securing Voter Registration Data" to provide election officials with information and best practices to protect their voter registration data, and to provide assurance to members of the public that those security measures have been implemented. Several components of the checklist have been implemented in Wisconsin including:

- Access control – only authorized users with credentials and a multi-factor authentication tool can access WisVote.
- Auditability – WisVote includes a full audit trail including who made changes, on what date, and what the values were before and after the change.
- Data Backups – the WisVote database is backed-up nightly in two physically separate locations.

- Firewalls – the Wisconsin Department of Administration’s Division of Enterprise Technology (DET) maintains all firewalls for the Elections Commission, including the firewalls used to protect WisVote.
- System Interconnection – WisVote is maintained on DET servers and uses a separate Active Directory Domain to help isolate it from other systems. WisVote is connected to related elections administration applications but these connections are secured in a variety of ways to prevent unauthorized access.
- Documentation – The BadgerVoters website maintains logs of voter data purchased by the public as well as information regarding who purchased the data and when. WisVote IT staff maintains change management logs to document any updates to the system design, and all activities within WisVote that impact voter data are logged, including what user took those actions.

There are additional best practices included in the checklist that the WEC is continuing to implement including monitoring additional criteria in WisVote to trigger unusual activity notifications such as multiple log-in attempts, unusual traffic, or large amounts of data uploads and exports.

v. Securing Election Night Reporting Systems

In Wisconsin, counties are required to post all returns, by ward or reporting unit on an Internet site. Many jurisdictions use a separate Election Night Reporting (ENR) system to display unofficial election night results to the public through a web-based application. The E.A.C. Checklist for Securing Election Night Reporting Systems provides a baseline for jurisdictions to assess the security protocol surrounding their Election Night Reporting system.

Whether a jurisdiction reports election night results using an ENR or some other method, the checklist includes items that are useful for all jurisdictions. Each county should review the checklist for the points relevant to the method that is used for election night reporting. All counties should proof the data being posted on election night and validate that results shown on their website match the results reported by municipalities and have a backup plan should their website become unavailable. They should also ensure that they have received results from all reporting units and post a disclaimer along with the results if data from any reporting units is missing.

All jurisdictions should include election night results in their continuity of operations and risk management plans. Election night results are unofficial, but the public does not necessarily perceive them as unofficial. Therefore, providing assurance to the public that the election night reporting systems (whether ENR software or a clerk-built spreadsheet) are accurate and protected is of the utmost importance to every election official.

b. DHS/CISA Resources and Best Practices

Another source for information on Election security is the Cybersecurity and Infrastructure Security Agency. CISA provides guidance specific to voter registration data as well as information on overall cyber security best practices. CISA resources are discussed below in sections i-iii.

i. Security Tips for Securing Voter Registration Data

DHS/CISA publishes a wide variety of resources for states to assist in securing voter registration data. DHS recognizes that voter registration databases are rich and attractive targets for computer intrusions. The keys to good cyber security are awareness and constant vigilance. There are many threats CISA articulates that can put voter data at risk, such as phishing attempts to get credentials from users, injection attacks, XSS vulnerabilities, denial of service attacks, or ransomware. The US-CERT which is described in Section 3 below has extensive publications regarding how to handle many of these threats. The WEC staff has completed extensive review of the US-CERT publications, and recommendations related to US-CERT are found elsewhere in this report.

In addition to the US-CERT documentation, CISA makes several basic recommendations that can prevent as many as 85 percent of targeted cyber-attacks. Many of these recommendations are already in place in Wisconsin or are being implemented such as:

- Patching of applications and operating systems
- Application whitelisting through DET
- Restrict administrative privileges
- Input validation
- Firewalls.

CISA also created a list of questions that election authorities should consider when assessing their ongoing security preparations. WEC has performed this recommended exercise and has implemented suggested security patches to continue to prevent targeted cyber-attacks.

Lastly, CISA gives critical recommendations for how to respond if unauthorized access to voter registration data occurs. First, an event such as this should trigger our security incident response plan and business continuity plan. It is important to maintain essential functions for the agency while allowing time for IT staff to isolate and remove the threat. Second, it is important to contact DHS and/or law enforcement immediately. The WEC has created and solidified a continuity and communications plan to quickly control, resolve, and communicate a security incident.

ii. Best Practices for Continuity of Operations (Handling Destructive Malware)

Malware is an umbrella term used to describe a variety of intrusive software programs such as computer viruses, trojan horses, ransomware, spyware, and other programs that pose a threat

to user applications and hardware devices. CISA has provided a best practice document on how to protect systems, including elections systems, from malware activity.

The WEC and DET are following many of the recommendations found in this document. The WEC election management systems are largely secured behind layers of security within the DET data center. A next-generation firewall system is well organized, monitored, and regularly updated. Minimum ports and protocols are configured for host-to-server and host-to-host connectivity. Servers and applications are categorized into tiers with individual plans in place.

Also, the WEC and DET have backup systems in place which are monitored daily. Service accounts are tightly controlled and limited to specific functions. Systems are monitored for utilization and anomalous traffic or patterns. Vendor patching is regularly scheduled and offset between all system environments allowing for thorough testing opportunities.

In addition, the WEC has the recommended COOP recovery planning in place, as well as documentation of critical asset dependencies, contacts, and organizational information.

iii. Ransomware Prevention and Mitigation

Ransomware is a type of malicious software that threatens to publish the victim's data or block the victims' access to required information until ransom is paid. CISA has published guidance on how to protect systems, including election systems, from ransomware attacks.

As recommended in the CISA guidance on ransomware, the WEC has the following systems in place to protect Wisconsin's election management systems:

- Daily offsite backups are maintained and regularly verified. Access to backup data is segregated from critical data and applications to prevent ransomware from spreading to backup data.
- Backup systems are in place so that critical data and applications can be restored quickly in the event of an outage.
- COOP recovery planning is in place, documenting critical asset dependencies, contact and organizational information.
- A centralized patch management system is in place and all systems are patched regularly.
- Active administrative accounts are limited, and user roles are restricted to necessary access.

WEC internal operations have the advantage of being located on the state supported LAN/WAN with a centralized file share. Inbound and outbound email traffic is filtered through a security appliance, which strips and defangs suspicious emails, links or attachments. A web content filtering gateway is also in place blocking risky or known malicious web sites and IP addresses. Macro scripts are stripped from incoming MS Office attachments. Staff has also participated in several cyber security awareness training programs over the past few years. Protocols are in place to identify and manage the infection of a device.

3. Training for State and Local Governments

Agencies within the U.S. Federal Government and associated agencies provide learning tools and opportunities for state and local election officials to consider. Training resources available through the federal government are listed below.

a. Training Resources

i. FedVTE (DHS/CISA)

This recommended training resource was produced by the federal government and offers courses principally for more technical users, but some classes have more general applicability. The training curriculum contains extremely detailed and advanced technical training. Some WEC staff have currently enrolled in FEDVTE training curriculum including the following courses:

- 101 Critical Infrastructure Protection
- Cyber Security Overview for Managers
- Cyber Risk Management for Managers
- Static code analysis and settings evaluation
- DoD IA Boot Camp

ii. US-CERT(DHS/CISA)

The Computer Emergency Readiness Team website provides an extremely comprehensive set of information, including links to most of the resources in this document. WEC staff is currently subscribed to and analyzing the following communications:

- **Newsletters** – These include alerts on newly-discovered vulnerabilities and exploits, general tips and current events.
- **Publications** - There are dozens of publications on this website covering a wide variety of cyber security topics from creating secure passwords to technical details on specific attacks.
- **Command, Control, and Communication Resources for State, Local, Tribal and Territorial Governments** - Useful information to incorporate into WEC security curriculum for local election officials.

iii. Stop. Think. Connect. (National Cyber Security Alliance)

Stop. Think. Connect. is an awareness campaign associated with the Stay Safe Online program. As a separate awareness campaign, the website includes a Resources section with multiple tip sheets, radio and Internet PSAs, and posters/memes for use by the public. For this training to be useful, local election officials would need to have previous knowledge of, and follow, a base level of cyber security. While some aspects of this training resource have been incorporated

into the WEC election security curriculum for local election officials, the resource must be framed appropriately for it to be effective in the context of elections.

iv. Stay Safe Online (National Cyber Security Alliance)

Stay Safe Online appears to be the parent cyber security program and references to Stop Think Connect for many points. Stay Safe Online is still useful as a resource because it includes more in-depth information and definitions over what can be found on Stop Think Connect. Also, Stay Safe Online includes additional resources for businesses, reporting cyber-attacks (of limited use to our needs), and a section dealing with mobile devices. Aspects of this training and links to helpful videos have been included in the WEC-created Security Awareness webinar series for Wisconsin's local election officials

b. EAC in-Person Training for Local Election Officials

Through communications with state election officials, the EAC has offered to send an EAC Commissioner and/or staff member to local election official conferences or events to discuss election security. Some states with a centralized election administration structure, where all county clerks meet at a yearly conference, have invited the EAC to speak at their events. Those states report the presentation as being well received by local election officials.

In September 2018, representatives from the EAC attended a meeting of the Wisconsin County Clerks Association, as well as an official meeting of the Wisconsin Elections Commission. The WEC is pursuing additional opportunities for including an EAC speaker at future Wisconsin County Clerks Association, Wisconsin Municipal Clerks Association (divided into nine districts), and Wisconsin Towns Association meetings. However, unlike other states, there is no single event where all of Wisconsin's 1,900+ municipal and county clerks gather in one centralized location for an event.

i. CISA Tabletop Exercises

In October of 2018 and July of 2019, the Department of Homeland Security and CISA conducted an election security tabletop exercise in Madison, Wisconsin. Last year, CISA hosted two virtual tabletop exercises for Wisconsin in September 2020. The exercise included federal, state, and local partners. The exercise brought together the many different partners who play a role in the election process to work with sample election security incidents that can occur in the time before and after Election Day and find sample resolutions. The exercise also allows for different election partners to identify and connect with potential resources that can help resolve any potential incidents.

The WEC continues to work with CISA to schedule future CISA-led TTX events in Wisconsin to further involve local election officials and other state and federal partners ahead of the 2022 elections.

ii. CISA Guide for Local Elections Officials

The Cybersecurity and Infrastructure Security Agency has created customized election security guides for local elections officials to use in their communities. These guides contain location-specific information concerning safeguards and resiliency measures already in place, threat mitigation efforts, and initiatives that the localities undertook ahead of the 2020 election cycle.

For most states CISA provided this guide in the form of a poster. Due to Wisconsin's large number of local election officials, CISA was not able to create and distribute a poster for each municipality and county in the state. WEC staff worked with CISA to create a smaller brochure that is more applicable to Wisconsin's unique election system.

The brochure contains a checklist on how to best prepare and prevent a security incident by utilizing federal and state resources available to all clerks, how to safeguard an election system, how to determine if there is a cyber incident or unusual activity at a polling place, some sample guides on how to respond to a variety of security incidents, and additional resources and templates clerks can use.

4. Critical Infrastructure Designation & Monitoring Activity

a. Defining the Designation for Wisconsin

DHS designated elections systems as critical infrastructure in 2017.³ A critical infrastructure designation is given to "systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters."⁴ Since 2018, DHS responsibilities for critical infrastructure security have been delegated to the newly created Cybersecurity and Infrastructure Security Agency.

For state election officials, the designation as critical infrastructure means that state and local elections agencies have more access to additional resources through CISA and other federal agencies. It also means that there is a heightened awareness and priority given to elections agencies in terms of providing such services at times of critical need.

b. Coordinating Council

When a sector is designated as critical infrastructure, federal law requires that a coordinating council, specific to that sector, be created. In 2017, the Government Sector Coordinating Council (Council) was created by DHS to facilitate effective communication and coordination of critical infrastructure between the federal, state, and local governments. The goal of the Council is to inform the work of DHS in the elections field and to help establish clear

³ <https://www.cisa.gov/election-security>

⁴ <https://www.cisa.gov/critical-infrastructure-sectors>

communication protocols between DHS and the appropriate state election officials. The Administrator of the WEC is a member of the Council, and represents the needs and concerns of Wisconsin election officials.

c. Cybersecurity Scans

CISA provides cyber monitoring, scanning, and evaluation tools to elections agencies. Among these resources are their Cyber Hygiene Services. These services leverage the best cyber security assessment methodologies, commercial best practices and integration of threat intelligence that enable cyber security stakeholders with decision making/risk management guidance and recommendations. CISA provides an objective third-party perspective on the current cyber security posture of the stakeholder's networks. CISA security services are available at no cost to stakeholders and can range from one day to two weeks depending on the security services required.

The WEC has used CISA's Vulnerability Scanning service since 2016 and agency IT applications are scanned on ongoing basis. WEC staff receives frequent reports from the scans which are then analyzed by WEC staff to identify issues and recommendations. Any recommendations or patches are then deployed on agency applications or relayed to DET which deploys server-side fixes.

CISA has other scanning and monitoring resources that WEC is exploring in conjunction with DET. Other resources include physical site assessments for municipalities, risk vulnerability penetration testing and cyber infrastructure surveys.

d. Penetration Testing

To identify and limit vulnerabilities in election systems and applications, CISA provides a penetration test service, formerly called a Risk Vulnerability Assessment, that is focused on an election agency's applications including WisVote and MyVote. A penetration test, or pen test, is a simulated attack on a computer system that is authorized by the owner of the system to identify security vulnerabilities that could lead to a malicious actor gaining unauthorized access to a system's functionalities or data.

The CISA test is an intensive review of elections systems that mimics potential hacking scenarios like social engineering, remote system access, database scanning, and manipulation and email phishing campaigns. The test is conducted over a two-week span. During the second week, CISA staff are onsite at the WEC. Both during the assessment and following its conclusion, CISA staff provide WEC with a report of security options and suggestions for improvement. There is no cost to the WEC for the test, but both CISA and the WEC dedicate significant staff time and agency resources to the test for at least two weeks. A test of the WEC's applications was completed in the fall 2018 and again in the spring of 2020.

e. EAC Resources

The EAC provides resources to state and local election officials to help them understand the CISA Critical Infrastructure designation. WEC staff members have analyzed the following resources to gain a better understanding of what the designation means for Wisconsin elections.

i. Elections Critical Infrastructure Hub and Glossary

The EAC website includes a hub⁵ specifically for Critical Infrastructure Designation (CID) materials. Among the materials is a glossary of CID terms that WEC staff uses when communicating CID information to election partners including the Elections Commission staff, local elections officials, and the media.

ii. EAC “CI Scoop” Blog

The EAC also has a blog⁶ specific to the CID that provides analysis of timely issues related to the designation. The blog is a good resource for WEC staff who are involved in elections security to stay up to date with any changes or developments related to the designation. Much of the information contained in the blog is also disseminated to state election officials through other national groups that work with the Coordinating Council. WEC staff will continue to monitor the blog for new information that relates to elections in Wisconsin.

B. National Elections Organizations

There are several national organizations that aim to coordinate professionals from across the country on important topics related to elections. The National Association of State Election Directors (NASSED) is an organization comprised of the chief election official from each state. WEC Administrator Meagan Wolfe is currently designated the Incoming President of NASSED and will serve in this role in 2022-23. NASSED coordinates conferences, events, and communications to its members on important elections information including elections security. NASSED has played a role in working with DHS and other organizations to appoint members to the Government Sector Coordinating Council. NASSED coordinates information sharing among state election directors so that all states can benefit from best practices and lessons learned.

Organizations such as the National Association of Secretaries of State (NASS) and the National Association of State Chief Information Officers (NASCIO) are also involved in elections related matters. In many states, the Secretary of State is the chief election official and is very involved in elections security. Because the Wisconsin Secretary of State is not involved in elections administration, the WEC has reached an agreement with NASS to subscribe to its election related services and resources for a reduced membership rate. NASCIO is also an important

⁵ <https://www.eac.gov/election-officials/elections-critical-infrastructure/>

⁶ <https://www.eac.gov/ci-scoop-new-home-base-for-critical-infrastructure-information/>

election security partner, as many states, including Wisconsin, rely heavily on the office of the state Chief Information Officer to provide front line defense for election systems and servers.

The major national elections organizations (NASED, NASS, and NASCIO) regularly share security best practices with the WEC. Commission staff analyze these communications for information that is relevant to Wisconsin elections. For example, NASED will pose elections related surveys to its members and, as a result, all states are able to learn from the results. NASED also hosts events and conferences which are an excellent opportunity for election officials across the county to learn from one another and other partner organizations to and coordinate on best practices. When NASS holds conferences or events that cover election related topics, WEC staff receives an invitation to attend. WEC staff attended NASS “Tech Talk” events in 2018 and 2019 to coordinate with its membership to stay up to date on elections security and technology. In 2020, Tech Talks were held regularly and remotely. WEC staff will continue to monitor these organizations for information and resources that are applicable to elections in Wisconsin.

C. State of Wisconsin - Enterprise

While the WEC is a small independent state agency, it leverages enterprise level technology services available through the State of Wisconsin Division of Enterprise Technology (DET). DET, housed within the Wisconsin Department of Administration (DOA), provides many services to the WEC including server hosting and management, phone and email hosting, and desktop imaging and support. The WEC also has other security partners at the state enterprise level including Division of Emergency Management, the Wisconsin National Guard and state and local law enforcement. In preparing for an election related security disaster or emergency management event, the National Guard and State level law enforcement have been able to provide resources and guidance. The WEC communicates regularly with state level enterprise partners and has regular meetings with such agencies to better understand and coordinate their roles in elections security prevention and response.

1. Server Hosting and Server Management

DET hosts the servers that power the State of Wisconsin’s voter registration database, known as WisVote, as well as related applications such as the MyVote Wisconsin website. While the WEC staff builds, maintains, and secures the applications themselves, there is a great benefit to having the servers hosted through DET. The DET server structure is arranged so that there is one single point of control of the state enterprise server system. DET deploys sophisticated firewalls and monitoring techniques at the single point of entry to ward off malicious and extraneous activity. Visibility and traffic monitoring tools deployed by DET and a sensor supplied by the Multi State - Information and Analysis Center (MS-ISAC) in conjunction with CISA are used at the single point of control to allow DET, as well as the MS-ISAC security operations center, to evaluate each contact with the state enterprise server system.

DET further protects state servers by dividing the server environment into zones. Each zone is then further monitored by a diverse set of cyber tools to analyze server activity. Adding to the complex and layered server security set up, server zones are assigned unique firewalls to further prevent attacks or extraneous activity. The additional zones and protections ensure that if a malicious actor were able to breach the single point of control, there would be other security measures in place to prevent attacks on any specific zone or server. The division of servers also allows applications to be isolated and protected according to the specific needs of the applications and to allow redundancy of system monitoring by protecting various zones with different monitoring tools than are used at the single point of control.

a. Firewalls

DET uses firewalls to protect the state enterprise servers at many points throughout the server topography. In addition to using firewalls at multiple points throughout the system structure, DET also uses a variety of firewalls. Having a variety of firewalls increases the amount of information available to prevent an attack. Each firewall sources its information differently, such as by monitoring activity across the CISA network or by sourcing information from corporate partners. Firewalls operate using a dynamic base of information to archive and prevent attacks, using information sharing throughout the cyber security world. The more sources that can be used to create the database of known and suspicious actors and methodologies for blocking them, the more comprehensive the firewall protection.

