

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW,

Plaintiff,

v.

PRESIDENTIAL ADVISORY
COMMISSION ON ELECTION
INTEGRITY, *et al.*,

Defendants.

Civil Action No. 1:17-cv-1354 (CKK)

THIRD DECLARATION OF ANDREW J. KOSSACK

I, Andrew J. Kossack, declare as follows:

1. As stated in my prior declarations, ECF Nos. 15-1 & 23-1, I am the Executive Director and Designated Federal Officer for the Presidential Advisory Commission on Election Integrity (“Commission”), and a full-time government employee in the Office of the Vice President. My duties include providing administrative and staff support to the Commission and its members, approving or calling meetings of the Commission, attending meetings, and related responsibilities. I submit this declaration in response to the Court’s Order of August 30, 2017 (ECF No. 28), directing submission of a declaration “detailing [d]efendants’ position on what categories of documents are appropriately included in the universe of documents potentially subject to disclosure pursuant to FACA section 10(b), and what categories of documents are not subject to disclosure.” This declaration is based on my personal knowledge and upon

information provided to me in my official capacity as the Commission's Designated Federal Officer responsible for the administration of the Commission.

2. Section 10(b) of the Federal Advisory Committee Act ("FACA"), as amended, (Public Law No. 92-463, 5 U.S.C. App.) provides as follows:

Subject to section 552 of title 5, United States Code, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the offices of the advisory committee or the agency to which the advisory committee reports until the advisory committee ceases to exist.

5 U.S.C. app. 2 § 10(b). Section 10(b) does not require that every document connected with every advisory committee be disclosed. As the text indicates, materials only need to be disclosed under section 10(b) if they were made available to, or prepared for, the advisory committee as a whole. The reference to documents that "were made available to" or "prepared for" an advisory committee necessarily implies that the relevant materials were actually presented to or otherwise accessible (or intended to be so) to the committee itself.

3. My understanding of section 10(b) is informed by legal advice, including from the General Services Administration ("GSA"), the agency charged with interpreting FACA, and an opinion from the Office of Legal Counsel ("OLC") at the Department of Justice. In a published opinion, OLC has advised that "FACA compels disclosure [only] of a limited subset of information, namely material used by the advisory committee." *Disclosure of Advisory Committee Deliberative Materials*, 12 U.S. Op. Off. Legal Counsel 73, 76 (1988). As OLC explained in that opinion, materials used in earlier stages of the advisory committee process, including by individuals or entities that "did not provide advice directly to the President," do not fall within section 10(b). *See id.* Because individual members do not advise the President directly – that prerogative belongs only to the "committee as a whole," *id.* at 75, – any materials

individual members create do not constitute documents covered by section 10(b) unless and until those materials are shared with the committee. Thus, documents created by staff members, or even by subcommittees chaired by committee members, need not be disclosed. *Id.* at 75; *see also id.* (“The courts and this Office have construed the concept of advisory committees established or utilized by the President or an agency to preclude section 10(b)’s application to the work prepared by a staff member of an advisory committee . . . or a subcommittee of the advisory committee that is not itself utilized by the President . . . so long as the material was not used by the committee as a whole.”); *Nat’l Anti-Hunger Coal. v. Exec. Comm. of President’s Private Sector Survey on Cost Control*, 557 F. Supp. 524, 529 (D.D.C. 1983) (rejecting the application of section 10(b) to entities “performing staff functions,” and concluding that FACA’s disclosure requirements applied only to the entity that “provide[s] advice directly to the President,” and further noting that “surely Congress did not contemplate that interested parties like the plaintiffs should have access to every paper through which recommendations are evolved”), *aff’d*, 711 F.2d 1071 (D.C. Cir. 1983).

4. Consistent with the foregoing authorities and reasoning, section 10(b) does not apply to documents authored or received by individual Commission members which are not shared with their colleagues or intended for the committee’s consideration.¹ Neither does section 10(b) apply to Commission staff documents that were not shared with the Commission as a whole. This would include working drafts of documents prepared by Commission staff where

¹ The Court suggested in its August 30, 2017 Order that “the prepared for” clause of section 10(b) was one of “intentionality,” such that a document intended to be shared with an advisory committee could be subject to section 10(b) even if it was never actually shared with or considered by the Committee. *See* Order, Aug. 30, 2017, at 2. Even accepting the Court’s view on intentionality, however, none of the documents that I have determined fall outside of section 10(b) were intended to be shared with or used by the Commission. *See* ¶ 12 (a)-(x), *infra*.

only the final document (which itself could be a draft) is provided to the Commission. For example, drafts of the Commission by-laws written by Commission staff are not subject to section 10(b) because they are staff work product. Only the version of the by-laws provided to the Commission for its consideration (even though that version was itself a draft) is subject to section 10(b). The earlier versions of these documents – which are intended only for Commission staff or an individual member – would not be subject to disclosure.

5. The reference to “drafts” in the statute does not say otherwise. All of the types of documents described in section 10(b) are only subject to disclosure or public inspection if they are “made available to or prepared for or by” the committee. Staff work product is not generally made available to, or prepared for or by, the Commission. *See* 12 Op. Off. Legal Counsel at 75 (“preclud[ing] section 10(b)’s application to the work prepared by a staff member of an advisory committee”). A construction of “drafts” to mean all iterations of a document, even if not shared with the committee as a whole, would run contrary to the established principle that preparatory staff work is not subject to section 10(b).

