

# **The Help America Vote Act of 2002 (HAVA): Overview and Ongoing Role in Election Administration Policy**

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# The Help America Vote Act of 2002 (HAVA): Overview and Ongoing Role in Election Administration Policy

The Help America Vote Act of 2002 (HAVA) was enacted in response to issues with the administration of the 2000 elections. The highest-profile issues in those elections were in Florida—where disputes about the vote count delayed the resolution of the presidential race for weeks—but post-election hearings and reports identified issues with various aspects of election administration across multiple states.

Congress’s response to those findings, in HAVA, spanned a correspondingly wide range of elections topics. The act took three main approaches to the issues. First, it set requirements for the administration of federal elections. Some states and localities had adopted policies or technologies before the 2000 elections that may have helped prevent some of the issues encountered by other jurisdictions in 2000, and other policy proposals were offered in post-2000 hearings and reports. HAVA was designed, in part, to standardize use of some of those policies and technologies in federal elections. Title III of the act set new federal requirements for voting systems, provisional voting, voting information, statewide voter registration databases, voter identification, and the federal mail voter registration form created by the National Voter Registration Act of 1993.

Second, HAVA authorized the first major federal grant programs for elections. Complying with HAVA’s Title III requirements involved significant financial investments for many states and localities. There were also other post-2000 changes to election processes—not addressed by the HAVA requirements—that states and localities wanted or needed to make. Congress authorized a pair of general grant programs in HAVA to help states meet the act’s Title III requirements and make certain general improvements to election administration. HAVA also authorized more specialized grant programs to facilitate or incentivize action on voting technology, disability access, youth voter participation, and poll worker recruitment.

Third, HAVA provided for creation of the election administration-dedicated U.S. Election Assistance Commission (EAC). Federal agency support for the general administration of elections was provided in 2000 by a small office at the Federal Election Commission known as the Office of Election Administration (OEA). The scope of the issues with the conduct of the 2000 elections prompted calls for an expanded federal agency role in elections. Some proposed assigning any new responsibilities to the existing OEA, while others wanted to create a new agency that would be fully dedicated to election administration. There was also debate about whether a new elections agency should have the authority to issue regulations. Congress struck a balance in HAVA by providing for a new agency, the EAC, but positioning it as a support agency.

HAVA and the agency it created have continued to play a central role in congressional engagement with election administration issues since the act’s enactment in 2002. For example, Congress responded to foreign efforts to interfere in the 2016 elections and the emergence of the COVID-19 pandemic in the 2020 election cycle by providing new funding for a HAVA grant program administered by the EAC. Members have also introduced legislation to revisit HAVA or the EAC or to extend them to address new aspects of election administration.

The ongoing role of HAVA in federal elections policymaking is partly a result of two features of the act. HAVA was (1) more wide-ranging in the topics it aimed to address than elections measures Congress had tended to approve in the recent past, with (2) a greater emphasis on federal assistance for states and localities. Other recent federal election laws had tended primarily to set requirements and to focus on particular aspects of elections or access to the electoral process for particular groups of voters. HAVA, by contrast, spans multiple issues and voter groups and pairs its requirements with grant programs and the assistance-oriented EAC. Those features have made HAVA and the EAC common choices of vehicles for efforts to extend federal requirements to new aspects of election administration or provide for new federal support for elections.

Ongoing congressional engagement with HAVA can also be traced, in part, to interest in revisiting the act. There was broad agreement during the HAVA debate that Congress should consider a legislative response to the issues with the conduct of the 2000 elections but disagreement about exactly what that legislative response should look like. Compromises struck in HAVA did not necessarily resolve the underlying disagreements, and new developments since 2002—both due to HAVA and independently of it—have changed the election administration landscape. As a result, some Members have proposed revisiting HAVA’s treatment of particular elections issues or the structure of the act or the agency it created.

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## Introduction

The Help America Vote Act of 2002 (HAVA; P.L. 107-252; 52 U.S.C. §§20901-21145) was enacted in response to issues with the administration of the 2000 elections. The highest-profile issues in those elections were in Florida—where disputes about the vote count delayed the resolution of the presidential race for weeks—but post-election hearings and reports identified issues with various aspects of election administration across multiple states.<sup>1</sup>

Congress’s response to those findings, in HAVA, spanned a correspondingly wide range of elections topics, from voting systems to voter identification to the accessibility of the electoral process to individuals with disabilities. HAVA took three main approaches to the issues: (1) setting requirements for the administration of federal elections, (2) authorizing the first major federal grant programs for election administration, and (3) providing for creation of the election administration-dedicated U.S. Election Assistance Commission (EAC).

HAVA and the agency it created have continued to play a central role in congressional engagement with election administration issues since the act’s enactment in 2002. For example, Congress responded to foreign efforts to interfere in the 2016 elections and the emergence of the COVID-19 pandemic in the 2020 election cycle by providing new funding for a HAVA grant program administered by the EAC.<sup>2</sup> Members have also introduced legislation to revisit HAVA or the EAC or to extend them to address new aspects of election administration.

This report provides an overview of HAVA and the ongoing role the act has played in policy discussions about election administration. It starts by describing major provisions of HAVA and then summarizes proposals to revisit or extend the act or the agency it created. The report closes by briefly introducing some considerations that might be relevant to discussions of any future role for HAVA in federal policymaking on election administration.

