Election Infrastructure Subsector
Government Coordinating Council
Charter

Article I – Official Designation

The official designation of this Council is the "Election Infrastructure Subsector Government Coordinating Council," hereinafter referred to as the "EIS GCC" or the "Council."

Article II – Mission and Purpose

The coordinating council enables local, state, and federal governments to share information and collaborate on best practices to mitigate and counter threats[1] to election infrastructure.

Specifically, the EIS GCC provides for interagency, intergovernmental, and cross-jurisdictional coordination within the Election Infrastructure Subsector and between this subsector and other sectors identified in Presidential Policy Directive/PPD-21 on "Critical Infrastructure Security and Resilience." The EIS GCC is composed of representatives from across various levels of government as appropriate to depict the operating landscape of the Election Infrastructure Subsector.

Article III – Objectives and Scope of Activity

The EIS GCC coordinates strategies, activities, and communications across governmental entities within the Election Infrastructure Subsector, and also reaches out across the national partnership structure defined in the current *National Infrastructure Protection Plan (NIPP)* and other policy documents in coordination with and in support of government and non-government subsector stakeholders. The scope of activity of the EIS GCC includes, but is not limited to:

- Coordinate with government and non-government subsector stakeholders to plan, implement, and execute the Nation's critical infrastructure security and resilience mission;
- Participate in planning efforts related to any revisions of the NIPP and the development and revision of Sector-Specific Plans (SSP);
- Promote interagency strategic communications coordination at the subsector level through partnership with DHS and other supporting agencies across various levels of government;
- Identify and support the information sharing capabilities and mechanisms that are most appropriate for State, Local, Tribal, Territorial (SLTT), Regional and private sector entities;
- Promote understanding and potential adoption of physical and cyber risk management processes, best practices, and use of innovative methods across the subsector;
- Enhance government information sharing across the subsector and promote multichannel public-private information sharing protocols and situational awareness;

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[1] *See* "Assessing Russian Activities and Intentions in recent US Elections," Office of the Director of National Intelligence, January 6, 2017 *(available at:* https://www.dni.gov/files/documents/ICA_2017_01.pdf).

- Coordinate with government and non-government subsector stakeholders to set joint priorities and identify common risk management goals;
- Coordinate with government and non-government subsector stakeholders to develop processes for prioritizing and characterizing risk and incident management recommendations;
- Coordinate with government and non-government subsector stakeholders to identify knowledge gaps that warrant Research and Development (R&D) efforts.

Article IV – Membership

Member Representatives

EIS GCC membership is composed of government agencies and organizations representing government officials that own, operate or administer subsector physical or cyber assets, systems, and processes or have responsibility for supporting security and resilience of those assets, systems, and processes.

- Permanent membership resides with the agency or organization rather than the individual representatives.
- Each member agency or organization shall have primary and may have an alternate representatives to the EIS GCC.
- Primary agency representatives named to the EIS GCC are senior management level (Director or equivalent).

Members:

EIS GCC membership shall include the following Voting Members:
- Secretaries of State/Lieutenant Governors (where applicable) (x8)*
- State Senior Election Officials (x4, non-Secretaries of State)*
- Election Center – Local Government Election Officials (x3)
- International Association of Government Officials (iGO) – Local Government Election Officials (x3)
- U.S. Department of Homeland Security, National Protection and Programs Directorate, Office of Infrastructure Protection (x1)
- U.S. Election Assistance Commission (EAC) (x2) (Sitting Chair and Vice-Chair)
- Three State Election Officials and Three local election officials – (x6)** selected by the EAC's Federal Advisory Committees as listed below:
  - o U.S. EAC Board of Advisors (x2) (one State Senior Election Official; one Local Government Election Official)
  - o U.S. EAC Standards Board (x2) (one State Senior Election Official; one Local Government Election Official)
  - o U.S. EAC Technical Guidelines Development Committee (x2) (one State Senior Election Official; one Local Government Election Official)

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* Assigned/coordinated with appropriate supporting associations (NASS/NASED)
** The State and local election officials identified to serve on the GCC from the Election Assistance Commission's (EAC) Federal Advisory Committees shall serve on the GCC in their capacity as qualified election officials selected by each EAC advisory board, serving separately from their role in such advisory committees. In their role in the GCC, they do not represent the EAC's advisory committees, nor do they serve on the GCC in their private individual capacities.

<u>Ex officio Members:</u>

EIS GCC membership shall include the following Non-Voting Members:
- State, Local, Tribal, and Territorial Government Coordinating Council
- U.S. Election Assistance Commission
- U.S. Department of Commerce, National Institute of Standards and Technology
- U.S. Department of Defense, Federal Voting Assistance Program
- U.S. Department of Homeland Security, National Protection and Programs Directorate, Office of Cyber and Infrastructure Analysis
- U.S. Department of Homeland Security, National Protection and Programs Directorate, Office of Cybersecurity and Communications
- U.S. Department of Homeland Security, Office of Intelligence and Analysis
- U.S. Department of Justice, Federal Bureau of Investigation

EIS GCC membership may be expanded to include other government agencies and organizations, as well as other sector and cross-sector GCCs as additional non-voting members to provide relevant institutional knowledge, technical expertise, and administrative support, as determined by the membership of the EIS GCC. To expand EIS GCC membership it takes an affirmative vote of 2/3rds of the voting membership.

