



U.S. Election Assistance Commission
633 3rd St. NW, Suite 200
Washington, DC 20001

BEFORE THE ELECTION ASSISTANCE COMMISSION

In the Matter of:)
)
Adoption of Resolution Establishing Local)
Leadership Council EAC Federal Advisory)
Committee, Initial Charter, and DFO Designation)
)
)

CERTIFICATION

I, Donald Palmer, Chairman of the Election Assistance Commission, do hereby certify that on May 13, 2021 the Commission decided by a vote of 4-0 the following action(s):

1.

The Commission should approve the resolution establishing the Local Leadership Council EAC federal advisory committee.

2.

The Commission should approve the Local Leadership Council initial charter.

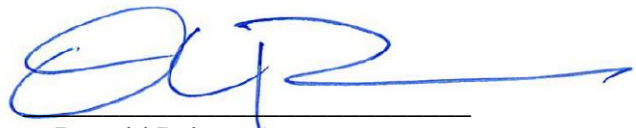
3.

The Commission should appoint Thomas Hicks as the Designated Federal Officer to the Local Leadership Council.

Commissioners Palmer, Hicks, McCormick, and Hovland approved the recommendations.

Attest:

May 13, 2021
Date


Donald Palmer,
Chairman



U.S. Election Assistance Commission
633 3rd St. NW, Suite 200
Washington, DC 20001

MEMORANDUM

TO: Commissioners Palmer, Hicks, McCormick, and Hovland

FROM: Kevin Rayburn
General Counsel

DATE: May 11, 2021

RE: ADOPTION OF RESOLUTION ESTABLISHING LOCAL
LEADERSHIP COUNCIL EAC FEDERAL ADVISORY COMMITTEE,
INITIAL CHARTER, AND DFO DESIGNATION

BACKGROUND

The Federal Advisory Committee Act permits agencies to establish discretionary advisory committees. In order to more effectively carry out the duties of the U.S. Election Assistance Commission, a discretionary advisory committee focused on local election officials should be created by passing a resolution, adopting an initial charter, and appointing the Designated Federal Officer.

RECOMMENDATION

The Commission should approve the resolution establishing the Local Leadership Council federal advisory committee, approve the initial charter, and appoint Thomas Hicks as the Designated Federal Officer.



U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

Resolution of the U.S. Election Assistance Commission
Establishment of Local Leadership Council Federal Advisory Committee
May 13, 2021

- Whereas, Federal elections are administered largely at the level of local political subdivisions (counties, localities, municipalities, or townships);
- Whereas, Local election officials are the frontline workers that voters directly interact with when they exercise their franchise;
- Whereas, In order to more effectively carry out the duties of the U.S. Election Assistance Commission, including providing information and training on the management of federal election grants, conducting research on election administration topics, and serving as an effective clearinghouse of information to promote the effective administration of federal elections, having direct input from local election officials across the United States is vital;
- Whereas, One the primary purposes of the U.S. Election Assistance Commission under the Help America Vote Act (HAVA) preamble is to establish minimum election administration standards and recommendations for states and units of local government with the responsibility for the administration of federal elections;
- Whereas, A new discretionary advisory board consisting of only local election officials ensures we are able to seek recommendations and advice focused on their specific needs as well as allowing the U.S. Election Assistance Commission to understand the vastly different election administration practices and election regulations that vary from state to state and with which local election officials must comply; and
- Whereas, The U.S. Election Assistance Commission seeks the creation of a new discretionary federal advisory committee in order for it to obtain information and recommendations from our largest election administration stakeholder, local election officials.

Now, therefore, be it Resolved, by the U.S. Election Assistance Commission, that there is hereby created a discretionary federal advisory committee entitled the Local Leadership Council to be made up of two local election officials from each state who are current or former leaders within each state's local election official association.