New information is being added to the DET firewall database all the time. The information comes from national, military, corporate and state sources, including from state employees. If an agency, state employee or state customer becomes aware of a potential threat they are instructed to report the threat to DET. When reporting a potential incident or threat to DET, the user is asked to provide information such as server information, IP addresses, and server ports involved in the incident. DET then places a hold on activity by the potentially threatening IP address or actor while it investigates the activity. If the activity is identified as potentially malicious, DET then adds the information to the firewall database of blocked users and deploys other methods to block further contact with the suspicious actor.

b. Server Patching

Another service that DET offers to protect state servers is patching. Patching is a process through which software is deployed to update a computer program, operating system, or server to support data, fix a known bug, or make an improvement. Patching also includes deploying fixes to remedy security vulnerabilities. Like firewalls, servers and programs need to be kept up to date with the most current information, and patches are used to add that current information to the server or program. DET also provides patching auditing of servers which is a service that compares programs against a list of patches to ensure compliance.

DET deploys patches as part of a regular schedule. The schedule is developed with the business needs of agencies across the state enterprise system in mind. If a patch is deployed on a server

or zone that supports one agency, there could be an impact on other agencies who share the server space. Patches need to be tested across the entire server structure to determine if the patch may cause unintended consequences on other areas of the server environment. Sometimes when a patch is deployed, the servers or server zones need to be restarted, causing short outages. Because of this, the DET patching schedule includes change freezes where only emergency patches can be implemented to avoid outages during critical business operations. In coordination with WEC, DET has implemented a change freeze protocol during important times in the election cycle. Patches that are not critical cannot be implemented on any DET server in the week prior to a major election unless a special exemption is granted by the Chief Information Officer. This ensures that there are no server outages during critical elections periods.

2. Phones

DET provides phone services for state enterprise users. In 2020 DET completed the process of transferring phone services to Voice Over Internet Protocol (VOIP) which connects phone and email services through a unified communications platform. A unified platform allows state users to connect via phone from anywhere using their Windows computer or mobile device. The platform also allows DET to integrate phone services with other software applications, which provides more consistency with maintaining patches and overall security.

The WEC switched from traditional phone service to VOIP as part of a statewide roll-out in early 2019. This has allowed staff time to learn the new system and transfer to the new integrated platform in time for the uptick in calls for the 2020 election cycle. The availability of VOIP was critical to the WEC's contingency response during the COVID-19 pandemic, permitting staff to continue serving voters and clerks remotely and securely. The integrated VOIP platform allows the WEC additional opportunities to track calls and voicemails which can also be used to monitor and analyze call activity to identify trends that may need additional attention.

3. Email

Enterprise e-mail services through DET provide state agencies with a centrally managed, enterprise-wide messaging system. In addition to email and calendar functions, the DET enterprise email system provides anti-spam and anti-virus protection, file-sharing services, outbound faxing, the ability to send encrypted email, email archiving, backup services, and helpdesk support. DET hosts email services for 30,000 state users with a resilient configuration in multiple locations.

DET is the first and primary layer for security and support for all state user email accounts, including the WEC. To protect state user emails, DET maintains multiple copies of each email database on multiple servers. The many layers to the state email storage architecture ensures

that information is not lost and can be recovered. It also allows DET to resolve known issues without outages by directing state email systems to a backup server while testing or patches are implemented in the main environment.

DET also uses virtual separation to create security boundaries between agencies. Agencies are separated by rights, permissions and within the domain structures provided for agencies. Agency account attributes, like the marker that indicates elections applications and email accounts, are critical components of the email security structure because they ensure that only the users with the correct permissions can access information associated with an agency. All state user emails are secured and stored using the highest level of security required. For example, some agencies are subject to strict requirements, like HIPAA laws, because of the nature of their work. Therefore, the WEC and other agencies also benefit from these high standards being applied to all state enterprise email storage, security, and access permissions.

In addition to the enterprise-wide hosting, storage, and security that DET provides for state email users, it also offers customized solutions that agencies can opt to use based on their needs. WEC continues to work with DET to explore additional options for using email services. Some of the options include digital signatures which could help to identify emails sent from elections employees as official so that clerks and elections partners can differentiate those communications from spam or phishing attempts. DET also offers other services such as routing outgoing emails through a secure portal, much like communications that are received from a banking institution. WEC and DET are exploring this service for sending security related messages to local election officials. This service would also offer additional email encryption options beyond the in-network encryption services that DET automatically applies to hosted accounts.

a. Blocking and Defanging Malicious Emails

DET provides the first line of defense against malicious emails for affiliated state agencies including the WEC. Using several criteria, including the digital reputation of the sender and number of transactions from the sender, DET identifies and then quarantines suspicious incoming and outgoing email messages so that malicious emails are not delivered to their intended target. There is a complex scoring system used to determine which emails DET should block and which emails should be sent to their intended recipient.

DET identifies and blocks a high volume of malicious or extraneous emails that are never received by state users. Monthly, DET blocks 90-95% of emails that are sent to state users. In one month, DET successfully blocked 62.4 million email messages from being received by state users. There is a very low instance of “false positives” in the DET blocking system, meaning very few legitimate emails are mistakenly identified as spam.

DET also “defangs” emails to remove potentially problematic links before sending to the recipient. Defanging is a process of removing or re-writing links within an email so that the recipient cannot be directly routed to a malicious website through the URL in the emails. If an

email passes DET's initial spam check, it is then scanned for links. The defanging process DET uses rates the reliability of links embedded in emails. If the link in the email is known to be legitimate, then the email is sent without any changes. If the link receives a less reliable rating, then the URL in the email is routed through a proxy server to re-write the URL before it is sent. If the link receives a low score, then the link is deactivated before the email is sent to the user.

There are many layers of information that DET employs to determine what emails should be blocked. Like any other security measure, such as firewalls, the list of SPAM email actors and tactics changes daily. DET works with other government agencies and vendors to keep the list of SPAM email actors up to date. An important part of keeping this list up to date is through receiving information from state email users. If a state email user receives a suspicious email, they are instructed to send and report the email to the DET helpdesk, which will investigate and then add the email to the spam list if appropriate. In 2021, DET implemented a method for users to report suspicious emails with a single button click.

b. Inspection of Files and Analysis of Packets

Another service that DET offers to agencies is what is known as packet analysis. Packet analysis is done through a program or a piece of hardware that can intercept and log traffic directed at a network or a specific part of a network. A packet is a group of data transmitted over a digital network. As the data is transmitted to the network, using any number of digital media, DET can anticipate the transmission and capture it for analysis before it reaches the server framework. DET can then analyze the packet and, if needed, decode the packet's data, showing the values of each field in the packet. Based on this analysis, DET can then deny the packet access to the state system or determine that it is legitimate and allow the packet to proceed to the next level of the security framework, such as a firewall, for additional analysis.

The file inspection and packet analysis services that DET provides to the WEC and state users have many layers. For the WEC, this means that malicious or extraneous data packets aimed at our systems are intercepted and analyzed before they ever reach the internal server security or firewalls. Every day DET intercepts and blocks numerous threats across the state enterprise using this structure.

4. Monitoring and Alerts

a. Monitors Threats

DET monitors threats to the state server structure and to WEC applications using a variety of internal and external information sources. Internal sources of information, like firewalls, activity logs, and hardware and software alerts and sensors are described in the DET server structure above. DET also monitors third party sources for threats and alerts. Much of the third-party information comes from CISA and other federal government sources. DET also subscribes to commercial threat identification services that are renewed annually. DET also

partners with the Wisconsin Department of Justice's Wisconsin Statewide Intelligence Center (WSIC) for sharing intelligence information with other states.

i. Analyze State Systems Activity to Identify Breach

Once DET receives an alert or notification of suspicious cyber activity, the activity and associated IP addresses are added to the database housed on system security devices. DET also deploys any suggested patches to seal vulnerabilities and prevent future contact with the offending cyber actor. The information of the suspicious cyber actor is also added to the blocked list on DET firewalls while DET continues to investigate.

DET also analyzes logs of previous activity across the server system to see if the malicious actor has had any previous contact with the State of Wisconsin IT Enterprise. If there is a log of previous activity, DET can then trace the activity throughout the server structure to determine if there was any impact on state systems. If an incident is identified, DET will notify the owner of that system to identify the scope of the problem and to implement a solution.

ii. Alerts from FBI and DHS

DET partners with the FBI, DHS including CISA, U.S. Department of Justice, the National Guard and other federal cyber security agencies through the Wisconsin Fusion Center. More information about the Wisconsin Fusion Center is detailed below in section 6. DET and WEC also have direct communication channels with DHS and CISA and have been assigned local and regional liaisons who provide security information.

CISA also works closely with the Center for Internet Security (CIS). The CIS is a non-profit organization that houses the Multi-State Information Sharing and Analysis Center (MS-ISAC) and the Election Infrastructure Information Sharing and Analysis Center (EI-ISAC), which partner with state governments and federal agencies about potential cyber security threats.

The MS-ISAC and EI-ISAC receive cyber security information, alerts, and intelligence from across the country and coordinates that information so that all states can benefit. DET and WEC regularly receive information and alerts through the MS-ISAC and the EI-ISAC. These alerts typically contain a recap of an incident that has occurred in other states and includes patches and tips so that states which have not been attached can proactively protect their systems. DET and WEC also receive similar alerts directly from CISA, FBI and others. The alerts from federal agencies are generally comprehensive, whereas alerts particularly from the EI-ISAC are intended to be immediately actionable and focus on critical information and recommendations.

Additionally, DET uses sensors to monitor federal cyber networks to identify threats and shares that information with states via state fusion centers and the MS-ISAC. This intelligence information is used to protect state systems, including WisVote. The MS-ISAC provides the sensors, based on an older DHS program, to state technology offices and monitors them around the clock. DET uses this service from the MS-ISAC at the main point of control of the state network to protect the IT infrastructure of WEC and other state agencies.

If DET receives federal cyber security information relevant to elections, that information is shared with WEC. If WEC receives federal cyber security information relevant to elections or any other state system, that information is shared with DET. Often both WEC and DET receive the same alerts and notifications from federal sources. DET and the WEC have partnered to create a communication chain to ensure that cyber security information is shared between both agencies.

5. Desktop Support

DET provides desktop support to agencies on the state network. These services include recommendations and procurement services for hardware, configuration, and imaging of new devices, software deployment and management, and operating system and software patching. These core services ensure consistency and security across the state network. DET's Desktop Roles and Responsibilities document outlines the services DET provides and what responsibilities agencies like the WEC have to maintain their desktops in a secure manner.⁷

a. Infected Workstation Support

As part of the desktop support that DET provides to WEC and other agencies, it monitors traffic on the state network through a central server that intercepts traffic from each desktop. From here DET can determine if there is any unusual activity occurring on state desktops that might signal the desktop is infected with malware like adware, ransomware, or a virus. If unusual activity is flagged, DET will notify the IT staff at the agency registered to the PC to investigate. DET will then work with the agency to contain and correct the infection. DET maintains standard images for workstations so that in the event of infection the entire computer can be reimaged and returned to use very quickly. Most attacks are blocked by DET firewalls and other security measures before they reach and infect a state user's computer. Having this monitoring in place ensures that WEC agency hardware remains free of viruses and other malware that could impact elections systems.

b. Desktop Imaging

Desktop disk imaging is another important tool that DET provides to agencies like the WEC. Desktop imaging is a computer file containing a computer's core systems including operating system, software and network structure for the device. DET first sets up the target environment conventionally, including installing end-user software as well as hardening the system according to industry best practices such as the Center for Internet Security's Controls. This initial set up also includes provisioning the device with DET's Enterprise security controls. DET then creates an image file from that machine and downloads it to all devices for a specific agency. The WEC benefits from utilizing DET's imaging process because it ensures that all agency hardware is configured in a secure and a consistent way. By keeping all work data on

⁷ <https://det.wi.gov/Pages/AgencyManagedApplicationService.aspx>

shared drives and utilizing centrally managed desktop applications, this process also ensures that in the event of an infection, a workstation can be quickly wiped and reimaged with minimal disruption to business processes.

c. Software Support

DET also provides software support to WEC. DET purchases customized software licenses at the enterprise level for agencies to use. This means that DET can analyze software to ensure that it is secure and that all terms and agreements comply with state standards before agencies are able to purchase or download the program. DET can also track which state users are using DET supported software to ensure that those users receive necessary software patches and that the software is kept up to date. While the WEC and other agencies need to purchase the software license from DET, the agency is receiving additional protections and guarantees that it would not receive if the agency were to purchase software independently.

6. Fusion Center- Planning

DET is a member of the Wisconsin Statewide Intelligence Center, one of Wisconsin's two Fusion Centers. The Fusion Centers are collaborative organizations that include state and federal agencies with the goal of sharing resources, expertise, and information to detect, prevent, and respond to criminal activity, including cyber activity. The Wisconsin Statewide Intelligence Center is managed by the Wisconsin Department of Justice and includes members from DHS, CISA, the FBI, other law enforcement, the armed forces, and critical state agencies.

DET and WEC staff attend weekly meetings with the WSIC where member organizations share current threat intelligence based on both strategic information from federal, industry and news sources and also tactical observations of day-to-day activities. These meetings provide government security partners a secure space to share information and find solutions. DET and WEC are able to make systems and servers more secure both for the state at large and elections in particular by utilizing intelligence information and IT resources from other security partners at the Fusion Center. Election security in particular is a frequent topic, especially in the period before national elections.

7. Provide Cyber Security Training

a. Required Cyber Security Training Modules for State Users

DET prescribes cyber security training that is required for all state enterprise users including WEC staff. DET requires all state system users to complete a curriculum of interactive web-based tutorials that focus on common cyber security threats like password security, phishing and spear phishing scams, identity theft and more. Training completion is tracked in the Enterprise Learning Management system to ensure all employees have completed the training.

All WEC staff are required to complete the cyber security curriculum through DET. This mandatory training has been a valuable tool for WEC staff to understand the general concepts surrounding internet and cyber security.

b. Available Training for Local Users Not on State Network

The interactive training tutorials available to state enterprise users, like the WEC staff, are not available for distribution to local election officials. DET subscribes to the web-based security service at a cost and the subscription is only available to employees within the State of Wisconsin enterprise.

While DET does not have a cyber security curriculum for the WEC to distribute to local election officials, the WEC has created its own web-based tutorials for municipal clerks that are available on the WisVote Learning Center website. More about the training plan for local election officials is outlined in Section D of this report.

8. Provide 24-Hour Support Around Election Day

The Department of Military Affairs Division of Emergency Management has granted access to the WEC to utilize its 24-hour emergency communication hotline in the days around Election Day. This emergency hotline allows for local elections officials to quickly contact authorities if they suspect an election security incident has occurred outside of the WEC regularly scheduled office hours. WEM staff has coordinated with the WEC to quickly relay any reported incidents to the appropriate WEC staff. The WEC published a one-page quick reference reporting guide for local elections officials ahead of the General Election and plans to do so for future elections.

D. State of Wisconsin - Elections

In the State of Wisconsin, the Elections Commission is charged with the oversight and administration of elections for the State of Wisconsin. The WEC is required to provide elections administration training, materials, guidance and support to Wisconsin's 1,850 municipal clerks and 72 county clerks. This includes providing election security training, information, and resources to Wisconsin's local elections partners.

1. Training Development

As part of the training program for local elections officials, the WEC has created an election security training curriculum that focuses on a variety of election security issues. Various resources in this program have been developed and made available to local election officials through in person trainings, tabletop exercise (TTX), and online webinars and materials located in the WEC Learning Center.

a. Election Security Tabletop Exercises (TTX)

WEC staff attended an election security training and tabletop exercise hosted by the Defending Digital Democracy project at Harvard Kennedy School of Government's Belfer Center in the spring of 2018. At the event, WEC staff worked with election officials from across the United States to learn about election security best practices, as well as to participate in a tabletop exercise (TTX) that simulated potential real-life security-related events that could occur leading up to and including Election Day. The purpose of the TTX was to provide participants experience in election official roles different from their own and to make participants aware of the various types of potential incidents that could arise related to Election Day. These incidents were scripted and encompassed a wide variety of topics and severity, ranging from weather-related issues that could potentially impact polling places, to larger cyber security incidents that would require the assistance of IT professionals.

WEC staff saw value in participating in the TTX and concluded that Wisconsin county and municipal election officials would benefit from both the training and simulation exercise. WEC staff created an elections security train-the-trainer program, in partnership with Wisconsin county clerks, to reach our local election officials. The train-the-trainer program is designed to provide training and experience with election security materials to the county clerks who would then train their municipalities using materials and staffing resources provided by the WEC. The ultimate goal is to provide a safe, low-stress environment for participating election officials to use their election day emergency response plans against the incident injects to test the effectiveness of existing knowledge, policies, and practices as they relate to election security (operational, physical, cyber), provide an increased awareness and preparedness, and adapt and implement the training and lessons learned. The training was developed to encourage participants to work through the scenarios, to practice their communication plans, and to take action, without the risks or potential repercussions they may face in real life.

WEC staff created a second iteration of the election security TTX program and debuted it to clerks in August 2019. TTX 2.0 was created with the same goals as the first election security TTX program but includes new security incidents and situations. The addition of incidents allows for clerks who have already taken the first iteration of the election security TTX program to participate and interact with new situations. The injects allow for participants to work through cybersecurity, general security, and election administration issues in a low-stress environment.

During the constraints of the COVID-19 pandemic, staff developed additional materials and guidance on conducting the TTX remotely and continued the training program. All TTX materials were created with input from local election officials and have been well received and replicated for local TTX trainings. All training materials are now posted and easily accessible to clerks on the WEC's secure Learning Center website.

b. Security Training Videos and Webinars

WEC staff developed a series of webinars and videos for local election officials that focus on different aspects of elections security. The goal of these webinars is to bring all WisVote users up to a basic level of security knowledge. WEC staff published this security webinar series in two installments. The first installment focuses on a broad introduction to security basics and resources. The second installment of security webinars provide more detailed information regarding specific cyber security topics – email security, web security, identifying phishing attacks, etc. The webinar stresses the importance of communicating any questions or concerns WisVote users might have to WEC staff so that any potential issue or situation can be quickly resolved. The goal of the WEC training initiative is to create a security campaign that resonates with all election officials and the public and can be more widely applied to other duties local election officials may have in their community.

