

CLAY COUNTY
VOTING SYSTEM SECURITY POLICY

Last Revised March 29, 2016

Updated for Personal Changes July 11, 2016

1. Purpose: The purpose of this policy is to assure the voting system is secure by defining guidelines for the Auditor and staff.
2. Scope: This policy applies to the Auditor and the staff identified within this policy.
3. Staff Access: Only the persons identified below will have access to the Unisyn Open Elect Voting system for producing the ballot layout, generating ballots, uploading and accepting election results, preparing election reports, and posting election results to the county website:

1. Producing the Ballot Layout and Generating Ballots, Downloading memory cards -

Name	Title:
Marjorie Pitts	Clay County Auditor
Audrey Coffman	Elections Deputy
Authorized Henry Adkins & Sons, Inc. Representatives	

2. Uploading and accepting election results, preparing election results reports and posting election results to county website –

Name	Title:	
Marjorie Pitts	Clay County Auditor	
Audrey Coffman	Elections Deputy	22.50(1)

4. Computers: The ballot production and election results computer used in the commissioner’s office will not be used for any other function except to prepare ballots and voting equipment programs, and compile and report election results. The computer will not be linked any other computer unless the appropriate firewalls to filter network traffic are used.

Data transmissions over the Internet will be encrypted and password protected. (Information posted to a Web-site is not considered transmission of data over the Internet.) 22.50(2)

5. Password ID’s: Every ID and password will be unique. Generic or shared user ID’s are prohibited. Each user will have exactly one user ID and password, except where job requirements necessitate the creation of multiple ID’s to access different business functions. 22.50(2b)

6. Authority: The user’s level of access shall be specifically required by the user’s job. Administrator access is granted only to the Auditor and Elections Deputy Auditor.

Office Staff members with generic user ID’s are not allowed to sign on to voting systems. 22.50(2b2)

7. Password standards:

Passwords will be changed for each election

Passwords should have a minimum of 8 characters and cannot be used again until you have changed passwords 6 times.

The Commissioner or her designee will keep all Passwords securely on file.

22.50(2b4)

8. Monitor Audit Log: The audit log of the system will be checked periodically to see who has accessed the computer system.

9. User Security form: Each employee who has access to the Unisyn Tabulation System shall have on file a signed User Security Form. The Auditor or her designee should keep these forms on file.

10. The election results computer: The tabulation computer is kept in a locked room in the lower level of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa. Access keys are issued to a limited number of employees, including

NAME	TITLE:
Marjorie Pitts	Clay County Auditor
Audrey Coffman	Elections Deputy

11. The Voting Equipment: The Iowa Secretary of State’s Administrative Rules 721-22.264 and 721-22.265 will be followed for the Unisyn OpenElect OVO and Unisyn Open Elect OVI units for preparation and use in elections. Iowa Code Chapter 52.27, Secretary of State’s Administrative Rules 721-22.200, 721-22.231, 721-22.240 and 721-26.104 will be followed for operating procedures and security.

Only certain individuals will have access to the voting equipment, while housed in the equipment storage area, in the lower level of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa 51301 as follows:

NAME	TITLE:
Marjorie Pitts	Clay County Auditor
Audrey Coffman	Elections Deputy
Alison Kutzbach	Auditor Staff
Kris Toay	Deputy Auditor
Ann Baschke	Deputy Auditor
Cheryl Riley	Custodial Staff
David Decker	Custodial Staff
Michael Determan	Custodial Staff
Jeremy Jensen	Custodial Staff
Mark Fredericks	Authorized Henry Adkins Representative

*Please note some non-essential voting equipment including the voting machine ballot boxes, signs, voting booths, and tables will be kept at a locked warehouse in Spencer located at 337 10th Street SW. Only the individuals listed above and Tracey & Jennifer Small (J & T Rental owners) will have access to the warehouse.

12. Memory Storage Devices: For all voting equipment, the security measures for memory storage devices found in the Iowa Secretary of States' Administrative Rules 721-22.51 will be followed.

13. Ballots: Ballots for each election will be produced and printed by Henry Adkins & Sons, Inc., 219 South Main, Clinton, Missouri 64735. The ballots will be sealed at the Henry Adkins & Sons, Inc. printing warehouse and shipped by traceable carrier to the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa 51301. The ballots will then be secured in the locked storage area in the lower level until used for Absentee Precinct or delivered to the precincts on Election Day. Accurate records of the number of each ballot ordered from the printer, delivered by the printer to the commissioner, those used for testing, absentee voting, spoiled and issued as samples will be recorded as required by Iowa Secretary of States' Administrative Rule 721-22.102(9). Records will be maintained by the Commissioner's staff in the Auditor's office.

Procedures and security measures for the ballots will be followed from Iowa Code Chapters 49.65, 49.87, 50.10, 50.12, 53.8 and 53.18; Iowa Administrative Rules 721-22.343 and 721-26.104.

