



Wisconsin Elections Commission

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July __, 2022

Sent via email

Dear Representative Brandtjen,

This letter is in response to your June 23, 2022, request (attached as 6/23/22 Request) for data drawn from WisVote, Wisconsin's statewide voter database. This letter will detail requests 1 and 2 and explain what is being provided and what cannot be provided.

The WEC has created and provided the documents under Wis. Stat. § 13.45(7), regarding state agency assistance of legislative committee work, as opposed to providing them under Wisconsin's public records law. As described in Wis. Stat. § 13.45(7), the WEC believes that your request required "specialized staff assistance" to produce, because it involved a meaningful number of hours to create datasets that the WEC had not created before. Because it required specialized staff assistance, staff took this request to the six-member Commission on July 12, 2022 and will take future requests of its scope to the Commission to discuss whether they can be fulfilled within the limits of existing appropriations.

Your June 23 request follows up only on part 7 of your request of December 22, 2021, (attached as 12/22/21 Request) and while expanded in certain respects, it is significantly narrower overall. Part 7 of the December request, due to the request for all log information and the lack of a limited time span, would have required an overwhelming commitment of agency staff and resources to produce, likely surpassing existing appropriations and requiring extensive coordination with the Department of Administration. Because the current request is limited in time and does not ask for log information, the WEC's resource commitment, though still significant, would be far lower and would not require coordination with DOA. The difficulties of the December request were described in the WEC response of December 30, 2021 (attached as 12/30/21 Response). The December request also did not exclude information that the WEC is required to keep confidential such as birth dates, driver license numbers, and Social Security numbers. Your July 6 email (attached as 7/6/22 Email) clarified that you are not seeking confidential information, which greatly simplified the legal analysis.

For request 1, it is necessary first to clarify that FIDO keys alone cannot grant anyone access to WisVote. All WisVote users have a username and password and use a FIDO key as part of a multifactor authentication to log into WisVote. Without entering the username and password of a registered WisVote user, a user's FIDO key cannot grant access to the system. Once logged in, the FIDO key does not play a further part in allowing a user to make changes within WisVote. The WEC previously provided you a list of WisVote users who were active after the 2020 General Election. That list (attached as 2020 WisVote Users) contained the users' names, jurisdictions, the date they became authorized WisVote users, any date that a user was disabled (if applicable), and the type of access to WisVote they were granted. In response to this request, the WEC has created and provided list of WisVote users, which would be synonymous with WisVote FIDO key holders, as of July __, 2022 which is attached and called "2022 WisVote Users."

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

The list contains the information the WEC possesses regarding parts a. and b. of request 1. The list does not contain additional contact information for these individuals. With the exception of WisVote system administrators who are employed at the WEC and who can be emailed directly using the global email search feature in the state Outlook system, the WEC does not possess additional contact information for users who are hired by local clerks across the state. Also attached is a contact list of all local clerks, called "Clerk Contact Information," who may have additional public contact information concerning their staff. Further, the 2022 WisVote Users list does not cover part c. of your request because the information requested does not exist. All WisVote users have a FIDO key registered with their username and password, but the key itself does not have any additional identifying information beyond its encrypted connection with the system login.

For request 2, this letter will detail each document created and provided in response. For part a., please find at this File Transfer Protocol (FTP) site, _____, a copy of the voter database, called the "Statewide List" on Badger Voters, as of July _____, called "7/____/22 Statewide List." This list contains all eligible and ineligible registrations. Individuals whose registrations are ineligible are not registered to vote and do not appear on a poll list.

For parts b., c., and d., please find at the FTP link above a spreadsheet, called "Changes to Elector Status between July 1, 2020, and July _____, 2022," created in response to your request. The only statuses for electors are eligible and ineligible, and this list reflects all electors who were eligible at any point between July 1, 2020, and July _____, 2022, and any changes to their statuses as electors.

Part e. cannot be provided because the information does not exist as it has been requested. FIDO keys do not make changes in WisVote. FIDO keys do not have non-confidential names and are part of a multifactor authentication that allows a WisVote user to log in to WisVote for the user to make changes.

For parts f., g., and h., please find at the above link records created in response to these requests. These records provide the requested absentee ballot data covering all elections that took place after July 1, 2020. There have been nine state-level elections since that date, and the name of each record corresponds to the election.

Finally, these records were created using specialized staff assistance for the Assembly Committee on Campaigns and Elections to use for the completion of its tasks. As described in greater detail in the attached "Memorandum of Understanding," these records are not being provided as a public record and may not be used for any private purpose or any purpose other than a task of the Committee.