The success of the WEC security training videos has gained attention in other states and on the federal level. Multiple states have either shown the WEC's security training videos in their entirety or have used parts of the video series to inspire their own security training. In 2019, the WEC received a Clearie Award from the US-EAC for Outstanding Innovations in Elections for its cyber security training program series. The Clearie awards highlight exemplary models which can serve as examples to other election officials and offices.

c. Security Checklists

Because many municipalities do not have access to IT resources, the WEC is also investigating options and feasibility for ensuring that all municipal clerks have access to IT best practices. WEC training staff is currently developing a series of cyber security checklists for local election officials that they can use to analyze whether their hardware and practices are secure.

d. Other Training Resources

The WEC Training staff also developed the following resources to train Wisconsin municipal clerks regarding election security:

- A survey of local election officials to establish a baseline and to better understand the election security challenges clerks face and the resources they may have available.
- An Election Day Emergency Response template for clerks to use to develop their own response plan for elections to ensure that the municipality is capable of conducting an election in the event of any potential threats and adverse conditions.
- Tip sheets on practices that can enhance security in elections.
- Lists of common security problems, vulnerabilities and troubleshooting.
- Updates of manuals and other guidance materials.
- Training agendas and supporting materials train election officials that can be counted towards required training hours.

2. Communications

a. Election Security Public Information Program

To combat the potential for mis-information and dis-information to impact voters in Wisconsin, the WEC developed a public information program to dispel election rumors, instill a greater trust in Wisconsin's elections, and position the WEC as the official source of truth for nonpartisan election information.

An important element of the public information program includes media training for both WEC staff and local elections officials. Part of this training incorporated crisis communication assistance that can be used in an election security event, and will contain items such as sample holding news releases, utilizing a communications team, and more. In addition, WEC staff and the advertising agency conducted multiple in-person training tabletop exercises for clerks around the state in late 2019 and early 2020 prior to the pandemic.

In August 2019, the WEC hired a professional advertising and public outreach agency to conduct market research on public perspectives concerning election security in order to successfully identify what concerns voters may have about election security in Wisconsin, as well to determine how to best reach these voters and the general public with effective messages. The agency conducted qualitative and quantitative interviews and message testing in the fall of 2019 and began deploying the program in the winter of 2020. The onset of the COVID-19 pandemic and voter demand for absentee voting caused WEC staff and our advertising agency to pivot and focus the messaging on the security of absentee voting. The WEC staff and our agency created a series of short informational videos about the security of absentee voting, as well as fact sheets and other materials. They can be found on the agency's website at <https://elections.wi.gov/absentee>.

b. Secure Communications Portal

Email communication is increasingly becoming a threat to election security. Phishing attempts through links and attachments can threaten the security posture of elections officials. In response, the WEC has created methods to securely communicate with clerks. Information pertaining to the WisVote system is now communicated through WisVote itself, preventing spoofing and limiting information that could have security impacts to only authorized users. Additionally, more communication with clerks is now conducted through The Learning Center, WEC's training portal, which requires authentication and validates that communications come from the agency.

Communications of public interest and without security implications continue to be posted publicly to the WEC's primary informational website, where clerks and the public can be confident the communications come directly from the WEC while maintaining Wisconsin's focus on transparent government.

c. RAVE Communication with Local Elections Officials

The RAVE emergency alert system provides election professionals statewide with real-time communications about emergencies and other situations that impact their jurisdiction's operations. RAVE supports many communication techniques including text messaging, voice telephone alerts, e-mail, and even social media. The system also supports limited two-way communications.

The WEC has implemented a RAVE alert system to provide another means to communicate urgent, time-sensitive, and actionable information to election officials across the state, whether they are full time clerks, or they are election inspectors who only work 4 election events in a calendar year. The WEC implemented this solution in 2020 and has used it successfully to communicate critical time sensitive information such as system slowdowns that impacted in person absentee voting and legislation and court rulings that required immediate changes in how clerks conduct business. Fortunately, there have not been any critical emergencies since its implementation, but preparations have been made to use the RAVE alert in a wide variety of scenarios where local election officials may need urgent information.

3. WisVote

WisVote is the State of Wisconsin's complete election management system. WisVote is a complex web-based application used to manage all aspects of elections administration including registering candidates, setting up elections and ballot styles, determining ward and district boundaries, maintaining voter registration records, issuing absentee ballots, and much more. WisVote is owned and operated by the WEC and is used by municipal and county clerks around the state. Both the Federal Help American Vote Act (HAVA) and Wisconsin State Statutes require the WEC to maintain a statewide elections administration system and for municipal and county clerks to use the state prescribed system to administer elections. The WisVote system was built in-house at the WEC, which is unique as many states contract with vendors to build statewide elections systems. Building the system in-house gives the WEC complete control over customizing the system for Wisconsin law and implementing security measures that are compatible with the DET server security structure. The WisVote application was built using a highly customizable platform that includes many advanced security features.

While the WEC uses DET for server infrastructure and server security, the WEC is responsible for the security and maintenance of the WisVote application itself. The WEC sets permissions and policies for the WisVote system. The WEC also tests, maintains, enhances, and patches the application. In addition to the WisVote system, WEC also develops and maintains related IT applications such as the MyVote Wisconsin website and voter portal, the Canvass Reporting System, BadgerVoters, and more. The majority of the staff resources at the WEC are dedicated to the development, maintenance, training, and security of WisVote and its related systems.

Security of WisVote and the data contained within are the paramount responsibility of the WEC. To protect WisVote and other WEC technology, the WEC is responsible for the following:

a. User Permissions and Distribution of Client Access Licenses

WisVote is built on a licensed software platform. The platform requires that each user of the system have an individual Client Access License (CAL) to access the system. This means that a CAL is required for each municipal and county clerk and any staff in their office who use WisVote. The WEC has made the decision to purchase CALs on behalf of the users of WisVote. This gives the WEC control over who has access to the WisVote system. The WEC has purchased over 3,000 CALs to ensure that each clerk and member of clerk staff can have their own unique login. There are enough CALs for clerks to bring in additional staff to help with WisVote tasks during high turnout elections. As the owner of the CALs, the WEC is responsible for granting access and assigning permissions to each WisVote users.

Each user of the WisVote system is assigned a unique user login by the WEC Helpdesk. The user is then assigned system permissions by the WEC to control the user's access. Users are given the minimum amount of access required to do their job. For example, some users, like temporary clerk staff, are given read-only WisVote permissions so they cannot modify information. Other users, like municipal clerks, have permissions to enter voter information, modify existing information and perform administrative activities like setting up elections for their municipality. However, the municipal clerk's permissions are restricted to only their authorized municipality so that they are unable to see or modify records outside their jurisdictions. County level users have permissions for their municipalities to assist with data entry and to coordinate county-level responsibilities. Managing user permissions is an extremely important aspect of securing the WisVote system.

User credentials are also used to log each user's activity in the WisVote system. Logging user activity allows the WEC to monitor the entire system for unusual activity and to maintain a record of each change made to system data for security auditing. Monitoring activity also allows WEC and DET users to see where the WisVote activity is coming from. WisVote is only available to users whose IP addresses are within the United States. IP addresses outside of the U.S. are blocked from the WisVote system. IP addresses from outside of the state of Wisconsin are also limited and flagged.

b. System User Policy

Currently, all users of the WisVote system are required to sign user agreements before they are given access to the WisVote system. The WisVote user agreement is prescribed and enforced by the WEC. The agreement contains important information about requirements for securely maintaining voter data which contains confidential information. The WEC revised the WisVote user agreement to include specific policy language regarding requirements for remote WisVote access, minimum hardware requirements, minimum software requirements, software restrictions, and the mandatory completion of WEC elections security training.

c. User Passwords

The WEC helpdesk manages passwords for all WisVote users. Once the WEC assigns a credential to a user, the user then sets a unique password that periodically expires, which allows the user to create new, unique passwords on a regular basis. The password is required to be of a certain length with complex characters before it is accepted. Users set their unique passwords through an online, encrypted portal. The WisVote system uses the same secure authentication architecture that is used by DET for all state users.

i. Multi-factor authentication

Multi-Factor Authentication (MFA) is a password security measure in which the user of a system must enter his or her username, password, and then a separate piece of information to authenticate identity and ensure that only authorized and credentialed WisVote users have access to the system. WEC staff has worked with DET to implement an MFA solution through the state IT enterprise for all WisVote users.

When implementing the MFA model for WisVote, WEC staff understood the scarcity of options experienced by some local election officials when it comes to IT resources and purchasing new security equipment. The WEC utilized funds from the 2018 HAVA election security grant award to purchase MFA devices, called FIDO keys, for every WisVote user in the state. Outside of the FIDO key, credentialed users have the option to receive a phone call with the second factor information they can then enter to access WisVote. These options were chosen to provide the greatest flexibility for users with different resources and setups while also accommodating the timeline of the MFA rollout.

WEC staff created multiple training documents and webinars guiding WisVote users through the MFA rollout. The WEC relied on county clerks to help distribute the original MFA devices to all WisVote users in their county and was successfully able to roll out a version of multifactor authentication to most WisVote users before the 2018 General Election. All WisVote users were enrolled in an MFA program by December 2018. WEC staff will continue to work with DET to offer accessible MFA options to securely access WisVote in the future.

ii. Password Recovery Process

The WEC also has a password recovery process in place. A WisVote user who forgets his or her password contacts the WEC Help Desk who will verify the user's identity and prompt the user to reset their password through a secure web portal. The user will not be able to access WisVote until he or she sets a new password that meets the minimum password complexity standards.

WisVote also contains an automatic password expiration process. User passwords expire at short intervals. Once users' WisVote passwords expires, they cannot access the WisVote system until they change their passwords using a secure web portal. The new password must be different from previous passwords or it will not be accepted. An automatic password expiration process protects the system in case an unauthorized user gains access to a password

because the unauthorized user would only have access for a limited time. WisVote users can also change their passwords at any time if they believe their password has been compromised. The WEC is continuing to work with DET and other security partners to improve the password recovery process. As with any security measure, WEC will continue to implement new best practices as they become available.

d. Management of System Reports and Information

As the custodians of the Wisconsin statewide voter registration system and its data, the WEC has the responsibility of ensuring that voters' personally identifiable information is protected. Certain fields in each voter registration record are protected, such as date of birth, driver license number, and partial social security number. Users of WisVote, such as clerks and their staff, access this information for business purposes such as entering voter registrations. The WEC has put additional restrictions on the database columns that contain personally identifiable information to prevent them from being included in system reports. This will help to prevent the accidental release of personally identifiable voter information that could happen if a report were generated, printed and then discarded.

e. Systems Testing

i. On-staff Security Personnel

The Wisconsin DET has cyber security staff, including ethical hackers who can help agencies identify vulnerabilities in their system. While the WEC will work with DET cyber security staff to complete testing and vulnerability assessments, WEC has also made the decision to develop this expertise in-house with a staff member who is intimately familiar with the agency's custom IT solutions. To this end, WEC employs staff trained in both defensive and offensive cybersecurity techniques to conduct internal reviews, vulnerability assessments and penetration tests.

ii. Endpoint Testing

In order to understand the cybersecurity posture of Wisconsin's clerks, the WEC needs to understand what operating systems and security patches each and every WisVote user is using to access the system. As the WEC is not able to physically inspect all devices used to access WisVote, WEC staff has pursued a software option that will transparently report the status of the device accessing the voter registration system. Endpoint testing will allow the WEC to independently and accurately capture the state of a user's hardware and software over time. The local elections officials of Wisconsin have vastly different levels of knowledge and comfort with their IT system in their offices, and by creating a report of a clerk's current hardware and software situation, WEC staff can conduct targeted outreach to help that user become compliant before accessing WisVote.

In order to implement the endpoint testing, WisVote users must install the client on their device, which will report to WisVote that the device met the security policies. The WEC has

developed detailed training materials walking users through this process and has successfully rolled this software out. Using it, staff was able to identify users still using outdated systems that were potentially vulnerable to attack and used that information to provide those users with information and resources including grant funds to upgrade their systems.

f. MyVote

The WEC's MyVote Wisconsin website is an extension of the statewide voter registration system. MyVote allows voters to register to vote online, find their polling place, view a sample ballot and more. The MyVote website is protected by the same DET server security structure as the WisVote system. Because MyVote is a publicly available site, there are some modified security measures in place as well as additional testing for the public facing portal.

Regular penetration testing is performed on the MyVote site to replicate hacking scenarios and attempt to identify vulnerabilities. The site regularly passes penetration testing by state testers and scores very highly on DHS scans. In addition, the WEC has placed throttling measures on the website to stop extraneous activity. Throttling measures slow down malicious actors and "bot" activity by fractions of a second, enough to prevent many attacks from being effective but not enough to slow services of legitimate users. There are additional checks and stops in place to prevent multiple transactions from being completed using the same voter information. Also, while MyVote facilitates services like absentee ballot requests, the requests are ultimately emailed and processed by the municipal clerk. This human driven end process ensures that there are checks and balances in the process and that only eligible voters receive a ballot.

4. Servers

a. Patching (In-house schedule vs. DET)

In addition to the patching services provided through DET, WEC also conducts patching on agency systems. These are additional patches to those deployed by DET that are specific to elections applications. Maintaining some patching responsibilities affords the WEC additional control over when a patch is implemented and allows the agency to minimize any potential impact on our systems. Using this method, the WEC can implement an emergency patch on a testing server and then analyze its impact before rolling it out to the live WisVote system. The goal is to ensure that the elections systems are kept as up to date as possible with the best information and fixes but to also implement these fixes in a responsible way that does not impact clerks or voters who are using our system. Outages can undermine user confidence in the WisVote system and voter confidence in the election process, so it is very important to be strategic about testing and deployment.

b. Encryption of Data at Rest and in Motion

The WEC is implementing protocols to encrypt the data on agency applications. All elections data stored in application databases is encrypted through DET's server hosting. Additional

encryption measures are being deployed to provide another layer of protection, including encryption of confidential data on WEC in-house applications before being stored in the database server at DET. WEC and DET are also exploring additional opportunities to encrypt data as it is “in-motion” or as it is moving between applications within the network. Encryption is an important aspect of election security. However, encryption can have negative performance impacts that may present a challenge for clerks and voters using WEC systems. WEC staff is working closely with the in-house development team and DET to find the correct balance for Wisconsin elections administration.

c. Nightly Comparisons of Database Changes

To monitor activity in the statewide voter registration database, WisVote, the WEC is continuing to build on its process for logging all system events and analyzing the logs for unusual activity. WEC staff is then able to compare data each day to the backup data from the day prior to identify changes made within the system. Once a list of changes is identified, the log data can then be analyzed to flag unusual activity. System activity will be flagged as unusual if it deviates from the baseline system activity in a meaningful way. For example, if 1,000 voter registrations are submitted in a town of 800 voters, the system and WEC staff would flag this activity as unusual and contact the appropriate DET, federal, and local contacts to investigate the activity. There are also software tools available to help analyze system log data that the WEC is exploring in conjunction with DET.

5. Voting Equipment

a. State Testing and Certification

On the federal level, the U.S. Election Assistance Commission (EAC) provides testing and certification of electronic voting systems. Each system approved for use is reviewed by an independent testing authority to ensure that the functionality, security and accuracy meets federal standards. The Wisconsin Elections Commission conducts an additional testing and certification process designed to assess whether a system is compatible with Wisconsin election law. Each system is tested to confirm that it is able to be programmed to accommodate election configurations unique to Wisconsin. State law requires that three different election types are tested, and a set of marked ballots is processed on the equipment to ensure accurate tabulation. In addition, state certification requires isolating voting system components from internet connectivity to prevent remote access to the system.

b. Audits

Wisconsin Statutes require a post-election audit of the performance of each voting system used in the State of Wisconsin. The audit is designed to assess how electronic voting systems performed on Election Day through a hand-count of electronically tallied ballots. The audit is required following each General Election.

After the 2020 General Election, 5% of all reporting units were randomly selected to be audited. A representative sample of reporting units that use each type of voting equipment are included in the selection process. The audit also selects at least one reporting unit from every county to ensure the audit has a statewide reach. The highest office on the ballot is included in the audited contests and three other statewide contests are drawn by lot.

During this process, two elections workers conduct an independent hand count of paper ballots and tally the results of the contests being recounted. The individual tallies are compared to each other and any discrepancies are resolved before an agreed upon final hand-count tally total is determined. If the hand counts differ from each other, the paper records/ballots must be recounted. The final hand-count tally total is then compared to the Election Night results tally tape and discrepancies are noted.

The audit is considered a public meeting and proper notice shall be posted or published at least 48 hours in advance. Each audit is required to be completed prior to the certification of the election by the WEC and a report on the outcome is prepared by Commission staff. Audit materials are submitted to the WEC for review and Commission staff may request that a vendor investigate and provide explanation for any unexplained differences between the voting equipment tally and the paper record tally.

Based upon the results of the audit, the WEC may, at its sole discretion, choose to re-test the voting system per WEC Chapter 7 of the Wisconsin Administrative Code. The test is a condition of continuing approval of the voting system and is designed to ensure that voting systems approved for use in Wisconsin continue to adhere to the terms of their state certification.

6. Election Night Reporting/Canvass

a. System Security and Training

The WEC does not report Election Night results, the statutory responsibility for reporting Election Night results rests with the county and municipal clerks. Wis. Stats. §§7.51(4)(c) and 7.60(1). The WEC staff provide technical and business process support for clerks reporting Election Night results.

Sixteen of the 72 counties use the WEC Canvass Reporting System to collect vote totals from the municipalities and to generate the reports used for Election Night results. The Canvass Reporting System is a web-based application maintained by the WEC where clerks enter results for each voting precinct (reporting unit). WEC staff provide IT support for the counties using the WEC Canvass Reporting System to report Election Night results. Staff ensure this system is available and functioning throughout Election Night and often into the early hours the day after Election Day. The remaining counties use local IT or vendor purchased systems to produce Election Night result reports.

After certification by county boards of canvassers, counties use the Canvass Reporting System to transmit official canvass results for federal and state contests to the WEC. When canvassing federal and state offices, the WEC Canvass Reporting System must be used to transmit the official results data electronically to the WEC. County clerks manually enter results for federal and state contest into the Canvass System or upload a results file from a vendor purchased election management software (EMS). The County Board of Canvassers carefully reviews the election returns and prepares the official canvass statement that contains the Tabular Statement of Votes Cast, the Summary Statement and the Certification. All three sections are produced from the WEC Canvass Reporting System.

An original signed Summary Statement and Certification of the Board of Canvassers is printed from the WEC Canvass Reporting System, checked for accuracy and signed by the Board of Canvassers, scanned, emailed and mailed to the WEC. The Summary Statement and Certification cannot be printed from the WEC Canvass Reporting System until the county clerk electronically submits the official results, once electronically verified the WEC Canvass Reporting System locks the data from being edited. WEC staff verifies that the signed Certification matches the verified results in the WEC Canvass Reporting System. WEC staff compare the Certification time stamp and result information with the system log to validate that the printed results have not been altered after the results were officially verified. Only WEC staff can reject or unlock the electronically verified county results. If a mistake is identified after verification, WEC electronically rejects the results and the county must electronically verify the corrected results and print and sign a new Summary Statement and Certification to deliver to the WEC.