6. This reasoning would apply to documents created by individual Commission members as well. Only the final version they intended to share would be covered by section 10(b); earlier iterative drafts they did not share with the full Commission would not be subject to disclosure. In this sense, an individual Commission member is serving as a “subcommittee of the advisory committee,” 12 Op. Off. Legal Counsel at 75, namely a subcommittee of one, and therefore the unshared material is exempt from disclosure.

7. Section 10(b) also does not apply to administrative material, *e.g.*, logistical emails, even if these documents are submitted to the entire Commission. Section 10(b) mentions “records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or

other documents.” 5 U.S.C. app. 2 § 10(b). All of these refer to substantive documents designed to inform the advisory work of the committee, not procedural matters related to the operation of the Commission.

8. My understanding of section 10(b) is also informed by my review of how prior presidential advisory committees have been administered. I have endeavored to administer this Commission consistently with prior commissions, in particular the Presidential Commission on Election Administration (“PCEA”), established by Executive Order 13639 on March 28, 2013. That Commission (as well as others) would have been guided by the same legal principles and OLC opinion referenced above. The PCEA website is no longer active, but I have examined archived snapshots of the PCEA websites and it appears that PCEA interpreted the requirements of section 10(b) similarly. I have found no record of any documents posted on the PCEA site that were not documents shared with or prepared for or by the Commission as a whole. In particular, I have not found a single email or other communication posted on the PCEA site reflecting communication among Commission staff, or between Commission staff and individual Commission members, or, it appears, any email at all, other than perhaps from public commenters. Nor were iterative versions of every draft document posted. I have attached at Exhibit 1 a snapshot of the documents posted on the PCEA site as of February 15, 2015. Officials at GSA have confirmed that the PCEA did not make other documents or records available in a reading room or similar opportunity for public access; the materials on the website were all of the documents publicly released.

9. Similarly, the Interagency Task Force on Veterans Small Business Development (“Task Force”), which was established by Executive Order 13540 on April 21, 2010, is supported by staff at the Small Business Association (“SBA”) also does not post staff or Task

Force member emails on its website. SBA officials confirmed to me that the SBA does not have a reading room, so the only documents the Task Force proactively releases pursuant to section 10(b) are the documents posted to its website. I have attached at Exhibit 2 a snapshot of these documents. Another example is the White House Council on Community Solutions (“Council”), which was established by Executive Order 13560 on December 14, 2010, and staffed by the Corporation for National and Community Service. Like the PCEA and the Task Force, the Council also did not post any email communications among its council members or otherwise maintain a reading room where documents were publicly available. Attached at Exhibit 3 is a snapshot of the Council’s webpage.

10. Attached to this declaration is an index of documents prepared in compliance with the Court’s August 30, 2017, order requesting an index “detailing what specific documents have been collected with respect to the Commission to date, which of those have been disclosed, and if they have not been disclosed, on what basis.” This index sets forth which documents and categories of documents are subject to disclosure under section 10(b) and which are not subject to disclosure. The reasons for these conclusions are below.

Materials Subject to Section 10(b)

11. As indicated on the attached index, the following materials and categories of materials are subject to section 10(b), because they were provided to, or prepared for or by, the Commission as a whole. The state voting registration data has not been provided to the Commission members, but states submitted their data to the Commission as an entity and the data is intended to inform the Commission’s work as an advisory body. In my judgment it is therefore subject to section 10(b). The data will not be made public, however, because it is exempt from disclosure under 5 U.S.C. § 552(b)(6) to protect personal privacy. The other

documents listed below as subject to section 10(b) have been made public, either through publication on the Commission webpage, by making hard copies available on request at the offices of the General Services Administration, or, in some cases, by publication in a government publication such as Regulations.gov and the *Federal Register*:

- Foundational documents related to the establishment of the Commission (*i.e.*, the Executive Order and Charter);
- Documents adopted by or governing the Commission (*e.g.*, the by-laws);
- Substantive documents, related to the objective of the Commission, given to Commission members for purposes of discussion at a meeting (*e.g.*, presentations, materials distributed by one Commission member to the entire Commission, including written, prepared remarks distributed in that form to the Commission);
- Substantive documents memorializing Commission meetings (*i.e.*, transcripts, video recordings);
- Letters to States from the Commission Vice Chair related to data collection;
- Narrative responses from States to the Commission re: data collection;
- Data collected from States (subject to section 10(b), but exempt from disclosure pursuant to 5 U.S.C. § 552(b)(6));
- Substantive documents related to Commission work and shared with the full Commission outside of a meeting context;
- Public comments and correspondence submitted to the Commission as a whole.
- While the Commission has not yet prepared any draft reports, when draft reports are shared with the full membership, these reports will also be subject to section 10(b), as will future substantive documents that are similarly shared with the full membership.

Materials Not Subject to Section 10(b)

12. As indicated on the attached index, the following materials and categories of materials are not subject to 10(b), for the reasons indicated. The index contains a column labeled “Rationale for nondisclosure;” the letter in that column indicates which reason listed below (denoted by letters in boldface) applies to the nondisclosure of that document.

(a) Communications from the public containing only profanity and/or threats. *See, e.g.,* entry 122.

Rationale: These communications are not subject to section 10(b) because, unlike public comments discussed above, they contain no substance, other than profanity or threats, and were not shared with other members of the Commission.

(b) Administrative emails sent to the entire Commission (*e.g.,* explaining travel, providing logistical instructions, distributing meeting agendas and other materials, etc.). *See, e.g.,* entries 132-159.

Rationale: Administrative messages do not constitute the substantive work of the Commission, and as discussed above, are not encompassed within the scope of section 10(b). Even though these emails were sent to the entire Commission, they were administrative in nature and therefore not used or prepared for the Commission's substantive work of providing collective advice to the President.