## Note on Terminology

HAVA generally defines “state” as including the 50 states, the District of Columbia (DC), American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands.<sup>3</sup> Congress has considered proposals to expand that general definition to include the Commonwealth of the Northern Mariana Islands (CNMI), but none of those proposals has been enacted as of this writing.

The Protection and Advocacy for Voting Access (PAVA) Program Inclusion Act (P.L. 117-182), which amended HAVA to extend eligibility for one of its grant programs to the protection and advocacy (P&A) systems serving CNMI and Native Americans in the Four Corners region of the country (American Indian consortium), and the Confirmation of Congressional Observer Access (COCOA) Act of 2024 (P.L. 118-106), which amended the act to address Congress’s authority to send designees to observe states’ federal election processes, define “state” for those purposes as

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<sup>1</sup> See, for example, R. Michael Alvarez et al., *Voting—What Is, What Could Be*, Caltech/MIT Voting Technology Project, July 2001, <https://vote.caltech.edu/reports/1>; The National Commission on Federal Election Reform, *To Assure Pride and Confidence in the Electoral Process*, August 2001, [https://www.verifiedvoting.org/wp-content/uploads/2012/10/NCFER\\_2001.pdf](https://www.verifiedvoting.org/wp-content/uploads/2012/10/NCFER_2001.pdf); and U.S. Government Accountability Office (GAO), *Elections: Perspectives on Activities and Challenges Across the Nation*, GAO-02-3, October 2001, <https://www.gao.gov/new.items/d023.pdf>.

<sup>2</sup> See, for example, P.L. 115-141; P.L. 116-93; and P.L. 116-136.

<sup>3</sup> 52 U.S.C. §21141. The Commonwealth of the Northern Mariana Islands (CNMI) was not included in the Help America Vote Act of 2002’s (HAVA’s) definition of “state” because it did not hold federal elections when HAVA was enacted in 2002. Testimony of the Honorable Gregorio Kilili Camacho Sablan, in U.S. Congress, Committee on House Administration, Subcommittee on Elections, *Voting Rights and Election Administration in the U.S. Virgin Islands and Other Territories*, hearing, 116<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 28, 2020, p. 2.

including CNMI. Some appropriations acts have also included language extending eligibility for certain other HAVA funding to CNMI.<sup>4</sup>

Except in the context of the PAVA Program Inclusion Act, the COCOA Act, and relevant appropriations acts, this report typically uses HAVA's general definition of "state." Where the narrower meaning of the term is intended, the report uses the phrase "the 50 states."

## Overview of Major Provisions

A defining image of the 2000 elections was a picture of a member of a Florida county canvassing board inspecting a punch card ballot with a magnifying glass.<sup>5</sup> Florida's closely contested race would decide the 2000 presidential election. One of the issues highlighted by litigation and recounts in the state was the challenge of interpreting incompletely punched "hanging" and "dimpled" chads left by the punch card voting systems used in some Florida counties.<sup>6</sup>

Hearings and reporting on the 2000 elections emphasized, however, that the election administration issues that year were not limited to Florida or to punch card voting systems.<sup>7</sup> Those investigations identified other issues with voting systems. The lever voting machines used in some jurisdictions in 2000 could jam, for example, and did not produce paper trails that could be used to reconstruct votes cast on a jammed machine.<sup>8</sup> Confusing ballot formats contributed to high rates of "overvoting"—or making more selections for a given contest than permitted—in some counties.<sup>9</sup>

The investigations also revealed issues with other aspects of the administration of the 2000 elections, beyond voting systems. For example, eligible voters who had been erroneously removed from the voter registration rolls were turned away from the polls in some states, and some polling places were moved or closed early without notice.<sup>10</sup> Witnesses representing military and overseas citizens, individuals with disabilities, and older individuals in congressional hearings reported distinct obstacles to registration and voting by members of those groups.<sup>11</sup>

Congress took three main approaches, in HAVA, to responding to issues highlighted by the 2000 elections: (1) setting requirements for the administration of federal elections, (2) authorizing

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<sup>4</sup> For more on these appropriations acts, see **Table 2** of this report and CRS Report R46646, *Election Administration: Federal Grant Programs for States and Localities*, by Karen L. Shanton.

<sup>5</sup> See, for example, Robert Rosenberg, "'I Had to Examine Every Disputed Ballot': George W Bush v Al Gore, Florida, 2000," *The Guardian*, July 1, 2016, <https://www.theguardian.com/artanddesign/2016/jul/01/disputed-ballot-george-w-bush-al-gore-florida-recount-2000>.

<sup>6</sup> See, for example, Samantha Levine, "Hanging Chads: As the Florida Recount Implodes, the Supreme Court Decides Bush v. Gore," January 17, 2008, <https://www.usnews.com/news/articles/2008/01/17/the-legacy-of-hanging-chads>.

<sup>7</sup> See, for example, The National Commission on Federal Election Reform, *To Assure Pride and Confidence in the Electoral Process*, p. 18; and GAO, *Elections: Perspectives on Activities and Challenges Across the Nation*, pp. 24-25.

<sup>8</sup> See, for example, Alvarez et al., *Voting—What Is, What Could Be*, p. 6.

<sup>9</sup> See, for example, Alan Agresti and Brett Presnell, "Misvotes, Undervotes and Overvotes: The 2000 Presidential Election in Florida," *Statistical Science*, vol. 17, no. 4 (2002), pp. 438-439.