The following personnel will have access to the ballot storage area:

NAME	TITLE:
Marjorie Pitts	Clay County Auditor
Audrey Coffman	Elections Deputy
Alison Kutzbach	Auditor Staff
Kris Toay	Deputy Auditor
Ann Baschke	Deputy Auditor
Cheryl Riley	Custodial Staff
David Decker	Custodial Staff
Michael Determan	Custodial Staff
Jeremy Jensen	Custodial Staff
Mark Fredericks	Authorized Henry Adkins Representative

Clay County, Iowa Storage and Delivery Plans:

Voting equipment will be stored in the lower level of the Clay County Administration building, located at 300 West 4th Street, Spencer, IA under a locked environment.

The public will be invited to attend a public test as required by law and will be allowed in the election room at that time, as long as elections staff are present as well. At no time during the public testing, will election staff leave the equipment unattended unless everyone is removed from the election room and the election room is securely locked.

The equipment, when tested, set for election and sealed will be delivered by the Clay County Custodial staff to the polling locations under the supervision of the Commissioner's staff. Equipment will be placed in a secure location within the polling place.

On Election Day, the keys to the Unisyn voting equipment shall be kept by the chairperson of the precinct election officials in a secure manner. At the conclusion of the election, two sets of results from the voting machine shall be left with the chairperson to place in the precinct tally book. The sealed Unisyn voting scanner and one set of results will be returned to the auditor's office immediately after results are run by official tech couriers under oath.

At partisan elections, a republican and a democrat will return **all** the ballots within sealed envelopes with the Ballot Record and Receipt form completed and signed, completed and signed tally book with 2 voting machine results, claim forms, voter registration forms, any provisional ballots in a sealed envelope and voting machine keys. The remainder of the election equipment and supplies will kept in a secure location within the polling location, then retrieved and returned to the locked storage area in the lower level of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa by two employees of Spencer Office Supplies on the following day.

All records will be kept for six months after an election, unless the election contains state or federal offices or state or federal public measures, then they will be retained for twenty-two months.

Throughout the election process, the Clay County Commissioner of Elections and election staff listed in this policy will endeavor to use the election procedures, security measures and maintain accurate records as outlined and required for elections by the Iowa Code and the Iowa Secretary of States' Administrative Rules.

Iowa Code 49.65 Packing ballots-delivery-receipts-records.

Iowa Code 49.87 Prohibited Ballot-taking ballot from polling place.

Iowa Code 50.10 Record of ballots returned.

Iowa Code 50.12 Return and preservation of ballots.

Iowa Code 52.27 Commissioner to provide optical scan voting.

Iowa Code 53.8 Ballots mailed.

Iowa Code 53.18 Manner of preserving ballot and applications-review of affidavits-replacement ballots.

Iowa Administrative Rule 721-22.43 Conducting the public test.

Iowa Administrative Rule 721-22.50 Voting system security.

Iowa Administrative Rule 721-22.51 Memory cards.

Iowa Administrative Rule 721-22.102(9) Ballots.

Iowa Administrative Rule 721-22.200 Security.

Iowa Administrative Rule 721-231 Emergency ballot box or bin.

Iowa Administrative Rule 721-240 Results.

Iowa Administrative Rule 721-343 Counting absentee ballots on the day before the
General Election

Iowa Administrative Rule 721-264 Unisyn OpenElect OVO unit-preparation and use.

Iowa Administrative Rule 721-265 Unisyn OpenElect OVI unit.

Iowa Administrative Rule 721-26.104 Responsibilities of the recount board.

Iowa Code 49.65 Packing ballots — delivery — receipts — records.

The required number of ballots for each precinct shall be wrapped and sealed, and each package shall be clearly marked on the outside to indicate the number of ballots contained in the package and the name or number of the precinct and the location of the polling place for which they are intended. The ballots shall be delivered to the precinct election officials together with other necessary election supplies, as provided by section 49.55, and one of the officials shall sign a receipt for the ballots which receipt shall be preserved by the commissioner. The commissioner shall keep a record of the number of ballots delivered for each polling place, the person who signed the receipt for them, and the time they were delivered, on a form which also provides space for the entries required by section 50.10.

Iowa Code 49.87 Prohibited ballot — taking ballot from polling place.

No voter shall vote or offer to vote any ballot except such as the voter has received from the precinct election officials, nor take or remove any ballot from the polling place before the close of the poll.

Iowa Code 50.10 Record of ballots returned.

The commissioner shall enter on the record maintained as required by section 49.65 a notation of the number and character of the ballots returned from each precinct, and the time when and the person by whom they are returned.

Iowa Code 50.12 Return and preservation of ballots.

Immediately after making the proclamation, and before separating, the board members of each precinct in which votes have been received by paper ballot shall enclose in an envelope or other container all ballots which have been counted by them, except those endorsed “Rejected as double”, “Defective”, or “Objected to”, and securely seal the envelope. The signatures of all board members of the precinct shall be placed across the seal or the opening of the container so that it cannot be opened without breaking the seal. The precinct election officials shall return all the ballots to the commissioner, who shall carefully preserve them for six months. Ballots from elections for federal offices shall be preserved for twenty-two months. The sealed packages containing voted ballots shall be opened only for an official recount authorized by section 50.48, 50.49, or 50.50, for an election contest held pursuant to chapters 57 through 62, or to destroy the ballots pursuant to section 50.19.

Iowa Code 52.27 Commissioner to provide optical scan voting equipment.

