June 29, 2018

Brian Newby, Executive Director
U. S. Election Assistance Commission
1335 East-West Highway, Suite 4300
Silver Spring, Maryland 20910

Re: Mississippi HAVA Narrative Statement

Dear Mr. Newby:

The Omnibus Appropriations Act of 2018 appropriated Four Million Four Hundred Eighty-Three Thousand Five Hundred Forty-One and No/100 Dollars ($4,483,541.00) in additional grant monies made available through the Help America Vote Act ("HAVA") to the State of Mississippi. The State is required to match five percent (5.0%) of the federal grant allocation, either in cash or in-kind. By virtue of a specific appropriation by the Mississippi Legislature to the Mississippi Secretary of State’s Office ("MSOS") during the 2018 Regular Session, the five percent (5.0%) match in the amount of Two Hundred Thousand Twenty-Four One Hundred Seventeen and No/100 Dollars ($224,117.00) will be available on July 1, 2018, and will be immediately deposited into the State’s interest-bearing HAVA account.

The State of Mississippi requested its entire grant award in a single disbursement, and all funds were received by MSOS on June 27, 2018. The entire amount has been deposited into the State’s interest-bearing HAVA account. The funds will be available to our counties as soon as possible, and we intend to exhaust the full amount within the five (5) year period ending March 22, 2023.

Pursuant to Section 23-15-211.1, Miss. Code Ann., the Secretary of State is the State’s Chief Elections Officer for purposes of the National Voter Registration Act of 1993. In this capacity, the Secretary is responsible for the coordination among the various State agencies for the provision of voter registration services. In addition, MSOS conducts all training of local election officials and is charged under Mississippi law to certify said officials to conduct all primary, general, and special elections. The MSOS Elections Division assists the Secretary with his statutory duties. The Division is composed of eight (8) full time, permanent employees, including two (2) attorneys, and two (2) additional staff members dedicated to Elections IT.
Under Mississippi law, elections are wholly conducted by local election officials, including five (5) county-elected commissioners who serve four (4) year terms, and between three (3) and seven (7) municipal commissioners who are appointed by the municipal governing authority for a term of four (4) years, which run contemporaneous with the terms of the other municipal officers. There are eighty-two (82) counties and two hundred and ninety-nine (299) incorporated municipalities consisting of towns, villages, and cities in the State of Mississippi.

Voting Registration Systems and Cyber Vulnerabilities:

The MSOS maintains industry IT security protocols as part of its service level for the Statewide Elections Management System ("SEMS"), which is Mississippi’s centralized voter roll implemented in 2004 in compliance with HAVA. Many of these standards were included in the original design and implementation of the system. Others have been added as enhanced security features within the preceding twenty-four (24) months, including:

- deploying regular systems updates,
- mandatory user password changes,
- user-account creation verification,
- mandatory execution of the State’s Acceptable Use Policy by each authorized user as a prerequisite to access,
- system administration control by MSOS Elections IT staff,
- geo-blocking,
- antivirus protection,
- Intrusion Protection Systems (IPS),
- specialized network configurations, and
- compulsory third-party security audits.

The MSOS implemented Oracle encryption to ensure the protection of personal information contained in voter registration data and installed an iSensor, which provides 24/7 IP traffic monitoring as well as threat mitigation. The MSOS has also worked in tandem with the Department of Homeland Security, the Mississippi National Guard, and the Mississippi branch of the FBI to facilitate the Secretary’s dedication to protect and secure the State’s voting systems.

Though all of the development and improvements described above represent permissible HAVA expenditures, all were financed by the MSOS elections budget. The continuation of development, maintenance of security protocols and further enhancements to SEMS will continue to be financed by the MSOS elections budget without the need to utilize HAVA funds.
Two-Factor Authentication:

Development currently is under way and near completion for the implementation of two-factor authentication required of all authorized users to access SEMS. This enhanced feature will be in production by the end of July 2018 and its development will be invoiced to the State no later than September 2018. This invoice, in the approximate amount of Forty Thousand and No/100 Dollars ($40,000.00) for the development hours dedicated to the implementation and installation of the two-factor authentication requirement will be paid from the State’s HAVA funds.

SEMS Refresh Project II:

In 2013, the State expended approximately One Million One Hundred Thousand and No/100 Dollars ($1,100,000.00) paid from the MSOS general funds to update all of the hardware and software of SEMS. The useful life of the hardware and software purchased for this first refresh project was five (5) years.