<sup>10</sup> See, for example, U.S. Commission on Civil Rights (USCCR), *Voting Irregularities in Florida During the 2000 Presidential Election*, June 2001, <https://www.usccr.gov/pubs/vote2000/report/main.htm>; and U.S. Congress, Senate Committee on Governmental Affairs, *Federal Election Practices and Procedures*, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., May 3, 2001.

<sup>11</sup> See, for example, U.S. Congress, House Committee on Armed Services, Subcommittee on Military Personnel, *Department of Defense Voting Assistance and Military Absentee Ballot Issues*, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., May 9, 2001 (Washington, DC: GPO, 2001); and U.S. Congress, Senate Committee on Rules and Administration, *Election Reform*, hearing, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., March 14, 2001, S.Hrg. 107-1036 (Washington, DC: GPO, 2003).

elections grant programs, and (3) expanding agency support for election administration through creation of the EAC.<sup>12</sup>

## Requirements

Some states and localities had adopted policies or technologies before the 2000 elections that may have helped prevent issues encountered by other jurisdictions in 2000. For example, voting systems that alerted voters who attempted to make multiple selections for a single office reportedly reduced overvoting in some cases, and statewide voter registration databases may have helped election officials in some states maintain more accurate voter rolls.<sup>13</sup> Provisional voting policies, which enabled voters whose eligibility was challenged at the polls to cast provisional ballots, may have helped mitigate some of the effects of voter registration list maintenance errors.<sup>14</sup>

Other policy proposals were offered in post-2000 hearings and reports. For example, technology experts suggested setting national standards for voting system auditability, and the U.S. Department of Defense's (DOD's) Federal Voting Assistance Program (FVAP), among others, proposed changes to military and overseas voting and registration processes.<sup>15</sup>

HAVA was designed, in part, to standardize use of some of those policies and technologies in federal elections. Title VII of the act amended existing federal law to incorporate some of the proposed changes to military and overseas voting and registration, and Title III set requirements for other aspects of the conduct of federal elections. The Title III requirements, as amended, are briefly summarized below. For details of those requirements and the Title VII provisions, respectively, see **Table 1** and **Appendix B**.<sup>16</sup>

- **Voting systems.** Require each state to set uniform standards for what counts as a vote on each type of voting system it uses, and require voting systems to offer voters the opportunity to check and correct their ballots; notify voters about overvoting; produce a manually auditable permanent paper record; provide for accessibility for individuals with disabilities; satisfy alternative language requirements of the Voting Rights Act of 1965 (VRA; P.L. 89-110), as amended; and meet specified error rate standards.

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<sup>12</sup> The following three subsections of this report provide an overview of major provisions of the act by type of provision. For an overview of major provisions of HAVA by issue area, see **Appendix A**.

<sup>13</sup> See, for example, U.S. Congress, Senate Committee on Commerce, Science, and Transportation, *S. 368 and Election Reform*, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., May 8, 2001 (Washington, DC: GPO, 2001), pp. 40-41; and Electionline, *Election Reform: What's Changed, What Hasn't and Why, 2000-2006*, February 2006, p. 19, [https://www.pewtrusts.org/-/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/election\\_reform/electionline022006pdf.pdf](https://www.pewtrusts.org/-/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/election_reform/electionline022006pdf.pdf).

<sup>14</sup> See, for example, U.S. Congress, House Committee on House Administration, *Help America Vote Act of 2001*, report to accompany H.R. 3295, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., December 10, 2001, H.Rept. 107-329 (Washington, DC: GPO, 2001), pp. 37-39; and Electionline, *Election Reform: What's Changed, What Hasn't and Why, 2000-2006*, p. 32. For more on voter registration list maintenance, see CRS Report R46943, *Voter Registration Records and List Maintenance for Federal Elections*, by Sarah J. Eckman.

<sup>15</sup> See, for example, Alvarez et al., *Voting—What Is, What Could Be*, p. 24; Democratic Caucus Special Committee on Election Reform, *Revitalizing Our Nation's Election System*, pp. 79-80, <https://web.archive.org/web/20011108222052/http://housedemocrats.house.gov/documents/electionreformreport.pdf>; The National Commission on Federal Election Reform, *To Assure Pride and Confidence in the Electoral Process*, pp. 42-43; and U.S. Congress, House Committee on Armed Services, Subcommittee on Military Personnel, *Department of Defense Voting Assistance and Military Absentee Ballot Issues*.

<sup>16</sup> For more on military and overseas voting in general, see CRS In Focus IF11642, *Absentee Voting for Uniformed Services and Overseas Citizens: Roles and Process*, In Brief, by R. Sam Garrett.



