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Establishing and Funding Elections Grant Programs: Policy Options

Recent congressional activity on elections issues has often taken the form of action on grant programs or funding. One type of action Members have increasingly explored in recent legislative proposals is conditioning state or local access to federal funding on adoption of certain elections policies.

Another common type of action is proposing or providing new authorizations or appropriations for elections-related grant programs. For example, Congress responded to foreign efforts to interfere in the 2016 elections and the effects of the COVID-19 pandemic on administration of the 2020 elections, in part, with funding for a grant program established by the Help America Vote Act of 2002 (HAVA; P.L. 107-252). Multiple bills introduced or enacted in recent Congresses—from the 119th Congress’s Full-Year Continuing Appropriations and Extensions Act, 2025 (P.L. 119-4) to the 117th Congress’s Protection and Advocacy for Voting Access (PAVA) Program Inclusion Act (P.L. 117-182) and the 118th Congress’s Freedom to Vote Act (H.R. 11/S. 2344)—have addressed or would have addressed elections grant programs.

This In Focus explores some issues that may be of interest to Members who are considering proposals to authorize, expand, or fund elections grant programs. For more on proposals to condition access to federal funding on adoption of certain elections policies, see CRS In Focus IF13013, *Conditioning Federal Funding on Elections Policies: Options and Considerations for Congress*, by Karen L. Shanton.

Role of Federal Grant Programs

A central debate in elections policy is over the role the federal government should play in election administration. States and localities have traditionally had primary responsibility for administering elections in the United States, and opinions differ about the appropriate scope of federal involvement in setting or implementing election administration policy.

That debate has carried over to some discussions of federal elections grant programs. Elections grant funding has been described by some as federal overreach into a primarily state and local responsibility or a potential path to such overreach. Some have suggested, for example, that elections grant programs could foster a state and local reliance on federal funds that could translate to outsized federal influence on election administration policymaking.

Others say that the federal government has a responsibility to share the expense of conducting federal elections or to advance certain policy goals—such as ensuring that eligible voters have access to the ballot or ineligible voters do not—and that grant programs offer a way to fulfill such

responsibilities. Grant programs might be used to help cover the costs of conducting federal elections. Congress could also use grant programs to encourage states to adopt certain elections policies voluntarily or help defray the costs of implementing policies it requires them to adopt.

Options for Legislative Proposals

In addition to opposing federal elections grant programs in general, some might object to particular grant programs or funding on more specific grounds. They might note that some of the funding previously appropriated for a given grant program has not yet been spent, for example, or oppose the objectives the program is intended to achieve. Alternatively, they might think that the goals of a given grant program are worthwhile but that it is unlikely to achieve them or likely to have other, unintended effects.

To identify or address potential issues in the last of the above categories, Members who are developing or evaluating elections grant programs or funding might want to consider how they are structured. Choices about the structure of grant programs and funding can help determine how effective they are at achieving their intended purposes and what, if any, unintended consequences they might have. Grant programs with short spending deadlines might be better suited to encouraging prompt action on funded activities, for example, while longer (or no) deadlines might enable grantees to undertake a wider range of projects or wait for relevant information or guidance before acting. Ongoing funding might have all of the above effects but raise concerns for some about potential federal overreach.

Views about the appropriate scope of federal involvement in elections might also factor into decisions about permissible uses of proposed grant funds. For example, Members might have preferences about exactly how grant funding is spent, an interest in allowing for flexibility in states’ or localities’ use of funds, or both. Depending on how they balance such considerations, they might choose to limit funding to specific activities or make it available for more general purposes. They might also opt for a middle ground between those choices, such as (1) making grant funds broadly available but prohibiting certain uses, or (2) prioritizing use of funds for particular activities but permitting more general uses under certain circumstances.

Each of the above options—along with other questions about the structure of elections grant programs and options for answering them—has been explored in previously introduced or enacted legislation. **Table 1** provides some illustrative examples of such questions and answers. More detailed information is available in CRS Report R46646, *Election Administration: Federal Grant Programs for States and Localities*, by Karen L. Shanton.

Table I. Selected Policy Options for Elections Grant Programs and Funding

Category	Sample Questions	Sample Answers
Uses	Are grant funds limited to use for specific activities or available for more general purposes?	Specific activities (P.L. 116-136, Election Security Grants) General purposes (52 U.S.C. §§20901, 20903-20906)
	Are grant funds intended to finance voluntary activities or help meet federal requirements?	Voluntary activities (52 U.S.C. §§21051-21053) Federal requirements (52 U.S.C. §§21001-21008)
	Are any uses of grant funds prohibited or prioritized?	Prohibited (52 U.S.C. §§21061-21062) Prioritized (117 th Congress; H.R. 8254)
Amount	Is the total amount of federal funding authorized for the grant program specified?	Yes (52 U.S.C. §§20901, 20903-20906) No (52 U.S.C. §20311)
	Are grant recipients required to contribute to funding grant activities?	Match for funds received (P.L. 117-328, Elect. Sec. Grants) Match for funds to be spent (52 U.S.C. §§21001-21008)
	How is funding allocated to grant recipients?	Nondiscretionary formula (52 U.S.C. §§21001-21008) Competitive grant process (52 U.S.C. §§21041-21043)
	Are eligible recipients guaranteed minimum—or subject to maximum—award amounts?	Minimum amounts (P.L. 115-141, Elect. Reform Program) Maximum amounts (P.L. 108-7, Elect. Ref. Progs.)
Recipients	Is grant funding available—directly or indirectly—to local officials?	Directly (52 U.S.C. §§21021-21025) If state does not apply (115 th Congress; H.R. 6663/S. 2593) If authorized by state (115 th Congress; S. 2261) Via mandatory pass-throughs (117 th Congress; H.R. 8254)
	Is grant funding available to election officials or to other state or local entities?	Election officials (52 U.S.C. §§21001-21008) Other entities (52 U.S.C. §§21061-21062)
	Which jurisdictions or entities are eligible for the grant program?	50 states, DC, American Samoa, Guam, Puerto Rico, and U.S. Virgin Islands (52 U.S.C. §20981 note) 50 states, DC, American Samoa, Guam, Puerto Rico, U.S. Virgin Islands, Commonwealth of Northern Mariana Islands, and American Indian consortium (52 U.S.C. §21061)
Availability	Are grant recipients required to obligate or spend grant funds or complete grant-funded activities by a certain deadline?	Option for extension (52 U.S.C. §§20902-20906) No option for extension (P.L. 116-136, Elect. Sec. Grants)
	Are appropriations for the grant program authorized for a limited number of fiscal years or on an ongoing basis?	Limited number of fiscal years (52 U.S.C. §§21041-21043) Ongoing basis (52 U.S.C. §§21061-21062)
Administration	Are details of grants administration specified in bill text, specified in report language, or left to the discretion of the federal agency charged with administering the program?	Authorizing legislation (52 U.S.C. §§21001-21008) Appropriations legislation (P.L. 116-136, Elect. Sec. Grants) Report language (P.L. 111-8, Cmte. print, Elect. Ref. Progs.)
	Which agency is charged with administering the grant program?	Election Assistance Commission (52 U.S.C. §20981 note) Other federal agency (52 U.S.C. §20311)
	Is the administering agency encouraged or required to collaborate or consult with other agencies or stakeholders?	Other agencies (52 U.S.C. §§21041-21043) Other stakeholders (117 th Congress; H.R. 5008/S. 2702)

Source: CRS, based on review of data from the *U.S. Code* and *Congress.gov*.

Notes: This table is intended to be illustrative rather than comprehensive. Each sample answer includes an example from bill text or report language.

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