

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

- 1. Official Designation.** The U.S. Election Assistance Commission (EAC) hereby
Charter the Board of Advisors.
- 2. Authority.** The Board of Advisory is established under Section 211 of the Help
America Vote Act of 2002, 42 U.S.C. § 15301 *et seq.* (HAVA) pursuant to the Federal
Advisory Committee Act, 5 U.S.C. App. (FACA).
- 3. Objectives and Scope of Activities.** The objective of the Board of Advisors (the
Board) is to advise EAC through review of the voluntary voting systems guidelines
(VVSG) described in Title II Part 3 of HAVA when EAC proposes 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 Section 242(b) of Title II of HAVA (Section 212).
- 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, however, be only
advisory to the EAC and will be restricted to the EAC's activities described in Title II
sections 204 and 212 of the Help America Vote Act of 2002.
- 5. Agency or Official to whom the Committee Reports.** The Board will report to
EAC through the Designated Federal Officer (DFO) pursuant to 5 U.S.C. App.1 section
10(e).
- 6. Support.** EAC will provide clerical and other necessary support services to the Board.

7. Estimated Number and Frequency of Meetings. The Board will meet a minimum of once a year for the purposes of voting on the voluntary voting system guidelines referred to it under Section 222 of HAVA. Additional meetings may be called at such other times as the Board, in consultation with EAC's DFO, considers appropriate for the purposes of conducting other business as it considers appropriate consistent with HAVA.

8. Designated Federal Officer. The DFO (and alternate DFO) is 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 advisory committee reports.

9. Estimated Annual Operating Costs and Staff Years. The annual cost for operating the Board is estimated at \$164,000 which includes one quarter staff year for support services.

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

11. Termination. The Charter shall be renewed every two years from the date of the filing.

12. Membership.

1. The Board shall consist of the following:

- Two members appointed by the National Governors Association;
- Two members appointed by the National Conference of State Legislatures;
- Two members appointed by the National Association of Secretaries of State;
- Two members appointed by the National Association of State Election Directors;
- Two members appointed by the National Association of Counties;

- Two members appointed by the National Association of County Recorders, Election Administrators, and Clerks;
- Two members appointed by the United States Conference of Mayors;
- Two members appointed by the Election Center;
- Two members appointed by the International Association of County Recorders, Election Officials, and Treasurers;
- Two members appointed by the United States Commission on Civil Rights;
- 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);
- The chief of the Office of Public Integrity of the Department of Justice, or the chief's designee;
- The chief of the Voting Section of the Civil Rights Division of the Department of Justice or the chief's designee;
- The director of the Federal Voting Assistance Program of the Department of Defense;
- Four members representing professionals in the field of science and technology, of whom—
 - one each shall be appointed by the Speaker and the Minority Leader of the House of Representatives; and
 - one each shall be appointed by the Majority Leader and the Minority Leader of the Senate
- Eight members representing voter interests, of whom—
 - four members shall be appointed by the Committee on House Administration of the House of Representatives, of whom two

- four 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.
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 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 Board, with approval from the DFO, may establish such subcommittees of its members as may be necessary.

14. Recordkeeping. The records of the committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. Filing Date. December 14, 2010

Signed: _____ /s/ _____

Thomas R. Wilkey, Executive Director & DFO
U.S. Election Assistance Commission