(c) Administrative emails and documents between Commission staff and individual Commission members (*e.g.,* forwarding human resource-related forms to be completed by the Commission member, handling individual travel booking issues, inquiring about an individual member's availability). This includes administrative emails forwarded from Commission members to their individual staff. *See, e.g.,* entries 172, 176, 178-81, 188-92.

Rationale: Administrative messages do not constitute the substantive work of the Commission. Because these messages are administrative in nature, they are not used or prepared for the Commission's substantive work of providing collective advice to the President. Further, these messages were neither shared with nor used by the Commission as a whole.

(d) Administrative emails and documents among Commission staff (*e.g.,* selecting meeting rooms, addressing travel, uploading materials to the webpage, constructing the Commission's webpage, etc.). *See, e.g.,* entries 90, 762, 763, 766, 769, 802.

Rationale: Administrative messages do not constitute the substantive work of the Commission. Because the messages are administrative in nature, they are not used or prepared for the Commission's substantive work of providing collective advice to the President. These messages were neither shared with nor used by the Commission as a whole, and moreover, they constitute staff work not encompassed within the scope of section 10(b). *See e.g., Nat'l Anti-Hunger Coal., 557 F. Supp. at 529.*

(e) Internal emails and documents never provided to the Commission members, including discussions about the direction and management of the Commission, deliberations over decisions affecting the Commission, litigation related discussions,

media and public relations discussions, etc. (“Internal” refers to communications among Commission staff, and/or Office of the Vice President (“OVP”) staff, and/or Executive Office of the President (“EOP”) staff). *See, e.g.*, entries 757-761, 755, 764-65.

Rationale: Internal material never provided to Commission members does not constitute material used or prepared for or by the Commission. *See Nat’l Anti-Hunger Coal*, 557 F. Supp. at 529; 12 U.S. Op. Off. Legal Counsel at 75. To the contrary, internal discussion is by definition not shared with the Commission members who are charged with providing collective advice to the President. In addition, these internal materials include communications protected under the deliberative process privilege and attorney client privilege, as well as the attorney work product doctrine.

(f) Emails and associated materials sent to or from one or more Commission members and/or to or from Commission staff, about suggestions for research and/or future activities of the Commission. *See, e.g.*, entries 165-66, 186, 352-53, 375, 383.

Rationale: These emails are not subject to 10(b) because individual suggestions are not used or prepared for or by the Commission as a whole, absent any indication of an intent to share suggestions with the full committee membership. These materials are therefore analogous to materials prepared by advisory subcommittees (which may include full committee members) which “do not [themselves] directly advise the President.” *See, e.g., Nat’l Anti-Hunger Coal.*, 557 F. Supp. 524 at 529.

(g) Emails and associated materials sent by individual Commission members discussing staffing and potential Commission members. *See, e.g.*, entries 162, 167, 357,361-62, 364.

Rationale: Suggestions about Commission membership are not subject to 10(b) because they (1) are not used or prepared for or by the Commission as a whole, and (2) are not substantive discussions about the activities or recommendations of the Commission itself, but rather about its composition. Similarly, discussions about Commission staffing are not used to inform the substantive deliberations of the Commission members who are charged with providing collective advice to the President.

(h) Emails sent by individual Commission members to Commission staff forwarding studies, news reports, and articles. *See, e.g.*, entries 161, 163-64, 168, 170-71, 177, 182-85.

Rationale: Communications forwarding substantive material are not subject to 10(b) because the communications themselves are “not used by the Commission as a whole,” absent any indication of an intent to share the underlying material with full committee membership. Instead, these materials assist staff in

“gathering information” on a preparatory basis. *See e.g., Nat’l Anti-Hunger Coal.*, 557 F. Supp. 524 at 529. To the extent any of the forwarded material is ultimately shared with the full Commission, it would then be subject to section 10(b).

(i) Emails between individual Commission members and Commission staff discussing potential third-party assistance with the Commission (*e.g.*, individuals who could potentially assist with data analysis). *See, e.g.*, entries 174, 388-89, 391, 470-71, 473, 542, 550, 554.

Rationale: These materials are not subject to section 10(b) because the material is not used by the Commission as a whole, and constitutes information gathered at the staff level that is not intended to be shared with the Commission.

(j) Emails to Commission staff or individual Commission members from reporters, other media representatives, or third-party organizations seeking comment or interviews (*i.e.*, interview request from EPIC to a Commission member, requests to Commission members for comment from CNN, ProPublica, and others), and responses and follow up discussions. *See, e.g.*, entries 200, 209, 216-17, 220, 222, 231-34, 237, 246, 253.

Rationale: These materials are not subject to section 10(b) because they are not intended to be used by the Commission as a whole, and do not constitute material used or prepared for the Commission’s activities. Instead, they are requests from outsiders for individual or staff comment about the Commission’s or Commission member’s activities.

(k) Handwritten notes taken by individual Commission members during meetings or in preparation for meetings for their own individual use. *See, e.g.*, entries 314, 507, 547, 567.

Rationale: These notes are not subject to section 10(b) because they are purely personal aides and reminders not intended to be used or shared with the Commission as a whole.

(l) Commission members’ personal notes and drafts of statements to be given at Commission meetings. *See, e.g.*, entries 263, 272-73, 311, 377, 396, 439, 518, 548.