The commissioner having jurisdiction of any precinct for which the board of supervisors has adopted voting by means of an optical scan voting system shall, as soon as practicable thereafter, provide for use at each election held in the precinct optical scan ballots and ballot marking devices in appropriate numbers. The commissioner shall have custody of all equipment required for use of the optical scan voting system, and shall be responsible for maintaining it in good condition and for storing it between elections.

Iowa Code 53.8 Ballots Mailed Ballot mailed.

1. Upon receipt of an application for an absentee ballot and immediately after the absentee ballots are printed, the commissioner shall mail an absentee ballot to the applicant within twenty-four hours, except as otherwise provided in **subsection 3**. The absentee ballot shall be enclosed in an unsealed envelope bearing a serial number and affidavit. The absentee ballot and unsealed envelope shall be enclosed in or with a return envelope marked postage paid which bears the same serial number as the unsealed envelope. The absentee ballot, unsealed envelope, and return envelope shall be enclosed in a third envelope to be sent to the registered voter. If the ballot cannot be folded so that all of the votes cast on the ballot will be hidden, the commissioner shall also enclose a secrecy envelope with the absentee ballot.

2. *a.* The commissioner shall enclose with the absentee ballot a statement informing the applicant that the sealed return envelope may be mailed to the commissioner by the registered voter or the voter's designee or may be personally delivered to the commissioner's office by the registered voter or the voter's designee. The statement shall also inform the voter that the voter may request that the voter's designee complete a receipt when retrieving the ballot from the voter. A blank receipt shall be enclosed with the absentee ballot.

b. If an application is received so late that it is unlikely that the absentee ballot can be returned in time to be counted on election day, the commissioner shall enclose with the absentee ballot a statement to that effect.

3. *a.* When an application for an absentee ballot is received by the commissioner of any county from a registered voter who is a patient in a hospital in that county or a resident of any facility in that county shown to be a health care facility by the list of licenses provided the commissioner under **section 135C.29**, the absentee ballot shall be delivered to the voter and returned to the commissioner in the manner prescribed by **section 53.22**.

b. (1) If the application is received more than five days before the ballots are printed and the commissioner has elected to have the ballots personally delivered during the ten-day period after the ballots are printed, the commissioner shall mail to the applicant within twenty-four hours a letter in substantially the following form:

Your application for an absentee ballot for the election to be held on has been received. This ballot will be personally delivered to you by a bipartisan team sometime during the ten days after the ballots are printed. If you will not be at the address from which your application was sent during any or all of the ten-day period immediately following the printing of the ballots, the ballot will be personally delivered to you sometime during the fourteen days preceding the election. If you will not be at the address from which your application was sent during either of these time periods, contact this office and arrangements will be made to have your absentee ballot delivered at a time when you will be present at that address.

(2) If the application is received more than fourteen calendar days before the election and the commissioner has not elected to mail absentee ballots to applicants as provided under **section 53.22, subsection 3**, and has not elected to have the absentee ballots personally delivered during the ten-day period after the ballots are printed, the commissioner shall mail to the applicant within twenty-four hours a letter in substantially the following form:

Your application for an absentee ballot for the election to be held on has been received. This ballot will be personally delivered to you by a bipartisan team sometime during the fourteen days preceding the election. If you will not be at the address from which your application was sent during any or all of the fourteen-day period immediately preceding the election, contact this office and arrangements will be made to have your absentee ballot delivered at a time when you will be present at that address.

c. Nothing in **this subsection** nor in **section 53.22** shall be construed to prohibit a registered voter who is a hospital patient or resident of a health care facility, or who anticipates entering a hospital or health care facility before the date of a forthcoming election, from casting an absentee ballot in the manner prescribed by **section 53.10** or **53.11**.

Iowa Code 53.18 Manner of preserving ballot and application-review of affidavit-replacement ballots.

1. When the return envelope containing the completed absentee ballot is received by the commissioner, the commissioner shall at once record receipt of such ballot. Absentee ballots shall be stored in a secure place until they are delivered to the absentee and special voters precinct board.

2. If the commissioner receives the return envelope containing the completed absentee ballot by 5:00 p.m. on the Saturday before the election for general and primary elections and by 5:00 p.m. on the Friday before the election for all other elections, the commissioner shall open the envelope to review the affidavit for completeness. If the affidavit is incomplete, the commissioner shall, within twenty-four hours of the time the envelope was received, notify the voter of that fact and that the voter may complete the affidavit in person at the office of the commissioner by 5:00 p.m. on the day before the election, vote a replacement ballot in the manner and within the time period provided in **subsection 3**, or appear at the voter's precinct polling place on election day and cast a ballot in accordance with **section 53.19, subsection 3**.

3. If the affidavit envelope contains a defect that would cause the absentee ballot to be rejected by the absentee and special voters precinct board, the commissioner shall immediately notify the voter of that fact and that the voter's absentee ballot shall not be counted unless the voter requests and returns a replacement ballot in the time permitted under **section 53.17, subsection 2**. The voter may request a replacement ballot in person, in writing, or over the telephone. The same serial number that was assigned to the records of the original absentee ballot application shall be used on the envelope and records of the replacement ballot. The affidavit envelope containing the completed replacement ballot shall be marked "Replacement ballot". The affidavit envelope containing the original ballot shall be marked "Defective" and the replacement ballot shall be attached to the affidavit envelope containing the original ballot and shall be stored in a secure place until they are delivered to the absentee and special voters precinct board, notwithstanding **sections 53.26** and **53.27**.

