



Voter Engagement Guidance

Defining Voter Education, Voter Registration, and Get Out the Vote Activities for HAVA Funds

U.S. Election Assistance Commission | Office of Grants Management

Under the Help America Vote Act of 2002 (HAVA), the U.S. Election Assistance Commission (EAC) administers formula grants directly to states and U.S. territories to support the administration of elections for federal office, and improvements to voting and election systems. The EAC Office of Grants Management (OGM) has created this guide to promote consistency in the interpretation and application of voter registration, voter education, and Get Out the Vote (GOTV) activities under HAVA and reduce the risk of unallowable activities.

Voter education expenses are generally allowable under HAVA, while voter registration costs are sometimes allowable, and GOTV is strictly unallowable. Please review this guidance for details and examples of each.

The EAC encourages grant recipients to request written approval before spending federal funds when the allowability or allocability of an expenditure is difficult to determine. Grantees can receive prior approval through a proposed budget or budget revision or by submitting a written request for specific costs before spending the funds.

Guidelines for Voter Registration Activities

Some voter registration activities are allowable expenditures with HAVA funds. Because HAVA requires states to develop and maintain a centralized and computerized statewide voter registration list of every legally registered voter in the state, states may use HAVA formula grants to improve the accuracy and security of voter registration lists.

The following definitions apply to all HAVA grants.

Definitions

- **Voter registration** is the administrative process through which citizens request to be placed on the official voter list and submit personal and jurisdictional information to state or local election authorities to establish their eligibility to participate in federal, state, and local elections. Generally, voter registration includes any activity that assists potential voters in registering to vote.
- **A voter registration system** is the collection of digital resources and processes states use to maintain an official, uniform, centralized, and interactive computerized statewide voter registration list.

Allowable use of HAVA funds

- Voter registration activities related to the maintenance, storage, editing, deletion, and reporting of voter registration information.
- Activities that improve the accuracy of voter registration lists, including interagency or interstate record sharing.
- Software and hardware updates that enhance the security of voter registration systems (e.g., the implementation of multifactor authentication).
- Improvements to system access for local election officials.
- Training and compensation for poll workers who will be registering voters at the polls on election day.
- Instructing potential voters on how to register to vote (see Voter Education section).

When determining if an activity is allowable, consider whether it:



- Improves the administration of federal elections.
- Focuses on nonpartisan, fact-based information and activities, and does not urge potential voters to vote or register to vote or promote greater voter turnout.
- Improves or maintains the statewide voter registration list and related systems and processes.

Unallowable expenditures:

- Printing, copying, or revising state voter registration forms¹.
- Salaries of staff who help people register to vote prior to Election Day, including during voter registration drives².
- Activities encouraging or urging potential voters to register to vote, including by mail, e-mail, in person, phone, text message, and other media.
- Voter registration drives and Get Out the Vote activities (See section on Voter Education), including advertising for the event and setting up booths.
- Arranging or providing transport to potential voters to an election office to complete the voter registration process.

¹ The EAC determined that printing voter registration forms has historically been a state activity and should be paid for with state funds.

² Voter registration conducted by pollworkers is allowable only on the day of a federal election.

Voter Registration Examples

Allowable	Unallowable
Purchasing high-speed letter openers to process voter registration forms to be used exclusively for election administration purposes.	Purchasing promotional items, gifts, or souvenirs to be distributed at voter registration drives.
Acquiring computer equipment used solely for developing or operating the statewide voter registration list.	Purchasing laptops, booths, tables, or advertising for voter registration drives.
Providing voter registration forms at designated agencies, including motor vehicle offices, public assistance offices, and disability services offices.	Sending sample registration forms to ineligible voters.
Answering questions about how to complete or file a voter registration form.	Submitting or delivering a completed voter registration form on behalf of a potential voter.
Providing information via media campaigns instructing potential voters on how to register to vote or where to find more information about voter registration.	Offering or arranging transport for potential voters to an election office for them to fill out voter registration forms.
Posting FAQs and other educational resources about voter registration on an election website.	Posting messages that encourage voter participation and/or ensure civic duty.

Guidelines for Voter Education Activities

Voter education is one of the allowable activities included under HAVA Section 101. States may use HAVA formula funding to educate voters on voting procedures, including instructing potential voters on how to register to vote. The following definitions apply to all HAVA grants.