Rationale: These notes are not subject to section 10(b) because they were not shared or intended to be shared with the Commission. The remarks actually delivered, if recorded, or if shared in written form with the Commission, do constitute 10(b) material, and any recording or transcript of those remarks would be posted subject to public disclosure, as has been done here. *See* entry 17.

(m) Material gathered or received by individual Commission members, either as part of their own research or sent to them by third parties, but not shared with other

Commission members or staff (*e.g.*, individual internet research). *See, e.g.*, entries 230, 264, 277, 281-83, 297-98, 313, 323-24, 330-33.

Rationale: This material, which was not shared with the Commission, is not subject to section 10(b) because it is part of the preliminary work of information gathering, and was not used by or prepared for the Commission as a whole. To the extent an individual Commission member shares such materials with the Commission as a whole or uses it at a meeting, it would then be subject to section 10(b).

(n) Emails and documents created not in an individual's capacity as a Commission member, but in the member's other professional capacity (*i.e.*, documents received or sent in a member's capacity as Secretary of State). *See, e.g.*, entries 210, 212-13, 215, 218-19, 221, 223-26.

Rationale: These documents are not subject to section 10(b) because they are not part of the work of the Commission, not part of the record relied upon by Commission, not prepared by or for the Commission, nor used by the Commission as a whole.

(o) Communications with the public received or sent by individual Commission members but not shared with the Commission. *See, e.g.*, entries 211, 227-29, 235, 248, 302-03, 316, 321-22.

Rationale: Comments from the public sent to individual Commission members and not otherwise shared with the Commission are not subject to section 10(b). These comments were directed at individual members, and included both substantive suggestions and "hate mail," but none were shared with the Commission as a whole. The Commission has provided instructions in its Federal Register notices and on its webpage for submitting public comments that are shared with the Commission as a whole and made available to the public, such as through its comment portal on the Regulations.gov website.

(p) Emails, including attachments, circulated among Commission staff and between one and three present or future Commission members commenting on draft documents that will eventually be provided to the full Commission (*i.e.*, emails between the Vice Chair and Commission staff discussing drafts of the by-laws). *See, e.g.*, entries 287, 295, 300, 304, 367, 376, 378, 380, 382.

Rationale: Drafts sent to the full Commission for their consideration are subject to section 10(b). However, initial or earlier draft versions of those "final" drafts are not subject to 10(b) unless the version at issue is or is intended to be shared with the full Commission; such drafts constitute preparatory activity and are not materials that are "used by the Commission as a whole." 12 U.S. Opp. Off Legal Counsel at 75. Here, while between one and three Commission members discussed the draft by-laws and other documents via email, their work is no different from the

work of a subcommittee, comprised of a portion of the Committee, tasked to draft such documents. Only the product of that subcommittee's drafting, once shared with the Commission, is subject to section 10(b). *See e.g., Nat'l Anti-Hunger Coal.*, 557 F. Supp. at 524.

(q) Non-substantive scheduling emails between Commission staff and employees of other federal agencies. (*i.e.*, requests for a convenient time by which to talk by telephone) *See, e.g.*, entries 365, 384, 445, 472, 475, 682, 687, 689.

Rationale: These emails contain no substance other than efforts to schedule telephone calls and meetings. The scheduling of staff discussions with certain federal agencies constitutes research or preparatory activity, and these administrative materials were neither shared with the Commission as a whole nor contain any substantive work relied upon by the Commission.

(r) Emails with panelists or potential panelists about their participation in the September 12 meeting. *See, e.g.*, entries 280, 312, 486, 601-02, 632-36, 638-79.

Rationale: These emails are not subject to Section 10(b) because they are either administrative emails providing logistical instructions to panelists, or are staff level exchanges with panelists that were not shared with the Commission as a whole, but rather constitute staff work to gather information in preparation for the September 12th meeting. Any material used or presented during the September 12th meeting, or shared with the Commission during the September 12 meeting, is subject to section 10(b) and has been publicly disclosed.

(s) Emails between Commission staff and other government agencies (*e.g.*, the General Services Administration) about the mechanics of operating a commission and compliance with procedural requirements (*e.g.*, emails about the process for filing a Federal Register notice). *See, e.g.*, entries 683-86, 688, 690-92, 694-700.

Rationale: These communications are not subject to section 10(b) because they relate to the procedural operation of the Commission and not the substantive subject matter of its work.

(t) Internal communications about operational issues, such as information technology ("IT") issues, and communications between Commission staff and other government entities about the same (*i.e.*, communications with EOP IT personnel regarding collecting and storing data, communications with the Department of Defense regarding SAFE). *See, e.g.*, entries 714, 718, 723, 756, 773.

Rationale: These communications are not subject to section 10(b) because they relate to technical capabilities and functions and not the substantive subject matter of the Commission's work. Further, these emails constitute administrative activities not intended to go to the Commission as a whole.

(u) Emails between Commission staff and State election administrators about the mechanics of providing election data (*e.g.*, email between Commission staff and State employees seeking guidance on how to provide data). *See, e.g.*, entries 712-13, 724, 753, 792, 805.

Rationale: These communications are not subject to section 10(b) because they relate to technical functions and are not the substantive subject matter of the Commission's work. Further, these emails constitute staff administrative activities in support of the Commission, and are not shared with the Commission as a whole.

(v) Litigation-related documents exchanged between named defendants and DOJ. *See, e.g.*, entries 343, 429, 450, 748, 778.

Rationale: Litigation-related communications are not subject to section 10(b) because they are subject to attorney-client privilege and the attorney work product doctrine, are not related to the substantive work of the Commission, and are not shared with the Commission as a whole.