4. The state commissioner of elections shall adopt rules for implementation of **this section**

Iowa Secretary of State's Administrative Rule 721-22.43

721—22.43 (52) Conducting the public test.

22.43(1) The equipment shall be inspected to determine whether it has been prepared properly for the election at which it will be used. The following information shall be verified:

- a. The correct program cartridge or memory card is in place for the election and the precinct or precincts in which it will be used.
- b. All counters are set at zero before the test is begun.

22.43(2) The commissioner shall conclude the test not later than 12 hours before the polls open on election day. Following the test, the tabulating equipment shall be inspected to determine that:

- a. All counters have been returned to zero.
- b. All required locks or seals are in place.
- c. The automatic tabulating equipment is ready for operation at the election.

The results tape from each scanner produced during the public test shall be signed by the person conducting the test and by any observers present at the test. The signers shall write their signatures at the end of the tape where it will be detached from the machine. The tape shall be torn or cut across the signatures, so that a portion of the signature is on the tape remaining on the tabulating device. The test results tape, including a part of the tester's signature, shall be retained with the appropriate test deck for the period of time required by Iowa Code section 50.19.

22.43(3) Test deck submitted by observers. Any person who is present at the public test may mark ballots to be used to test the voting equipment. The following conditions apply:

- a. Not more than ten ballots may be submitted by any person.
- b. Only official ballots provided by the commissioner at the test shall be used.
- c. The observer submitting the test shall provide a written tally of the test deck.
- d. The results of the machine tabulation shall be printed and compared with the observer's tally. If there are differences, the cause of the discrepancy shall be determined. If the cause of the discrepancy cannot be determined and corrected, the program or equipment shall not be used at the election.
- e. The test decks, the tally, and the printed results of the test shall be kept with the records of the election and preserved as required by Iowa Code section 50.19.

Iowa Secretary of State's Administrative Rule 721-22.50

721—22.50 (52) Voting system security.

Each county shall have a written security policy. The policy shall include detailed plans to protect the election equipment and data from unauthorized access. The policy shall describe the methods to be used to preserve the integrity of the election and to document the election process.

22.50(1) *Staff access.*

The security policy shall describe who shall have access to the voting equipment.

22.50(2) Computers.

For security purposes, computers used in the commissioner’s office to prepare ballots and voting equipment programs or to compile and report election results should not be used for any other function and should not be linked to any computer network or to the Internet.

a. If the election computers are linked to a network or to the Internet, the commissioner shall use a firewall to filter network traffic. Data transmissions over the Internet shall be encrypted and password-protected. Information posted to a Web site shall not be considered transmission of data over the Internet.

b. Access shall be limited to persons specified by the commissioner in the written security policy. The level of access shall be included in a written security policy.

(1) Uniqueness. Every ID and password shall be unique. The creation of generic or shared user IDs is specifically prohibited. Each user shall have exactly one user ID and password, except where job requirements necessitate the creation of multiple IDs to access different business functions.

(2) Authority. Each user shall be granted only the level of access specifically required by the user’s job. Use of “Administrator,” “Super User,” “Security Administrator,” or “SA” levels of authority shall be severely restricted.

(3) Generic user IDs. Staff members with generic user IDs are not allowed to sign on to voting systems.

(4) Password standards.

Account Policy	Recommended Setting
Maximum Password Age	90 days
Minimum Password Age	2 days
Minimum Password Length	8 characters
Enforced Password History	6 passwords (last 6 cannot be used)
Account Lockout (number of unsuccessful log-on attempts)	3 bad attempts
Account Lockout Duration	6 hours
Reset Account Lockout Counter After	6 hours

22.50(3) Evacuation.

If it is necessary to evacuate the election office, a satellite absentee voting station or a polling place, the precinct election staff or the election officials shall immediately attempt to notify the commissioner and take the following actions:

a. *Keep people safe.*

The officials shall make sure that all voters and other persons are safely out of the polling place.

b. *Protect critical election documents and materials.*

After the safety of the voters and others has been secured, the officials shall remove or secure the following:

(1) The ballot box or electronic voting device containing voted ballots.

(2) The keys to the voting equipment and any memory cards, cartridges or other data storage devices containing the election information.

(3) All unvoted ballots.

- (4) The precinct election register.
- (5) Signed declarations of eligibility.
- (6) The tabulating device.

Iowa Secretary of State's Administrative Rule 721-22.51

721—22.51 (52) Memory cards.

A memory card is a small, removable device containing data files of the election definition programmed for use in voting equipment for each election. For all voting equipment, the following security measures are required:

22.51(1) *Serial number.*

Each memory card shall have a serial number printed on a readily visible label. The label shall include the name of the county.

