

**CHARTER OF THE
U.S. ELECTION ASSISTANCE COMMISSION
BOARD OF ADVISORS**

1. Official Designation. The Board of Advisors.

2. Authority. In accordance with the requirements of 52 U.S.C. § 20941, Title II, Subtitle A, Part 2, Section 211 of the Help America Vote Act of 2002 (“HAVA” or the “Act”) [Public Law 107-252], the Election Assistance Commission (“EAC” or “Commission”) hereby charters the Board of Advisors (the “Board”), and establishes the Board in accordance with the provisions of the Federal Advisory Committee Act (“FACA”), as amended, 5 U.S.C. App. 2.

3. Objectives and Scope of Activities. The objective of the Board is to advise the EAC through review of the voluntary voting systems guidelines (“VVSG”) described in Title II Part 3 of HAVA, including updates to the VVSG; through review of the voluntary guidance described under Title III, Subtitle B of HAVA; and through the review of the best practices recommendations contained in the report submitted under Title II, Part 3, Subtitle C, Section 242(b) of HAVA.

4. Description of Duties. The Board will function solely as an advisory body and will comply fully with the provisions of FACA, its regulations, and other relevant legal authorities such as Presidential Memoranda and Office of Management and Budget guidance. The Board may, by simple majority vote, adopt resolutions and make recommendations. Such resolutions and recommendations will be advisory only to the EAC and will be restricted to the EAC's activities described in Title II, Subtitle A, Part I, Section 204 and Part 2, Section 212 of the Help America Vote Act of 2002 HAVA.

5. Agency or Official to whom the Committee Reports. The Board will report to the EAC through the Designated Federal Officer (“DFO”).

6. Support. The EAC shall be responsible for providing financial and administrative support to the Board. The EAC will provide liaison services between the Board and the Advisory Panel Secretariat.

7. Estimated Annual Operating Costs and Staff Years. The annual cost for operating the Board is estimated at \$83,649, which includes one-quarter staff year for support services.

8. Designated Federal Officer. Pursuant to FACA, the DFO (and alternate DFO) shall be a full-time or permanent part-time federal employee, appointed in accordance with EAC procedures. The DFO must approve or call all Board meetings, approve the agenda for all meetings and subcommittee meetings, attend all Board meetings, adjourn any meetings when the

DFO determines adjournment to be in the public interest, and chair Board meetings in the absence of the designated Chair when directed to do so by the official to whom the Board reports.

9. Estimated Number and Frequency of Meetings. Pursuant to Title II, Subtitle A, Part 2, Section 215(a) of HAVA, the Board will meet a minimum of once a year for the purposes of voting on the voluntary voting system guidelines VVSG referred to it under Title II, Subtitle A, Part 3, Section 222 of HAVA. Additional meetings may be called at such other times as the Board, in consultation with the DFO, or the DFO considers appropriate for the purposes of conducting other business as it considers appropriate consistent with HAVA.

10. Duration. The duration of the Board is continuing.

11. Termination. The Board is subject to a biennial review and will become inactive two years from the filing date of the charter, unless, prior to that date, it is renewed in accordance with Section 14 of FACA. The Commission's Organizational Management Policy Statement ensures that the charter may be renewed every two years according to the procedures in section IV, which provide for ongoing operation of the Commission's Boards and Technical Committee (adopted 2-24-15). The Board will not meet or take any action without a valid current charter.

12. Membership and Designation.

1. The Board's members will be designated in accordance with U.S. Office of Government Ethics designations as either: Representative, Regular Government Employee, or Special Government Employee and shall consist of:

- Two (2) members appointed by the National Governors Association;
- Two (2) members appointed by the National Conference of State Legislatures;
- Two (2) members appointed by the National Association of Secretaries of State;
- Two (2) members appointed by the National Association of State Election Directors;
- Two (2) members appointed by the National Association of Counties;
- Two (2) members appointed by the United States Conference of Mayors;
- Two (2) members appointed by the Election Center;
- Two (2) members appointed by the United States Commission on Civil Rights;
- Two (2) members appointed by the Architectural and Transportation Barriers Compliance Board under Section 502 of the Rehabilitation Act of 1973 (29 U.S.C. § 792);

- The chief of the Office of Public Integrity of the Department of Justice, or the chiefs designee;
- The chief of the Voting Section of the Civil Rights Division of the Department of Justice or the chiefs designee;
- The director of the Federal Voting Assistance Program of the Department of Defense;
- Four (4) members representing professionals in the field of science and technology, of whom –
 - one (1) each shall be appointed by the Speaker and the Minority Leader of the House of Representatives; and
 - one (1) each shall be appointed by the Majority Leader and the Minority Leader of the Senate
- Eight (8) members representing voter interests, of whom –
 - four (4) members shall be appointed by the Committee on House Administration of the House of Representatives, of whom two shall be appointed by the chair and two shall be appointed by the ranking minority member; and
 - four (4) members shall be appointed by the Committee on Rules and Administration of the Senate, of whom two shall be appointed by the chair and two shall be appointed by the ranking minority member.

Amendment to the Membership status: The following two associations – the “National Association of County Recorders, Election Administrators, and Clerks” and the “International Association of County Recorders, Election Officials, and Treasurers” merged into a single association referred to as the “International Association of Government Officials”. The successor association will have the ability to appoint two (2) members to the Board of Advisors.

Impact of the Amendment: The merger of the two associations into one reduced the membership of the Board of Advisors from 37 to 35. However this reduction in membership does not have a negative impact on the operation and function of the Board of Advisors, nor does it hinder HAVA's intent of ensuring that the appointments to the Board of Advisors be made in a manner which ensures the Bipartisan nature of the Board and reflects the various geographic regions of the United States.

2. Vacancy appointments shall be made in the same manner as the original appointments.
3. Members of the Board shall serve for a term of two (2) years and may be reappointed.

4. The Board shall elect a Chair from among its members.

5. Members of the Board will not be compensated for their services but will, upon request, be reimbursed for or provided with travel and per diem expenses in accordance with 5 U.S.C. § 5701 et seq., while attending Board meetings or subcommittee meetings thereof, while away from their homes or regular places of business.

13. Subcommittees. The Commission, through the DFO Consultation with the Board, may establish such subcommittees of the Board members as may be necessary.

14. Recordkeeping. The records of the Board, formally and informally established subcommittees, or other subgroups of the Board, shall be handled in accordance with General Records Schedule 6.2, Item 2 or the EAC records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

CHARTER FILING DATE:

This Charter was filed on the 13th day of April 2021.

Signed: 
Donald Palmer
Chair, Election Assistance Commission