(w) Emails and documents received from third parties volunteering to collaborate on Commission work and any associated responses or exchanges. *See, e.g.*, entries 424, 443, 555-60, 793-96, 803.

Rationale: These emails and documents are not subject to section 10(b) because they were not shared with the Commission as a whole. Rather, they constitute preliminary information gathering activities not subject to section 10(b), *see Nat'l Anti-Hunger Coal.*, 557 F. Supp. at 529, nor were they prepared with the intent of being distributed to the Commission as a whole. These emails were not solicited by the Commission nor used or prepared by Commissioners for the work of the Commission.

(x) Substantive communications between staff of government agencies and Commission staff. *See, e.g.*, entries 681, 705, 743, 747.

Rationale: These communications are part of the Commission staff's attempt to "gather information," and do not constitute materials intended for distribution to the Commission as a whole.

(y) Procedural communications between Commission staff and third parties regarding meeting logistics. *See, e.g.*, entries 587, 804, 807.

Rationale: These communications are not subject to section 10(b) because they relate to the procedural and logistical operation of the Commission and not the substantive subject matter of its work.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 29th day of September, 2017.

A handwritten signature in cursive script, reading "Andrew J. Kessal". The signature is written in black ink and is positioned below the date line.

EXHIBIT 1



the Presidential Commission
on Election Administration



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Materials & Research Submissions

Topics and Literature Relevant to Executive Order 13639

◦ **Absentee Ballots and Early Voting**

- [Will Vote-by-Mail Elections Increase Turnout](#)
- [Who Converts to Vote-By-Mail Evidence From a Field Experiment](#)
- [Voting Early but Not Often](#)
- [Voting by Mail and Turnout in Oregon Revisiting Southwell and Burchett](#)
- [Political Analysis-2007-Kousser-428-45](#)
- [Losing Votes by Mail](#)
- [Identifying.the.effect.of.all.mail.elections.on.turnout](#)
- [Paul Gronke-Convenience Voting 2008](#)
- [An Examination of Efforts to Encourage the Incidence of Early In-Person Voting in Georgia 2008](#)
- [Vote-by-Mail - Reform Memo](#)

◦ **Ballot Design**

- [Better Ballots - Brennan Center](#)
- [Field-Guide-Vol-01-20130620](#)
- [Field-Guide-Vol-02-20130620](#)
- [Field-Guide-Vol-03-20130620](#)
- [NIST use of Language in Ballots](#)

- **Disability**

- [Disability and Voting Survey Report for 2012 Elections – Exec. Summary](#)
- [Disability and Voting White Paper for Presidential Commission \(Schur\).docx](#)
- [EAC Presentation – Polling Place Accessibility Report 2012](#)
- [GAO Testimony by Bovbjerg](#)
- [SSQ Article on Disability and Voter Turnout](#)
- [Thomas Summary of Disability Recommendations](#)
- [Tokaji and Colker 2007 on Absentee Voting](#)
- [Wisconsin – GAB – 2013 Accessibility Report](#)

- **Limited English Proficiency**

- [Delivering Political Power to Language Minorities](#)
- [English Proficiency and Latino Participation in U.S. Elections](#)
- [Language Challenges and Voting – Forbes and Shelly](#)
- [MPSA – Translating into Votes](#)
- [Public Participation in Election Management – The Case of Language Minority Voters](#)

- **Long Lines and Wait Times**

- [ABA 2012 Election Delays Report](#)
- [Loyola Law – Fixing That – Lines at the Polling Place – Levitt](#)
- [Waiting to Vote in 2012 – Stewart](#)
- [Waiting in Line to Vote – Slides – Stewart](#)
- [Waiting in Line to Vote – White Paper \(Stewart, Ansolabehere\)](#)

- **Military and Overseas**

- [2010 Overseas Voter Satisfaction \(Hall Smith\)](#)
- [2008 FVAP Report](#)
- [2010 Military Voting Project \(Eversole\)](#)
- [2012 FVAP Report](#)
- [2011 House Armed Services Hearing – Military Voting](#)
- [Brennan Center – 2009 Registering Military and Overseas Citizens to Vote](#)
- [CRS Report on UOCAVA](#)
- [CSSC Inprocessing Packet Sample \(Fort Hood\)](#)
- [Department of Defense Instruction Number 1000.04 September 13,2012 Outline \(Hartman\).docx](#)
- [DOD IG Report-Implementation of the Military and Overseas Voter Empowerment Act](#)
- [EAC UOCAVA Internet Voting Pilot Requirements](#)
- [FVAP 2010 Military Report](#)
- [FY10 Accessions by State](#)
- [Lessons From Improvements in Military and Overseas Voting](#)

- [Heritage Foundation – 2008 America’s Military Voter\(Re-enfranchising the Disenfranchised\)](#)
- [Military and Overseas Voter Empowerment “MOVE” Act](#)
- [Military Overseas Voting Key Issues](#)
- [Military Postal Service Agency – 2010 After Action Report](#)
- [Military Voters Disenfranchised Record Low 2012 Turnout Expected](#)
- [MILITARY VOTING AND THE LAW PROCEDURAL AND TECHNOLOGICAL SOLUTIONS TO THE BALLOT](#)
- [MOVE ACT Summary](#)
- [Operation Vote Report](#)
- [Overseas Vote and US Vote Foundations – 2012 Post Election Report](#)
- [OverseasVoteFoundation – Post 2012 Survey Results – Claire Smith](#)
- [Pew 2012 – Progress on Military and Overseas Voting](#)
- [Pew Report – Challenges Facing America’s Overseas Military Voters](#)
- [ResearchBrief OverseasVoters 7June2013](#)
- [UMOVA Outline](#)
- [UOCAVA Analysis – June 2013 – Inbody](#)
- [Wieand Uniformed and Overseas Citizens Absentee Voting Act.docx](#)