22.51(2) *Inventory.*

Memory cards owned by the county and retained in the custody of the county commissioner shall be maintained under perpetual inventory, with a record of inventory activity. The commissioner shall maintain a similar record of relevant actions if the memory cards are acquired from a vendor for each election. The record of inventory activity shall reflect:

- a. The date each memory card was acquired;
- b. Each use of each memory card in an election;
- c. Each maintenance activity to a memory card, such as changing the battery;
- d. Any problems or errors detected while using the memory card during its life;
- e. Records of the disposal of any memory cards at the end of their useful life or upon return to the vendor for maintenance or warranty claims.

22.51(3) *Custody.*

a. In counties where the commissioner has the necessary software and equipment to program the memory cards locally, the commissioner shall maintain a memory card log for each election as required in subrule 22.51(4) during the period when the memory cards are removed from storage, prepared for an election, and until they are sealed into a voting device. Only county employees and precinct election officials, as applicable, authorized by the county's security policy shall be permitted to handle the memory cards. No one individual should be alone with the unsecured memory cards at any time. If a person who is not authorized by the security policy to have access to the memory cards transports them to another location, such as a warehouse, the memory cards shall be enclosed in a transport container with a tamper-evident seal.

b. In counties where the commissioner purchases programming services from a vendor, the memory cards shall be shipped to and from the vendor by a shipping service that employs tracking numbers. The memory cards shall be enclosed in a package sealed with a numbered, tamper-evident seal. Programmed memory cards shall be shipped in a package sealed with a numbered, tamper-evident seal from the vendor to the commissioner. If the seal is not intact upon arrival, the commissioner shall immediately contact the vendor for replacement cards. Only county employees authorized by the county's security policy (and precinct election officials, as applicable) shall be permitted

22.51(5) Preparation and installation.

When memory cards are installed, they shall be sealed immediately into the machine using a numbered, tamper-evident seal. Appropriate log entries shall be completed.

22.51(6) Replacing seals or memory cards.

If a seal is accidentally broken or a memory card is replaced for any reason, the issuance of a new seal and the entry into the log shall be witnessed by more than one person. The facts of the incident and the names of the individuals who detected and resolved it shall be recorded.

22.51(7) Opening the polls.

Immediately before the polls open on election day, the precinct election officials shall turn on the voting equipment and print the report showing that all counters are set at zero.

22.51(8) Verification log.

The commissioner shall provide to each precinct a precinct verification log with the ballot record and receipt. The verification log shall provide places for precinct election officials to record or check the following information before the polls open and again before leaving the polling place at the end of the day:

- a. Seal numbers from the voting equipment; and
- b. Condition of seals on ballot containers.

22.51(9) Election day.

- a. Before the polls are opened, the precinct election officials shall verify the required information in the verification log and sign the log.
- b. After the polls are closed, the precinct election officials shall verify the required information in the verification log and sign the log before leaving the polling place.
- c. If the precinct election officials remove the memory cards from the voting equipment, the officials shall first print the results report from the voting equipment.

22.51(10) Return of memory cards.

If the precinct election officials remove the memory cards from the voting equipment on election night, they shall return to the commissioner the memory cards and the seals used to secure them in a sealed envelope or other container. All officials of the precinct shall witness the statement on the envelope or other container. The label on the envelope or other container shall be in substantially the following form:

Memory Cards

Election Date:

Precinct:

This envelope contains Memory Cards and memory card access seals from this precinct.

Machine Number	Memory Card #	Memory Card Seal #
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[Signatures of all precinct election officials shall be included on the label.]

22.51(11) *Storage.*

If the memory cards are returned inside the voting equipment to the commissioner, the machine serial numbers and the seal numbers shall be verified against the verification log described in subrule 22.51(8). When the memory cards are removed, their serial numbers shall also be verified against the verification log returned by the precinct's election officials. The memory card audit log shall be retained for the time period required by Iowa Code section 50.19.

22.51(12) *Results verified.*

Before the conclusion of the canvass of votes, the individual results reports from the precincts, as signed by the precinct election officials at the polls on election night, shall be compared to the election results compiled for the canvass (either manually or electronically) to verify that transmitted and accumulated totals match the results witnessed by the election officials. Any discrepancies in these totals shall be reconciled before the supervisors conclude the canvass.

22.51(13) *Retention of programmed memory cards.*

The election information on all memory cards used for an election shall be retained on the memory cards until after the time to file requests for recounts and election contests has passed. If a contest is pending, the memory cards shall be retained until the contest is resolved. Before the memory cards are permanently erased, the commissioner shall print the memory card audit log from each card.

22.51(14) *Retention of program information.*

The commissioner shall retain all instructions and other written records of the process for programming the memory cards and the memory card audit logs for the period required by Iowa Code section 50.19. The contents of memory cards and other electronic records of the election process shall be collected and retained in an electronic or other medium and stored with the other election records for the time period required by Iowa Code section 50.19.

