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Robert L. Cusack, Assistant County Attorney (563) 326-8231

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Mahesh,

I am responding to the board's request for an opinion on accepting grant money from the Center for Tech and Civil Life (CTCL) to be used in the upcoming election. Concerns were expressed because of a complaint for injunctive relief filed in Wisconsin in light of language in the grant application indicating the grant might need to be refunded if found to be in violation of federal laws. The CTCL grant has been funded mostly by Facebook founder Mark Zuckerberg, who has donated approximately \$250M. Cities and political subdivisions across the country, including many in Iowa, have applied for, been awarded, and have accepted grants through CTCL.

I have reviewed the 45 page complaint. While there is no way to predict with 100% certainty what a judge will do, it is my opinion that the assertions contained in the complaint are without merit. It is the opinion of the Scott County Attorney's Office that acceptance of the grant funds does not violate federal election law.

The question of whether board approval is required for this grant application has also arisen. Scott County General Policy 30 does not appear to require board approval for grants applied for. The terms of the grant require only that the "grantee is a local government unit . . ." Board approval for this grant is not required.

If you, or anyone else wishes to discuss this further, do not hesitate to contact me. Please feel free to distribute this opinion as you see fit.

Rob Cusack
Assistant Scott County Attorney