

BYLAWS OF THE U.S. ELECTION ASSISTANCE COMMISSION- BOARD OF ADVISORS

Article I: Board of Advisors, Operating Authority

1. Pursuant to the Federal Advisory Committee Act and the Help America Vote Act of 2002 (HAVA) [Public Law 107-252], the Board of Advisors has been granted its authority through its Charter with the U.S. Election Assistance Commission and will hereinafter be referred to as ‘The Board’.

Article II: Objectives

1. Advise the EAC through review of the voluntary voting system guidelines described in Title II Part 3 of the HAVA; through review of the voluntary guidance described under Title III of HAVA; and through the review of the best practices recommendations contained in the report submitted under Section 242(b) of Title II (HAVA Title II section 212).
2. The Board will function solely as an advisory body and will comply fully with the provisions of the Federal Advisory Committee Act.(Exhibit A)

Article III: Membership

1. Pursuant to HAVA Title, Section 214 (a), the Board shall consist of the following:
 - a. Two members appointed by the National Governors Association;
 - b. Two members appointed by the National Conference of State Legislatures;
 - c. Two members appointed by the National Association of Secretaries of State;
 - d. Two members appointed by the National Association of State Election Directors;
 - e. Two members appointed by the National Association of Counties;
 - f. Two members appointed by the National Association of County Recorders, Election Officials, and Clerks;
 - g. Two members appointed by the United States Conference of Mayors;
 - h. Two members appointed by the Election Center;
 - i. Two members appointed by the International Association of County Recorders, Election Officials, and Treasurers;
 - j. Two members appointed by the United States Commission on Civil Rights;
 - k. Two members appointed by the Architectural and Transportation Barrier Compliance Board under section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792);
 - l. The Chief of the Public Integrity Section of the Criminal Division of the Department of Justice, or the chief’s designee;
 - m. The Chief of the Voting Section of the Civil Rights Division of the Department of Justice, or the chief’s designee;
 - n. The Director of the Federal Voting Assistance Program of the Department of Defense;

- o. Four members representing professionals in the field of science and technology, of whom
 - i. One (1) each shall be appointed by the Speaker and the Minority Leader of the House of Representatives; and
 - ii. One (1) each shall be appointed by the Majority Leader and the Minority Leader of the Senate.
- p. Eight members representing voter interests, of whom-
 - i. Four (4) members shall be appointed by the Committee on House Administration of the House of Representatives, of whom two (2) shall be appointed by the chair and two (2) shall be appointed by the ranking minority member; and
 - ii. Four (4) members shall be appointed by the Committee on Rules and Administration of the Senate, of whom two (2) shall be appointed by the chair and two (2) shall be appointed by the ranking minority members.

Article IV: Terms of Service, Filling vacancies;

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

Article V: Officers

1. The Board shall elect a Chair, Vice-Chair and Secretary from its members.
2. All votes for officers shall be by secret ballot.
3. Each position shall last a period of one year or until the next election for a specified office.
4. Officers may serve no more than two consecutive terms for a specific office.
5. The Chair shall appoint a Parliamentarian to oversee the conduct of the meeting.
6. The election of officers shall be held at the first meeting of each calendar year.

Article VI: Duties of Officers

1. The Chair shall preside over meetings of the Board of Advisors; appoint all committees and serve as official liaison to the Election Assistance Commission for all resolutions and recommendations adopted by the Board; request information from any federal agencies necessary to assist with the functions of the Board of Advisors and coordinate with the Election Assistance Commission and Standards Board meeting calls pursuant to Section 222 of the HAVA; appoint committees as necessary to carry out advisory responsibilities charged under the HAVA or as otherwise assigned by the Election Assistance Commission; serve as *ex officio* member of all committees.
2. The Vice-Chair, in absence of the Chair, shall serve as official liaison to the Election Assistance Commission for all resolutions and

recommendations adopted by the Board and preside over meetings of the Board of Advisors;

3. The Secretary shall be responsible for notifying the Board of Advisors on meeting calls; pending matters of business for the Board of Advisors; and serve as the Chair of the By-laws Committee.

Article VII: Meetings

1. Pursuant to the HAVA, the Board of Advisors shall conduct no less than two meetings per calendar year subject to forty-five (45) days advance notice of the meeting and proposed actions.
2. Other meetings may be called at the request of the Chair, or at the written request of a majority of the Board of Advisors, as necessary, subject to forty-five (45) days advance notice, which notice may be waived by agreement of a majority of the members to the extent permitted by law.
3. All meetings shall be subject to requirements within the Federal Advisory Committee Act.
4. To the extent permitted by law, meetings may be held by electronic means such as conference calls.

Article VIII: Quorum and Proxy Voting

1. Quorum shall consist of present and voting members of the Board.
2. Proxy designations must be submitted in writing to the Chair up to the day of the meeting of the Board.
3. Proxy votes may only be cast by members of the Board provided the proxy designations have been timely filed in advance with the Chair clearly identifying the Board member to cast his proxy vote.
4. The Chair shall appoint a proxy committee to verify eligibility of proxy votes.

Article IX: Standing Committees

Section 1- Meetings

- a. All committees may meet informally at anytime for the purpose of conducting their business, including telephonically or as otherwise determined necessary by the Committee Chair.

Section 2-Bylaws Committee

- a. The Secretary shall serve as Chair of the Bylaws Committee.
- b. The Bylaws Committee shall be comprised of no more than five (5) individuals, including the Secretary. Each remaining member of the committee will be appointed by the Board of Advisors by majority vote.
- c. All bylaws and resolutions presented to the association shall be referred to the committee for consideration and reported to the meeting prior to adoption.

Section 3-Voting System Standards Committee

- a. The Chair of the Voting System Standards Committee shall be appointed by the Chair of the Board of Advisors.

- b. The Chair of the Voting System Standards Committee must be acquainted with the conduct of elections and incorporation of various election technology and/or ballot design.
- c. The Committee shall be comprised of no more than eleven (11) individuals. (members)
- d. At least one (1) member, excluding the Chair, shall represent a disability advocacy group on this committee.
- e. One (1) member, excluding the Chair, shall represent each of the following:
 - i. National Association of County Recorders, Election Officials and Clerks (NACRC);
 - ii. International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT);
 - iii. National Association of Secretaries of State (NASS);
 - iv. National Association of State Election Directors (NASED);
 - v. The Election Center;
- f. The Chair shall appoint other members who are not specified in Section (e).

Article X: Amendments

- a. The bylaws may be amended based on a 2/3 decision of the Board.
- b. All proposed bylaw changes must be submitted to the Chair for subsequent reporting to the Bylaws committee no less than thirty (30) days prior to a meeting.
- c. All proposed bylaw changes should be submitted in writing and distributed to all members of the Advisory Board one (1) month prior to a meeting.

Article XI: Parliamentary Authority

- a. The parliamentary authority shall be Robert Rules of Order Newly Revised Edition.