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Election Administration: Overview of FY2024 Financial Services and General Government (FSGG) Appropriations

States and localities have primary responsibility for administering elections in the United States, but the federal government supports and shapes their efforts. One way it does so is through appropriations measures, by providing federal funding for elections-related grants and agency activities or setting elections-related conditions on funding.

Multiple federal agencies play—or could play—a role in supporting or shaping state and local elections work, so elections-related provisions might appear in any of various appropriations measures. One consistent source of such provisions is Financial Services and General Government (FSGG) appropriations legislation. The FSGG subcommittees of the House and Senate Committees on Appropriations have jurisdiction over funding for various federal government functions, including, notably, the U.S. Election Assistance Commission (EAC). The EAC is the only federal agency that is dedicated to helping improve the general administration of elections, and it has often been charged with administering grant funding Congress has provided specifically for elections. For more on the EAC and its grant programs, see CRS Report R45770, *The U.S. Election Assistance Commission (EAC): Overview and Selected Issues for Congress*, by Karen L. Shanton.

This In Focus provides an overview of provisions of FY2024 FSGG appropriations measures related to election administration. It starts by describing relevant provisions of the President’s FY2024 budget request and then summarizes congressional action on elections provisions of FY2024 FSGG appropriations bills to date. The In Focus does not address provisions related to campaign finance.

President’s Budget Request

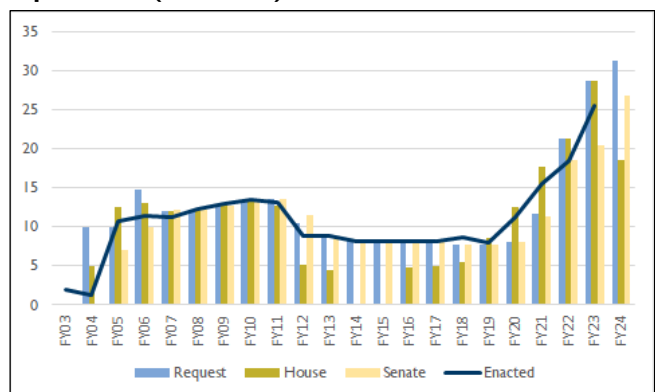
The President’s FY2024 budget request proposes about \$33.8 million for EAC Salaries and Expenses, including \$2.5 million to be made available to the National Institute of Standards and Technology (NIST) for work authorized by the Help America Vote Act (HAVA). NIST is charged by HAVA with providing technical support for a voluntary voting system testing and certification program overseen by the EAC, including by helping develop voluntary federal guidelines for voting systems and recommend laboratories to test systems to the guidelines. For more on that testing and certification program, see CRS Report R47592, *Federal Standards and Guidelines for Voting Systems: Overview and Potential Considerations for Congress*, by Karen L. Shanton. For proposed and enacted funding for EAC operations in previous fiscal years, see **Figure 1**.

In addition to providing general operational funding for the EAC, the budget request proposes authorizing the agency to apply up to \$3.7 million of unobligated balances from prior-

year appropriations for certain grant programs to the Help America Vote College Program, which is aimed at encouraging students at institutions of higher education to serve as poll workers. The request also proposes two sets of general grant funding to be administered by the agency:

- **FY2024 funding.** The budget request includes \$300 million for FY2024 for grants to the 50 states, the District of Columbia (DC), American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the U.S. Virgin Islands for making general improvements to the administration of federal elections. The grant funding would be distributed according to a formula set out in HAVA, with a guaranteed minimum of \$3 million for each of the 50 states and DC and \$600,000 for each of the territories. Grantees would be required to provide a 20% match for the federal funds they received, although the match requirement would be expected to be waived for territories other than Puerto Rico.
- **Longer-term funding.** The request also includes a legislative proposal to provide \$5 billion, to be distributed by formula over 10 years, to support state and local election infrastructure. According to the request, the funding would be available for making elections-related capital investments, such as upgrades to voting systems and physical structures; recruiting, training, and retaining election workers; enhancing physical and cyber security; and improving voter access.

Figure 1. Proposed and Enacted Funding for EAC Operations (\$ millions)



Sources: CRS, based on review of the President’s budget requests and relevant appropriations measures.

Notes: Figures are for the EAC’s Salaries and Expenses account. They do not reflect rescissions, sequestration reductions, or funds designated for NIST, the Help America Vote College Program, mock election grants, or agency relocation expenses.