Definitions

- **Voter education** is the act of providing nonpartisan, fact-based information to voters about the time, date, and manner of voting processes and elections. HAVA specifies that voter education includes information regarding voting procedures, voting rights, and voting technology.
- **Get Out the Vote (GOTV)** is a promotional strategy to encourage or urge potential voters to vote with the goal of increasing election turnout.

The EAC has previously determined that GOTV activities are not voter education and not allowable under HAVA because GOTV is promotional rather than instructive and does not improve the administration of elections.

In most cases, the EAC allows states to divide costs if the primary purpose meets the federal requirements described in Subpart E of 2 CFR 200, including basic considerations, allowability, and allocability.³ However, in order to maintain consistency and remove the appearance that HAVA funds are being used to pay for non-HAVA approved activities, the payment of public service announcements may not be allocated. The EAC encourages grant recipients to request written approval when the allowability or allocability of an activity is in question.

Allowable use of HAVA funds:

- Mass communications that provide information on voting procedures, voting rights, and voting technology.
- Public service announcements (including print, radio, and television) that provide general, nonpartisan information about voting and elections.
- Activities related to ensuring accurate information during an election.
- Communications regarding the safety and security of elections.
- Signs posted at voting locations providing voting instructions.

Unallowable expenditures:

- Activities encouraging and urging citizens to either register to vote or to vote, including by mail, email, phone, text, and other media.
- Voter registration drives and GOTV activities, including advertising for the event and setting up booths.
- Partisan advertisements or political campaigns, including print, radio, and TV ads.

³ <https://www.ecfr.gov/current/title-2/part-200/subpart-E>

Voter Education Examples

Allowable	Unallowable
Marketing campaign that informs voters where to find voting information in an upcoming election.	Marketing campaign that tells voters to “ensure their voice is heard” by voting in an upcoming election.
Holding a demonstration of new voting equipment that includes instructions for casting a vote.	Hosting a voter registration drive.
Purchasing signs that identify a voting location and the date of the election.	Purchasing signs that instruct the public to “Remember to Vote!” or “Register Today!”
A mailer to registered voters informing them of a change in voting procedure, i.e., new times, location, or increased security.	A mailer to all members of a community featuring a candidate running for office with information on registering to vote.
Staffing a technical assistance desk where members of the public can ask questions pertaining to elections and voting procedures.	Staffing a voter registration booth at a local community event.

Strictly Unallowable Activities

The items below are strictly unallowable uses for HAVA funds and apply to all elements of cost consideration regardless of the category the expense falls under, i.e., voter registration, voter education, etc.

1. **Lobbying:** Recipients and subrecipients must comply with the provisions in 2 CFR 200.450⁴ (Lobbying) and 18 USC 1913⁵, as appropriate.
2. **Get Out the Vote:** Grant-funded activities that encourage voting or registering to vote, including appeals to civic duty, are considered Get Out the Vote and are unallowable under EAC guidance. *See the section on Voter Education for more information.*
3. **Items determined ineligible by state laws:** Each state may have its own laws governing the appearance of officials in election-related marketing materials. Grantees should be familiar with and adhere to all applicable state laws.

⁴ <https://www.ecfr.gov/current/title-2/section-200.450>

⁵ <https://uscode.house.gov/view.xhtml?req=granuleid:USC-1999-title18-section1913&num=0&edition=1999>

How the EAC Monitors for Unallowable Expenditures

The EAC OGM is staffed by grant specialists who administer and monitor the use of all HAVA grant funds. EAC grant specialists are responsible for conducting regular monitoring activities throughout the grant lifecycle, from disbursement to closeout. These activities include approving grant applications, reviewing financial and progress reports, reviewing and approving budget revisions, responding to grantee inquiries, providing technical assistance to grantees, and managing the closeout of grants. Grant specialists may identify potential unallowable expenditures during regular monitoring activities. In such cases, they will review to determine if corrective action is needed, such as a collection for unallowed costs or additional technical training.

The EAC Office of Inspector General (OIG) conducts audits of a state's use of HAVA funding and selects which states to audit based on certain criteria including the last time an audit was conducted, noncompliance with grant requirements, and other risk factors. If the OIG determines that activities are unallowable, then the assigned Grant Specialist will work with the grantee to further investigate and identify the appropriate corrective action needed.

Additional Regulatory Guidance

This guide is intended to help states make informed decisions about how to effectively use HAVA funds to enhance their existing election programs. The EAC OGM encourages all grantees to reach out to the EAC with specific questions regarding the allowable use of HAVA funds by emailing grants@eac.gov.

[Factors affecting allowability of costs per 2 CFR 200.403](#)