Iowa Secretary of State's Administrative Rule 721-22.102(9)

22.102(9) Ballots shall be stored in a locked room or storage area. Access to the storage area shall be restricted to those persons identified in the election security plan. Throughout the election process, the commissioner shall keep accurate records of the number of each type of ballot or ballot style printed for the election. This record shall include the number of ballots:

- a.* Ordered from the printer.
- b.* Printed and delivered by the printer to the commissioner. The commissioner may store sealed, unopened packages of ballots without verifying the number of ballots in the package.
- c.* Used for testing as required by Iowa Code sections 52.9 and 52.35 and rule 721—22.41(52).
- d.* Held in reserve for emergencies as required by Iowa Code section 49.66.
- e.* Delivered to and returned from the polling places as required by Iowa Code sections 49.65 and 50.10.
- f.* Used for absentee voting, including any spoiled ballots.
- g.* Issued as sample ballots to the public as permitted by Iowa Code section 43.30.
- h.* Photocopied ballots used pursuant to Iowa Code section 49.67.
- i.* Printed by the commissioner using any voting system program, such as Election Systems & Software's Ballot on Demand program.

Iowa Secretary of State's Administrative Rule 721-22.200 **721—22.200 (52) Security.**

22.200(1)

At least one tabulating device shall be provided at each precinct polling place for an election. If the tabulating device is delivered to the polling place before election day, it shall be secured against tampering or kept in a locked room.

22.200(2)

The maintenance key or keys used to gain access to the internal parts of the tabulating device shall be kept in a secure place and in a secure manner, in the custody of the commissioner. On election day, the key used to obtain the paper printout shall be kept by the chairperson of the precinct election officials in a secure manner. Small electronic devices, such as memory cards, cartridges or other data storage devices used to activate tabulation equipment or to store election information, shall be in the custody of the precinct chairperson when the devices are not installed on the voting equipment.

22.200(3)

If a password is needed for precinct election officials to have routine access to the tabulating device during election day, the password shall be changed for every election. The commissioner shall restrict access to the password in the written security policy.

Iowa Secretary of State's Administrative Rule 721-22.231

Emergency ballot box or bin.

Each precinct shall be furnished with an emergency ballot box or bin that is suitably equipped with a lock and key or numbered, tamperproof seal. In the event of power failure or malfunction of the tabulating device, voted ballots shall be deposited in the locked or sealed emergency ballot box or bin. A precinct election official shall put the ballot into the emergency ballot box or bin for the voter. The voted ballots so deposited may be removed from the locked emergency ballot box or bin and tabulated before the polls close whenever a properly functioning tabulating device becomes available, or the voted ballots so deposited may be removed and counted electronically or manually immediately after the polls are closed. If the ballots are counted manually, the precinct election officials shall follow the requirements of 721—Chapter 26.

Iowa Secretary of State's Administrative Rule 721-22.240

Results. After the polls are closed and the tabulating device has processed all of the ballots, including any ballots from the emergency ballot box or bin, the precinct election officials shall:

22.240(1) Unlock the tabulating device and obtain a paper printout showing the votes cast for each candidate and public measure.

22.240(2) Fasten the paper printout to the official tally sheet.

22.240(3) Unlock or remove the seal on the ballot box or bin containing ballots with write-in votes and open it. The precinct officials shall remove the ballots and manually count the write-in votes as required by 721—Chapter 26. The officials shall record the write-in votes in the tally list.

22.240(4) Seal all ballots in a transfer case to be returned to the commissioner in accordance with Iowa Code section 50.12.

22.240(5) It is not necessary for the precinct officials to separate primary election ballots by political party.

Iowa Secretary of State's Administrative Rule 721-22.343

Counting absentee ballots on the day before the general election.

When absentee ballots are tabulated on the day before the election as permitted or required by Iowa Code section 53.23 as amended by 2009 Iowa Acts, House File 670, the absentee and special voters precinct board and county commissioner shall implement the following security precautions:

22.343(1) *Seal and label voted ballot envelopes or other containers with date of tabulation.*

The precinct election officials shall seal all ballots tabulated on the day before the election in a voted ballot envelope or other container labeled with the date of tabulation. The precinct election officials shall seal and sign the envelope or other container in a manner that will make it evident if the envelope or other container is opened.

22.343(2) *Ensure secure storage of all ballots.*

Before adjourning for the day, the precinct election officials shall transfer custody of all absentee ballots to the commissioner. The commissioner shall ensure all absentee ballots are stored in a secure location until tabulation is resumed on election day.

22.343(3) *Ensure memory card security.*

Before the absentee and special voters precinct board adjourns for the day, the memory card used in the tabulator(s) on the day before the election shall be secured by the precinct election officials in one of the following ways:

- a. The memory card may be left in the tabulator when a tamper-evident seal is affixed over the memory card in a manner that will make it evident if the seal is removed.
- b. The memory card may be removed from the tabulator and placed in an envelope. The precinct election officials shall seal the envelope in a manner that will make it evident if the envelope is opened.

22.343(4) *Ensure security of the tabulator(s).*

Before adjourning for the day, the precinct election officials shall ensure the security of the tabulator(s). The tabulator(s) must be stored in a secure location until the absentee and special voters precinct board resumes tabulation on election day.

22.343(5) *No results tape printing on the day before the election.*

No results tapes may be printed from the tabulator(s) on the day before the election.

22.343(6) *No upload of results to tabulating software until election day.*

No results may be uploaded or input into tabulating software on the day before the election.