The HAVA general improvements grant program under which the first of those sets of funding would be provided was a response to problems with the administration of the 2000 elections. Although it was originally introduced as one-time funding states could use to address those problems, Congress has returned to it in recent fiscal years in response to developments like foreign efforts to interfere in the 2016 elections and the onset of the Coronavirus Disease 2019 (COVID-19) pandemic in the 2020 election cycle. For details of those appropriations, see **Table 1**.

The federal government has not previously provided longer-term elections funding like the funding in the budget request's legislative proposal, but similar funding has been proposed in authorizing legislation in recent Congresses. For example, the Freedom to Vote Act (S. 2747, 117th Congress; H.R. 11/S. 1, 118th Congress) and the Sustaining Our Democracy Act (H.R. 7992/S. 4239, 117th Congress; S. 630, 118th Congress) would each establish mechanisms for providing states with longer-term elections funding.

Table 1. Appropriations for HAVA's General Improvements Grant Program, FY2018-FY2023

FY	Public Law	Amount	Uses
2020	P.L. 116-136	\$400 million	Addressing effects of COVID-19 in 2020 federal election cycle
2018	P.L. 115-141	\$380 million	Making general improvements to administration of federal elections
2020	P.L. 116-93	\$425 million	
2022	P.L. 117-103	\$75 million	
2023	P.L. 117-328	\$75 million	

Sources: CRS, based on review of relevant appropriations measures.

Elections-related provisions also appear in the FY2024 budget request for two other agencies covered by the FSGG appropriations legislation. First, the request would fund certain allowances for Office of Personnel Management (OPM) employees serving as federal election observers under the Voting Rights Act. Second, it would reimburse the United States Postal Service (USPS) for revenue forgone as a result of carrying balloting materials for individuals covered by the Uniformed and Overseas Citizens Absentee Voting Act free of postage. Both of those provisions are long-standing features of federal appropriations measures that predate the 2007 creation of the FSGG subcommittees.

Congressional Action

This In Focus reflects congressional action on FY2024 FSGG appropriations measures as of the publication date.

House

The House Committee on Appropriations reported its FY2024 FSGG appropriations bill (H.R. 4664) on July 17, 2023. The reported bill would provide \$20 million for EAC Salaries and Expenses, of which \$1.5 million would be for NIST. The bill would not provide funding for any elections grants to be administered by the EAC.

H.R. 4664 includes the OPM and USPS provisions that are common to FSGG appropriations measures. It also includes some provisions new to the FY2024 bill that would set elections-related limits on the use or availability of federal funding:

- **Section 753** would prohibit providing any federal funding to states or localities that permit noncitizens to vote in federal elections. Noncitizens are currently prohibited by federal law from voting in federal elections, although some states and localities allow them to vote in local contests.
- **Section 758** would prohibit use of federal funding for carrying out sections of Executive Order 14019 that directed federal agencies to consider ways to expand citizens' access to voter registration, information, and participation; accept states' requests to designate them as voter registration agencies under the National Voter Registration Act (NVRA), as practicable and consistent with applicable law; modernize Vote.gov; and facilitate civic participation by federal employees and access to voter registration and information for eligible individuals in federal custody. The prohibition would not apply to the sections of the executive order that established a Native American voting rights steering group or directed agencies to help ensure access for voters with disabilities, active duty military, and overseas citizens. For more on the NVRA, see CRS Report R45030, *Federal Role in Voter Registration: The National Voter Registration Act of 1993 and Subsequent Developments*, by Sarah J. Eckman.

Other new provisions of the FY2024 House bill would set limits on funding that might have additional implications for election administration. For example, Section 755's prohibition on using federal funding to classify communications by U.S. persons as mis-, dis-, or mal-information might affect efforts by election officials or their federal partners to address election misinformation.

Senate

The Senate Committee on Appropriations reported its FY2024 FSGG appropriations bill (S. 2309) on July 13, 2023. The reported bill would provide \$28 million for EAC Salaries and Expenses, of which \$1.25 million would be for NIST. The bill would also provide \$75 million under the same HAVA grant program as the first set of grant funding in the President's budget request. The grants funded by the Senate bill would be available to the 50 states, DC, and the territories, with a guaranteed minimum of \$1 million for each of the 50 states and DC and \$200,000 for each of the territories. Like the President's budget request, the bill includes a 20% match requirement.

S. 2309 includes the OPM and USPS provisions common to FSGG appropriations measures. It does not include the new provisions of H.R. 4664 described above that would set elections-related limits on the use or availability of federal funding.

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