◦ **Natural Disasters**

- [CRS Report on Suspending Elections](#)
- [CRS on Hurricane Sandy](#)
- [NASS Task Force on Emergency Preparedness for Elections](#)
- [EAC Report on Disaster Preparedness](#)

◦ **Poll Workers**

- [Advancement Project – Plight of the Poll Worker](#)
- [APSA – Poll Workers and the Vitality of Democracy](#)
- [The Recruitment and Training of Poll Workers – Burden and Milyo](#)
- [CAStateReport – Poll Worker Survey – Univ. of Berkeley](#)
- [CA Report – Poll Workers in the 2006 Election](#)
- [EDS-Chapter12-Part 2 – Poll Worker Survey – 2004](#)
- [Field-Guide-Vol-04-Effective Poll Worker Materials](#)
- [Front Lines of Democracy-Who Staffs Polling Places and Does it Matter \(Glaser Mac Donald 2007\)](#)
- [Iowa – Poll Workers Guide to Accessibility](#)
- [Locomotive to Bullet Train – Street Level Implementation of E-Voting \(MacDonald Glaser 2007\)](#)
- [Missouri 2008 – Poll Worker Guide](#)
- [Missouri 2008 – Poll Worker Training](#)
- [Poll Worker Pay – Election Data Dispatches](#)
- [Poll Worker Training Guidelines – 2006](#)
- [Poll Workers Motivation to Serve – 2007 \(MacDonald Glaser\)](#)
- [Project Vote Policy Brief 9 Elements of Successful Poll Worker Training](#)
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- [SABE Election Day Checklist Report – Final](#)
- [The Arc Comments to Pres. Comm on Election Admin 7 11 13](#)
- [Voting Recommendations](#)

◦ **Commission Documents**

- [The Presidential Commission on Election Administration Charter](#) [PDF – 40Kb]
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Public Comments

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- [Experience of Voters with Disabilities in the 2012 Election Cycle](#), November 20, 2013
- [Carol McFall – Letter to the PCEA \[PDF – 85 Kb\]](#), November 6, 2013
- [Brook Pierce – Independents are excluded from the process – Please address these issues in your report](#), November 6, 2013
- [Cliff Arnebeck – Restore Integrity to American Elections – Public Comment \[PDF – 178Kb\]](#), November 6, 2013
- [Stewart Early – Independents Need a Voice](#), November 6, 2013
- [Susan Doup – Independent Ohio – Letter to the PCEA \[PDF – 140 Kb\]](#), November 6, 2013
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- [Rep. Michael Stinziano – PCEA Testimony \[PDF – 321 Kb\]](#), September 19, 2013
- [Cuyahoga County Presidential Commission Testimony \[PDF – 214 Kb\]](#), September 19, 2013
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- [Rick Robol – Statement to Commission on Election Administration \[PDF – 2,555 Kb\]](#), September 19, 2013
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- [Elizabeth Randol – Common Cause – Testimony to the PCEA \[PDF – 869 Kb\]](#), September 6, 2013
- [Jenn Bullock – Testimony – Philadelphia PA \[PDF – 152 Kb\]](#), September 6, 2013
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- [Dona Sauerburger – Independent Voting Testimony to PCEA – Philadelphia PA \[PDF – 50 Kb\]](#), September 6, 2013
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- Manage your finances
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- Buy assets and equipment
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- **Grow your business**

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Office of Veterans Business Development | Resources

Interagency Task Force on Veterans Small Business Development

The Interagency Task Force for Small Business Development (Task Force) was established February 14, 2008 by Public Law 110-186 and executed by Executive Order. The Task Force is chaired by the U.S. Small Business Administration (SBA) and is comprised of representatives appointed by SBA's Administrator from: SBA's Office of Veterans Business Development (OVBD), the Department of Defense (DoD), the Department of Labor (DOL), the Department of Treasury (Treasury), the Department of Veterans Affairs (DVA), the General Services Administration (GSA), the Office of Management and Budget (OMB), and four representatives from veterans service and military organizations: American Legion, Vietnam Veterans of America, StreetShares Foundation, and the Military Officers Association of America.

- [Interagency Task Force on Veterans Small Business Development Charter](#)

Annual Task Force Reports

- [Fiscal Years 2014 & 2015: Task Force Combined Annual Report](#)
- [Fiscal Year 2013: Task Force Annual Report](#)
- [Fiscal Year 2012: Task Force Annual Report](#)
- [Fiscal Year 2011: Task Force Annual Report](#)

Quarterly Task Force Meeting Minutes

FY 2017

- [September 6, 2017](#)
- [June 7, 2017](#)
- [March 8, 2017](#)
- [December 7, 2016](#)

FY 2016

- [September 15, 2016](#)
- [June 9, 2016](#)
- [March 10, 2016](#)
- [December 10, 2015](#)

FY 2015

- [September 10, 2015](#)
- [June 11, 2015](#)

Leadership



Barbara E. Carson
Associate Administrator

Ms. Barbara Carson joined the U.S. Small Business Administration (SBA) in Washington, D.C. in June 2013. She is the Associate Administrator for the Office of Veterans Business Development (OVBD),...

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EXHIBIT 3

United We Serve



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Resources



President Obama is calling on every one of us to work together to build healthy communities and to share the creative approaches already at work. Established in December 2010, the Council highlights local initiatives that are making great progress on our national priorities and promotes these models to help communities learn from their success.