22.343(7) *Verify no tampering before resuming tabulation on election day.*

Before tabulation resumes on election day, the absentee and special voters precinct board shall verify the tabulator(s), memory card(s) and memory card port(s) have not been obviously tampered with overnight.

22.343(8) *Resume tabulation.*

The absentee and special voters precinct board shall resume tabulation using one of the following methods:

- a. Using the same memory card(s) used on the day before the election and resuming tabulation.
- b. Using a new memory card(s) and compiling the results contained on the memory card(s) used on election day and on the day before the election.

22.343(9) *Print audit logs.*

After the election, the audit logs must be printed and be available for public inspection.

Iowa Secretary of State’s Administrative Rule 721-22.264

721—22.264 (52) Unisyn OpenElect OVO unit—preparation and use in elections.

22.264(1) Security.

The commissioner shall have a written security plan for the voting system. Access to equipment, programs and passwords shall be limited to those persons authorized in writing by the commissioner. The security plan shall be reviewed at least annually.

a. Passwords used at the polling places on election day shall be changed for each election.

b. For each election, the precinct chairperson shall be responsible for the custody and security of the keys for the voting equipment, the ballot boxes and the security of the voting system on Election Day.

22.264(2) Configuration choices.

The following selections are mandatory for all elections:

a. Access, messaging and tabulating selections.

In the Election Manager, “Election Options” menu, the following selections shall be made:

- (1) “Allow Add Precinct” shall be checked.
- (2) “Full Voter Ballot Review” shall not be checked.
- (3) “Consolidate Splits” shall be checked.
- (4) “Overvote by Voter” shall not be checked.
- (5) “No Undervote Check” shall be selected in the Undervote Checking dropdown menu.

b. Printing selections.

In the Election Manager, “Printing Options” menu, the following selection shall be made:

- (1) “Auto Print Alerts” shall not be checked.
- (2) “Voter Receipts” shall not be checked.
- (3) “Display Contest Results on Summary” shall be checked.

c. Ballot acceptance by the OVO unit.

In an official election, the commissioner shall not program the OVO for unconditional acceptance of all ballots and shall program the OVO unit to accept undervoted ballots. The system shall also be programmed to query the voter in each of the following situations:

- (1) Overvoted ballot.
- (2) Blank ballot.
- (3) Unreadable ballot.

d. Reports.

The following are required reports:

- (1) Opening the polls. Print a zero vote totals report.
- (2) Closing the polls. The poll report is the official record of the votes cast in the precinct on election day.
- (3) Certification text. The following shall appear at the end of the poll report:

We, the undersigned precinct election officials of this precinct, hereby attest that this tape shows the results of all ballots cast and counted on this tabulating device at this election. (Include signature lines for each of the officials to sign.)

22.264(3) Ballot layout.

Although the Unisyn OpenElect voting system software includes choices for variations in ballot layout, all ballots shall be prepared according to the requirements of Iowa Code sections 43.26 through 43.29 and 49.30 through 49.48.

a. Format. The office title, instructions about the maximum number of choices the voter can make for the office, the candidate names and all write-in lines associated with each office on the ballot shall be printed in a single column on the same side of the ballot. All text and the “yes” and “no” choices for each public measure and for each individual judge on a ballot shall be printed in a single column on the same side of the ballot. No office or public measure on any ballot shall be divided to appear in more than one column or on more than one page of a ballot. For all elections, the voting target shall be printed on the left side of each choice on the ballot.

B. Instructions for voters.

The ballots shall contain instructions for voters including:

- (1) How to mark the ballot;
- (2) Straight party voting instructions in general elections as required by Iowa Code section 49.37;
- (3) Where to find the judicial ballot (if any); and
- (4) Constitutional amendment (if any) as required by Iowa Code section 49.48 and notices to voters on ballots with public measures (if any) as required by Iowa Code section 49.47.

22.264(4) System error messages.

Precinct election officials shall be provided with a list of known system error messages and the appropriate responses. The officials shall be instructed to contact the commissioner or the commissioner’s designee for all other messages, errors or voting equipment malfunctions on election day.

22.264(5) Preelection testing.

All voting equipment shall be tested pursuant to the provisions of Iowa Code section 52.30 and rule 721—22.42(52). At the commissioner’s discretion, additional logic and accuracy tests may be conducted.

22.264(6) Record retention.

The OVO unit uses a thermal printer. The maximum anticipated life span of the results from each OVO unit is only five years. In order to preserve the permanent record of the precinct results required by Iowa Code section 50.19, the commissioner shall print a copy of the results of each precinct on permanent paper and store these copies with the tally lists from precincts where the OVO unit was used.

Iowa Secretary of State's Administrative Rule 721- 22.265

721—22.265(52) Unisyn OpenElect OVI unit.

22.265(1) *Acceptance testing.*

Upon receipt of the equipment from the vendor, the commissioner shall subject each OVI unit to an acceptance test. The test shall be in addition to any testing provided by the vendor and shall include a demonstration of the functionalities of the device.

22.265(2) *Audio ballot preparation.*

Each candidate shall have an opportunity to provide a record of the proper pronunciation of the candidate's name. The same voice shall be used for recording the entire ballot including instructions, office titles, candidate names and the full text of all public measures.

