

STATE BOARD OF ELECTIONS

P.O. BOX 6486, ANNAPOLIS, MD 21401-0486 PHONE (410) 269-2840

Michael R. Cogan, Chairman
Patrick J. Hogan, Vice Chairman
Malcolm L. Funn
Kelley Howells
William G. Voelp



Linda H. Lamone
Administrator

Nikki Charlson
Deputy Administrator

Memorandum

To: Keith Young, Enterprise Information Security Official
Department of Technology Services
Montgomery County, Maryland

Janet Ross, Information Technology Manager
Montgomery County Board of Elections

From: Nikki Charlson *NC*
State Board of Elections

Date: February 10, 2020

Re: Election Day Network

Thank you for your letter requesting additional information from the technical briefing we hosted on January 23, 2020. I appreciate that you provided us with two weeks to respond to your memo, as we have been diligently preparing for and supporting last week's special primary election for the 7th Congressional District, and I am pleased to provide you with a response.

1. Results of a recent third-party information security risk assessment of Cradlepoint's NetCloud site, preferably as a SOC 2 or FedRAMP certification

Accompanying this response is a password-protected vulnerability assessment report on Cradlepoint's NetCloud Manager (referred in the report as NCM). In light of the sensitive nature of this report, please consider this document confidential and limit disclosure of it. According to Cradlepoint, all but one of the vulnerabilities have been or are being remediated. The remaining vulnerability - one of the "low" vulnerabilities - will be remediated later this month.

Last spring, Cradlepoint started its preparation for FedRAMP certification, and we understand that they expect to pursue a FedRAMP moderate certification. Cradlepoint is also looking to have a SOC 2 audit performed for this year.

2. Results of a third-party information security risk assessment of the State's implementation of the proposed technology, preferably following the NIST Risk Management Framework

As we mentioned during the technical briefing, we are working with a trusted third-party to schedule a risk assessment of the network. We will keep you posted on the status of this assessment.

3. Confirmation that the State's contract with Verizon includes language on breach notification that would apply to the subcontractor, namely Cradlepoint; and

Section 2-108 of the Election Law Article of the *Annotated Code of Maryland* requires that an election service provider notify the State Administrator of a security violation or significant attempted security violation. Cradlepoint is considered an "election security provider" under this provision and is subject to the reporting requirements of §2-108 of the Election Law Article.

There is also a provision in the State of Maryland's contract with Verizon that requires Verizon to abide by all applicable federal, State and local laws concerning information security and the State Department of Information Technology's *Information Technology Security Manual*. While this language does not apply to manufacturers, the provision in the Election Law Article would apply to Cradlepoint.

4. Specific instructions for incident reporting and breach mitigation in the event that anomalies are discovered or suspected in the data that appears in electronic pollbooks at polling places during voting hours on election day.

There is a defined structure for reporting incidents. In the election judges' manual and training, election judges are instructed to call their local board of elections to report incidents. In the 2020 elections, this will be reinforced with a guide for responding to emergency and cyber incidents. The local boards of elections know to report incidents to this office. Depending on the incident, there are also national incident response plans that may be used triggered.

By using Cradlepoint's NetCloud Manager, SBE has the ability to immediately disconnect the electronic pollbooks from the network. When SBE received reports that electronic pollbooks used in last week's special primary election for the 7th Congressional District began to slow down, we were able to disconnect quickly from the network.

Each voting location has a back-up paper precinct register. See Election Law Article, §10-302(c). This printed list of eligible voters can be used to check in voters if the electronic pollbooks are not performing as expected or if there are questions about the integrity of the data in the electronic pollbooks. This process is defined in *SBE Policy 2019-01: Contingency Plans for the 2020 Elections* and included in contingency supplies provided to pollworkers.

As we do after every election, we are reviewing various systems and processes, but I can confirm that SBE received all of the voter check-in and same day registration transactions processed when the electronic pollbooks were connected to the network for the special

Memorandum to Mr. Young and Ms. Ross

Page 3

February 10, 2020

primary election for the 7th Congressional District. This was confirmed by the electronic pollbook data transferred election night.

As you know, on February 7th, we notified the local boards of elections that the networking of electronic pollbooks on election day is not required for the 2020 Primary or General Elections, and I understand that the Montgomery County Board of Elections will not be networking electronic pollbooks on election day. We intend to conduct additional testing of the electronic pollbook networking, and I hope that the Montgomery County Board of Elections will, when possible, participate in this testing.

If you have any questions about the networking of electronic pollbooks, please let me know.