**CHARTER OF THE
U.S. ELECTION ASSISTANCE COMMISSION
LOCAL LEADERSHIP COUNCIL**

1. **Official Designation.** Local Leadership Council ("Committee").
2. **Authority.** The Committee is established under agency authority pursuant to and in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2) (the "Act").
3. **Objectives and Scope of Activities.** The objective of the Committee is to provide advice and recommendations to the U.S. Election Assistance Commission ("EAC") and to assist the EAC in carrying out its duties and authorities as set out in the Help America Vote Act of 2002 (P.L. 107-252, codified at 52 U.S.C. § 20922).
4. **Description of Duties.** The duties of the Committee are solely advisory and shall extend only to the submission of advice and recommendations to the EAC, which shall be non-binding to the EAC. The Committee shall advise the EAC on how best to fulfill the EAC's statutory duties set forth in 52 U.S.C. § 20922 as well as such other matters as the EAC determines. It shall provide a relevant and comprehensive source of expert, unbiased analysis and recommendations to the EAC on local election administration topics to include but are not limited to voter registration and voter list maintenance, voting system user practices, ballot administration (programming, printing, and logistics), processing, accounting, canvassing, auditing and testing of ballots, and certification of results.
5. **Agency or Official to Whom the Committee Reports.** The Committee reports to the EAC. The Designated Federal Officer ("DFO") will report Committee recommendations to EAC leadership including the Executive Director and Commissioners.
6. **Support.** The EAC will support the Committee, as consistent with the Act. In addition, the EAC will provide whatever additional support is required for the Committee's activities to the extent permitted by law and subject to the availability of resources.
7. **Estimated Annual Operating Costs and Staff Years.** The estimated annual operating costs of the Committee are approximately \$314,113.00, including 0.9 staff years. Annual operating costs include meeting expenses, travel, staff salary and benefits, and other expenses. Committee members shall not be paid for their time or service. As for persons intermittently in the government service, members shall be reimbursed for their travel-related expenses to attend meetings in accordance with 5 U.S.C. § 5703.
8. **Designated Federal Officer.** The DFO is a part-time or fulltime federal employee who will be appointed by the EAC in accordance with EAC procedures and shall ensure compliance with the requirements of FACA and its implementing regulations. The DFO will approve or call all of the advisory committee and subcommittee meetings, if any, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when determined to be in the public interest, and chair meetings when directed by the EAC.

9. **Meetings.** The Committee shall meet at such intervals as are necessary to carry out its duties. Each year, the Committee intends to conduct at least one public meeting.

10. **Duration.** This is a continuing advisory committee.

11. **Termination.** This charter will expire two years from the date the charter is filed.

12. **Membership.** The Committee shall consist of 100 members, who shall be designated in accordance with the Office of Government Ethics as representatives. The Committee shall consist of two members from each state. Members shall be appointed by the EAC and must be local election officials who are currently serving, or have previously served, in a leadership role in a state election official professional association if such an association exists in the jurisdiction. The EAC shall seek nominations from each state election official professional association but is not required to appoint the nominees.

13. **Subcommittees.** The DFO has the authority to create subcommittees that must report back to the Committee. The subcommittees, if any, may not provide advice or work products directly to officials of the EAC.

14. **Recordkeeping.** The records of the Committee and any subcommittees will be handled in accordance with the General Records Schedule 6.2 or other approved EAC records disposition schedule. The records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

This Charter was filed on the _____ day of _____, 2021.

Signed: _____

Chair

U.S. Election Assistance Commission



U.S. Election Assistance Commission
633 3rd St. NW, Suite 200
Washington, DC 20001

TALLY VOTE MATTER

DATE & TIME OF TRANSMITTAL: May 11, 2021, 4:00pm

BALLOT DEADLINE: May 13, 2021, 4:00pm

COMMISSIONERS: PALMER, HICKS, MCCORMICK, AND HOVLAND

SUBJECT: APPROVAL OF LOCAL LEADERSHIP COUNCIL CHARTER

- (x) I approve the recommendation.
- () I disapprove the recommendation.
- () I object to the recommendation.
- () I am recused from voting.

COMMENTS: _____

DATE: 5.13.2021

SIGNATURE:

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the General Counsel. Please return the ballot no later than date and time shown above.

From: Kevin Rayburn, General Counsel



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- (X) I approve the recommendation.
- () I disapprove the recommendation.
- () I object to the recommendation.
- () I am recused from voting.

COMMENTS: _____

DATE: May 12, 2021

SIGNATURE:

A definite vote is required. All ballots must be signed and dated. Please return **ONLY THE BALLOT** to the General Counsel. Please return the ballot no later than date and time shown above.

From: Kevin Rayburn, General Counsel



U.S. Election Assistance Commission
633 3rd St. NW, Suite 200
Washington, DC 20001

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COMMENTS: _____

DATE: May 13, 2021

SIGNATURE:

Christy A. McCormick

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the General Counsel. Please return the ballot no later than date and time shown above.

From: Kevin Rayburn, General Counsel



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From: Kevin Rayburn, General Counsel

Kevin Rayburn

From: Donald Palmer
Sent: Friday, May 14, 2021 7:24 AM
To: Kevin Rayburn
Cc: Mona Harrington
Subject: Re: Tally Vote - Local Leadership Council

You may use my electronic signature. Excited about this. Thx

Get [Outlook for iOS](#)

From: Kevin Rayburn <KRayburn@eac.gov>
Sent: Thursday, May 13, 2021 4:16:37 PM
To: Donald Palmer <dpalmer@eac.gov>
Cc: Mona Harrington <mharrington@eac.gov>
Subject: RE: Tally Vote - Local Leadership Council

Good Afternoon Chair Palmer,

All 4 commissioners have voted to approve the resolution establishing the Local Leadership Council, approve the initial charter, and appoint Vice Chair Hicks as the DFO. I have attached a certification of votes for these tally votes. Please sign and return or authorize your electronic signature.