The MSOS will again be undertaking its second major infrastructure refresh for SEMS to begin later this year, with final installation completed during the beginning months of 2019. Identical to the 2013 refresh project, this task will encompass all network hardware and software, Citrix and database servers, operating systems, storage networks, intrusion detection, virus protection, Windows upgrade, and Oracle database upgrades. Costs will also include support resources for planning, implementation, and testing to validate effective operation of all SEMS components and functionality.

As of this week, the MSOS has accepted the “lowest and best” bid from a third-party vendor for the purchase of all hardware and certain installation services for the refresh project. The cost of the infrastructure hardware and these limited services is approximately Seven Hundred and Twenty-Five Thousand and No/100 Dollars ($725,000.00), which will be paid solely from the Secretary of State’s general funds. The remaining costs needed for the purchase of software, Oracle database upgrades, and additional installation services, estimated to be approximately Four Hundred and Twenty-Five Thousand and No/100 Dollars ($425,000.00), will be paid from the State’s HAVA funds.

Post-Election Auditing:

Within the preceding four (4) months, the MSOS has developed a post-election audit pilot project. Immediately following the June 5, 2018 Primary Elections, the election officials in each county were asked to ready all election materials from the June 5, 2018 Primary Elections from one (1) precinct within the county to be received by the MSOS for its conduct of a post-election audit. The materials will be received within the Chain of Custody and Post-Election
Audit Report Form and will remain sealed and secured within the Election of the MSOS during the post-election audit process until return to each respective county.

The precinct documentation and ballots will be audited by Elections Division staff. All election materials, along with findings and results of these audits, will be returned to the county. Any errors discovered will be discussed with county election officials in order to provide direction prior to the upcoming 2018 November General Election. As a result of this pilot project, the MSOS will create a process document for utilization in all counties by which the individual county election officials may thereafter conduct randomized post-election audits.

MSOS may also continue to randomly select counties for post-election audits following each State election cycle. The only cost which may be incurred as a result of the pilot post-election audit project is travel expenses. These expenses, which will not exceed Five Thousand and No/100 Dollars ($5,000.00), may be paid from the State’s HAVA funds.

Permissible County Expenditures:

Referencing the decentralized system of conducting elections in the State of Mississippi, as described above, the MSOS intends to allocate approximately Four Million Two Hundred Fifty Thousand and No/100 Dollars ($4,250,000.00) of its HAVA funds to the eight-two (82) counties based upon voting-age population, for each to use toward permissible HAVA expenditures. This proposed allocation based upon voting age population is attached hereto as Exhibit “A”. This allocation will be available to each county, based upon completion of the application process set forth below, until December 31, 2020. Beginning on January 1, 2021, all remaining HAVA funds will be made available to the counties, again based upon completion of the application process described below, on a “first-come, first-serve” basis.

Direct payment of the allocated funds will not be made to the individual counties. Through an application process, each county will submit an application for approval to the MSOS, describing the county’s intended use of the allocated HAVA funds. Upon a determination the intended expenditures are permitted by HAVA, the MSOS will approve the application. It will then be the responsibility of the county to make the HAVA-related expenditures and thereafter seek reimbursement from the MSOS from the HAVA monies by providing proof of payment by the county for the previously approved HAVA-related expenditures.

The HAVA-related expenditures for which our counties may be reimbursed from the State’s HAVA funds include, but may not necessarily be limited to, the purchase of new voting machines or voting equipment, the enhancement of election technology, election official’s training for post-election procedures, improvements in election security, the performance of cybersecurity audits, enhancement of the county’s own network and election-related technology, and improvements to county-owned polling places to ensure compliance with the Americans with Disabilities Act and Section 23-15-281, Miss. Code Ann., as amended.
As prerequisites to the submission of an application and reimbursement of HAVA funds, the MSOS will require each county’s participation and cooperation in the post-election audit project conducted by the State this year and will also require county election officials to inspect and complete an updated ADA Accessibility Survey for each county polling place.

Sincerely,

Kimberly P. Turner
Assistant Secretary of State, Elections Division

Enclosures
## EXHIBIT “A”

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## 2018 HAVA ELECTION SECURITY GRANT

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<th>(d) Cyber Security</th>
<th>(e) Communications</th>
<th>(f) Polling Place Improvements</th>
<th>(g) Other</th>
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