

## “Membership Agreement,” U.S. Alliance For Election Excellence



### U.S. Alliance for Election Excellence

#### Membership Agreement

We're thrilled you're here. This document lays out the rules and guidelines for participation in the U.S. Alliance for Election Excellence (the "Alliance"). This is a legal document. Please read it carefully, and please ask any questions you may have. You must consult your legal counsel to ensure that your participation complies with all applicable laws in your jurisdiction. If you have any questions for us, please feel free to reach out to our team to discuss in more detail.

#### Alliance Goals and Purpose:

The Alliance is here to learn from election officials, inspire them to excellence, and celebrate their success. To accomplish these goals, the Alliance will develop and establish a nonpartisan, nationwide certification program so that jurisdictions meeting certain performance standards may hold themselves out as Centers for Excellence.

#### Commitment to Nonpartisanship:

We are dedicated to supporting election officials and local governments of all size, partisanship, and geography by providing tools and resources that allow officials to conduct safe, secure, trustworthy, and inclusive elections. Our commitment to nonpartisanship is total. We will never attempt to influence the outcome of any election. Period.

In addition, Alliance partners will never:

- Touch live ballots or ballot tabulating equipment
- Give legal advice
- Require you to implement specific advice or recommendations

### **Benefits of Membership:**

At this point in time, centers can choose to join the Alliance at the basic membership level or premium membership level. Both tiers reflect a paid membership model.

#### **Basic Membership:**

- Curated access to a selection of off-the-shelf, publicly-accessible election administration resources, document templates, and training materials
- Center-specific coaching and consulting from select Alliance partners, in the form of a \$800 credit towards the fair market value of Alliance partners' hourly consulting services
- Access to numerous multi-center group coaching and consulting sessions hosted by select Alliance partners on an hourly basis
- Invitations to numerous live and recorded trainings and demos hosted by select Alliance partners, as well as facilitated discussions among centers concerning topics related to best practices in election administration

#### **Premium Membership:** Includes services included in Basic Membership, plus:

- Center-specific coaching and consulting from select Alliance partners, in the form of a \$3,040 credit towards the fair market value of Alliance partners' consulting services on an hourly basis
- Additional multi-center group coaching and consulting sessions hosted by select Alliance partners on an hourly basis
- Additional invitations to live and recorded trainings and demos hosted by Alliance partners, as well as additional facilitated discussions among centers

### **Obligations of Membership:**

Centers agree to pay annual membership dues to the Alliance and to make non-monetary (but highly significant) contributions to the broader activities of the Alliance. These non-monetary contributions are key components of Alliance membership, and—in addition to membership dues—are offered as *bona fide* consideration in exchange for the fair market value of Alliance partners' services.

#### **Non-Monetary Contributions**

A core purpose of the Alliance is to promote the exchange of information about best practices in all directions: from the Alliance partners to centers, between centers, and



from centers to the Alliance. One outcome of this exchange of information will be the creation of Values and Standards for Election Excellence ("the Standards"), which reflect nonpartisan excellence in election administration for local election departments across the county. Centers agree to contribute to the creation of the Standards by:

- Attending and participating in events hosted by the Alliance for the purpose of defining and developing the Standards;
- Attending and participating in events hosted by the Alliance for the purpose of developing measurements, tools, trainings, and materials to help election jurisdictions achieve the Standards;
- Providing written and verbal feedback on documents, forms, templates, and trainings generated by the Alliance that are related to the Standards;
- Sharing local best practices and, where permissible, non-confidential forms, templates, and documents with the Alliance to be used as models for other election jurisdictions seeking to achieve the Standards;
- Offering advice and support to Alliance partners and other centers;
- Sharing non-sensitive, non-confidential technical data and usage statistics and providing feedback about any Standards-related digital tools offered by Alliance partners and implemented by the center; and

### **Membership Dues**

In addition to the participation requirements detailed above, centers agree to pay yearly dues to the Alliance in the following amounts:

- ☐ Basic Membership: \$1,600/year
- ☐ Premium Membership: \$4,800/year

Membership is valid for one calendar year and is renewable on an annual basis. If desired, you may pre-pay for more than one year of membership; simply contact us for arrangements.