- **Provisional voting.** Require election officials to permit certain voters, including voters whose names do not appear on the voter rolls, to cast provisional ballots; count provisional ballots cast by voters who are found to be eligible under state law to vote; and provide voters with specified options for checking the status of their provisional ballots.
- **Voting information.** Require election officials to post the following information at the polls: a sample ballot, the date of the election, polling place hours, instructions for voting and for complying with HAVA's requirements for mail registrants and first-time voters, and general information about voting rights and prohibitions on fraud and misrepresentation.
- **Statewide voter registration databases.** Require states to implement centralized, computerized statewide voter registration lists and follow specified procedures for maintaining them.<sup>17</sup>
- **Voter identification.** Require certain first-time voters who register by mail to provide one of a specified list of types of identification in order to cast a regular ballot.
- **Federal mail voter registration form.** Require questions about citizenship and age, a statement about the new questions, and a statement about HAVA's voter ID requirement to be added to the federal mail voter registration form established by the National Voter Registration Act of 1993 (NVRA; P.L. 103-31; 52 U.S.C. §§20501-20511), and require election officials to offer voters who fail to answer the citizenship question an opportunity to complete the form.
- **Congressional election observers.** Require states to provide congressional election observers access to federal election processes—including to areas where ballots are cast, processed, scanned, tabulated, canvassed, recounted, audited, or certified—with specified limitations on observers' activities and conditions for their removal and replacement.<sup>18</sup>

HAVA left decisions about how to implement—and, to a certain extent, enforce—its Title III requirements to the states. The act directed the EAC to issue voluntary guidance for implementing the Title III requirements but left states discretion over exactly how to meet them.<sup>19</sup> It assigned federal enforcement of the requirements to the U.S. Department of Justice (DOJ) but routed action by individual voters on violations through state-based administrative complaint procedures<sup>20</sup> rather than an explicit private right of action.<sup>21</sup>

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<sup>17</sup> For more on voter registration list maintenance, see CRS Report R46943, *Voter Registration Records and List Maintenance for Federal Elections*, by Sarah J. Eckman.

<sup>18</sup> 52 U.S.C. §21083a. This requirement was added by the Confirmation of Congressional Observer Access Act (COCOA) of 2024 (P.L. 118-106). Unlike the other Title III requirements, it applies to CNMI.

<sup>19</sup> 52 U.S.C. §§21101-21102 and 52 U.S.C. §21085.

<sup>20</sup> 52 U.S.C. §§21111-21112. HAVA requires states that receive funding under any of its grant programs to establish a state-based administrative complaint procedure. That requirement applies to all states in practice because all have received HAVA funding.

<sup>21</sup> Unlike some other federal statutes, such as the National Voter Registration Act of 1993 (NVRA), HAVA does not provide for an explicit private right to sue for violations of its requirements. The question of whether there is a private right of action for any of HAVA's Title III requirements on other grounds has been the subject of litigation and academic debate. For discussion of that issue, see Daniel P. Tokaji, "Public Rights and Private Rights of Action: The Enforcement of Federal Election Laws," *Indiana Law Review*, vol. 44, no. 113 (2010).

**Table I. Requirements for Federal Elections Established by Title III of HAVA, as Amended**

	Effective Date	Requirements
Voting Systems 52 U.S.C. §21081	January 1, 2006	<p>Require voting systems to permit voters privately and independently to verify and change or correct their ballots before they are cast and counted; notify voters who have selected more than one candidate for a single office that they have overvoted, inform them of the effects of overvoting, and provide an opportunity to correct the ballot before it is cast and counted;<sup>a</sup> produce a manually auditable permanent paper record that is available as an official record for recounts, and permit voters to change or correct their ballots before the manually auditable permanent paper record is produced; be accessible to individuals with disabilities in a manner that provides them the same opportunity for access and participation as other voters, through use of at least one direct recording electronic (DRE) voting system or other accessible voting system at each polling place;<sup>b</sup> provide alternative language accessibility as required by Section 203 of the Voting Rights Act of 1965 (VRA), as amended; and comply with the error rate standards established by Section 3.2.1 of the Federal Election Commission's (FEC's) 1990 Voting Systems Standards.</p> <p>Require each state to adopt uniform and nondiscriminatory standards for what constitutes and will be counted as a vote for each type of voting system it uses.</p>
Provisional Voting <sup>c</sup> 52 U.S.C. §21082(a), (c)	January 1, 2004	<p>Require individuals who do not appear on the official list of eligible voters or whose eligibility to vote is otherwise challenged by an election official to be permitted to cast a provisional ballot if they provide written affirmation that they are registered in the jurisdiction and eligible to vote in the election.</p> <p>Require election officials to notify eligible individuals that they may cast a provisional ballot; transmit provisional ballots to the appropriate officials for prompt verification; count provisional ballots cast by individuals they find to be eligible under state law to vote; establish a free access system individuals can use to check the status of their provisional ballots; provide individuals who cast provisional ballots with written information about the free access system; and establish and maintain procedures to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system.</p> <p>Require individuals who vote during certain extended polling place hours to cast provisional rather than regular ballots, and require those ballots to be held apart from other provisional ballots.<sup>d</sup></p>
Voting Information 52 U.S.C. §21082(b)	January 1, 2004	<p>Require election officials to post the following information at the polls: a sample ballot; information about the date of the election and polling place hours; instructions for how to vote, including how to cast a vote and a provisional ballot; instructions about HAVA's requirements for mail-in registrants and first-time voters; general information about federal and state voting rights, including information about the right to cast a provisional ballot and how to report violations of voting rights; and general information about federal and state prohibitions on fraud and misrepresentation.</p>



