



Wisconsin Elections Commission

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2022 ELECTION SECURITY SUBGRANT PROGRAM FOR MUNICIPALITIES

MEMORANDUM OF UNDERSTANDING BETWEEN

THE WISCONSIN ELECTIONS COMMISSION

AND

(NAME OF MUNICIPALITY, COUNTY)

I. PARTIES

The parties to this Memorandum of Understanding (hereinafter referred to as “MOU” or “agreement”) are the Wisconsin Elections Commission (hereinafter referred to as the “WEC” or the “Commission”) and the (City) (Village) (Town) of _____ in _____ County, Wisconsin. The Commission is the state agency providing an election security subgrant of federal funds to the city, village, or township. The City, Village or Town identified above is the entity receiving a local election security subgrant from the Commission and is referred to herein as the “receiving jurisdiction.” By signing and dating this agreement, the participating City, Village, or Town agrees to the terms of this agreement with the Commission.

II. PURPOSE

The purpose of this MOU is to set forth the requirements that cities, villages and towns must meet to be eligible to receive an election security subgrant from the Commission and the requirements for the use of the funds. The subgrant program is funded by the federal HAVA Election Security Grant which was authorized by the U.S. Congress under the Consolidated Appropriations Act, 2022 (Public Law 117-103), and issued by the federal Election Assistance Commission. The purpose of the federal grant 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” (CFDA Number 90.404; Federal Award Identification Number (FAIN) EAC-ELSEC18WI).

The purpose of the local election security subgrant is to help improve overall election security of federal elections statewide by providing cities, villages, and towns across the State of Wisconsin with federal election security funds to implement baseline and advanced election security measures.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

III. SUBGRANT PROGRAM REQUIREMENTS

A. Introduction

The Commission's Election Security Subgrant Program ("subgrant") is intended to fund jurisdictions with the greatest election security needs, meaning jurisdictions that need funds to meet certain baseline security measures as defined below and in the relevant Appendices. Where baseline security requirements have already been met, a jurisdiction may utilize election security subgrant funds for other authorized election security expenses. Each jurisdiction may be awarded up to \$1,200 under this subgrant.

B. Establish and Maintain Baseline Security Requirements

No subgrant funds shall be utilized for advanced election security expenses until all baseline security requirements described below have been met by the jurisdiction. A description of each of the requirements, and options for how to comply with each of the requirements is listed below, and in some instances in an attached Appendix.

The Baseline Security Requirements are as follows:

1) Possess Computer Hardware and Software That Meets or Exceeds Baseline Security Standards

The computer hardware and software used by the receiving jurisdiction for election business shall comply with the baseline security standards set by the Commission (see Appendix B).

If a jurisdiction does not have compliant hardware or software, \$600 of the subgrant funds may be used to purchase compliant hardware/software. (See Appendix C for information on how to purchase compliant hardware and software.)

2) Possess Information Technology (IT) Support Capable of Maintaining Minimum Security Standards

The receiving jurisdiction shall certify that it is able to maintain the computer hardware and software in accordance with the security policy set by the Commission, which means it must have competent in-house or contracted IT support.

A jurisdiction may use \$600 of subgrant funds to achieve compliance with this baseline requirement in one of the following ways:

Option 1: Contract with a Managed Service Provider. A jurisdiction may use its subgrant funds to contract with a managed IT support provider to maintain minimum standards. After entering into a managed service provider agreement, the local election jurisdiction will certify that it has compliant IT support and provide documentation detailing its support on the Election Security Subgrant Compliance Form "Subgrant Compliance Form". (See Appendix C for information on How to Obtain IT support).

Option 2: Possess in-house, shared, or contracted IT staff that maintains minimum standards. The local election jurisdiction will certify that it has compliant IT support and provide the documentation detailing its support on its Subgrant Compliance Form. The documentation or description submitted should clearly outline the support provided and term of the service provided.

3) Draft and Submit an Elections Security Contingency Plan

The receiving jurisdiction shall certify that it has a contingency plan currently in place OR it will create a contingency plan to address election security emergencies in the jurisdiction. The jurisdiction shall submit a copy of the contingency plan to the Commission when submitting its Subgrant Compliance Form. (See Appendix C for information on how to obtain Sample Contingency plans).

IV. SECURITY NEEDS SELF-ASSESSMENT

This section of the agreement will be used to assess the election security needs of the receiving jurisdiction and will allow the jurisdiction to certify that it has or will meet the baseline security requirements outlined in Section III., B. of the agreement.

When baseline security requirements have been met, subgrant funds may be used for other authorized expenses.

A. Baseline Security Requirements

Instructions: The receiving jurisdiction shall complete the information requested below. *Please review compliance statement and select appropriate response in each of the below categories.*

1. **Hardware.** The computer used in the receiving jurisdiction for election-related business is owned by the jurisdiction and meets or exceeds the Baseline Hardware and Software Standards as described in Appendix B.

_____ Our jurisdiction is already compliant. We do not need \$600 for a computer.

or

_____ Our jurisdiction needs funds to obtain a compliant computer. We do need a new computer and are requesting \$600 to purchase one.

2. **IT Support.** The receiving jurisdiction has competent in-house, shared or contracted Information Technology (IT) support capable of maintaining minimum security standards as described in Appendices B and C.

_____ Our jurisdiction is already compliant. We do not need \$600 for IT support.

or

_____ Our jurisdiction needs funds to obtain or maintain IT support. We do need IT support and are requesting \$600 to secure IT support.