### **Scholarships:**

The Alliance has scholarship funds available to cover your membership dues in full, if doing so is permitted by law in your jurisdiction. By signing below, you agree to accept the Alliance's scholarship and certify that doing so complies with applicable legal requirements. The Alliance will not send you an invoice for membership dues.

If you would like to decline the scholarship, simply contact us for arrangements.

**Termination:**

Participation can be terminated by any party for any reason. Refunds of Alliance member dues will be offered on a pro-rated basis based upon the Alliance partner services utilized as of the termination date.

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If you agree to the above terms of membership, please sign and date below.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signed on behalf of: \_\_\_\_\_

Legal counsel to signatory:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signed on behalf of: \_\_\_\_\_

**Email Chain With Tim Tsuji, “Re: Next Steps With  
The Alliance: Membership Agreement,” 11/22/22**

Next steps with the Alliance: Membership agreement

Sophie Lehman <sophie@techandcivicle.org>

Tue 11/22/2022 4:38 PM

To: Tsujii, Tim <tsujiidt@forsyth.cc>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Tim,

Congratulations on your designation as a finalist in the inaugural cohort of Centers for Election Excellence! We're excited for the public announcement on Wednesday – we'll be cheering you on.

In addition to celebrating your work, compliance with federal, state, and local laws is a top priority for the Alliance. This means that we've been meeting with Alliance partners and our expert legal team to design a membership structure so jurisdictions from across the country can participate in the program. To be clear, this is a pivot from our original vision that would have offered Alliance programming for free, and it reflects our commitment to integrity and compliance.

You'll receive a membership agreement after the Thanksgiving holiday. The agreement will include the benefits and obligations of Alliance membership along with a basic membership option and a premium option. The agreement will also describe scholarship options available to jurisdictions on a purely voluntary basis where such support is consistent with applicable law.

After you receive the membership agreement, we and our legal team will be available to talk through any questions you and your local counsel may have.

Thank you for your patience on this matter. As I've shared, compliance is a top priority for the Alliance and we look forward to sharing the membership agreement with you soon.

Happy Thanksgiving,  
Sophie



**Sophie Lehman (she/her)**  
Associate Director  
Center for Tech and Civic Life  
[www.techandcivicle.org](http://www.techandcivicle.org)



## **"Notes From Interview 7/21/22," Brunswick County Board of Elections, 7/21/22**

Notes from Interview 7/21/22 Whitney May

This is a partnership. I get something and give something.

2-year commitment

Start fall 2022, through 2024

### What I can expect to get

3 buckets of commitment

Coaching. They commit to help us improve our office operation. Will have a coach from elections group. Noah and Jennifer Morrell Chris Piper Tina Barton TJ

Schedule a site visit this fall. It's an assessment, take a snapshot of our operations. This is current state, what is future state. Put together an improvement plan. Drafted by elections group. I will have input and approval. Goal is 1stQ 2023.

Resources. Ready to provide access from best-in-class partners in the alliance. Providing SOP for elections department. Can help with vote by mail, communications. Center for civic design is on the ready to help/coach. Help with plain language, usability access. Technology partner US digital response USDR - provide off the shelf software. PW management system, can do custom software Stanford university design department - can help with design, brainstorming, etc. Center for Secure and Modern elections - legal, policy, political department. Can help with deciphering how to implement law. Also, CTCL - have funding available to provide.

Community Space. 3rd Bucket - create space for us and other centers to connect and learn.

Across country - primarily zoom meetings. Stanford facilitates sessions. 15-25 in total for cohort. Maybe have sub-cohorts on specific topics. Maybe based on size.

Funds for travel available. So important to go to other offices to see how they're organized, how they use color coding, etc.

### My commitment, expectations from me

Committing to continue to improve operations. They provide us the resources and coaching; work happens by me and my team.

Share feedback and materials. Love to draft something and get feedback from us. Be open to sharing our materials with other centers. Create best practices, etc. Open to visiting other departments and having visitors

3rd bucket

Of, by, and for election officials. 5-year bold strategy, building from scratch. Want 15-25 centers to be the biggest partners.

1. Need my help envisioning and defining values and standards for election excellence. What is the north star. Standards any election department can achieve. Participating in workshops and conversations. Will take 1-6 hours per month.
2. Part of hypothesis for 5-year strategy is to incentivize buy in from all election offices. Incentive would be to create certification program. Celebrate offices that use standards. CERA certifies individual, this would certify the office/department. 1-6 hours per month.