	Effective Date	Requirements
Statewide Voter Registration Databases <sup>e</sup> 52 U.S.C. §21083(a)	January 1, 2004 <sup>f</sup>	<p>Require states to implement a single, uniform, official, centralized, interactive computerized statewide voter registration list that is defined, maintained, and administered at the state level; includes the name and registration information of all registered voters in the state; assigns each registered voter a unique identifier; and can be immediately electronically accessed by any election official in the state.</p> <p>Require coordination of the statewide voter registration list with other agency databases in the state.</p> <p>Require voter registration information obtained by local election officials to be electronically entered into the list on an expedited basis, and require chief state election officials to provide any support required to facilitate expeditious entry of such information.</p> <p>Require election officials to comply with provisions of the National Voter Registration Act of 1993 (NVRA) when removing individuals from the list and coordinate the list with state agency records on felony status and death for purposes of removing ineligible voters from the list.<sup>g</sup></p> <p>Require list maintenance under the above provisions to be conducted in a manner that ensures that the name of each registered voter appears in the computerized list, only voters who are not registered or are ineligible to vote are removed from the list, and duplicate names are removed from the list.</p> <p>Require state or local officials to provide adequate technological security measures to prevent unauthorized access to the statewide voter registration list.</p> <p>Require provisions to ensure that voter registration records are accurate and regularly updated, including reasonable efforts to remove registrants who are not eligible to vote and safeguards against erroneous removal of eligible voters.</p> <p>Require voter registration applicants who have a current and valid driver's license number or Social Security number to provide the license number or the last four digits of the Social Security number with their registration applications, and require states to verify the information applicants provide.</p> <p>Require states to assign unique identifying numbers to voter registration applicants who have not been issued a current and valid license or Social Security number.</p> <p>Require the official responsible for the state motor vehicle authority of each state to enter into data-matching agreements with the chief state election official of the state and the commissioner of Social Security for purposes of verifying the accuracy of information provided on voter registration applications.<sup>h</sup></p>
Voter Identification 52 U.S.C. §21083(b)(1)-(3)	January 1, 2004 <sup>i</sup>	<p>Require individuals who registered by mail, have not previously voted in a federal election in the state, and do not meet certain conditions to present one of a specified list of types of identification at the polls (if voting in person) or include a copy of such identification with their ballot (if voting by mail).<sup>j</sup></p> <p>Require individuals who fail to meet the voter identification requirement to be permitted to cast a provisional ballot or have their mail ballot counted as a provisional ballot.</p>

	Effective Date	Requirements
Federal Mail Voter Registration Form 52 U.S.C. §21083(b)(4)	January 1, 2004 <sup>i</sup>	<p>Require the federal mail voter registration form to include questions about citizenship status and age and boxes for applicants to check in response, a statement that voters who check “no” in response to either of the questions should not complete the form, and a statement informing applicants who are registering for the first time by mail that identification information must be submitted with the registration form to avoid additional identification requirements when voting for the first time.</p> <p>Require registrars to notify individuals who fail to answer the citizenship question that they did not answer the question and provide them with an opportunity to complete the form.</p>
Congressional Election Observers <sup>k</sup> — 52 U.S.C. §21083a		<p>Require states to provide designated congressional election observers full access to all election administration procedures for federal elections, including to areas where ballots are cast, processed, scanned, tabulated, canvassed, recounted, audited, or certified.</p> <p>Prohibit congressional election observers from handling ballots or election equipment, advocating for positions or candidates, taking any action to reduce ballot secrecy or voter privacy, taking any action to interfere with the ability of voters to cast a ballot or election administrators to perform their duties, or otherwise interfering with the election administration process.</p> <p>Authorize election officials to remove a congressional election observer if they have a reasonable basis to believe that the observer has engaged or will imminently engage in intimidation or deceptive practices prohibited by federal law or in disrupting the casting, processing, scanning, tabulating, canvassing, or recounting of ballots or the certification of election results.</p> <p>Require election officials to notify the chair and ranking minority member of the Committee on House Administration or the Senate Committee on Rules and Administration, as applicable, of the removal of a congressional election observer and the reason for the removal within 24 hours.</p> <p>Authorize the applicable chair or ranking minority member to replace a removed observer.</p>

**Source:** CRS analysis based on review of the *U.S. Code*.

**Notes:** The requirements in this table apply to elections for federal office. For example, the voting systems standards apply to voting systems used in federal elections.

- a. HAVA authorizes jurisdictions that use paper ballot, punch card, or central count voting systems to meet this requirement by creating a voter education program that informs voters of the effects of overvoting and providing them with instructions for correcting overvotes before their ballots are cast and counted.
- b. Voting systems purchased with requirements payments made available on or after January 1, 2007, are required to meet HAVA’s standards for disability access.
- c. HAVA authorizes states that have not required voter registration on and since August 1, 1994, or that have permitted same-day registration on and since August 1, 1994, to use their existing voter registration procedures to satisfy the act’s provisional voting requirements.
- d. HAVA also requires individuals who do not meet its voter identification requirement to be allowed to cast a provisional ballot. For more on that requirement, see the “Voter Identification” section of this table.
- e. HAVA’s statewide voter registration database requirements do not apply to North Dakota, which does not require voter registration.
- f. HAVA provided for this deadline to be extended to January 1, 2006, for states or jurisdictions that certified to the U.S. Election Assistance Commission (EAC) by January 1, 2004, that they would not meet the original deadline for good cause.