Sincerely,

Kevin Rayburn | General Counsel
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov

From: Kevin Rayburn
Sent: Tuesday, May 11, 2021 4:05 PM
To: Donald Palmer <DPalmer@eac.gov>; Thomas Hicks <THicks@eac.gov>; Christy McCormick <CMcCormick@eac.gov>; Benjamin Hovland <bhovland@eac.gov>
Cc: Mona Harrington <mharrington@eac.gov>
Subject: Tally Vote - Local Leadership Council

Good Afternoon Commissioners,

In order to legally establish the Local Leadership Council federal advisory committee, please find attached a tally vote packet for your consideration and approval. There are three (3) separate tally vote ballots for the establishing resolution, the initial charter (which the GSA Secretariat has reviewed and approved), and the appointment of Vice Chair Thomas Hicks as the initial DFO. Please return your signed ballots to me or notify me if you would like your electronic signature to be affixed to your ballots along with your selection by 4:00pm Thursday (May 13th).

Sincerely,

Kevin Rayburn | General Counsel
U.S. Election Assistance Commission

633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov

Kevin Rayburn

From: Donald Palmer
Sent: Thursday, May 13, 2021 11:37 AM
To: Kevin Rayburn
Subject: Re: Tally Vote - Local Leadership Council
Attachments: Tally Vote Ballot - Local Leadership Council Resolution (2).dpvote.docx; Tally Vote Ballot - Local Leadership Council Resolution (2).docx; Tally Vote Ballot - Hicks as DFO to Local Leadership Council (2).dpvote.docx

Thank you. I had some computer connectivity problems this morning. You may affix my electronic signature.
r/Don Palmer

From: Kevin Rayburn <KRayburn@eac.gov>
Sent: Thursday, May 13, 2021 11:30 AM
To: Donald Palmer <dpalmer@eac.gov>
Subject: FW: Tally Vote - Local Leadership Council

Good Morning,

Friendly reminder that this tally vote is due by 4:00pm today.

Kevin Rayburn | General Counsel
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov

From: Kevin Rayburn
Sent: Tuesday, May 11, 2021 4:05 PM
To: Donald Palmer <DPalmer@eac.gov>; Thomas Hicks <THicks@eac.gov>; Christy McCormick <CMcCormick@eac.gov>; Benjamin Hovland <bhovland@eac.gov>
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U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov

Kevin Rayburn

From: Christy McCormick
Sent: Thursday, May 13, 2021 11:13 AM
To: Kevin Rayburn
Subject: Re: Tally Vote - Local Leadership Council

Kevin,

I approve the recommendation for each of the matters. You are authorized to use my signature on the three tally vote ballots to indicate my approval.

Thanks,

Christy

Christy A. McCormick | Commissioner
U.S. Election Assistance Commission
1633 3rd Street, NW | Suite 200
Washington | D.C. | 20001
(202) 243-9476
cmccormick@eac.gov | www.eac.gov

From: Kevin Rayburn <KRayburn@eac.gov>
Sent: Tuesday, May 11, 2021 4:04 PM
To: Donald Palmer <dpalmer@eac.gov>; Thomas Hicks <thicks@eac.gov>; Christy McCormick <cmccormick@eac.gov>; Benjamin Hovland <bhovland@eac.gov>
Cc: Mona Harrington <mharrington@eac.gov>
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Sincerely,

Kevin Rayburn | General Counsel
U.S. Election Assistance Commission
633 3rd Street NW, Suite 200 | Washington, DC 20001
www.eac.gov

Kevin Rayburn

From: Benjamin Hovland
Sent: Wednesday, May 12, 2021 3:54 PM
To: Kevin Rayburn
Subject: RE: Tally Vote - Local Leadership Council

I approve all three of these votes and you may use my electronic signature.

Thanks,
Ben

From: Kevin Rayburn <KRayburn@eac.gov>
Sent: Tuesday, May 11, 2021 4:05 PM
To: Donald Palmer <dpalmer@eac.gov>; Thomas Hicks <thicks@eac.gov>; Christy McCormick <cmccormick@eac.gov>; Benjamin Hovland <bhovland@eac.gov>
Cc: Mona Harrington <mharrington@eac.gov>
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