They want a diverse group. Want a program that can work in any size department, any political climate.

August is paperwork month. Will formalize with paperwork. Who do we want buy in from? My board, and Karen.

Communications. When this goes public, mid-October, this is the first co-hort. There will be people who want us to succeed and cheer us on. There will also be those who are not happy about it. There will be negative media attention.



# U.S. Alliance for Election Excellence

December 1, 2022

Kane County Clerk  
John A. Cunningham  
719 S. Batavia Ave.  
Bldg. B  
Geneva, IL 60134

I am pleased to inform you that based on and in reliance upon the information and materials provided by Kane County the Center for Tech and Civic Life ("CTCL"), a nonprofit organization tax-exempt under Internal Revenue Code ("IRC") section 501(c)(3), has decided to award a grant to support the work of Kane County ("Grantee").

The following is a description of the grant:

**AMOUNT OF GRANT:** \$2,000,000 USD

<b>Amount</b>	\$650,000	\$1,350,000
<b>Disbursement date</b>	December 2022	December 2023

**PURPOSE:** CTCL is dedicated to educating the public about government and democracy in the United States and to working with government agencies to develop the skills, strategies and tools to engage their citizens. CTCL has decided to make this grant to support activities that are consistent with these purposes. The grant funds must be used exclusively for the public purpose of planning and operationalizing safe and secure election administration infrastructure in Kane County ("Purpose").

Before CTCL transmits these funds to Grantee, CTCL requires that Grantee review and sign this agreement ("Grant Agreement") and agree to use the grant funds in compliance with the Grant Agreement and with United States tax laws and the laws and regulations of your state and jurisdiction ("Applicable Laws"). Specifically, by signing this letter Grantee certifies and agrees to the following:

1. Grantee is a local government unit or political subdivision within the meaning of IRC section 170(c)(1).
2. This grant shall be used only for the Purpose described above, and for no other purposes.



3. The amount of the grant shall be expended on the following specific election infrastructure needs: 1) Key Physical Components: Equipment and materials, facilities, and records, including voting locations, technical facilities, storage facilities, processing facilities, administrative facilities, and voting hardware; 2) Key Technological Components: Hardware and software components critical to supporting the election security mission, including computers, servers, databases, and other IT systems and assets used in election administration activities; and 3) Key Human Components: Personnel with specialized training, certification, knowledge, skills, authorities, or roles whose absence could cause undesirable consequences or hamper the election security mission, including strategic, operational, and temporary/seasonal support positions. Grantee may allocate grant funds among these public purposes without further notice to or permission of CTCL.
4. Grantee shall not use any part of this grant to make a grant to another organization, except in the case where the organization is a local government unit or political subdivision within the meaning of IRC section 170(c)(1) or a nonprofit organization tax-exempt under IRC section 501(c)(3), and the subgrant is intended to accomplish the Purpose of this grant. Grantee shall take reasonable steps to ensure that any such subgrant is used in a manner consistent with the terms and conditions of this Grant Agreement, including requiring that subgrantee agrees in writing to comply with the terms and conditions of this Grant Agreement.
5. Grantee is authorized to receive this grant from CTCL and certifies that (a) the receipt of these grant funds does not violate any Applicable Laws, and (b) Grantee has taken all required, reasonable and necessary steps to receive, accept and expend the grant in accordance with the Purpose and Applicable Law.
6. Grantee agrees to use all grant funds exclusively for charitable or educational purposes consistent with Code Sections 501(c)(3) and 170(c)(2)(B).
7. This grant is not earmarked or designated for transmittal to any other entity or person, whether or not mentioned in any proposal or other correspondence between Grantor and Grantee. Grantee accepts full discretion and control of the grant and its disposition and responsibility for complying with this Agreement's terms and conditions.
8. Grantee agrees that grant funds will not be used: (i) to attempt to influence the outcome of any specific public election, or to participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office; (ii) to attempt to influence the selection, nomination, election or appointment of any individual to any public office or office in a political organization within the meaning of Code Section 527(e)(2); (iii) for any activity that is in violation of federal, state or local law or any effort to induce or encourage violations of law or public policy; (iv) to cause any private inurement or improper private benefit to occur; or (v) in any manner inconsistent with charitable

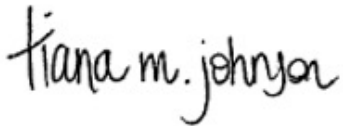
and educational purposes defined under Code Section 501(c)(3).