After each county board of canvassers delivers its official results, the WEC uses the Canvass Reporting System produce the official results reports which are used for certification and posted to the WEC website.

7. Legal Infrastructure

Contingency planning and emergency responses may be necessary either because of activity specifically intended to disrupt voting and elections systems or, more likely, because of an unrelated situation or condition which incidentally impacts voting or the public on a local or regional level. As part of the agency's election security planning, WEC management and Staff Counsel continually review the legal framework for invoking and exercising emergency government powers.

Wisconsin's elections agency has occasionally assisted local election officials during various emergency situations affecting an election, such as inclement weather, a bomb scare, or traffic accident that affects access to a polling place. On Election Day, when a polling place has been closed for an extended period of time due to an unexpected incident or emergency, agency staff has assisted municipalities which have sought a court order to extend polling hours. To

address such situations, the WEC maintains sample court filings so that documents can be prepared quickly, if necessary, on Election Day, and has provided local election officials with sample templates they can use when consulting with their circuit court judge and the WEC to determine if an extension of polling hours is appropriate.

The WEC has also focused on training and coordination with agencies observing and responding to events that occur on election day at the polls, including discussion of the legal authority for intervening and responding to various scenarios. In conjunction with the Wisconsin Department of Justice and the Milwaukee County District Attorney's Office, agency staff has consistently conducted webinars for law enforcement agencies and prosecutors that have personnel in the field across the state on Election Day.

Prior to the 2020 General Election, the WEC coordinated a preparedness meeting with representatives from key federal and state offices to ensure cooperation and coordination of response to potential incidents affecting elections or voting. Representatives from the Federal Bureau of Investigation, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, U.S. Department of Justice, Wisconsin Department of Justice, Wisconsin Emergency Management, Wisconsin Department of Administration, and the Division of Enterprise Technology, along with the WEC, participated in meetings to discuss the roles that each office could provide and to work through hypothetical scenarios and the proper approach to a coordinated response consistent with federal and state laws.

The WEC intends to continue its partnership with federal and state offices to conduct training and provide information on best practices for responding to potential incidents leading up to and on Election Day. Agency staff will also continue to prepare plans and documentation related to the legal aspects of incident response with these offices, and more detailed information will be provided to the Commission within the second section of this Election Security Plan.

E. Counties

Wisconsin elections administration is decentralized. Each town, village, and city has an elected or appointed clerk who oversees elections for the municipality. However, Wisconsin's 72 County clerks also play a vital role in the administration of elections and have unique elections responsibilities outlined in state statutes. County clerks are an important partner in elections security as they are often the conduit for information from the WEC to Wisconsin's 1,851 municipal clerks. Wisconsin's 72 county clerks have the following roles and responsibilities in securing Wisconsin elections:

1. WisVote

a. Hardware & Software Requirements

Like state users and municipal clerks, counties should maintain minimum hardware and software requirements on devices used to access WisVote and elections information. While most counties have IT support available, the WEC will provide counties with the same training and resources that are made available to municipalities. County clerks will be able to use WEC checklists and training to analyze county technology and then work with their IT team to upgrade hardware and software to ensure it meets security standards.

b. Staff Security Measures

The WEC has also provided counties with elections security training using the same process and curriculum outlined below for municipal clerks. It is the county clerk's responsibility to ensure that the elections staff in their office is operating securely. Some counties may wish to implement their own security training for county and municipal staff.

c. WisVote Provider/Relier Relationship

Some counties provide election administration support to municipal clerks by entering voter data into the WisVote system on behalf the municipality. Municipalities who do not have the resources to enter information into WisVote themselves contract with the county clerk for those services. In these instances, the municipality tracks election related information, such as absentee ballots and voter registration data, using a paper log. The log is then transmitted to the county clerk, who enters the information into WisVote. In these situations, the county is responsible for executing an agreement with the municipality that includes the secure transmission of elections materials between the municipal and the county.

When a county is granted access to WisVote on the behalf of a municipality, the county clerk becomes the custodian of municipal voter information and the county becomes responsible for the security of municipal election information. WisVote responsibilities can sometimes be shared between municipal and county offices, and the WEC has provided security training and resources to election staff at both levels.

2. Voting Equipment

a. Programing of Voting Equipment

County staff or voting equipment vendors are responsible for programming voting equipment so that ballots are accurately created and tallied for each election. All voting equipment memory devices should be programmed using a computer that is not connected to the internet. They should also be assigned a unique serial number and stored in a secure location that only the clerk and approved staff can access between elections. Chain of custody

documentation should be maintained for the transfer of memory devices to and from the programming entity (county or programming vendor) to the municipality.

b. Storage of Equipment Between Election

All voting equipment must be stored in a secure location between elections. Access to the storage location should be restricted to prevent unauthorized access to the equipment. A list of people who have access to the equipment should be kept to ensure that access to the storage area can be monitored. In addition, any computer where election management software is located should not be connected to the internet between elections. These devices should only be used to operate the election management software and all other non-essential applications and program should be removed from the device.

3. Election Night Reporting/Canvass

a. Posting Unofficial Results and Entering Results into Canvass System

Counties are required to post “unofficial” results on Election Night. Wis. Stats. §§ 7.51(4)(c) and 7.60(1). The unofficial Election Night returns must be posted by county clerks two hours after receiving them from the municipalities. The results must be reported by ward or reporting unit and must include results from all contests including municipal contests, school district contests and contest for special districts such as sanitary districts.

Counties receive unofficial results from the municipality or ward inspectors by a variety of methods. Unofficial results may be transmitted by modem, fax, email, hand delivery or by telephone. The county may use election night reporting software purchased from a vendor to post reports on the Internet. Many utilize systems created by their county IT staff for Election Night Results reporting. The WEC is responsible for posting a link on its website to each county’s election night results. The key to successful Election Night reporting is to establish internal office procedures for Election Night reporting well in advance and have adequate staff available on election night for receiving, entering and proofing Election Night results.

The outcome of the election is not official until the completion of the canvass. The canvass is the compilation of election returns and validation of the outcome that forms the basis of the official results. The county clerk and two qualified electors of the county appointed by the clerk constitute the county board of canvassers. The purpose of the county board of canvassers is to proof the returned results from the municipalities for accuracy, certify the results of elections and make the official determination of election or primary winners within county reporting units for county, state and federal contests. The county board of canvassers files one complete certified canvass statement in the office of the county clerk or board of election commissioners. When canvassing federal and state offices, the WEC Canvass Reporting System must be used to transmit the official certified results data electronically to the WEC.

County clerks then manually enter and certify their results for federal and state contests into the WEC's Canvass System or upload a results file from a vendor-purchased election management software (EMS). An original signed Summary Statement and Certification of the Board of Canvassers is printed from the WEC Canvass Reporting System, signed by the board of canvassers, scanned, emailed and mailed to the WEC. It is the county clerk's responsibility to ensure that official election totals are accurately certified and entered into the WEC's canvass reporting system. While errors made in the canvass reporting system can be corrected by WEC staff, errors in the certification and reporting can undermine the public confidence in the elections process and all precautions should be made by the county to avoid them.

F. Municipalities

The structure of elections administration is unique in Wisconsin compared to other states. In Wisconsin, elections are administered at the municipal level, meaning that each town, village, and city administers elections, whereas most other states administer elections at the county level. In Wisconsin, there are 1,851 municipal clerks who conduct elections. Most other states have between 50-100 county clerks who conduct elections. This unique structure can be both a benefit and a challenge. It is a benefit because municipal clerks have a close, local relationship to their voters and their needs. It can be a challenge to ensure that each municipality has the training and resources to conduct elections in a consistent and secure manner. The following sections outline the roles and responsibilities of municipal clerks in elections security.

1. WisVote

a. Hardware & Software Requirements

Many town and village clerk offices in Wisconsin do not have organic IT services or support. Some towns in Wisconsin do not have internet connections available for clerk staff. Other Wisconsin municipalities do not provide an official office computer to the clerk staff. Some clerks are therefore required to access official clerk business using a home computer, a computer in a neighboring community, or a public computer at a library or school. The WEC recognizes these challenges faced by municipalities and attempts to bridge the gap by providing subgrant funding for hardware and IT support. Funding was distributed to clerks in the Fall 2019 and Spring of 2020.

While municipalities may face challenges in obtaining the necessary IT support, they still have a responsibility to ensure that they are accessing elections systems and information in a secure manner. The WEC has issued guidance for municipalities regarding minimum hardware and software requirements for accessing the WisVote systems, as well as a memo to municipal governing bodies reiterating the clerk's need for these minimum hardware and software requirements. Municipal clerks can then use this guidance and memo to petition their governing bodies to budget for and provide the necessary software and hardware. Outdated,

unsupported or un-patched hardware and software is a vulnerability to the elections system as a whole. It is municipal clerks' responsibility to ensure that they are accessing elections systems and data using secure channels.

The WEC developed checklists for municipal clerks to use to determine if they meet minimum hardware recommendations. The checklist gives recommendations for purchasing new hardware to ensure a secure system. In addition to hardware requirements, the checklist includes items to analyze the operating system of the device to ensure it is patched and supported. In addition, the WEC has created a user agreement for the WisVote system that includes minimum hardware and operating system requirements. Before a WisVote user is given credentials to the system, the user would need to commit to maintaining secure hardware and operating systems on the device used to access WisVote and complete a webinar training that details good cyber hygiene and security tips.

b. Staff Security Measures and Multi-Factor Authentication

Often municipal offices have multiple staff members who work in elections and within the WisVote system. The WEC has purchased licenses for the WisVote system to account for not only the municipal clerks themselves but for additional staff in each clerk office. Therefore, clerks and clerk staff should never share passwords to access elections systems, including WisVote. If a new staff member needs access to the WisVote system, the clerk should call or email the WEC helpdesk to obtain credentials for the new staff person. If a staff member leaves the clerk's office or no longer needs access to the WisVote system, the clerk should contact the WEC helpdesk immediately to notify it of the change.

It is the clerk's responsibility to ensure that their WisVote access credentials are protected and secure and that only necessary staff have access to the system. Login credentials are not only used to maintain secure access for each user, but they are also used to track the WisVote activities of each user. WisVote maintains logs of user activity so that activity can be audited and analyzed to ensure security.

In addition to working to protect WisVote user credentials and passwords, the WEC implemented Multi-Factor Authentication for all WisVote users in 2018. Multi-Factor Authentication (MFA) is an important technology for preventing malicious access to user accounts. Proper implementation of MFA can prevent an attacker from gaining access to a user account, even after one has stolen the user's password. WEC staff rolled over 2,500 WisVote users into the MFA program prior to the November election.

Currently, WisVote users have an option to use an automated telephone call back to the specific clerk's phone number on file with the WEC to get a randomly generated code, or they can use a WEC-provided FIDO key. A FIDO key is similar to a USB drive which is inserted into a computer port and registers the user's touch to unlock access to WisVote. The keys are the most secure method, and for most users, the most convenient. To that end, staff procured 3,000 keys and distributed them to all the municipalities that use WisVote.

c. Managing and Entering Voter Information for Municipality

Municipal clerks are also responsible for entering and maintaining records for their voters into the statewide voter registration database, WisVote. The municipal clerk is the custodian for voter information. The clerks maintain their voter records using both the WisVote system and through the maintenance of paper records. Some municipal clerks do not use the WisVote system and rely on the county or a neighboring community to enter their voter information into the WisVote system on their behalf.

It is the municipal clerk's responsibility to securely maintain voter records in the system, to secure and maintain paper documents regarding voter information, and potentially to transmit voter information securely to their WisVote provider. The WEC provides training and guidance to municipal clerks on each of these responsibilities and it is the clerk's responsibility to complete this training and to maintain voter records in a secure and confidential manner and in accordance with state law and WEC guidance.

2. Electronic Poll Books

a. Hardware & Software Requirements

E-pollbook hardware is dedicated hardware that can only be used as an e-poll book device. E-pollbook hardware is stored securely, similar to other voting equipment. Should the hardware fail on Election Day, each polling location using e-poll books must be ready to switch to pre-determined contingency plan, and these polling places have been instructed to have a paper copy on hand that can quickly be deployed to continue to process voters.

b. Staff Security Measures

WEC staff has made several decisions regarding the e-pollbook system with the goal of reducing opportunities for interference or access to voter data by unauthorized actors. Only the necessary voter data required to check in an elector or process an absentee ballot is included on the data loaded into the poll book device. This information will not include confidential data such as birth dates or driver license numbers. In the event the WEC decides it is necessary for pollworkers to use this information for matching purposes, the data will be stored in an irretrievable hashed form so that no one with access to the pollbook can view the actual data.

The e-pollbook software and devices are also kept offline. Polling places where multiple e-pollbooks are used will need a local network so that the e-poll books can share data within the polling place, but they will not be connected to the internet. Additional layered defenses including multiple types of encryption and authentication are used to protect communication over the local network.

Staff runs penetration testing sessions against the program and equipment to ensure that measures designed to defend against attack operate effectively.

3. Voting Equipment

a. Initial Logic and Accuracy Testing of Voting Equipment Programming

All municipalities are encouraged to conduct logic and accuracy testing of their voting equipment programming after programming of the memory devices is completed. This testing is designed to confirm the accuracy of the programming and ensure the equipment is correctly reading ballots and tabulating votes. This testing is conducted before the public test of voting equipment, so that any programming errors can be remedied before Election Day.

b. Public Test of Voting Equipment

All municipalities are required to conduct a public test of their voting equipment before each election. This event is considered a public meeting and must be noticed at least 48 hours prior. The public test must take place no earlier than 10 days prior to Election Day and the public is invited to attend and observe the testing process.

Programming and functionality are verified by feeding a set of pre-marked ballots, or test deck, into the machine and reviewing the results tape that is generated at the end of this process. The test deck should include ballots with votes for all candidates and contests on the ballot. It is recommended that the test deck used for the public test differ from the test deck used by the programmer so that any errors in programming do not remain undetected. Vote totals for each candidate in a contest should differ so that votes transposed between candidates in a contest can be detected.

The public test ensures that paper ballots can be read by the optical scan voting equipment, all ballot contests are tabulating properly, voters are not allowed to exceed the maximum number of choices per contest, write-in votes are properly identified, and touchscreen voting equipment is programmed to capture voter intent. An errorless count is required after the process and any anomalies identified in this testing must be remedied before the equipment can be approved for use in the election, according to Wis. Stats. This process also adds transparency to the election process by allowing any member of the public to observe the operation and accuracy of the voting equipment prior to each election. Such transparency serves as an additional component of election security and factor in promoting public confidence in voting equipment and election results.

G. Poll Workers

Wisconsin law refers to poll workers as election inspectors. Election inspector responsibilities regarding election security occur mostly on Election Day itself. Inspectors are responsible for

conducting elections at the polls on Election Day. This includes processing and securing voter registrations, ensuring the process to receive a ballot is followed (photo ID, poll books, issuing voter numbers), ensuring each voter is at the correct polling place and receives the correct ballot, troubleshooting polling place issues, setting up and maintaining voting equipment, tallying ballots, and much more.

Election inspectors may work as little as two shifts every other year. Regardless of how often they serve, inspectors need to maintain the same amount of training and knowledge. Each polling place is required to have a chief election inspector, who is ultimately in charge of administering elections at that polling place. If an incident occurs at the polls that requires law enforcement, the chief inspector is required to work with law enforcement to remedy the situation.

1. Voting Equipment

Following the public test, the voting equipment and all associated memory devices are required to be secured. A chain-of-custody log is required to be maintained that documents any access to or transfer of each memory device. These procedures are intended to protect against malicious breaches to electronic voting equipment components as well as provide transparency regarding authorized access.

The memory device should remain in the machine and a tamper-evident seal should be used to secure the compartment that houses the memory device. Each tamper-evident seal should contain a unique serial number and that number should be recorded on the Inspectors' Statement along with other voting equipment security-related information. Verification of the serial numbers should take place before the polls open in the morning and after the close of polls. It is also recommended that election workers verify this information at several other points on Election Day.

The purpose of these procedures is to ensure that the integrity of the memory device is not compromised after the conclusion of the public test up until votes are tabulated after the close of polls. All instances of access to the memory device must be documented on the Inspectors' Statement and each memory device should remain secured after the election.

Voting equipment is not connected to the internet and any modeming capability is disabled until the polls close and the machine is in a post-election setting.

2. Electronic Poll Books

The WEC has created an electronic poll book, called Badger Book, in-house for use by municipalities across the state. The associated software program and training have been developed with the expectation that the main users of the Badger Book system will be election

inspectors. They are responsible for using Badger Books in a way that maintains security standards on Election Day. While the WEC has developed the software and worked with the municipal clerk to configure the hardware, election inspectors will be operating the Badger Book. Login credentials will need to be maintained and safeguarded by those users.

The WEC has incorporated credential security into the Badger Book login process. Inspectors currently need to enter a unique username and password. In the future, the WEC aims to have a second authentication factor to ensure that only the authorized user has access to the Badger Book.

3. Polling Place Incidents and Disaster Response

Poll workers, and specifically the chief election inspector of each polling place, oversee the security of the polling place and for knowing the disaster recovery process for their polling place. Poll workers must complete training on polling place security, disaster response, and contingency planning. Poll workers are responsible for contacting the appropriate authorities should there be an incident or disaster that impacts their polling place. The WEC is currently working with municipal clerks to incorporate election security training in already existing election inspector training.

H. General Public

Voters, voter advocacy groups, and the media also play an important role in elections security. It is important for voters to understand the process and know what to expect when voting in Wisconsin. Therefore, it is the WEC's responsibility to partner with municipal clerks, voter advocacy groups, and the media to provide information to the public on elections security.

The WEC continually formulates updated voter outreach and media plans for elections security. It is important that voters know where to find official information on the elections process and elections security. Informed voters can identify suspicious or unlawful elections activity and notify the proper authorities. Misinformed or uninformed voters may be unable to recognize or report legitimate election security concerns. WEC staff has worked with officials at major social media companies to quickly communicate any attempts to misinform voters and to have the offending posts removed. The WEC often partners with community groups and the media to distribute official information to the public. The WEC will continue to work with these partners to develop an effective messaging campaign about elections security. The WEC will also continue to create consistent message branding and verification methods so that voters know the information is from a trusted source.

While maintaining transparency in the election security process is a top priority, that priority must also be balanced carefully with the need to secure elections and not create vulnerabilities. The WEC has developed a communication strategy that keeps the public informed about

elections while continuing to protect information that could be exploited by malicious actors. This communication strategy will be reviewed frequently to ensure necessary updates are made. The WEC partners with DET and DHS before releasing elections security information to the public. WEC asks DET and DHS to review such communications prior to release to ensure that sensitive or classified information is not disclosed.