- g. HAVA indicates that states that have not required voter registration on and since August 1, 1994, or that have permitted same-day registration on and since August 1, 1994, should follow their state laws for removing ineligible voters from their voter registration lists rather than the HAVA requirements.
- h. HAVA indicates that compliance with this requirement and the above two requirements is optional for states that are permitted to use and provide for use of Social Security numbers on voter registration applications in accordance with Section 7 of the Privacy Act of 1974 (P.L. 93-579).
- i. HAVA indicates that these requirements apply to any individual who registers on or after January 1, 2003.
- j. The relevant conditions are (1) registering to vote by mail under Section 6 of the NVRA and submitting a copy of acceptable identification with the registration; (2) registering to vote by mail under Section 6 of the NVRA, submitting a driver's license number or at least the last four digits of a Social Security number with the registration, and having the submitted information matched by an election official to an existing state identification record with the same number, name, and date of birth; or (3) being entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA) or to vote other than in person under the Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA; P.L. 98-435) or any other federal law.
- k. This requirement was added by the Confirmation of Congressional Observer Access Act (COCOA) of 2024 (P.L. 118-106). Unlike the other requirements in the table, it applies to the Commonwealth of the Northern Mariana Islands.

## Grant Programs

Complying with HAVA's Title III requirements involved significant financial investments for many states and localities. There were also other post-2000 changes to election processes—not addressed by the HAVA requirements—that states and localities wanted or needed to make. Congress accounted for both of those circumstances, in HAVA, with a pair of general grant programs that were designed to help states meet HAVA's Title III requirements and make certain general improvements to election administration.

HAVA also authorized grant programs to facilitate or incentivize action on specific issues or policy proposals, such as replacing lever and punch card voting systems. Those more specialized grant programs included programs related to voting technology, disability access, youth voter participation, and poll worker recruitment.

Each of the grant programs authorized by HAVA is summarized below. Information about the funding Congress has authorized and appropriated for each program as of this writing is available in **Table 2**. For more on federal elections grant programs in general, see CRS Report R46646, *Election Administration: Federal Grant Programs for States and Localities*, by Karen L. Shanton.

- **Requirements payments program.** Grants to states for meeting requirements for the administration of federal elections. Administered by the EAC.<sup>22</sup> States are required by HAVA to provide a match for funding they receive under this program and a state plan for use of the funds.<sup>23</sup> Funding was initially authorized for this grant program primarily for helping states comply with HAVA's Title III requirements.<sup>24</sup> The Military and Overseas Voter Empowerment (MOVE) Act of 2009 amended HAVA to authorize additional funding for the program to help states meet new requirements for military and overseas voting and registration established by the MOVE Act.<sup>25</sup>
- **General improvements grant program.** Grants to states for making certain general improvements to election administration.<sup>26</sup> Administered by the U.S. General Services Administration (GSA) and the EAC.<sup>27</sup>

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<sup>22</sup> The Consolidated Appropriations Act, 2004 (P.L. 108-199) authorized the U.S. General Services Administration (GSA) to make requirements payments while the U.S. Election Assistance Commission (EAC) was being established but provided for expiration of that authority by the earlier of (1) June 30, 2004, or (2) the end of the three-month period after appointment of all members of the EAC.

<sup>23</sup> 52 U.S.C. §21003. The match amount is “5 percent of the total amount to be spent for [activities for which the requirements payment is made] (taking into account the requirements payment and the amount spent by the State).” According to the EAC, this match requirement has been waived for eligible territories other than Puerto Rico. EAC, *Election Assistance Commission FY2008/2009/2010/2011 Requirements Payment Schedule*, <https://web.archive.org/web/20191227211147/https://www.eac.gov/assets/1/6/4699.PDF>.

<sup>24</sup> 52 U.S.C. §21001. States could also use requirements payments for more general improvements to the administration of federal elections if they had already met the Title III requirements or limited their spending on such activities to a specified amount.

<sup>25</sup> 52 U.S.C. §21001. The MOVE Act was enacted as Subtitle H of Title V of the National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84).

<sup>26</sup> HAVA lists specific permissible uses of this grant funding. The listed uses are complying with HAVA's Title III requirements; improving the administration of federal elections; educating voters about voting procedures, rights, and technology; training election officials and volunteers; developing the state plan for requirements payments; improving, acquiring, or modifying voting systems and technology and vote casting and counting methods; improving polling place accessibility and quantity; and establishing toll-free hotlines for reporting voting fraud and rights violations and accessing election information (52 U.S.C. §20901).

<sup>27</sup> HAVA assigned initial responsibility for administering the general improvements and lever and punch card voting (continued...)

- **Lever and punch card voting system replacement grant program.** Grants to states that used lever or punch card voting systems in the November 2000 election for replacing those systems. Administered by GSA and the EAC. States that accepted funding under this grant program were required to either replace all of their lever and punch card voting systems by a deadline specified by HAVA or repay a portion of the funds they received.<sup>28</sup>
- **Voting technology improvements research grant program.** Grants for researching and developing improvements to the quality, reliability, accuracy, accessibility, affordability, and security of election systems. Administered by the EAC, with support from the National Institute of Standards and Technology (NIST).<sup>29</sup>
- **Voting technology pilot program grant program.** Grants for conducting pilot programs to test new voting technologies and implement them on a trial basis. Administered by the EAC, with support from NIST.
- **Polling place accessibility grant program.** Grants to states and localities for improving the accessibility of polling places and sharing information about polling place accessibility. Administered by the U.S. Department of Health and Human Services (HHS).<sup>30</sup>
- **Protection and advocacy (P&A) system grant program.** Grants to P&A systems—state-level systems charged with empowering and advocating for individuals with disabilities—for conducting activities related to electoral access for individuals with disabilities. Administered by HHS.<sup>31</sup>
- **Mock elections grant program.** Grants for conducting voter education activities for students and their parents. Administered by the EAC.
- **Help America Vote College Program.** Grant-making, among other program activities, for encouraging students at institutions of higher education to serve as poll workers and election officials to use their services. Administered by the EAC. HAVA also authorized creation of a Help America Vote Foundation to perform a similar function for secondary school students, although the act’s description of the foundation does not explicitly list grant-making among its authorized activities.<sup>32</sup>