9. The grant project period of June 15, 2022 through December 31, 2024 represents the dates between which covered costs may be applied to the grant. The Grantee shall expend the amount of this grant for the Purpose by December 31, 2024.
10. The Grantee shall produce a brief report explaining and documenting how grant funds have been expended in support of the activities described in paragraph 3. This report shall be sent to CTCL no later than January 31, 2025 in a format approved by CTCL and shall include with the report a signed certification by Grantee that it has complied with all terms and conditions of this Grant Agreement.
11. This grant may not supplant previously appropriated funds. The Grantee shall not reduce the budget of the Kane County Clerk ("the Election Department") or fail to appropriate or provide previously budgeted funds to the Election Department for the term of this grant. Any amount supplanted, reduced or not provided in contravention of this paragraph shall be repaid to CTCL up to the total amount of this grant.
12. CTCL may discontinue, modify, withhold part of, or ask for the return all or part of the grant funds if it determines, in its sole judgment, that CTCL is required to do so to comply with applicable laws or regulations.

Your acceptance of and agreement to these terms and conditions and this Grant Agreement is indicated by your signature below on behalf of Grantee. Please have an authorized representative of Grantee sign below, and return a scanned copy of this letter to us by email at [nareth@techandcivicle.org](mailto:nareth@techandcivicle.org).

On behalf of CTCL, I extend my best wishes in your work.

Sincerely,



Tiana Epps Johnson

Executive Director

Center for Tech and Civic Life

GRANTEE

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## Email Chain With Sara LaVere, "Re: Brunswick County Elections Award," 11/30/22

RE: Brunswick County Board of Elections Award



Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.



Wed 11/30/2022 11:49 AM

**CAUTION:** This email originated from outside of Brunswick County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Let me digest what you have here.

**From:** Sara LaVere <sara.lavere@brunswickcountync.gov>  
**Sent:** Wednesday, November 30, 2022 11:21 AM  
**To:** grpelton@usa.net  
**Subject:** RE: Brunswick County Board of Elections Award

Randy,

If elections were properly funded, we may not be in need of groups like this to step in and bridge the gap. Take, for example, the State Board of Elections. The General Assembly is not funding the SBOE to the extent they need to modernize our registration database and provide adequate support for the county BOEs. They are having to lay off county support personnel because they were only funded because a federal HAVA grant was received.

When we received the grant in 2020 from the Center for Tech and Civic Life, there were no strings attached. I completed an application, decided how the money would be spent, received the money, and spent it as intended to fund the part time staff necessary to manage the magnitude of absentee voting.

When I heard about the opportunity to participate in the Alliance for Election Excellence, I had reservations solely because of the political pushback I might receive. I decided to put that aside and take advantage of the opportunity to learn more, and I stand behind my decision to participate.

I have personally worked with the Center for Tech and Civic Life, Democracy Fund, Elections Group, and the Center for Civic Design in the past.

- Remember the pocket voter guide we introduced in the primary election? The template was created by the Center for Civic Design with assistance from the Center for Tech and Civic Life.
- The two election columns I published for this election? Those were written with assistance from the Elections Group.
- Most of my social media posts during the general election came from templates provided by the Elections Group.
- I attended a symposium with representatives of directors' associations from across the country in 2019 which was hosted by Democracy Fund.
- I have taken many trainings over the years provided by the Center for Tech and Civic Life including social media management and poll worker training.

**Private funding to the election department is corrosive and corrupts the process. Why is it necessary?**

Philanthropic funding is often used to supplement common government services from the parks department to local libraries. Unfortunately, our Congress and many states have declined to make the kind of predictable investments in funding to election departments that are truly necessary to run accessible and secure elections. [According to a recent study from MIT](#), public spending on election administration ranks near the bottom, about the same as what local governments spend on parking facilities.