22.265(3) *Timeout value.*

The OVI timeout value shall be set to 600 seconds. Precinct election officials shall monitor the use of the OVI unit to ensure that voting sessions are not automatically terminated due to inactivity. If a voter abandons a voting session initiated on the OVI unit without printing a ballot, the two precinct election officials designated to assist voters shall print the ballot without reviewing it or making any changes to the voter's choices before the OVI unit times out due to inactivity, enclose the ballot in a secrecy folder, and immediately deposit the ballot in the tabulating device.

22.265(4) *Preelection testing.*

Each OVI unit shall be tested before each election in which it will be used. The commissioner must use the OVI unit to prepare some ballots for the test decks as required by paragraph 22.42(1)“d.” In addition, the commissioner shall verify that:

- a. The vote response fields on the screen align with the candidate names or choices.
- b. All contests and candidates appear on the screen for each precinct.
- c. All contests and candidates are included in the audio ballot for each precinct.
- d. All voting positions in each race can be selected, then deselected, using the touchscreen and the keypad.
- e. Selections on the printed ballots accurately reflect the voter's choices.
- f. Overvote and undervote functions are programmed correctly.
- g. The write-in function for each office is working correctly. All letters in the alphabet must be tested.
- h. There is enough paper on the paper roll to print a minimum of ten ballots for the election in which the OVI unit is being used.

22.265(5) *Availability at public test.*

The commissioner shall ensure that the OVI unit is available for demonstration at public tests.

22.265(6) *TM.*

The TM device used with the OVI unit shall be installed before the OVI unit is locked, sealed and transported to the polling place for election day. The commissioner shall lock and seal the OVI unit, record the seal number and provide the number to the precinct election officials as required by rule 721—22.51(52). From the time the OVI unit is delivered to the polling place until the time the precinct officials arrive, the OVI unit shall be stored securely to prevent tampering. On election day, the precinct election officials

shall inspect the seal and verify that the original numbered seal is present and undamaged.

22.265(7) *Touchscreen and printer testing.*

The commissioner may provide for printer and touchscreen testing after delivery of the OVI unit to the polling place. If touchscreen testing is performed at the polling place, the delivery staff shall complete the testing before the polls open on election day. Staff shall keep a log for each OVI unit and record the machine serial number, precinct name or number, nature of the test, date and time of the test and name of the person performing the test.

22.265(8) *OVI unit keys.*

Possession of the OVI unit keys shall be restricted to the precinct chairperson and authorized members of the commissioner's staff.

22.265(9) *Table or voting booth.*

The table or voting booth used to support the OVI unit shall meet the following requirements:

- a. The table shall be sturdy enough to hold the OVI unit safely.
- b. Clearance shall be at least 27 inches high, 30 inches wide, and 26 inches deep.
- c. The top of the table shall be from 28 inches to 34 inches above the floor.

22.265(10) *Privacy.*

The commissioner shall instruct the precinct election officials to position the OVI unit to provide maximum privacy and access to voters.

22.265(11) *Abandoned ballots.*

If a voter or a precinct election official discovers that a voter has left the voter's ballot at the OVI unit, the two precinct election officials designated to assist voters shall enclose the ballot in a secrecy folder and immediately deposit the ballot in the tabulating device.

22.265(12) *Extra paper rolls.*

Each precinct in which an OVI unit is being used shall be equipped with an extra paper roll for the OVI unit, and precinct election officials shall be instructed as to the method of replacing the paper roll.

Iowa Secretary of State's Administrative Rule 721-26.104

721—26.104 (50) Responsibilities of the recount board.

Recount boards do not resolve procedural or legal questions about the conduct of the election or the qualifications of voters. The responsibility of a recount board is to tabulate all votes for the office in question on ballots that were counted by the precinct election officials at the election.

26.104(1) *Ballots to be recounted.*

All ballots that were accepted for counting shall be recounted.

- a. This includes disputed ballots returned separately pursuant to Iowa Code section 50.5.

b. This does not include spoiled ballots.

c. This does not include absentee or provisional ballots that were rejected before the ballot envelope was opened.

26.104(2) *Ballot packages.*

The recount board shall open only the sealed ballot containers from the precincts specified in the request to be recounted or from the precincts specified by the recount board. Ballots from precincts that are not included in the recount shall be kept sealed or kept separate from those being recounted.

26.104(3) *Standards.*

A voter's definite choices shall be counted even if the recount board determines that the voter's choices differ from the votes as counted by the tabulating device. The recount board shall follow the standards for counting votes as prescribed by Iowa Code sections 49.92 to 49.99 and this chapter.

26.104(4) *Sealing ballot packages.*

When the recount is completed, the ballots must be sealed in the same manner that ballots are required to be sealed on election night. The envelope or container must have across its opening a seal that is signed by all members of the recount board. The seal shall be applied so that the ballot package cannot be opened without breaking the seal.

The above and foregoing revised policy was adopted by the Board of Supervisors of Clay County, Iowa, this 29th day of March, 2016.

ATTEST:

/s/ Marjorie A. Pitts, County Auditor

/s/ Barry G. Anderson, Chairperson
Clay County Board of Supervisors