Resources

The White House Council for Community Solutions conducted extensive research and outreach to learn about community collaboration and pathways to employment for youth. In collaboration with our partners, the Council also created a series of tools and resources for community leaders and employers to support opportunity youth.

RESOURCES FOR COMMUNITIES

[COMMUNITY COLLABORATIVES TOOLBOX \(PDF\)](#)

[COMMUNITY COLLABORATIVES WHITE PAPER \(PDF\)](#)

[CASE STUDIES OF EFFECTIVE COLLABORATIVES \(PDF\)](#)

RESOURCES FOR EMPLOYERS

[A TOOLKIT FOR EMPLOYERS: CONNECTING YOUTH AND BUSINESS \(PDF\)](#)

RESEARCH REPORTS

[ECONOMIC VALUE OF OPPORTUNITY YOUTH \(PDF\)](#)

COUNCIL MEETING MATERIALS

FINAL REPORT

[Community Solutions for Opportunity Youth \(PDF\)](#)

[Recommendations Summary \(PDF\)](#)

RESOURCES FOR COMMUNITIES

To better understand what makes significant community-wide change happen, the Council conducted significant research, including conversations with more than 50 experts and cross-sector leaders and an extensive review of approximately 100 collaborations. The Council's work is highlighted by the seminal article written by Foundation Strategy Group (FSG) and published in the [Stanford Social Innovation Review](#) in Winter 2011. The Council was seeking to identify communities that demonstrated needle-moving (+10%) change on a community-wide metric. Based on this research, the Council believes that long-term, cross-sector collaboratives that use data-driven decision making in aspiring to significant change on a community wide metric holds real promise in solving complex community challenges.

The Council has developed this [Community Collaboratives Toolbox](#) to guide communities in creating or improving their own needle-moving collaboratives. This Toolbox is geared toward:

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- Intermediaries shaping and supporting collaboratives
- Partner organizations participating in collaboratives

The Community Collaboratives Toolbox includes a detailed guide of key activities and resources for each stage of a collaborative's "life cycle", as well as an assessment module to better understand whether a collaborative is prepared to move to the next stage. There are also tools on how to structure collaboratives most effectively and how to best generate meaningful community participation.

The Community Collaboratives Toolbox consists of four primary tools, each of which is filled with additional resources to move collaboratives toward success:

"Building or Improving a Community Collaborative – Guidance by Life Cycle Stage": Describes the five stages of a collaborative's life, including case studies, a checklist of key activities, and common roadblocks for each stage

"Community Collaborative Assessment – A Diagnostic of Success Readiness": Helps communities evaluate a collaborative's readiness to implement its action plan in the community

"Community Collaboratives Learning Examples: Capacity, Structure, Data and Funding": Provides examples from successful collaborative's on these four critical success factors.

"Community Collaboratives: The Next Generation of Community Participation": Describes how to generate meaningful community participation, a critical element to community collaborative success.

In addition to the Toolbox, the Council developed case studies of effective collaboratives and the impact achieved in their respective communities.

RESOURCES FOR EMPLOYERS

Youth employment is a critical element of success for young people. Unfortunately, the recession has had a particularly hard impact on youth employment. Only 45 percent of youth between the ages of 16-24 were employed the end of August, including only 33.8 percent of African American youth. This is significantly lower than the 54.5 percent of youth who were employed five years ago and 56.1 percent of youth who were employed 10 years ago. Only 21 out of every 100 teens in low-income families had a job this past summer.

We believe every US company can play a part in creating pathways to employment for low-income and disconnected youth. The Council has identified three key ways for companies to help connect youth to a better future while simultaneously deriving benefits for their businesses, such as increased employee engagement, customer loyalty and employee retention.

- **Life Skills Development:** Provide youth work-related soft skills, such as communication, time management and teamwork, through coursework and/or experience. For example, your company could offer resume writing or interview workshops or provide employee mentors.
 - **Example of Employer Program:** *AT&T, Bank of America, Bloomingdale's, Comcast, Deloitte* have all accepted the Corporate Mentoring Challenge to either start or expand an existing mentoring program within their organization, or help a local mentoring organization expand their capacity and efficiency.
- **Work Skills Development:** Provide youth insight into the world of work to prepare for employment. For example, businesses can host job shadow days.
 - **Example of Employer Program:** *Southwire* (manufacturer of cables and wires) has employees work with the Carroll County Schools as mentors for young students and allows students to combine their studies with on-the-job training in its wire manufacturing plant.
- **Learn and Earn Opportunities:** Provide youth on-the-job skills in a learning environment while earning wages for their work. For example, businesses can offer paid internships, and/or offer permanent positions that provide on-the-job training. Business can also partner with schools and higher education institutions to give youth the opportunity both to strengthen their academic skills while working as well as to connect learning to the context of work.
 - **Example of Employer Program:** *CVS Caremark* partners with *WorkSource Partners* to source, train, and hire entry-level workers. The program helps untapped talent enter the industry and progress along the career path by offering innovative training, career mentoring and education support. Since program inception, the company has doubled its retention rate and has generated a 179 percent return on investment (return relative to costs on Work Opportunity Tax Credit). Additional benefits of lower turnover and higher consumer satisfaction generated by the training were also noted.

TOOLS FOR EMPLOYER SUCCESS

the skills they need for employment and adulthood. Conveniently available in print and online, the toolkit will walk businesses through four key stages to identify and define a successful program.