B. Additional Election Security Expenses

After baseline security requirements have already been met, jurisdictions may use subgrant funds up to the maximum amount of \$1,200 total for additional eligible election security expenses. They include:

1. Compliant hardware and software (includes software subscriptions)
2. Professional IT support
3. Security training (cyber or physical)
4. Security assessments (cyber or physical)
5. Physical security improvements for election equipment

C. Subgrant Request Amount

Subgrant Request Breakdown	Maximum \$1,200	Amount requested
Baseline hardware	\$600	
Baseline Managed IT	\$600	
Additional Election Security Expenses	\$1200	
Total request	Not to exceed \$1200	

V. FUNDING

- A. Commission staff will award subgrants based on the receiving jurisdiction’s self-assessment of needs and certification that subgrant funds will be expended in accordance with the terms of this agreement. Jurisdictions assessed to need funds to satisfy baseline security standards shall be provided a subgrant of up to \$1,200. Jurisdictions who have already met baseline security compliance requirements may be provided a subgrant of up to \$1,200 (or a combination thereof not to exceed \$1,200 total) to increase federal election security by implementing item(s) described in IV.2.B of this MOU. MOU requests will be reviewed until allocated funds are expended and the submission term has ended.
- B. Subgrant funding decisions based on a jurisdiction’s need, including the amount allocated, is within the sole discretion of the Commission staff administering the subgrant program.
- C. Subgrant period: **July 22, 2022 – February 28, 2023**. All costs must be incurred, including goods or services received or invoices received for future services, during this project period. Invoices may contain future contractual or IT services. Bids, proposals, or purchase orders are not adequate for this subgrant.
- D. Check processing. Subgrant funds will be distributed in a timely manner after the WEC receives the completed and signed MOU from the jurisdiction. Subgrant funds will be disbursed by electronic transfer to a jurisdiction’s shared revenues account (if available), or via a physical check sent to a jurisdiction’s shared revenues location. For questions related to the processing of subgrant reimbursements, contact the Commission’s financial team via the WEC Help Desk at (608) 261-2028 or elections.finance@wi.gov

VI. SUBGRANT PROGRAM DEADLINES

To help increase overall election security across the State, the election subgrant program has established the following deadlines that must be adhered to by a receiving jurisdiction:

Subgrant project period: July 22, 2022 – February 28, 2023

MOU (Application) Deadline: December 31, 2022: Deadline for jurisdictions to return the completed MOU to the WEC which includes the self-assessment of security needs and certification that the jurisdiction will expend subgrant funds to meet the terms of the subgrant program. Funds will not be disbursed until a completed MOU is submitted and approved.

Subgrant closing date: February 28, 2023: Deadline for receiving jurisdictions to comply with the terms of the subgrant and to submit a completed Election Security Subgrant Compliance Form to the WEC with all required documentation. Unspent or undocumented funds must be returned by this date.

VII. COMPLIANCE MONITORING, CERTIFICATION, DOCUMENTATION AND AUDIT

A. Subgrant Compliance Form.

The receiving jurisdiction shall report its efforts to comply with the terms of the subgrant by completing an Election Security Subgrant Compliance Form provided by the Commission (See Appendix A). The jurisdiction is required to sign and complete the form and submit it to the Commission by February 28, 2023.

B. Certification.

The receiving jurisdiction shall certify (by completing a “Subgrant Compliance Form”) that information provided is true and correct; it has complied with all terms of the subgrant; the election security subgrant funds were used to meet the terms of the subgrant, including to increase the security of federal elections; that all required documentation as requested on the Subgrant Compliance Form has been submitted; and that any falsification of information related to the subgrant could subject the jurisdiction official to civil or criminal penalties.

C. Documentation.

The receiving jurisdiction shall maintain all documentation of purchases made using subgrant funds provided by the Commission for a minimum of eight years from the date of the expenditure or until the WEC authorizes destruction of said records. A standard inventory list of all items purchased using subgrant funds must be created and maintained by the jurisdiction for purposes of any state or federal audit. Such original purchasing documentation and inventory lists shall be retained by the receiving jurisdiction until the WEC authorizes destruction of said records. Submission of copies of some purchasing documentation may be required (See Appendix A).

D. Audit.

All subgrant funds received are subject to audit by the Commission and/or the federal government to ensure funds have been spent appropriately and in accordance with all applicable state and federal laws. Pursuant to Wis. Stat. § 5.05(11), if the federal government objects to the use of any funds

provided to a county or municipality under the subgrant, the county or municipality shall repay the amount of the subgrant to the Commission.

E. Regulations.

As the receiving jurisdiction, we further certify that we will follow all state and federal laws, including adherence to all applicable federal requirements including Office of Management and Budget (OMB) guidance: Title 2 C.F.R. Subtitle A, Chapter II, Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. §200) found here: (<https://www.govinfo.gov/app/collection/cfr/2022/>)

VIII. SIGNATURES

By signing and dating this agreement the receiving jurisdiction agrees to the terms of this MOU and certifies that the information provided in this MOU are true and correct.

Receiving Jurisdiction

Signature _____
(Authorized Representative of Jurisdiction)

Date: _____

Printed Name _____
(Authorized Representative of Jurisdiction)

Jurisdiction Name: _____

County: _____

Jurisdiction Clerk Name: _____

Jurisdiction Mailing Address: _____

Jurisdiction Contact Phone Number: _____

Jurisdiction Contact E-mail Address: _____

Submit completed form by December 31, 2022 to:

Wisconsin Elections Commission
201 West Washington Avenue, Second Floor
P.O. Box 7984
Madison, WI 53707-7984

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Fax: 608-267-0500