**Is this the same liberal nonprofit that was behind the 2020 grants program that faced so many legal questions?**

CTCL, which is the founding partner of the Alliance for Election Excellence, ran a COVID-19 grant program during the pandemic. The program was open to all legitimate local election departments and grants were distributed to nearly 2,500 U.S. election departments spanning 47 states. The minimum CTCL COVID-19 Response Grant amount was \$5,000, which was awarded to smaller localities across the country. The largest grant was awarded to New York City, totaling just over \$19 million. Over half of all grants nationwide went to election departments that serve fewer than 25,000 registered voters. The grant program was optional, so the list of grantees is a reflection of those election departments that decided to opt-in.

As part of a disinformation campaign to undermine voter confidence, more than a dozen frivolous lawsuits were filed to smear the CTCL COVID-19 Response Grants program. Every judge — conservative, liberal, and two Republican-appointed Supreme Court Justices — rejected these challenges, with one judge issuing a strongly-worded opinion that in one case labeled these challenges a "conspiracy theory."

In the United States District Court for the District of Colorado, [Magistrate Judge N. Reid Neuzil ordered sanctions against a pair of attorneys](#) who filed a frivolous challenge to the grant program, stating their lawsuit "is one enormous conspiracy theory." The court ordered the attorneys to pay the defense counsel's legal fees. In the opinion, the judge noted:

In the summer of 2022, a [unanimous, bipartisan vote](#) by the Federal Election Commission rejected fantastical claims about the grants program. The regulator rejected those claims in 6-0 votes — a rare show of unanimity by the commissioners, who are split evenly by party.

[Read more here](#) about how challenges to the COVID-19 Response Grant Program were overwhelmingly rejected on a bipartisan basis. [Facts about the 2020 program](#) can be found here.

**Sara LaVere | Elections Director**  
Brunswick County Board of Elections  
75 Stamp Act Drive, Building H  
PO Box 2 | Bolivia, NC 28422  
Phone: 910.253.2620 | Fax: 910.253.2618  
Direct phone: 910.253.2621  
Website: [brunswickcountync.gov/elections](https://brunswickcountync.gov/elections)

**From:** grpelton@usa.net <grpelton@usa.net>  
**Sent:** Wednesday, November 30, 2022 9:15 AM  
**To:** Sara LaVere <sara.lavere@brunswickcountync.gov>  
**Subject:** FW: Brunswick County Board of Elections Award

**CAUTION:** This email originated from outside of Brunswick County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FYI

**From:** billmoore622 <billmoore622@gmail.com>  
**Sent:** Monday, November 28, 2022 4:06 PM  
**To:** fw: frankwilliams.org <fw@frankwilliams.org>; Randy Pelton <grpelton@usa.net>; Sara LaVere <sara.lavere@brunswickcountync.gov>  
**Subject:** FW: Brunswick County Board of Elections Award

This is the 3rd concern I have received about the organization presenting BC Bd of Elections a reward

FYI  
BILL  
Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: A Kiel <[poogank@gmail.com](mailto:poogank@gmail.com)>

Date: 11/28/22 12:19 PM (GMT-05:00)

To: [billmoore622@gmail.com](mailto:billmoore622@gmail.com)

Cc: [michael.whatley@ncgop.org](mailto:michael.whatley@ncgop.org), North Carolina Republican Party Bill Whatley <[info@ncgop.org](mailto:info@ncgop.org)>

Subject: Brunswick County Board of Elections Award

Bill,

I received a few different email announcements about the Brunswick County Board of Elections and the nomination to receive an award from

**Center for Tech and Civic Life**. This name triggered my memory and discussions after the 2020 election.

In those discussions, it was mentioned that the Democrats are going to concentrate on New Hanover and Brunswick counties along with other southern counties. New Hanover looks like it may be changing to Democrat now--Beasley won. Is Brunswick County next?

I did a bit of research (attached about CTCL) and they are not what Brunswick County is all about. I added links and provided clips of speeches. I ask you to be aware of what they bring to the table. Changes they may recommend may not be in our best interests. The county system is transparent and appears to run fairly. I am a poll worker and also did election integrity training.

I am very interested in our election process. Please take a look at CTCL.

Amanda Kiel

[poogank@gmail.com](mailto:poogank@gmail.com)