Member Alternate Representatives

Each voting and non-voting agency and organization of the EIS GCC may appoint one alternate representative to represent each member at EIS GCC activities.
- An alternate member representative casts the voting member's vote in the absence of the primary representative.
- Each voting and non-voting agency and organization is responsible for obtaining and maintaining the appropriate security clearance for its alternate representatives.

Article V – Governance, EIS GCC Leadership/Executive Committee

Governance

EIS GCC members will make decisions through a consultative and collaborative process, encourage the exchange of information and points of view, and strive for consensus. When a consensus cannot be achieved the EIS GCC will move to a vote. The EIS GCC recognizes that each member represents a government entity or organization with inherent legal authorities and parameters within which it must operate. At times, these authorities may restrict a member's ability to provide agreement on a decision or preclude the open dissemination of information. These inherent legal authorities must be clearly articulated by dissenting member when they are the basis for dissent and the inability to enter into consensus.

EIS GCC member representatives shall strive to faithfully represent the position of their government agencies or organizations; however, the EIS GCC recognizes that - in some cases - primary or alternate representatives may lack legal authority to act on behalf of its agency or organization. Therefore, the actions of individual members may not be binding on a government agency or organization.

EIS GCC Executive Committee

Due to the unique nature of the Election Infrastructure Subsector, National Protection and Programs Directorate (NPPD) SSA GCC Chair would like to conduct EIS GCC leadership matters using an "EIS GCC Executive Committee" (EIS EXCOM) model, which would include a representative number of member agencies or organizations from the EIS GCC. The EIS GCC Executive Committee would be comprised as follows:

- Chair - NPPD IP (x1)
- EAC Chair (x1)
- State-Secretary of State NASS President (x1)
- State-Senior State Election Official NASED President (x1)
- Local Government Election Official as determined by the Local members of the EIS GCC (x1)

Duties of EIS EXCOM

EIS GCC EXCOM shall have responsibility over the following areas:
- Location and agenda development;
- Monitoring and closure of issues and initiatives;
- Administrative and meeting support, including logistics and meeting minutes;
- Communications;
- Member and records management; and
- Maintenance of EIS GCC governance documents.
- When the EIS GCC conducts a meeting with non-government partners under the auspices of the Critical Infrastructure Partnership Advisory Council (CIPAC), the Chair/EIS-EXCOM shall coordinate with the CIPAC Executive Secretariat/Designated Federal Officer to ensure compliance with CIPAC requirements.

Article VI – Meetings

Frequency of Meetings

The full membership of the EIS GCC will meet not fewer than two times each year in Washington, DC and/or in an alternative location as determined in consultation with EIS EXCOM. Full EIS GCC meetings will be scheduled with every attempt to provide ample notice to members. Telecon support will normally be provided.

Council meeting procedures will follow Robert's Rules of Order. EIS GCC members will make decisions through a consultative process, encouraging the exchange of information and points of view, and will strive for consensus.

Quorum

A duly constituted meeting of the EIS GCC shall require a quorum of more than half the number of voting members.

- Members must be personally present (including telephonically) or notify the EIS GCC EXCOM of their intention to participate and vote by remote means, in advance of a properly noticed meeting at which a vote is taken.
- The vote of a majority of the votes entitled to be cast by the voting members present at a meeting at which a quorum is present shall be necessary for the adoption of any matter voted upon by the members.

Principles of Participation

All EIS GCC members shall work towards the same goals and purpose of improving the security, preparedness, and resilience of Election Infrastructure. Discussion and deliberation processes must recognize and capitalize on each member's strengths, skills, and perspective. Results of EIS GCC discussions and deliberations must constitute a coherent voice made up of each member's contributions.

Article VII – Recordkeeping

The procedures for the handling, storage and disposition of EIS GCC records and other documentation are in accordance with DHS Federal Records Management policy, as well as directives and guidelines for the Election Infrastructure SSA.

Article VIII – Communications

The Election Infrastructure SSA will ensure a communication mechanism exists for sharing information among EIS GCC members.

Article IX – Working Groups

The EIS GCC shall form working groups as needed.

- Working groups shall be established when substantial investigation, research, or other tasks are required, which cannot be practicably achieved at regular EIS GCC sessions.
- All products of the working groups are meant to advise EIS GCC members on various issues and processes.
- Through its primary or alternate representatives, each member agency or organization may designate multiple individuals to serve on working groups.
- Working groups may be made up of any combination of EIS GCC member representatives and external participants serving as subject-matter experts.
- The EIS GCC will appoint a chairperson.
- Working group members will establish procedures consistent with this charter for the operation of the working group.
- Working group meetings may be held depending on need.
- Reports and recommendations from working groups will be presented at full EIS GCC meetings for member approval, as appropriate.

When the working group conducts a meeting with non-government partners under the auspices of CIPAC, the Chair/EI EXCOM shall coordinate with the CIPAC Executive Secretariat/Designated Federal Officer to ensure compliance with CIPAC requirements

Article X – Amendments

The EIS GCC may at any time amend this Charter by a 2/3rds vote of the voting members. The amended Charter shall be forwarded in a timely manner to the CIPAC Executive Secretariat for posting on the CIPAC public website.

Article XI – Duration

This Charter shall be in effect for two (2) years from the date of signing. If amended, the Charter shall be in effect from remainder of the initial two year period after the amendment is approved.

Article XII – Approval

The EIS GCC approved this Charter by vote of the attending members on October 14, 2017.