

chapter and renumbered items 152601 to 152612 as 90101 to 90112, respectively.

§ 90101. Organization

(a) FEDERAL CHARTER.—The Help America Vote Foundation (in this chapter, the “foundation”) is a federally chartered corporation.

(b) NATURE OF FOUNDATION.—The foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States Government.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the foundation has perpetual existence.

(Added Pub. L. 107–252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1718, § 152601; renumbered § 90101, Pub. L. 113–237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

AMENDMENTS

2014—Pub. L. 113–237 renumbered section 152601 of this title as this section.

§ 90102. Purposes

(a) IN GENERAL.—The purposes of the foundation are to—

(1) mobilize secondary school students (including students educated in the home) in the United States to participate in the election process in a nonpartisan manner as poll workers or assistants (to the extent permitted under applicable State law);

(2) place secondary school students (including students educated in the home) as nonpartisan poll workers or assistants to local election officials in precinct polling places across the United States (to the extent permitted under applicable State law); and

(3) establish cooperative efforts with State and local election officials, local educational agencies, superintendents and principals of public and private secondary schools, and other appropriate nonprofit charitable and educational organizations exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 as an organization described in section 501(c)(3) of such Code to further the purposes of the foundation.

(b) REQUIRING ACTIVITIES TO BE CARRIED OUT ON NONPARTISAN BASIS.—The foundation shall carry out its purposes without partisan bias or without promoting any particular point of view regarding any issue, and shall ensure that each participant in its activities is governed in a balanced manner which does not reflect any partisan bias.

(c) CONSULTATION WITH STATE ELECTION OFFICIALS.—The foundation shall carry out its purposes under this section in consultation with the chief election officials of the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

(Added Pub. L. 107–252, title VI, § 601(a), Oct. 29, 2002, 116 Stat. 1718, § 152602; renumbered § 90102, Pub. L. 113–237, § 3(c)(6)(B), Dec. 18, 2014, 128 Stat. 2840.)

REFERENCES IN TEXT

Section 501 of the Internal Revenue Code of 1986, referred to in subsec. (a)(3), is classified to section 501 of Title 26, Internal Revenue Code.

AMENDMENTS

2014—Pub. L. 113–237 renumbered section 152602 of this title as this section.

§ 90103. Board of directors

(a) GENERAL.—The board of directors is the governing body of the foundation.

(b) MEMBERS AND APPOINTMENT.—(1) The board consists of 12 directors, who shall be appointed not later than 60 days after the date of the enactment of this chapter as follows:

(A) Four directors (of whom not more than two may be members of the same political party) shall be appointed by the President.

(B) Two directors shall be appointed by the Speaker of the House of Representatives.

(C) Two directors shall be appointed by the Minority Leader of the House of Representatives.

(D) Two directors shall be appointed by the Majority Leader of the Senate.

(E) Two directors shall be appointed by the Minority Leader of the Senate.

(2) In addition to the directors described in paragraph (1), the chair and ranking minority member of the Committee on House Administration of the House of Representatives (or their designees) and the chair and ranking minority member of the Committee on Rules and Administration of the Senate (or their designees) shall each serve as an ex officio nonvoting member of the board.

(3) A director is not an employee of the Federal Government and appointment to the board does not constitute appointment as an officer or employee of the United States Government for the purpose of any law of the United States (except as may otherwise be provided in this chapter).

(4) The terms of office of the directors are 4 years.

(5) A vacancy on the board shall be filled in the manner in which the original appointment was made.

(c) CHAIR.—The directors shall select one of the directors as the chair of the board. The individual selected may not be a current or former holder of any partisan elected office or a current or former officer of any national committee of a political party.

(d) QUORUM.—The number of directors constituting a quorum of the board shall be established under the bylaws of the foundation.

(e) MEETINGS.—The board shall meet at the call of the chair of the board for regularly scheduled meetings, except that the board shall meet not less often than annually.

(f) REIMBURSEMENT OF EXPENSES.—Directors shall serve without compensation but may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5.

(g) LIABILITY OF DIRECTORS.—Directors are not personally liable, except for gross negligence.