Conclusion

Effective election security is a partnership that includes every participant in the election process from the Federal government to the individual poll worker or voter. While this report primarily focuses on the work of security professionals, everyone can contribute to election security by adhering to best practices, staying alert to problems, and reinforcing accurate, fact-based messaging. Wisconsin's election systems are secure thanks to the efforts of thousands of local officials working in partnership with county, state, and federal government resources. Maintaining those relationships is, in turn, essential to maintaining our collective security in the future.



Wisconsin Elections Commission

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DATE: For the June 2, 2021 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator

Prepared and Presented by:
Sharrie Hauge, Chief Administrative Officer

SUBJECT: Operations and Management Policies and Procedures

Annually, the Wisconsin Elections Commission is required to adopt written policies and procedures to govern its internal operations, pursuant to Wis. Stat. § 5.05 (16) (a). Additionally, management is required to report the policies and procedures to the appropriate standing committees of the Legislature.

Attached for the Commission's review and approval is the Wisconsin Elections Commission Internal Control Plan, which describes the agency's internal operations including:

1. Control Environment (Mission Statement, Code of Conduct, Strategic Plans and Organizational Chart, Personnel Policies and Procedures, Position Descriptions, and other Functional Guidance Materials Provided to Employees)
2. Risk Assessment (funding sources, system and tools and transaction cycles)
3. Control Activities (performance reviews, physical and electronic controls, information processing)
4. Information & Communication and the Monitoring of the internal control structure.

The 2021 Internal Control Plan for WEC includes updated process flows for employee orientation and ensuring employees review and abide by agency work rules including the non-partisan requirement along with physical and electronic controls, and updated transaction cycles for information processing. Other updates include the agency organizational chart, position numbers, employee names and classification titles, and agency funding sources. The documents identified in the Plan as appendices are not attached due to their volume, but staff can provide them at the request of Commissioners.

Given that the Internal Control Plan does not change significantly from year to year, the Commission may also consider whether it wishes to review and approve it in future years, or direct staff to submit it without Commission review if no significant changes are made from year to year.

Wisconsin Elections Commissioners

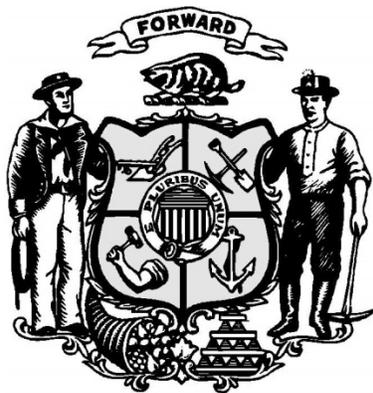
Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

Recommended Motion:

Approve WEC Internal Control Plan and authorize staff to submit the Plan to the Chief Clerks of the Senate and Assembly for distribution to the appropriate standing committees. Also, direct staff to submit the annual internal control plan without Commission review if no significant changes are made from year to year.

Wisconsin Elections Commission



Internal Control Plan

Revised: May 2021

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Introduction

The Wisconsin Elections Commission (WEC) has developed the following internal control plan to provide reasonable assurance that all federal and state assets are safeguarded, applicable laws and regulations are followed, and objectives of the Agency are being met.

Control Environment

Mission Statement

The mission of the Commission is to enhance representative democracy by ensuring the integrity of Wisconsin's electoral process through the administration of Wisconsin's elections laws and the dissemination of information, guidance and services to local election officials, candidates, policymakers, voters, and the public, utilizing both staff expertise and technology solutions.

Code of Conduct

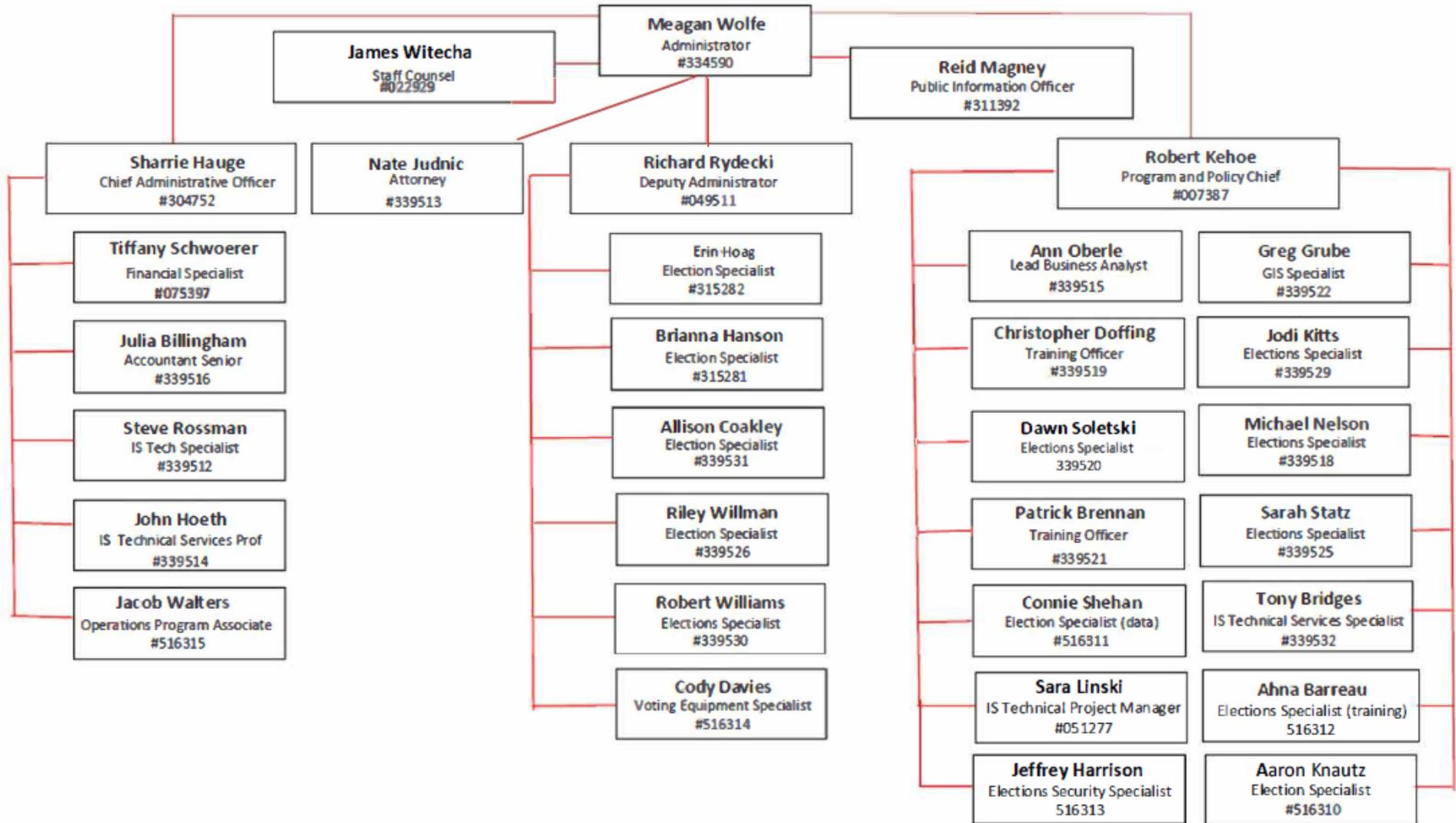
All permanent and project WEC staff are required to attend a Department of Administration (DOA) orientation upon appointment. During orientation, staff are directed to the DOA Intranet site <https://dpm-hr-region1.wi.gov/Pages/Home.aspx> where they receive training announcements, wellness information, policies, forms, and job aids. After orientation, all employees receive a formal email from DOA which signifies their understanding that they will abide by work rules, code of ethics and other guidelines contained therein. The staff of the WEC are also required by [Wis. Stat. § 5.05\(4\)](#) to be nonpartisan. This quality is instilled in every employee during agency training and is a significant part of the culture at the WEC.

Agency Description and Organization Chart

The Elections Commission is comprised of six members, who serve for 5-year terms. One member is appointed by the senate majority leader; one appointed by the senate minority leader; one appointed by the speaker of the assembly; one appointed by the assembly minority leader; and two are members who formerly served as county or municipal clerks and who are nominated by the governor with the advice and consent of a majority of the members of the senate. A detailed description of the appointment of Commissioners is provided in WIS. STAT. §15.61. The Elections Commission and the Department of Administration established a rotational term schedule of the Commissioners. The Commission elects a chair and vice-chair from its members by a majority vote.

The Commission Administrator serves as the agency head and the chief election officer of the state. The Commission staff is required to be non-partisan. The agency has a staff of 25.75 GPR and 6.00 SEGF full-time employees.

WISCONSIN ELECTIONS COMMISSION



10/19/2020

Personnel Policies and Procedures

All permanent and project WEC staff are required to attend a Department of Administration (DOA) orientation upon appointment. During orientation, staff are directed to the DOA Intranet site <https://dpm-hr-region1.wi.gov/Pages/Home.aspx>. where they receive training announcements, wellness information, policies, forms, and job aids. After orientation, all employees receive a formal email from DOA which signifies their understanding that they will abide by work rules, code of ethics and other guidelines contained therein. At WEC, new employees are directed to read Agency Policy Memos 24-29 (Appendix C.1).

Position Descriptions

Employee position descriptions are available upon request. Agency management periodically reviews employee position descriptions to ensure they match employee work assignments, and then updates them, as necessary. See Appendix C – Position Numbers, Employee Names, and Classification Titles.

Other Functional Guidance Materials Provided to Employees

Procurement Manual

The state procurement manual communicates the required policies and procedures for purchasing commodities and services throughout the state and is available online as part of the VendorNet System. The Wisconsin Procurement Manual is available at:

<http://doa.wi.gov/Divisions/Enterprise-Operations/State-Bureau-of-Procurement/Agency-Information/Procurement-Manual/>

Purchasing Card User Manual

The DOA Purchasing Card User Manual is a document used by the WEC staff which defines a purchasing card, its proper uses, and associated internal control policies and procedures governing usage by Elections Commission staff members. See first page of Appendix G - Purchasing Cardholders and User Manual for a listing of cardholder names and associated programs/grants. The user manual is issued to staff, if and when it is decided they will need to use purchasing cards as part of their job duties. The DOA Purchasing Card Manual is available at: <https://doa.wi.gov/DEO/PCMANUAL.pdf>

Wisconsin Statutes (Chapters 5 to 10 and 12)

The WEC administers and enforces Wisconsin law pertaining to Chapters 5 to 10 and 12. Program staff members are expected to have a high-level working knowledge of their controlling statutes, along with various inter-related statutes which may affect the conduct of elections in the state.

Risk Assessment

Risk Assessment

Risk is defined as the level of vulnerability to fraud, abuse, and/or mismanagement. Risk assessment is the identification and analysis of relevant risks to achievement of objectives, forming a basis for determining how the risks should be managed. The WEC assesses risk by considering the events and circumstances which may occur and could adversely affect the WEC's ability to record, process, summarize, and report agency financial information. Management of the risks associated with the use of the WEC's internal control structure provides reasonable assurance that financial processing functions work as intended.

Funding Sources

The WEC's funding comes from several sources:

1. State General Program Revenue (1) (a) - GPR and PR Funds 100
2. Help America Vote Act of 2002 (HAVA) (1) (x) - SEG Fund 220 Appropriation 18000 - This Help America Vote Act (HAVA) award was provided for all states to make sweeping reforms in the way elections are conducted. All federal funds with a cash balance earn interest monthly. Once the funds are spent, the state must then take over financial responsibility for maintaining HAVA initiatives.
3. Investigations (1) (be)– GPR Fund 100 - Appropriation 10500 funds the cost of investigating potential violations of chs. 5 to 10 and 12, as authorized by the Commission.
4. Training of Chief Inspectors (1) (bm) - GPR Fund 100 – Appropriation 10600 for training chief inspectors under s. 7.31.
5. Special Counsel (1) (br)– GPR Fund 100 – Appropriation 10700 for the compensation of special counsel appointed as provided in s.5.05 (2m) (c) 6.
6. Voter ID Training (1) (c) – GPR Fund 100 - Appropriation 10900 funds training of county and municipal clerks concerning voter identification requirements provided in 2011 Act 23.
7. Election Administration Transfer (1) (d)– GPR Fund 100 – Appropriation 11000 to meet federal requirements for the conduct of federal elections under P.L. 107-252, to be transferred to the appropriation account under par. (t).
8. Elections Administration (1) (e) – GPR Fund 100 – Appropriation 11100 for the administration of chs. 5 to 10 and 12.
9. Recount Fees (1) (g)– PR Fund 100 Appropriation 12000 – Revenue from candidates requesting a recount of ballots cast in an election.

10. Materials and Services (1) (h)– PR Fund 100 Appropriation 12100 – Revenue from the sale of copies, forms, and manuals to individuals and organizations.
11. Gifts and Grants Fund (1) (jm)– PR Fund 100 Appropriation 12300 – Account to receive funds from gifts, grants, or bequests.
12. Federal Aid Account (1) (m) – PR-F Fund 100 Appropriation 14000 – Account to receive funds from the federal government to administer elections, but not associated with HAVA funds.
13. Election Administration (1) (t) – SEG Fund 220 Appropriation 16000 – From the election administration fund, the amounts in the schedule to meet federal requirements for the conduct of federal elections under P.L. 107-252. All moneys transferred from the appropriation account under par. (d) shall be credited to this appropriation account.
14. HAVA Interest Income Earnings - Fund 220 Appropriation 18200 R – Monthly interest income earned on Fund 220 cash balances, which is properly allocated to each respective federal program by reporting category on a monthly basis.
15. Elections Security Grant -Fund 220 Appropriation 18200 – The purpose of this award is to “improve the administration of elections for Federal office, including to enhance election technology and make election security improvements” to the systems, equipment and processes used in federal elections.

Systems and Tools

STAR

The WEC staff enters financial transactions into STAR (the state's accounting program). WEC performs an internal audit on every transaction before the transaction is approved. Some staff have dual roles, such as processor and approver, that seem to present an issue with separation of duties; however, because of our agency's small size, this is a situation that we cannot prevent and still be able to function when staff is absent or an approver needs to edit a transaction. Staff does only use one of their roles for any given transaction at a time, preserving the separation of duties in practice.

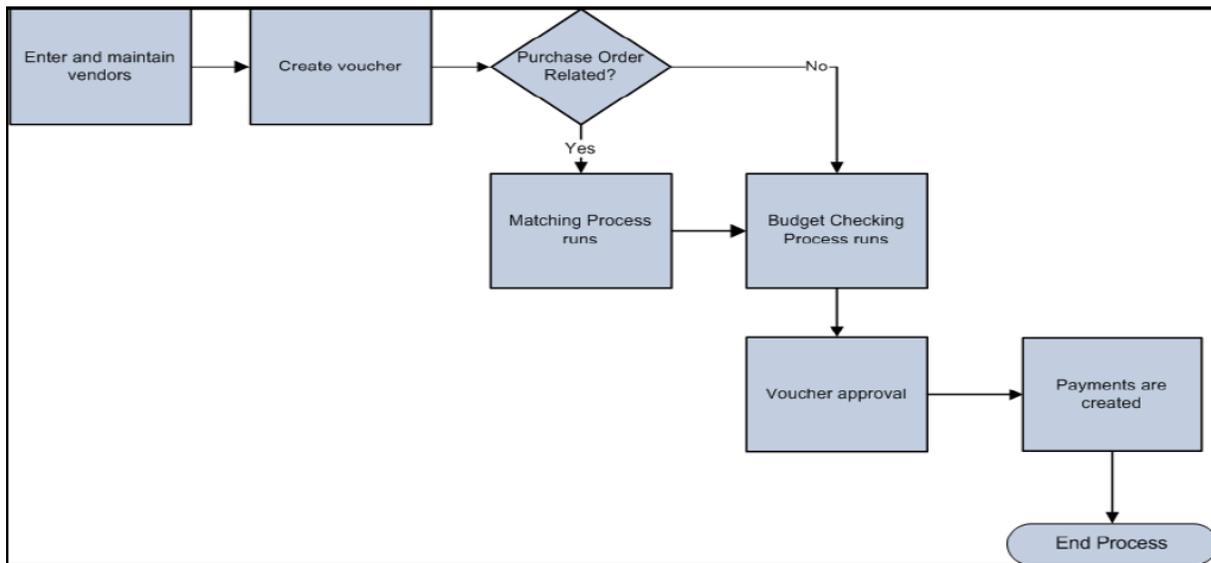
The STAR Payment Process is as follows:

: General Voucher Processing



Accounts Payable End-to-End Process

The Accounts Payable End-to-End process is as follows:



STAR Security Access is Set up as Follows:

Primary Staff involved:

Financial Specialist: currently Tiffany Schwoerer

Senior Accountant/Financial Manager: currently Julia Billingham

Secondary Staff involved:

Operations Program Associate: currently Jacob Walters

Chief Administrative Officer: currently Sharrie Hauge

Within STAR Finance Role Mapping roles have been assigned to staff to process or approve vouchers. Roles are approved and granted by the DOA, STAR Security Team. Our agency's internal STAR Security Team consists of:

Chief Administrative Officer: currently Sharrie Hauge
 IS Tech Specialist: currently Steve Rossman
 Senior Accountant: currently Julia Billingham

These employees work together to assign financial user roles that are then approved by DOA's STAR Security Team.

In the assigned financial roles, even though some staff, such as the Accountant, may process OR approve, STAR will not allow them to approve a voucher they processed.

STAR security levels for payments are set up as follows:

Staff	Security / Approval Levels
Financial Specialist or Operations Program Associate	Processor
Accountant or Chief Administrative Officer	Approve a voucher for Payment (if not also the processor on voucher)

VendorNet

VendorNet is Wisconsin's electronic purchasing information system. VendorNet provides easy access to a wide variety of information of interest to vendors who wish to provide goods and services to the state, as well as state agencies and municipalities. Bidding and the time required to identify new vendors is minimized, while vendors are automatically notified of opportunities in their area of interest. VendorNet allows WEC staff to post bids and requests for services. VendorNet is also the source for mandatory contract information.

General information on how to do business with the state, along with names, addresses and telephone numbers of state agency procurement staff, and a summary of what the state buys and how much it spends is included within VendorNet. In addition, information on certified work centers, minority business enterprises, recycling, and affirmative action programs is available. VendorNet is available at: <https://vendornet.wi.gov/>

STAR HCM (Payroll Time)

STAR HCM is an online system in which employees report all time worked and/or leave time used for each bi-weekly pay period. Supervisors and managers then review and approve all time worked and leave time reported via administrative access to the system. See Appendix C – Position Numbers, Employee Names, and Classification Titles.