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system replacement grant programs to GSA but authority for overseeing audits and repayments of the funds to the EAC (52 U.S.C. §§20901-20906 and 52 U.S.C. §21142). The EAC has also been charged with administering the funding Congress appropriated under the general improvements grant program for FY2018, FY2020, and FY2022 through FY2025 (P.L. 115-141; P.L. 116-93; P.L. 116-136; P.L. 117-103; P.L. 117-328; P.L. 118-47; and P.L. 119-4).

<sup>28</sup> 52 U.S.C. §20902. The deadline for replacing voting systems was originally the regularly scheduled federal general election in November 2004, with an optional waiver to the first federal election after January 1, 2006. Congress extended the waiver deadline twice (P.L. 110-28 and P.L. 111-8). The final deadline was the first federal election after November 1, 2010.

<sup>29</sup> HAVA charged the National Institute of Standards and Technology (NIST) with recommending topics for projects funded under this grant program and the voting technology pilot program grant program, as well as reviewing grant applications for both grant programs and, on EAC request, monitoring grant activities (52 U.S.C. §21041 and 52 U.S.C. §21051).

<sup>30</sup> As authorized, HAVA’s polling place accessibility grant program was available to localities. However, the appropriations acts that have funded the program have limited grant funds to states. See, for example, P.L. 108-7.

<sup>31</sup> As initially authorized by HAVA, this grant program was available to the protection and advocacy (P&A) systems serving the 50 states, DC, American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. The Protection and Advocacy for Voting Access (PAVA) Program Inclusion Act extended eligibility for the program to the P&A systems serving CNMI and Native Americans in the Four Corners region of the country (the American Indian consortium).

<sup>32</sup> President George W. Bush named nominees to the Help America Vote Foundation’s board of directors on July 9, (continued...)

To help ensure that grant funds are used as intended, HAVA provides for funding audits and examinations.<sup>33</sup> It includes provisions for audits by the agencies that administer its grant programs, as well as both special audits of any HAVA funding upon a vote of the EAC commissioners and regular audits of funding provided under the requirements payments program.<sup>34</sup>

**Table 2. Funding Authorized and Appropriated for HAVA Grant Programs**  
(as of September 30, 2025)

Grant Program	Amounts Authorized by HAVA <sup>a</sup>	Amounts Appropriated
Requirements payments program 52 U.S.C. §§21001-21008	FY2003: \$1.4 billion FY2004: \$1.0 billion FY2005: \$600.0 million FY2010 and subsequent fiscal years: Such sums as may be necessary <sup>b</sup>	FY2003: \$830.0 million FY2004: \$1.5 billion <sup>c</sup> FY2008: \$115.0 million FY2009: \$100.0 million FY2010: \$70.0 million FY2011: <sup>d</sup>
General improvements grant program 52 U.S.C. §§20901, 20903-20906 Lever and punch card voting system replacement grant program 52 U.S.C. §§20902-20906	\$650.0 million (to be divided evenly between the two grant programs)	FY2003: \$650.0 million (for combination of general improvements grant program and lever and punch card voting system replacement grant program) <sup>e</sup> FY2018: \$380.0 million (for general improvements grant program) <sup>f,g</sup> FY2020: \$825.0 million (for general improvements grant program) <sup>f,h,i,j</sup> FY2022: \$75 million (for general improvements grant program) <sup>i,j</sup> FY2023: \$75 million (for general improvements grant program) <sup>i,j</sup> FY2024: \$55 million (for general improvements grant program) <sup>i,j,k</sup> FY2025: \$15 million (for general improvements grant program) <sup>i,j,k</sup>
Voting technology improvements research grant program 52 U.S.C. §§21041-21043	FY2003: \$20.0 million	FY2009: \$5.0 million FY2010: \$3.0 million
Voting technology pilot program grant program 52 U.S.C. §§21051-21053	FY2003: \$10.0 million	FY2009: \$1.0 million FY2010: \$2.0 million

2004. The White House, “Personnel Announcement,” press release, July 9, 2004, <https://georgewbush-whitehouse.archives.gov/news/releases/2004/07/text/20040709-6.html>. CRS has not been able to locate additional information about activities of the foundation.

<sup>33</sup> 52 U.S.C. §21142. Information about audits of HAVA funds conducted by the EAC is available on the agency’s website at <https://www.eac.gov/inspector-general/hava-fund-audits>.

<sup>34</sup> As enacted, HAVA also required GAO to audit all HAVA funds at least once during the lifetime of each grant program. That requirement was repealed by the Government Reports Elimination Act of 2014 (P.L. 113-188). HAVA provided for recoupment of funds in response to GAO audits conducted prior to enactment of that act that found that (1) a grantee was not in compliance with the requirements of the grant program under which the funds were provided, or (2) the grantee received an excess payment under the grant program [52 U.S.C. §21142(c)].