1. **Assess and Select:** Employers take an assessment survey which guides them to select one of three engagement models (Life Skills, Work Skills or Learn & Earn).
2. **Define Scope:** Employers walk through an exercise to define the scope of their company's model.
3. **Plan and Pilot:** Users are guided through a plan to build their company's pilot program.
4. **Refine and Grow:** Employers set up for ongoing program development and refinement.

RESEARCH REPORTS

Authored by researchers at the City University of New York and Columbia University on behalf of the Council and funded by the W.K. Kellogg Foundation, [The Economic Value of Opportunity Youth](#) describes the number of youth ages 16-24 who are out of school and work, highlights interesting disaggregated data about them, calculates the immediate and lifetime economic cost to the taxpayer and society of failing to reconnect them (and what could be gained by doing so), and provides some ideas for paths to re-engage them.

Hart research conducted a nationwide survey of disconnected youth for Civic Enterprises and America's Promise. The survey was fielded collaboration with the Bill & Melinda Gates Foundation, James Irvine Foundation & Annie E. Casey Foundation and in partnership with Forum for Youth Investment, Jobs for the Future, and YouthBuild USA. The following report, [Opportunity Road: The Promise and Challenge of America's Forgotten Youth](#), combines the findings of this national survey of disconnected youth (building on the Council's youth listening sessions), existing research on this population, uplifting case studies of individuals who were disconnected and institutions that have had success in reconnecting them to school and work, and a comprehensive policy and practice agenda that can further our conversation about what all sectors can do to help re-engage these youth. The report begins with an Open Letter to the American People from Colin and Alma Powell.

COUNCIL MEETING MATERIALS

June 2011 Council Meeting PowerPoint Presentations:

- [From the Chair](#) (PDF)
- [Effectiveness Working Group](#) (PDF)
- [Capacity Working Group](#) (PDF)
- [Communications Working Group](#) (PDF)
- [Stakeholder Outreach Synthesis](#) (PDF)

COUNCIL FINAL REPORT AND RECOMMENDATIONS

On [June 4, 2012](#) the Council presented its Final Report and Recommendations to the President.

- [Final Report: Community Solutions for Opportunity Youth](#)
- [Recommendations Summary](#)

During the White House Summit on Community Solutions for Disconnected Youth on June 4, 2012, Council members and leaders from a range of local and national non-profit, philanthropic, business, government, and national service organizations gathered to discuss the recommendations and learn about innovative community-wide initiatives connecting young people with critical education and employment opportunities.

MATERIALS FROM THE FEBRUARY 4, 2011 COUNCIL MEETING

- [February 2011 Council Meeting PowerPoint Presentation](#) (PDF)
- [Community Solutions: Connecting Youth with Community and Careers, Goodwill Industries](#) (PDF)
- [Promoting Community Solutions and Civic Participation to Solve Pressing Social Needs, CNCS](#) (PDF)
- [Civic Engagement and Community Solutions: Facts and Figures Across the Sector, CNCS](#) (PDF)
- [Collective Impact, Stanford Social Innovation Review](#)
- [Pathways out of Poverty and into Opportunity, Philanthropy for Active Civic Engagement](#) (PDF)
- [Children Of the Great Recession. National Journal](#)

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The White House Council for Community Solutions is working to identify effective community solutions and leverage the best cross-sector resources to help our nation's young people succeed. By investing in what's working and spreading those innovative solutions to more communities, we can connect more youth to a brighter future.

About Us

All across America, individuals and community groups are finding solutions to local problems. The White House Council highlighted local initiatives that are making great progress on our national priorities and promoted these models to help communities learn from their success. The White House Council focused especially on applying lessons learned to help communities address a critical national priority: our shared responsibility to prepare all children and young adults to live productive and prosperous lives.

DOCUMENTS

- [Executive Order](#) (PDF)
- [Charter](#) (PDF)
- [Factsheet: The White House Council for Community Solutions](#) (PDF)
- [White House Council for Community Solutions Launches National Effort to Put Disconnected Youth on Pathways to Education and Work](#)
- [Council's Final Report Offers Recommendations for Expanding Cross-Sector Community Collaboratives to Solve Local Challenges](#)

EXTERNAL LINKS

- [The White House Office of Social Innovation and Civic Participation](#)
- [The Corporation for National and Community Service](#)
- [The Edward M. Kennedy Serve America Act](#)

Contact Us

White House Council for Community Solutions

attn: Executive Director

Corporation for National and Community Service

1201 New York Avenue, NW

Washington, D.C. 20525

WhiteHouseCouncil@cns.gov

www.nationalservice.gov

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The White House Council for Community Solutions met periodically to discuss ways to encourage the growth and maximize the impact of innovative community-developed solutions. The Council held public meetings, and regularly engaged with stakeholders.

Council Meetings

A current schedule appears below and will be updated if schedule changes are necessary. Meetings will be streamed on this site.

2010

December

Executive Order Signed

[Read \(pdf\)](#)

2011

February 4th

Council Meeting

[Watch](#)

[Share Your Thoughts](#)

June 3rd

Council Meeting

Watch: [Part 1](#) | [Part 2](#) | [Part 3](#)

[Share Your Thoughts](#)

July 15

Council Meeting

[Meeting Materials](#) | [Listen](#)

October 14th

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2012

February 3rd

Council Meeting

[Conference Call Information](#) (pdf)

[Economic Value of Opportunity Youth](#) (pdf)

May 9th

Council Meeting

[Conference Call Information](#) (pdf)

[Meeting Materials](#) (pdf)

[Call Recording](#) (mp3)

[Call Transcript](#) (pdf)

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