Federal Time Reporting

All WEC employees who are either funded by federal grant money or work on federal projects report their time spent on specific federal activities directly into STAR HCM. Taskprofiles have

been created with individualized Program Codes to track time spent on these specific federal activities. As the employees submit their time in STAR HCM, they are certifying their time spent on allowable activities to maintain compliance with federal cost principles. As supervisors bi-weekly review employees' time, they are certifying their employees' time spent on these federal activities.

During employee onboarding, each employee is educated about which Taskprofiles they should be using to accurately track their time. Upon new tasks creation and also periodically, the WEC Accountant will email all staff with timekeeping reminders and give verbal reminders in our bi-weekly staff meetings so that employees are correctly entering their time based on federal tasks performed. The Accountant also performs periodic audits of the payroll data to ascertain that employees are correctly reflecting their tasks in the entering of their Taskprofiles.

All IT Developers who serve the WEC as non-WEC employees complete bi-weekly timesheets that document their time spent on specific federal and state-funded activities and sign to certify their stated time spent on these activities. Their immediate project lead reviews their time submitted then their department supervisor signs and approves their timesheet to verify their time spent on these federal and state-funded activities. These timesheets were created by the Accountant and Financial Specialist in collaboration with the immediate project lead to determine which activities would be allowable under the federal grant(s) and how best to identify those allowable activities.

See Appendix C – Position Numbers, Employee Names, and Classification Titles.

Transaction Cycles

Purchasing Approval

Explanation: A good or service must go through a series of steps before it can be approved for purchase.

Risks:

- Unauthorized purchases.
- Purchasing items without sufficient approvals or authority.
- Approvals being applied on incorrect information.
- Purchases approved which violate state procurement policies and procedures.

See Appendix D-1 for the Purchasing Approval flowchart.

Accounts Payable

Explanation: Payment for purchase of goods or services and/or pre-approved credit issued by vendors when goods or services are purchased.

Risks:

- Paying a bill or invoice for which goods or services were never received nor rendered.
- An invoice is misplaced or lost before financial staff receives it.
- Delay in reconciling financial statements may allow incorrect payments to go unnoticed.

See Appendix D-2 for the Accounts Payable flowchart.

Cash Disbursements (Grants)

Explanation: Providing financial assistance to eligible recipients in accordance with terms of a grant agreement.

Risks:

- Recipient uses monies awarded for goods or services outside the scope of the grant terms and conditions.
- Recipient falsifies information on grant application.
- Recipient does not send back proof of proper expenditures when awarded a non-reimbursable grant.

See Appendix D-3 for the Cash Disbursements (Grants) flowchart.

Accounts Receivable & Cash Receipts

Explanation: Transactions for the billing of goods or services provided to customers, and the receipt of cash, checks, &/or ACH transfers for licenses and/or fees.

Risks:

- A staff person receives a check or cash, and fraudulently deposits it into a personal bank account unbeknownst to management.
- NSF check is returned by bank.
- Customers are billed incorrectly.

See Appendix D-4 for the Accounts Receivable & Cash Receipts flowchart.

General Services Billing

Explanation: Reviewing and paying a general services billing (GSB) invoiced by the Department of Administration (DOA) when the WEC uses DOA's resources or support on a monthly basis.

Risks:

- Financial staff fails to recognize an incorrect amount billed and it is paid.
- Billing errors are not immediately requested in writing; DOA does not give credit on the GSB but will subsequently issue a paper refund check for any overbillings.
- Paying the bill for goods and services which were not rendered.

See Appendix D-5 for the General Services Billing flowchart.

Payroll

Explanation: The process of reviewing, approving, and paying for employee wages and recording the expense, along with reconciling federal & state withholdings & remittances.

Risks:

- Payments made to employees out of incorrect funding streams are not adjusted after the fact.
- Cash payments are made to employees for overtime hours worked, instead of compensatory time being earned, unless certain projects are pre-authorized for cash overtime to be paid out.
- Federal or state required withholdings are not timely withheld or remitted.

See Appendix C – Position Numbers, Employee Names, and Classification Titles, along with Appendix D-6 for the Payroll flowchart.

Travel Reimbursement for Employees

Explanation: Employees request reimbursement for travel expenses incurred while traveling on official State business, which are processed by the WEC financial staff and then reimbursed through the bi-weekly payroll system.

Risks:

- Employees fill out reimbursement forms incorrectly.
- Employees fail to follow State travel policies and procedures.
- Employees fail to submit all required paperwork to process reimbursement.
- Employees are taxed on reimbursements when they should not have been, or vice versa.

See Appendix C – Position Numbers, Employee Names, and Classification Titles, along with Appendix D-7 for the Travel Reimbursement for Employees flowchart.

Travel Reimbursement for Non-employees

Explanation: Non-employees working indirectly for the WEC may request reimbursement for travel expenses incurred while working on official State business and for the benefit of the WEC.

Risks:

- The non-employee receives invalid reimbursement from the state and/or municipality.
- The non-employee falsifies their travel costs.
- The non-employee receives duplicate reimbursements for the same travel costs.
- The non-employee is reimbursed for travel costs which are not in accordance with state guidelines.

See Appendix D-8 for the Travel Reimbursement for Non-Employees flowchart.

Federal Project Time Reporting & Payroll Adjusting Entry

Explanation: WEC employees working on multiple projects which include a federal grant are required to accurately use the STAR HCM Taskprofiles to account for their time spent on each specific allowable activity within each federal grant and to maintain compliance with federal cost principles. WEC supervisors' reviews entered time and selected Taskprofiles. Accountant reviews all data. If corrections need to be made, Accountant does so via Journal Entries in STAR Financial.

Risks:

- Employee enters time incorrectly or is unable to account for time worked on federal projects.
- Employee or supervisor does not verify time worked, thereby disallowing federal labor costs.

See Appendix C – Position Numbers, Employee Names, and Classification Titles, along with Appendix D-9 for the Federal Project Time Reporting & Payroll Adjusting Entry flowchart.

Recount for Office

Explanation: Wisconsin statutes require the collection of fees from recount petitioners in certain situations. For State or Federal offices, the WEC is the filing officer and collects the filing fee from petitioners, if required. Wisconsin statute 9.01(1)(ag) requires any fees collected to be distributed to the counties conducting the recount for these offices.

Risks:

- WEC election administration staff incorrectly calculates, or does not collect, the fee payable from the recount petitioner.
- Fees collected are not timely distributed to the proper county.

See Appendix D-10 for the Recount for State Office flowchart.

Control Activities

Control activities are the policies and procedures in place at the WEC which help ensure that necessary actions are taken to address risks identified to achieve our objectives. Relevant control activities in place at the WEC include:

Performance Reviews

Employees are to be formally evaluated on their work performance each year, based upon pre-established work standards reflecting their position description. These standards serve as the basis for ongoing communication between a supervisor and the employee throughout the year. A copy of all formal evaluations is maintained in the employee's official personnel file. See Appendix C – Position Numbers, Employee Names, and Classification Titles.

Physical and Electronic Controls

Control activities in this area are divided into two main categories: physical controls and electronic controls. These activities encompass the security of WEC assets including adequate safeguards over access to assets and secured areas, authorization for access to computer programs and data files, and periodic comparisons with amounts shown on control records.

Physical Controls

- All WEC staff members are issued a photo ID card and building access card.
- The WEC office is open to the public from 7:45am to 4:30pm weekdays. The public may access the office by calling a posted phone number outside the WEC office building. The WEC Reception staff answers that phone number and can allow entry to the public. The building is only accessible via staff access cards. Therefore, during public access times, WEC staff will go down and greet them on the lower level or first floor. Upon hiring, staff receives authorization cards to freely access WEC offices during and outside these normal business hours from the Administrator (or designee) on an as-needed basis. These cards both activate the elevator and open the stairwell doors to the WEC office floor.

- During office hours, WEC staff provides physical security and oversight of agency assets & resources.
- The WEC maintains secured storage areas for confidential records, such as locked file cabinets, secure safes, a secure technology room, and a locked basement storage room for records and additional supplies.
- WEC adheres to the General Records Schedule for Fiscal and Accounting Related Records, as promulgated by the DOA department Public Records Board to be found at: <https://publicrecordsboard.wi.gov/Pages/GRS/Statewide.aspx>
- Confidential records which are not required to be retained in-office are boxed for shipment to the State Records Center, per Records Disposition Authority (RDA).

Electronic Controls

- Each WEC employee is assigned system logon credentials by the DOA required to access state computer systems.
- Employee passwords for many state systems must be reset every 60 days.
- State systems are secured based on industry standard guidelines from CIS and NIST.
- Device health and security are continuously monitored by both the DOA and agency security and IT staff.
- Financial data is maintained in segregated systems and locations with access limited only to relevant staff and IT support.

Information Processing

Purchasing

Control activities are displayed in Appendix D-1 -- Purchasing Approval Flowchart

- Segregation of Duties:
 - Authorization: Purchases of goods and services are authorized by WEC supervisors. Staff in charge of compliance determines if a purchase is allowable and necessary.
 - Recordkeeping: Financial staff compiles and reviews information for approval. Purchasing paperwork is retained for future reference.
 - Custody: WEC staff other than the approver and program staff initiate the purchase in STAR.
- Purchasing is separate from either receiving goods or disbursing cash (unless a purchasing card is used).

Purchasing Card

Control activities are displayed in Appendix G -- Purchasing Card User Manual

- Segregation of Duties:
 - Authorization: Purchase of goods is authorized by WEC supervisors. Staff in charge of compliance determines if a purchase is allowable and necessary.
 - Recordkeeping: Financial staff compiles and reviews information for approval. Accountant reviews and approves all purchases weekly.

- Chief Administrative Officer reviews all purchases bi-weekly.
Purchasing paperwork is retained for future reference.
- Custody: Purchasing cardholder initiates the purchase either online, or by phone, or in person.

Accounts Payable

Control activities are displayed in Appendix D-2 -- Accounts Payable Flowchart

- Segregation of Duties:
 - Authorization: Review and approval of invoices and vouchers for completeness of supporting documents and proper authorizations is conducted by Accountant.
 - Recordkeeping: Review and reconciling of payment information is performed on a monthly basis. Invoices and vouchers are retained by the financial staff.
 - Custody: Department of Administration generates paper checks or ACH transactions.
- The purchasing form, bill of lading, receiving report, purchase order, and/or requisition are matched prior to payment.

Cash Disbursements (Grants)

Control activities are displayed in Appendix D-3 -- Cash Disbursements (Grants) Flowchart

- Segregation of Duties:
 - Authorization: Accountant creates the Project and the deposit in STAR to accept grant and coordinates with DOA Treasury to correctly receive the federal funds.
 - Recordkeeping: Reviewing and reconciling information is performed on a monthly basis.
 - Custody: DOA Treasury receives funds via ACH wire transfer and creates the accounting journal to transfer funds to the WEC.

Accounts Receivable & Cash Receipts

Control activities are displayed in Appendix D-4 -- Accounts Receivable & Cash Receipts Flowchart

- Segregation of Duties:
 - Authorization: The deposit approval for cash and paper checks is initiated by the WEC office and final approval is applied by DOA. E-pay electronic ACH deposits are processed by U.S. Bank and approved by DOA in STAR, without any intervention by WEC staff.
 - Recordkeeping: Deposit information is entered into the STAR accounting system and tracked internally. A processor records the deposit, which is then audited and approved by the Accountant in STAR.
 - Custody: Via the Financial staff, currency and coin are directly deposited at U.S. Bank, while paper check deposits are hand-delivered to the DOA drop box. DOA deposits and posts these checks to the

agency's cash ledger account. Only U.S. Bank has custody of e-payment ACH electronic deposits.

- NSF checks returned by the bank are recorded, investigated, and secondary payment is requested by WEC staff.

General Services Billing

Control activities are displayed in Appendix D-5 -- General Services Billing Flowchart

- Segregation of Duties:
 - Authorization: GSB charges are verified against fleet approval forms & mileage rates, printing & mailing information, and/or other supporting documentation, to confirm the agency services were approved.
 - Recordkeeping: Transaction information is automatically loaded into the STAR accounting system, tracked internally, and reconciled monthly to internal accounting files.
 - Custody: The individuals confirming services were rendered are separate from the individuals receiving the benefits of the services.

Payroll

Control activities are displayed in Appendix D-6 -- Payroll Flowchart

- Segregation of Duties:
 - Authorization: Management reviews and approves work hours recorded by staff.
 - Recordkeeping: Staff records hours into STAR. Supervisors approve hours and send hours to the DOA payroll office electronically.
 - Custody: Payroll checks are generated at DOA and directly deposited into the employee's bank account. Pay stubs are no longer distributed.
- Each bi-weekly payroll register is reviewed by a financial staff member, separate from the manager who requests employee payroll funding additions, changes, and deletions. See also Appendix C – Position Numbers, Employee Names, and Classification Titles.

Travel Reimbursement for Employees

Control activities are displayed in Appendix D-7 – Travel Reimbursement for Employees Flowchart

- Segregation of Duties:
 - Authorization: Supervisors review and approve employee travel reimbursement requests and their cost incurred after travel.
 - Recordkeeping: Travel reimbursements for costs incurred by staff are submitted by staff and then reviewed by financial staff for accuracy and completeness.
 - Custody: Travel expenses incurred by agency employees are processed by a financial staff member. Travel reimbursements are completed by DOA staff and added to an employee's paycheck. Financial staff members file and retain reimbursement requests and supporting documentation.

- All travel costs incurred by the agency and travel reimbursements are reviewed by more than one individual, to ensure that these costs are allowable and in accordance with State travel policies and procedures. See also Appendix C – Position Numbers, Employee Names, and Classification Titles.

Travel Reimbursement for Non-Employees

Control activities are displayed in Appendix D-8 – Travel Reimbursement for Non-Employees Flowchart

- Segregation of Duties:
 - Authorization: Supervisors review and approve non-employee travel reimbursement requests.
 - Recordkeeping: Travel reimbursements for costs incurred by non-employee individuals are submitted by the non-employee and reviewed by financial staff for accurate and complete documentation. If the information does not comply with applicable policies and guidelines, the staff notifies the non-employee and attempts to resolve the issue.
 - Custody: Travel expenses incurred by non-employees are processed by a financial staff member and related reimbursement checks are generated by DOA.
- All travel costs incurred by the agency and travel reimbursements are reviewed by more than one individual, to ensure that these costs are allowable and in accordance with State travel policies and procedures.

Recount for Office

Control activities are displayed in Appendix D-10 -- Recount for Office Flowchart

- Segregation of Duties:
 - Authorization: If a fee is required, as determined by WEC Election Administration staff, and depending upon the closeness of each political race, counties estimate fee and payment to counties for the actual cost of a recount is authorized by Accountant and by DOA.
 - Recordkeeping: Financial staff maintains original payment documentation, along with a breakdown of counties which qualify for payment.
 - Custody: Financial staff maintains documentation on payment and authorizes DOA to make payments.

Information & Communication

Information

STAR – State Transforming Agency Resources (STAR) Accounting and Reporting Tool

STAR is an enterprise-wide system designed to provide better consistency among state agencies, as well as modernization of the State's IT Infrastructure. The comprehensive system allows the state to manage its finance, budget, procurement, business intelligence and human resources functions.

The first release began in July 2015 and was completed in October 2015, with the implementation of Finance and Procurement functionality. The second release began in December 2015 with the implementation of Human Capital Management (HCM) functionality for administrative and self-service users. All state agencies must process their accounting transactions through this system, as it is used to produce the statewide fiscal year financial statements. All financial transactions are entered into STAR.

Strengths:

- Processes and contains all the agency's financial transactions and information.
- Monitored by the Department of Administration.
- Extensive manuals and a telephone helpline are available for technical assistance.
- Uses multi-level approval settings for segregation of financial staff duties while processing transactions.
- Multiple tables organize information on a fiscal year and calendar year basis.

Weaknesses:

- Difficult to learn new functionality.
- Not user-friendly; difficult to understand input screens which pose a risk of user error.
- Difficult to access old transactions electronically.

Tasks to Minimize Weaknesses, Changes, or Improvements:

- Rely on STAR Support and/or State Controller's Office for technical assistance.
- Checks and balances using multiple reviewers and approval layers.

VendorNet

VendorNet is Wisconsin's electronic purchasing information system. VendorNet provides easy access to a wide variety of information of interest to vendors who wish to provide goods and services to the state as well as state agencies and municipalities. Bidding and the time required to identify new vendors is minimized while vendors are automatically notified of opportunities in their area of interest. VendorNet allows WEC staff to post bids and requests for services. VendorNet is also the source for mandatory contracts.

Strengths:

- When properly used, VendorNet ensures state purchasing rules are followed.
- Clearinghouse of purchasing information.
- Updated frequently and immediately, as changes to contracts are made.

Weaknesses:

- Information can sometimes be difficult to locate.
- Information can sometimes be difficult to understand and interpret.

Tasks to Minimize Weaknesses, Changes, or Improvements:

- Training classes by DOA.
- Use DOA support and technical assistance when necessary.

Communication

This process involves providing an understanding to staff about their individual roles and responsibilities as they pertain to the internal control plan. Communication can be written, verbal, or through the actions of management and other personnel. Not only is communication essential within the agency, but also with external sources.

The following are methods used for communicating the roles, responsibilities, and significant matters relating to the internal controls plan within the agency:

- Financial Staff are given an internal control plan for review when starting employment.
- Staff and Elections Division meetings.
- Training sessions.
- Memorandums.
- Management ensures the internal control plan is followed.
- Emails.

The following are methods used for communicating the issues, resolutions, and significant matters relating to the internal controls plan outside the agency:

- When communicating with clerks, the agency follows a communication protocol of procedures and policies before sending information to a group of customers.
- Public Information Officer reviews communications prior to sending out.
- When working with vendors on significant procurements or with auditors, the agency uses a single point of contact for all communications.

Monitoring

Monitoring is a process by which the WEC assesses the performance quality of the internal control structure over time. WEC management regularly monitors, audits, and reconciles the processes in place, to maintain sound internal controls for the agency. Monitoring of the internal control plan provides the WEC with reasonable assurance that control objectives are being met.

Monitoring Plan:

Management will periodically assess the performance quality of the internal control plan, focusing on the design and operation of the controls to ensure they are operating as intended. If corrective action is necessary, it will be in a timely manner. Establishing and maintaining internal control is the responsibility of management. The monitoring process will include steps such as:

1. Consistent and ongoing monitoring activities, built into both regular and commonly recurring activities.
2. Occasional internal audits of the strengths and weaknesses of internal controls.
3. Evaluation of communications from entities outside the agency.
4. Focus on evaluation of the quality and performance of internal controls.

Procedures for responding to findings and recommendations reported by auditors:

1. In a timely manner, management will perform an evaluation of the findings and recommendations.
2. Management will develop a proper response to resolve the concerns.
3. The response will be direct to the findings and recommendations.
4. The response will be clear and concise.
5. Any specific or unique positions will be addressed and identified.
6. If action is necessary for implementation of the response, a timeline will be produced with reasonable deadlines for implementation.



Wisconsin Elections Commission

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DATE: May 17, 2021

TO: Members, Wisconsin Elections Commission
Members, Wisconsin Legislative Joint Committee on Finance

FROM: Meagan Wolfe, Administrator

SUBJECT: Information on 2021-2023 WEC Biennial Budget

Executive Summary

The agency budget and DINS were unanimously adopted by the six-member, bi-partisan Wisconsin Elections Commission (WEC). *The 2021-2023 biennial budget submitted by the WEC does not request an increase in funding and does not request any additional staff positions.* The requests ask for authority to access funds from agency program revenue to sustainably support IT system maintenance, upgrades, security, and to maintain the current level of agency staffing.

The agency budget includes two DINS:

DIN 4001- Relates to creating a program revenue continuing appropriation to access agency program revenue funds. The program revenue is generated, as required by statute, from the sale of voter list data and absentee data subscription services. In previous years, agency program revenue funds were accessible through the federal Help America Vote Act of 2002 (HAVA 251) grant. Since the 2019 closeout of the grant, the revenue no longer belongs in its current appropriation and is no longer accessible to the agency. For the agency to utilize these program revenue funds for their statutory purpose, a statutory change needs to be made to create a new appropriation with budget authority. DIN 4001 asks for a technical, statutory change to the appropriation so that WEC may access existing and future program revenue funds. Program revenue funds would be used to sustainably support, maintain, and secure the IT system which generates the program revenue. Wisconsin State Statute requires WEC to charge for voter data and to use fees to support the costs of the system. If WEC is granted access to program revenue, there will not be excess funds. If WEC is not granted access to program revenue, it will not have the funds needed to maintain the statewide database in the next biennium.

DIN 4002- Relates to the conversion of three current staff positions from federal-project to federal-permanent. These three positions are specific to election cybersecurity and would be paid for out of the 2020 HAVA Election Cyber Security Grant. It is our understanding in working with the Division of Personnel Management that project positions may only span four years, after which they need to be converted to permanent. The need to support and maintain election cyber security will not conclude in four years. Therefore, to retain these important, technical, expert positions, WEC asks for this conversion and demonstrates that it has federal funds, specific for this purpose, available for at least the next two biennia. This DIN also requests the conversion of three federal project-positions to program-revenue permanent (using program revenue in DIN 4001). The responsibilities of the WEC have continued to increase, and require technically proficient staff to assist with maintenance,

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

development and security of the statewide voter registration system. This DIN does not ask for any additional positions, rather it outlines sustainable ways to maintain these critical and statutorily required functions.

The WEC's 2021-2023 budget request does not include any policy considerations, does not ask for an increase in agency funding, and does not ask for an increase in agency position authority. It simply asks that WEC be allowed access to program revenue funds and that those funds be used to sustainably support the current level of agency staffing and IT system maintenance.

WEC IT systems are complex and require more security than many other systems. The system is also maintained and secured on behalf of Wisconsin's 1,850 municipal clerks and 72 counties. The annual cost to maintain the statewide system and related applications for the production of voter lists and public data are nearly \$3.5 million annually. Those costs increase each year as cybersecurity is strengthened, demands on the system increased, and additional functionalities added to assist our 1,922 local election clerk partners. Using program revenue is a responsible, sustainable way for the agency to continue to meet statutory obligations without requesting additional state funding. In 2020, WEC received federal CARES Act funds, which have been completely expended to support the 2020 election. A majority of the funding was used to support local election officials and provide sub-grants for COVID related election expenses. Remaining agency federal funds are HAVA Election Security Funds, which are not expected revenue and have a very specific purpose, defined by the grant, to support and improve the state's election cyber security systems in support of general elections.

The WEC's six commissioners have been good stewards of program revenue and federal grant revenue over the years, providing accountable oversight to ensure these funds are wisely used to support crucial IT and security needs at the state and local levels without creating additional burdens for state taxpayers. The Commission asks that it be allowed to continue that good stewardship while serving the state's voters and local election officials.

Frequently Asked Questions

To assist with answering questions on the impact of changes to the requested agency budget, WEC staff has prepared the following list of answers to frequently asked and anticipated questions on the 2021-2023 agency biennial budget. The first set of FAQs answers questions more generally about the agency budget. Sections four and five focus, specifically, on questions related to DIN 4001 and 4002.

1. Is WEC asking for additional FTE positions?

No. WEC's budget does not ask for any additional positions. Six of the current 31.75 FTE are project positions. These positions are currently funded with federal funds granted for election cyber security. State employment and procurement laws only allow project positions to continue for four years. This means the current positions would need to be converted to permanent positions in order to sustain these important efforts. WEC's budget asks for the positions to be made permanent but does not ask the state for an additional funding for the positions. The agency budget request also offers sustainable funding solutions for these positions using existing program revenue and federal cyber security grant funds.

2. Is WEC asking for additional funding in their 2021-2023 Biennial Budget?

No. WEC is not asking for any additional funds. WEC is asking for access to program revenue to sustain statutorily required systems and programs. Program revenue will allow WEC to sustain technological systems, and the staff who support them, without needing to rely on state or federal funds.

3. How did WEC manage the 2020 election cycle with the current level of staffing/funding?

In regard to funding for the statewide system, since the program revenue appropriation closed with the HAVA 251 grant closeout, WEC anticipated needing a statutory change and also requested this change in the last budget. WEC was able to use 2018 HAVA election security funds and 2020 CARES grant funds to maintain the system in this biennium, both of those grants have since been expended. WEC also receives GPR funding each biennium for the support, maintenance and staffing of the statewide system. WEC will use this GPR funding for system maintenance and costs in the remainder of the current biennium. However, without access to program revenue, WEC will not be able to continue to support, secure, and staff the statewide database in the next biennium.

Wisconsin State Statute 7.08(11) requires that WEC maintain the appropriate level of staffing in order to timely answer questions from local election officials. In the months of September, October, and November of 2020, WEC staff (and the temporary staff who were able to answer phone calls from clerks and the public) answered more than 100,000 contacts. This averages to be at least 1,667 contacts managed per staff member in three months. This is in contrast to previous general elections where WEC staff responded to 30,000 contacts in the same three-month period. Securing elections also requires technical expertise in cyber security, data management, and training and support to local election officials. The requirements of these tasks have also increased significantly in the last four years. To maintain an appropriate level of staffing to fulfil these statutory responsibilities, WEC cannot lose any positions or expertise.

In 2020, WEC saw the contacts to the agency more than triple from previous general election cycles. Contacts were mainly from voters and local election officials. This increase was in addition to new, and constantly changing IT needs and cyber security considerations. To keep pace with the volume of work and increase in contacts, WEC utilized extensive overtime and prohibitions on staff time off. WEC also hired more than 100 LTEs and temporary service staff through the course of the year. This was in addition to utilizing a call center and a state employee interchange to assist with increased contact from voters. No level of temporary staffing can ever substitute the need for staff with election expertise and knowledge of IT and cyber security. The temporary staffing arrangements allowed for temporary staff to learn and answer more routine questions and tasks while WEC's 31.75 FTE focused on more complex tasks.

4. Questions Specific to DIN 4001

4a. What would be the consequence or impact of modifying the appropriation to be annual, rather than continuing?

Costs of elections, particularly election security, may vary from year to year; years with a presidential election may see an increased demand on election security and maintenance costs whereas years without such an election may see a lower demand on election security and maintenance costs. The benefit of making the appropriation a

continuing appropriation is that the Commission would be able to increase expenditure authority through an administrative process so long as the expenses fall within the correct uses of the appropriation and they have sufficient revenues. This would mean that they would be able to more quickly address election security and maintenance needs if and when the needs arise. If this appropriation were made to be an annual appropriation, then the Commission would need to go through the Wis. Stat. § 16.515 process which could delay the Commission in being able to address increased costs in a timely manner.

4b. As of April 1, 2021, what is the unencumbered balance associated with the sale of voter lists?

As of April 1, 2021, the revenue balance from the sale of voter lists is \$1,872,739. This amount is not typical and represents an accumulation in the appropriation over the last few years, paired with unusually high revenue in 2020 when voter list sales reached an all-time high. WEC has not had the authority to access the funds from its segregated appropriation. Historically, since FY16, the agency has generated approximately \$200,000 in even-numbered years and generated approximately \$300,000 in odd-numbered years annually from the sale of voter lists. However, the revenue that makes up the current balance reflects an unexpected increase in sales during FY20 and FY21, in which revenue more than tripled. Even though WEC has a fund balance, we do not consider these funds unencumbered. WEC has long-term plans to utilize these funds to continue to sustain the 3.0 project FTE election security positions at least through the 2025-2027 biennium. These positions provide critical technical oversight and development of our statewide voter registration system and the myvote.wi.gov website. These functions are ongoing responsibilities and funding them will allow us to continue working with our state, local and federal elections security partners to monitor, report and respond to local election security incidents as well as ensuring our agency's elections security posture and cybersecurity needs are met. Without these positions and continued support for our statewide voter registration system these programs cannot be sustained.

As reflected below, WEC will require the full balance of these funds, and future revenue to maintain, support and secure the statewide database. There will be no excess revenue funding.

4c. How much does the statewide voter registration system, and other related systems required to produce data reports, cost to support and maintain?

The system that supports data requests is a complex system that requires experienced IT staff and many security considerations. Wisconsin has the most decentralized election administration system in the country. This requires 1850 municipalities to collect and enter the voter data, after which WEC staff reconciles the data and provides follow up wherever there are discrepancies. Annually, there have also been several large hardware and software purchases, such as OPSWAT, Elastic SIEM & RSA designed to ensure the security and support of the system. Election security is a moving target. Each year there are new and increasingly complex security considerations that need to be addressed on top of efforts that must be maintained. In 2017, the statewide system cost approximately \$1.7 million to maintain, support, and keep otherwise up to date. In 2020, the same systems cost nearly \$3.5 million to maintain and secure. Costs are projected to grow each year as more support is needed to maintain the system and to keep it secure.

WisVote Expenditures										
Journal Activity includes 7/1/2016-3/9/2021 & Payroll Data 7/1/2017-3/9/2021										
3/17/2021 by Julia Billingham										
	SFY 2017		SFY 2018		SFY 2019		SFY 2020		SFY 2021 to date	
	FEDERAL	GPR	FEDERAL	GPR	FEDERAL	GPR	FEDERAL	GPR	FEDERAL	GPR
Salaries	392,500.00		572,900.00	700.00	779,500.00	112,800.00	282,100.00	732,200.00	279,000.00	486,300.00
Fringe	168,100.00		200,600.00	300.00	248,300.00	39,200.00	101,900.00	234,000.00	105,400.00	154,800.00
Travel Expense	700.00		10,200.00	600.00	14,900.00	3,400.00	6,600.00	6,100.00	200.00	1,200.00
IT Developers	302,600.00	186,500.00	493,700.00	13,100.00	581,500.00	102,800.00	418,600.00	472,500.00	357,100.00	228,800.00
Servers & Data Storage	47,900.00		268,700.00		330,000.00	52,200.00	179,300.00	440,700.00	215,600.00	265,700.00
Hardware & Software	5,400.00		11,200.00		57,900.00	120,700.00	92,500.00	65,600.00	185,800.00	61,500.00
Printing & Postage	30,000.00		179,500.00		133,200.00	100.00	3,700.00	700.00	900.00	2,600.00
Rent, Phones, Misc.	120,300.00		79,200.00	12,300.00	99,000.00	195,000.00	451,400.00	600.00	62,400.00	60,400.00
TOTALS	1,067,500.00	186,500.00	1,816,000.00	27,000.00	2,244,300.00	626,200.00	1,536,100.00	1,952,400.00	1,206,400.00	1,261,300.00
Annual Cost	1,254,000.00		1,843,000.00		2,870,500.00		3,488,500.00		3,572,000.00	
										<i>Projected 2021 Annual Cost</i>

4c. For FY20 and FY21 (to date), how many total data requests were received, how many files were purchased, and how much total revenue from the sale of voter data was generated?

		Processed	Refunded	Returned	Net
FY2021					
Q1-3	revenue	\$1,101,495.00	\$15,580.00	\$33,161.00	\$1,052,754.00
	# files purchased	1033	17	6	1010
FY2020	revenue	\$671,102.00	\$5,590.00	\$12,550.00	\$652,962.00
	# files purchased	673	24	2	647

4d. How would WEC allocate excess funds if revenues exceed amounts needed for the 3.0 positions in DIN 4002 and the supplies and services items identified in the WEC agency budget request (for processing fees, data storage, and IT developer time)?

The WEC does not consider there to be any excess funds. The agency plans to maintain an adequate fund balance to continue to pay for the 3.0 project FTE election security positions in subsequent budgets and to support programmatic costs as needed. Since program revenue fluctuates from year to year (less in even-numbered years), ensuring a continuing appropriation and having the ability to dedicate these resources to the permanent FTEs, maintenance and support of our voter registration system is mission critical. WEC needs the flexibility to be able to safeguard and access these funds to plan for ongoing funding of these positions once the federal elections security funds are exhausted.

4e. What would WEC do if the provision were not approved?

The revenues from the sale of voter lists are currently required under state law, Wis. Stat. §5.05 to be used to support the system, maintenance, and staffing of the statewide voter registration database. Currently, the revenue is put into a SEG appropriation, from which they cannot be spent. If this appropriation is not created, those

revenues would continue to be put in the SEG appropriation and remain unable to be spent. WEC will be unable to support system maintenance and security without access to these funds.

Inability to access the funds would lead to the consequences enumerated in the scenarios below related to the maintenance and support of agency IT systems.

5. Questions related to DIN 4002

5a. For what other purposes does WEC use the HAVA security grant funds?

Currently, we are paying for 6.0 permanent FTEs and 5 contracted IT developers, as well as any other staff time dedicated to election security. Because many Wisconsin municipal clerks have very little of their own IT support, the WEC has become the de facto cybersecurity help desk for our local clerk partners.

Over half of Wisconsin's 1,850 municipalities do not have in-house IT support and many of the smallest towns do not have any dedicated support. For these clerks, the WEC is often their primary source of technical assistance for everything from operating system upgrades to help downloading current anti-virus definitions. WEC security staff helped hundreds of jurisdictions navigate the process to update their computers before Windows 7 reached its end of life on January 14, 2020. Support of this nature directly impacts the ability of local election officials to safeguard state election systems and the sensitive personal data of millions of Wisconsin voters.

WEC staff also use HAVA security grant funds to maintain a variety of systems and services to monitor the health of local devices and networks accessing election data. For example:

- A multifactor authentication system consisting of thousands of physical "keys" helps safeguard local user credentials and validate each attempt to access election systems.
- Comprehensive endpoint testing (OPSWAT) provides continuous monitoring of local devices 24/7/365 to alert both users and state cybersecurity staff of malicious software, out-of-date software, overdue firmware upgrades, and even operating system status.
- Security information and event management (SIEM) products monitor, analyze, and aggregate all traffic on the statewide voter registration system to detect protocol anomalies, zero-day threats, polymorphic code, or other potentially malicious activity.
- Use of password manager tools and dedicated privileged access systems have improved the security of administrative systems and shared access data.
- Redundancy of the statewide voter registration system was increased by 50% and logging of all network traffic similarly increased ahead of the 2020 General Election.

The Wisconsin Elections Commission also used HAVA elections security grant funds to provide subgrants to counties and municipalities to help address 2020 election security needs. WEC earmarked \$3.9 million for a County Subgrant program. Funds were used to make payments for activities that enhanced election technology and to make election security improvements, which included personnel, equipment, and training costs associated with cyber vulnerabilities, physical security, voter registration systems and management, election auditing, staff training and communications. Counties received a base subgrant of \$35,000 plus \$0.30 per voting-age resident based on the 2019 voting age population estimated by the DOA Wisconsin Demographic Services Center. Based on applications, the WEC distributed 60 county subgrants totaling \$3,294,090.84.

The WEC also administered a Municipal Election Security Subgrant to help improve overall election security statewide by providing cities, villages, and towns across the state with federal security funds to implement baseline security measures based on specific needs of each jurisdiction. Municipalities received grants of up to \$1,200. The WEC required all jurisdictions to meet certain baseline security measures to receive subgrant funds which include computer hardware and/or software to meet minimum security recommendations, professional IT support and security training (cyber or physical provided by WEC). Based on applications, the WEC distributed 878 municipal subgrants totaling \$859,700.

The WEC provides elections security training events and programs for local elections officials and other election security partners in the form of table top exercises (TTX) to test their institutional knowledge and election day emergency response plans against election security scenarios to (1) test the effectiveness of existing knowledge, policies, and practices as they relate to election security (operational, physical, cyber), (2) provide an increased awareness and preparedness, and (3) adapt and implement the training and lessons learned. The training is designed to encourage participants to work through scenarios, to practice their communication plans, and to act, without the risks of potential repercussions they may face in real life.

The WEC's election security tabletop exercises were initially designed to be conducted in-person around the state so clerks would not have to travel long distances to receive training. During the pandemic, WEC staff adapted the training to be conducted remotely by leveraging both Zoom Webinars (acquired for 2020), and Adobe Connect. Live training events were supplemented with interactive training tutorials for municipal clerks on election and cyber security topics. These tutorials were incorporated into the WEC's secure online learning center website for clerks and users of the WisVote system and are now required for new users prior to gaining access to the system.

WEC staff continues to work with county clerks to aid in the facilitation of this training, providing both staffing and materials resources. Training materials are hosted on the WEC's secure Learning Center website and include all necessary documents to conduct an exercise, in addition to supplemental documents like an Election Day Emergency Response Plan template, a Communications Plan template, and a memorandum to governing bodies regarding the importance of election security.

WEC devotes considerable time and personnel resources towards making improvements to the statewide voter registration system (WisVote) and its associated components to ensure that elections security, such as upgrades to the system, multi-factor authentication, end point testing, credentialing and other security supportive measures are met. The agency must keep pace with changing technologies in order maintain our security and baseline infrastructure. For more detail see the answer to questions 5b and 5c below.

5b. How many WEC staff currently focus on elections security infrastructure?

In addition to the 6.0 FTE staff dedicated to elections security, every WEC staff member has elections security as a core responsibility. Most staff provide some additional support for the elections security infrastructure. Elections Specialists provide county and municipal clerks with customer service, training, and guidance in the administration of elections using WisVote. Help Desk staff generate logon IDs and passwords for both the WisVote system and help solve user issues. Information systems staff and IT developers monitor election systems and manage system changes and upgrades. The financial and legal staff administer the procurement process to purchase technology and manage existing elections security contracts. The management team coordinates with security partners at all levels and sponsors the development of the security improvements. Since the agency is so small, there is a need for all staff to work together on security matters.

5c. How much federal HAVA election security grant funds are available (as of April 1, 2021), and when do those funds expire?

As of April 1, 2021, the Elections Security fund balance is \$7,427,009. These funds have a very specific purpose designated under the grant. They are earmarked by the Commission to support current levels of IT and IT development staffing, and to address any developing election cyber security needs in the coming biennium. There is no expiration date for the funds. Therefore, WEC plans to continue using the one-time funding to ensure an adequate staffing level, and to provide ongoing critical technical oversight and continued development of our statewide voter registration system and the myvote.wi.gov website. The agency has sufficient elections security federal funds to last at least through the next two biennia. Without the positions which are currently federal-project positions, under this grant ongoing support of the system, the security posture and cybersecurity need of state and local election officials will be severely compromised. The agency goal is to continue to safeguard its HAVA Elections Security Grant funds to ensure that immediate security needs are being met while continually monitoring and evaluating future and ongoing needs. WEC's reserved funds will be used to address future and ongoing needs of both the state and local elections officials and allow WEC to take advantage of new technologies and react to unexpected immediate needs in the future.

Because of the specific purpose of this grant – to secure the cyber security posture of elections in support of federal elections – it is also important to maintain a balance for new and developing cyber security needs at the state and local level. In previous years, WEC has expended more than \$4 million in grant funds to ensure local election officials have secure technology, IT support, and training to conduct election work in the statewide database. WEC has also used these funds for developing security needs like implementing multi-factor authentication, database event logging, endpoint detection for local election officials, and implementation of scenario based contingency planning and IT response training for local election officials.

5d. How would WEC fund the federal positions after the HAVA security grant funds expire?

WEC has sufficient federal funds to cover these positions through at least the 2025-2027 biennium. Depending upon what happens with our DIN 4001 request, once the federal funds are exhausted, the agency will need to determine the fund balance of its PR appropriation from the sale of voter lists to determine if there is enough revenue to fund these positions. On average there has been enough revenue generated from the sale of voter lists to fund these positions. WEC has funds sufficient to support these positions in the next two biennium, and believe that program revenue will also be sufficient to fund the positions after the conclusion of the federal grant.

5e. What would be the consequence if the positions were approved, but as extended four-year project positions?

We do not have the authority to extend project positions. According to the Wisconsin Human Resources Handbook, Chapter 228, and § 230.27(1), Wis. Stats., project positions may not last longer than 4 years. The current positions were budgeted in the appropriation under § 20.510 (1)(x) and were authorized from June 1, 2018 – June 1, 2022. Per state statute, they cannot be approved as project positions. If not approved, the WEC cannot accomplish all things referenced in question #3 above.

5f. What would be the consequence if the PR positions were not approved (but the federal positions were approved)?

The loss of the three positions would significantly degrade the agency's ability to maintain the statewide voter registration system and to provide support to the general public, municipalities, and counties. The impact would be wide ranging and immediately apparent to election officials statewide. For these positions, the subject matter areas most affected would include information technology (IT) development and cybersecurity, voting equipment testing and certification, and general customer service to clerks and the public.

For example, the Information Systems Technical Service Consultant (IS-TSC) position is responsible for coordinating the planning and implementation of agency IT projects, prioritizing the day-to-day work of agency software developers, and managing the maintenance and production of all information in the statewide database. These tasks are not optional. Without them, the entire statewide election administration system, statewide database, and public facing voter tools such as MyVote Wisconsin would cease to operate. In the absence of this position, therefore, the agency would have to distribute these responsibilities to other people and accept a degraded level of coordination, slower response times, and reduced quality of work. Nearly half of all agency staff now support projects with an information systems nexus and all agency staff work with the IS-TSC in some capacity to assist customers, coordinate projects, prepare fiscal estimates, and otherwise synchronize the work of the agency.

In the absence of a dedicated IS-TSC, the agency would reduce the number of technical improvement programs and focus more exclusively on maintenance and sustainment of existing programs. Agency IT staff currently work in four-week development cycles and make dozens (if not hundreds) of system improvements each cycle. This encompasses everything from simply patching systems to from-scratch software development to creating new capabilities. Even obtaining information from the statewide database for legislators and political parties is a technical task requiring considerable developer time. All of these processes would slow.

For calendar year 2021, the agency IT staff have more than 30 major projects planned. Many of these would have to be cancelled, scaled-back, or delayed to future years. A partial list of projects at risk (in alphabetical order) would include:

- absentee ballot tracking expansion and improvements
- accessibility program modernization
- Badger Voter public information production improvements
- clerk training improvements
- creation of an issue tracking and feedback system
- electronic pollbook modernization and security enhancements
- planned cybersecurity improvements
- server migrations to improve redundancy
- statewide address database accuracy improvements
- system preparation for redistricting
- website improvements

Coordination with other state agencies and election partners would also suffer in the absence of an IS-TSC. This position works with DOA to oversee contractor compliance, management of agency staffing contracts, and completion of continued appropriateness documentation. The position is also instrumental in coordinating exchange of data with the Department of Corrections, Department of Health Services, and Department of Transportation. As these responsibilities must be performed, they would likely be reassigned to a staff member currently providing technical support to clerks. This would, in turn, have the effect of reducing the likelihood a clerk can obtain immediate technical assistance and increase overall response times for the agency.

Another critical function of the agency is voting equipment testing. The Voting Equipment Testing position leads the Elections Commission's voting systems approval and compliance processes. Prior to being used by counties and municipalities in Wisconsin, any new or modified electronic voting system must be approved by the Commission, after consideration of staff testing and recommendations. This position processes voting equipment approval applications and designs and implements approval standards and testing protocols for voting equipment. The staff person serving in this role administers the test campaign and drafts reports summarizing the testing protocol, standards, and results, and makes written and verbal presentations to the Commission regarding approval or denial of voting equipment applications. This position is also the liaison to voting equipment manufacturers and vendors as well as the United States Election Assistance Commission regarding voting equipment compliance with federal and state laws. Voting system compliance is an essential aspect of election security efforts that requires continuous attention from agency staff who provide assistance to local election officials and the public regarding system security.

This position is also responsible for coordinating the agency's voting systems audit procedures following each general election, and reporting audit results to the Commission. Audits are an essential component of election security that serve as a performance evaluation of certified voting systems to ensure they continue perform up to certification standards.

Another critical function of the agency is customer service. The customer service representative is the first point of contact for our 1,922 local election officials, fielding system questions and generating logon IDs and passwords for both the WisVote System and the agency's online learning center, which provides interactive training resources, webinars and reference documents for the statewide voter registration system, Election Administration, Security Awareness and Badger Books. This position also provides program and administrative support to the WisVote and training staff as well as assisting administer the agency's two sub-grant programs to local elections officials.

This customer service representative is critical to ensuring the needs of our local elections officials are met as required under Wis. Stat. § 7.08(11). This position is the only support position and without this position, Elections Specialists would have to absorb these duties which would severely diminish their ability to focus on maintenance and support of the statewide voter registration system, enhancements in the system, and their ability to focus on specialized training for WisVote users.

5g. What would be the consequence if the federal positions were not approved (but the PR positions were approved)?

All three positions were created specifically to enhance the security and integrity of election systems and Wisconsin voter information. These positions are responsible for safeguarding data, training clerks, fulfilling public data requests, and managing official state-sponsored grant programs. Together, they represent nearly 10% of full-time agency staff and their responsibilities could not be absorbed by other positions. Put simply, the loss of these positions would significantly reduce agency programs to enhance the security and integrity of Wisconsin elections.

A fundamental requirement of the Commission is to provide customer service to 1,850 municipal clerks, 72 county clerks and thousands of local election inspectors (poll workers) who conduct elections as well as to hundreds of candidates and the state's 3.4 million active voters, to ensure adherence to, and compliance with election laws and required procedures. Another core function of the Commission is to provide current and

accurate information to the public as well as various governmental and other organizations about electoral processes and voting statistics and trends. Each of the three positions is almost entirely dedicated to these core functions.

Training programs for county clerks, municipal clerks, and their staffs would slow considerably, and production of new training material would likely cease. These positions develop, update, and publish web-based application tutorials to educate, train, and provide technical assistance to local election officials. The positions also conduct both in-person and online workshops, seminars, and classes for users of agency software applications. In conjunction with these training opportunities, all three positions provide ongoing support to local election officials, answering their questions and helping them to ensure compliance with election laws.

In their absence, an already small pool of training staff would be cut nearly in half – leaving just a few people to train thousands of election officials across the state. Election integrity programs would be particularly degraded. All three positions are involved in the production of training webinars and tabletop exercises designed to prepare clerks to avoid threats, reduce risk, and protect data quality. Because of these positions, thousands of local election officials received in-depth and in-person election security training in 2019 and 2020. The positions also assist local election officials when they experience technical problems or data quality issues.

The elimination of such a sizeable percentage of agency staff (nearly 10%) and cumulative experience (nearly nine years) would produce effects immediately apparent to members of the public and local election officials:

- clerks will need to be more self-sufficient and rely more heavily on peers than on the state
- data quality errors will increase
- fewer training opportunities will exist for clerks and other election officials
- more callers will not receive real time responses and assistance from agency staff
- obtaining the answer to a question will take longer
- requests for election data will take longer to fulfill.

The effects would be even more pronounced for clerks requiring technical support for the statewide election administration system and database. The three positions represent nearly a third of the agency staff providing customer support for the WisVote, MyVote, and Badger Voters systems. During periods of peak demand, clerks must already wait to obtain technical assistance. Elimination of these positions support team would only exacerbate this problem.

5h. What would be the consequence if the entire provision were not approved?

The elimination of this provision would negatively impact the agency's ability to ensure Wisconsin's elections infrastructure is safe and secure. The responsibilities related to election administration have changed dramatically since the enactment of HAVA as well as other federal and state legislation; however, the size of the agency remained static. The decrease in staffing levels combined with changes in elections laws, the evolution of sophisticated election misinformation campaigns and increased security threats will grossly hamper the ability for the agency to effectively manage its program responsibilities. The foundation of our agency is the dedicated and professional staff who implement the program responsibilities of the agency. Without their knowledge and the ability to retain these key personnel, Wisconsin cannot maintain its current level of resources to ensure the reliability of the election administration system and to administer secure and safe state and federal elections in the coming election cycle. The ability of the agency to carry out its legislative mandates to maintain the integrity of the electoral process and to provide complete, accurate and timely information and guidance to local election

officials, candidates, voters, and the public will be severely diminished without these positions. These positions are a necessity in order to maintain services that the legislature has set forth.



Wisconsin Elections Commission

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MEMORANDUM

DATE: For the June 2, 2021 Commission Meeting

TO: Members, Wisconsin Elections Commission

FROM: Meagan Wolfe, Administrator
Wisconsin Elections Commission

Prepared by:
Gregory Grube, GIS WisVote Specialist
Riley Willman, Senior Elections Specialist

SUBJECT: Redistricting Preparations

Background

Article I, Section 4 (as amended by Section 2 of the 14th Amendment), Article I, Section 2 of the United States Constitution, and Article IV of the Wisconsin Constitution govern the redistricting process for congressional and state legislative district boundaries and apportionment. This process occurs every ten years, following completion of the decennial federal census. Section 3 of Article IV grants the legislature the responsibility and power to redraw congressional and state legislative district boundaries. Any plan passed by the legislature must also be approved by the governor. If the district boundaries passed by both chambers of the legislature are vetoed by the governor, the legislature does have the ability to override this veto with a two-thirds majority vote in each chamber. Wis. Const. art. V, § 10. If there is not enough support to override the veto, the redistricted boundaries can be determined by the Wisconsin Supreme Court with assistance from the nonpartisan Legislative Reference Bureau. Since 1960, the court has established the redistricting plans for four out of the last six redistricting cycles. Wisconsin's redistricting plans have also been litigated in federal courts.

The Wisconsin Elections Commission tracks district boundaries but has no legal authority to create or alter district boundaries. This process is determined and approved by the various elected bodies with the legal ability to establish district boundaries. Once the congressional, legislative, and local boundaries are determined by the appropriate authority, the Wisconsin Elections Commission will begin the complex process of recording the new boundaries in the statewide voter registration system to ensure that each voter is correctly located in their new district.

Wisconsin Elections Commissioners

Ann Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

Timeline

The timeline to have new district boundaries in place is organized into local, legislative, and congressional levels, all with varying degrees of specificity on their respective deadlines. Creation of new congressional and legislative district boundaries does not have a statutorily defined deadline. That said, congressional and legislative boundaries need to be determined by the start of the nomination petition circulation period, which is statutorily required to begin on April 15, 2022. (*see* Wisconsin Statutes Chapter 8) Adoption of boundaries by the nomination paper circulation deadline will ensure the new boundaries are in place for this election and that candidates circulating nomination papers are gathering signatures in the correct district.

Locally, Wis. Stat. § 59.10(3)(b)1 requires that counties issue their tentative new district boundaries within 60 days after receiving the official census data, “but no later than July 1 following the year of each decennial census”. Municipalities are also required to complete their district boundaries within 60 days of receiving updated county district boundaries under Wis. Stat. § 5.15(1)(b). Officially receiving the data allows counties and municipalities to adjust their ward boundaries and eventually establish their supervisory and municipal districts.

In previous redistricting cycles, the U.S. Census Bureau scheduled delivery of the initial data to the State of Wisconsin no later than March 31 of the year after the census. As a result of the COVID-19 global pandemic, the publication of census data has been severely delayed. As of May 18, 2021, the U.S. Census Bureau has yet to release the official population numbers for any state. The delay in official census data has already impacted the ability to begin local redistricting processes, and some process and timeline details may need clarification either by the legislature and/or judiciary.

Current Preparations

While many aspects of redistricting are dependent on the legislature and local government timelines, Elections Commission staff are preparing for when the new district information becomes available. An essential part of the preparation process is to make sure that the address records in the statewide voter registration database are current and reflect the correct locations for voters. During the last redistricting period in 2010 and 2011, the voter database was updated to allow for mapping to be used in the system to help locate voters and to ensure that they are receiving the correct ballot based on their actual location. Clerks were asked to review those address locations at the time, but new address records are continuously generated.

Last summer, Commission staff created an automated method to review addresses last checked by clerks and staff between 2011 and 2015 (approximately 1.7 million addresses). Through this process, staff were able to identify addresses with data quality questions and flag them for future review by staff or by clerks. Any address change that would have resulted in a different ballot style for the voter was reviewed manually by Commission staff to ensure that those changes were not flagged in error. In situations where a voter may be registered in the wrong municipality, staff reached out to clerks to verify that information and have them contact the voters if necessary.

This review process is still ongoing, but once the manual review is completed by Commission staff, clerks will be alerted so they can review the addresses that have been flagged. Staff is also planning to review addresses that were added to our system more recently and provide the same type of

feedback to assist clerks. Clerks will be asked to begin their review process at the end of Summer, 2021.

Another ongoing project consists of ensuring school district data is correct. School district maps do not change through the redistricting process, but it is essential that these stay current and accurate because they are combined with ward data to determine ballot styles. With the help of county land records offices and the Department of Public Instruction, staff are refining the school district boundary maps to ensure that they align with tax records. By making these refinements, the boundaries will more accurately integrate with new ward data and cut down on additional processing once those new wards are received.

Upcoming Preparations

In addition to the current preparations, Commission staff compiled a list of projects that are planned for the remainder of the year that will assist in redistricting data being implemented smoothly. One such project is to complete a comparison between Commission and postal service address data to ensure that the addresses in WisVote have valid ZIP codes. Much like the location comparisons discussed in the previous section, this process will help to identify and flag records that are not being properly identified in USPS's database. This will allow staff to contact clerks to fix those addresses or contact USPS to ensure that their database is allowing voter mail to get to the correct locations as efficiently as possible.

Another planned project is to refine WEC's district mapping change process, allowing the agency to implement new redistricting data efficiently and accurately. Currently, any ward data changes must be manually reviewed by several Commission staff. Between redistricting periods, these changes typically result from the annexation of lands between Wisconsin municipalities. However, because the upcoming redistricting will generate new ward maps throughout the state, staff need an automated tool to make these changes in a more efficient way. As it is currently unknown what the timelines for receiving that data will be, Commission staff will prepare for an earlier release so that map updates are implemented as quickly as possible.

Finally, staff will need to produce new district lists for the nomination process. When nomination papers are being reviewed, staff use a list of district information to ensure that the address locations of the voters who sign those forms are correct. The statewide voter database can produce these lists, but staff will need to create updated lists once the new wards are provided.

Conclusion

Commission staff are preparing to receive and incorporate redistricting data quickly and with little advance notice. While the timing of the process remains uncertain, and litigation is an ever-present possibility, the Wisconsin Elections Commission will be prepared to incorporate the new data as soon as it is released. As the situation continues to develop through 2021, Commission staff will regularly assess the impact of events and report accordingly to the Commission.

ATTACHMENT #1

Wisconsin Elections Commission’s Training Initiatives
3/3/2021 – 6/2/2021

Training Type	Description	Class Duration	Target Audience	Number of Classes	Number of Students
Municipal Clerk	2005 Wisconsin Act 451 requires that all municipal clerks attend a state-sponsored training program at least once every 2 years. MCT Core class is available in the WisVote Learning Center.	3 hours	All municipal clerks are required to take the training; other staff may attend. Clerks may attend refresher once per 2-year term.	In-Person: 0 16-section presentation with quizzes	0 29
Chief Inspector	Required training for new Chief Inspectors before they can serve as an election official for a municipality during an election. CIT Baseline class is available in the WisVote Learning Center and on the Commission website.	2-3 hours	Election workers for a municipality. Current chiefs and clerks may attend refresher once per 2-year term.	In-Person: 2 7-section presentation with self-evaluation	20 70
Election Administration and WisVote Training Webinar Series	Series of programs designed to keep local government officials up to date on the administration of elections in Wisconsin.	60 + minute webinar training sessions hosted and conducted by Commission staff.	County and municipal clerks, chief inspectors, poll workers, election registration officials, and school district clerks.	5/5/2021: Best Practices and Key Takeaways from the 2020-2021 Elections; 4/13/2021: Post-Spring WisVote Election Process WisVote Training; 3/16/2021: WisVote Absentee; 3/10/2021: April Election Readiness; 3/8/2021: SVDs and the April Election; 3/2/2021: WisVote Grab Bag	50 – 500 per live webinar; posted to website for clerks to use on-demand.

ATTACHMENT #1

Wisconsin Elections Commission's Training Initiatives
3/3/2021 – 6/2/2021

WisVote Training	Online training in core WisVote functions – how to navigate the system, how to add voters, how to set up elections and print poll books.	Varies	New users of the WisVote application software. Two user types, Clerk Role for full access and Data Entry Role for certain tasks.	Online	Not tracked
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