Grant Program	Amounts Authorized by HAVA <sup>a</sup>	Amounts Appropriated
Polling place accessibility grant program 52 U.S.C. §§21021-21025	FY2003: \$50.0 million FY2004: \$25.0 million FY2005: \$25.0 million	FY2003: \$13.0 million FY2004: \$10.0 million FY2005: \$10.0 million FY2006: \$11.0 million FY2007: <sup>l</sup> FY2008: \$12.4 million FY2009: \$12.2 million FY2010: \$12.2 million FY2011: <sup>l</sup> FY2014-FY2025: <sup>m</sup>
Protection and advocacy (P&A) system grant program <sup>n</sup> 52 U.S.C. §§21061-21062	FY2003: \$10.0 million FY2004: \$10.0 million FY2005: \$10.0 million FY2006: \$10.0 million Subsequent fiscal years: Such sums as may be necessary	FY2003: \$2.0 million FY2004: \$5.0 million FY2005: \$5.0 million FY2006: \$4.9 million FY2007: <sup>i</sup> FY2008: \$5.4 million FY2009: \$5.3 million FY2010: \$5.3 million FY2011: <sup>i</sup> FY2012: \$5.2 million FY2013: \$5.2 million FY2014-FY2025: <sup>m</sup>
Mock elections grant program 52 U.S.C. §§21071-21072	FY2003: \$200,000 Subsequent six fiscal years: Such sums as may be necessary	FY2004: \$200,000 <sup>o</sup> FY2005: \$200,000 <sup>o</sup> FY2008: \$200,000 FY2009: \$300,000 FY2010: \$300,000
Help America Vote College Program <sup>p</sup> 52 U.S.C. §§21121-21123	FY2003: \$5.0 million Subsequent fiscal years: Such sums as may be necessary	FY2003: \$1.5 million FY2004: \$750,000 <sup>o</sup> FY2005: \$200,000 <sup>o</sup> FY2006: <sup>q</sup> FY2008: \$750,000 <sup>o</sup> FY2009: \$750,000 FY2010: \$750,000 FY2023: \$1.0 million

**Source:** CRS analysis based on review of the *U.S. Code* and relevant appropriations measures.

**Notes:** Figures are rounded and do not account for rescissions or sequestration reductions.

- Authorized amounts are listed here as they are presented in statutory language.
- The Military and Overseas Voter Empowerment (MOVE) Act of 2009 indicated that appropriations for the requirements payments program for FY2010 and subsequent fiscal years were to be used for complying with requirements established by that act (52 U.S.C. §21001).
- Report language accompanying the FY2004 appropriations act (H.Rept. 108-401; P.L. 108-199) indicated that \$750,000 of this funding was for the Help America Vote Foundation, \$750,000 was for the Help America Vote College Program, and \$200,000 was for the National Student Parent Mock Election.

- d. HAVA required states that had not replaced all of their lever and punch card voting systems by the relevant deadline to return some of the funds they received under this grant program and directed the U.S. Election Assistance Commission (EAC) to redistribute the returned funds as requirements payments. The EAC made some funding for requirements payments available for FY2011 from returned funds. EAC, *Memorandum Re: 2011 Requirements Payments Disbursements*, May 13, 2014, [https://www.eac.gov/sites/default/files/eac\\_assets/116/Instructions\\_for\\_Requesting\\_FY\\_2011\\_Requirements\\_Payments\\_Memo.2014.pdf](https://www.eac.gov/sites/default/files/eac_assets/116/Instructions_for_Requesting_FY_2011_Requirements_Payments_Memo.2014.pdf).
- e. The FY2003 appropriations resolution (P.L. 108-7) did not specify a distribution of appropriations between these two grant programs. It indicated that some of the funding—not to exceed \$500,000—was to be available to the U.S. General Services Administration (GSA) for expenses associated with administering the funds.
- f. The \$380 million appropriated under this program for FY2018 was provided by the Consolidated Appropriations Act, 2018 (P.L. 115-141), and \$425 million of the \$825 million appropriated for FY2020 was provided by the Consolidated Appropriations Act, 2020 (P.L. 116-93). Explanatory statements accompanying those two appropriations acts listed some election security-specific purposes for which the funds may be used.
- g. The appropriations act that provided this funding included a requirement for recipients to provide a 5% match for the federal funds they received. Eligible territories other than Puerto Rico were exempted from the match requirement.
- h. This figure includes \$425 million from the Consolidated Appropriations Act, 2020, and \$400 million from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136). The CARES Act restricted use of its HAVA funds to preventing, preparing for, and responding to coronavirus, domestically and internationally, for the 2020 federal election cycle.
- i. The appropriations act that provided this funding extended eligibility for the funding to the Commonwealth of the Northern Mariana Islands (CNMI).
- j. The appropriations act that provided this funding included a requirement for recipients to provide a 20% match for the federal funds they received. Eligible territories other than Puerto Rico were exempted from the match requirement.
- k. This funding was to be paid from unobligated balances in the Presidential Election Campaign Fund. For more information about that fund, see CRS Report R41542, *The State of Campaign Finance Policy: Recent Developments and Issues for Congress*, by R. Sam Garrett.
- l. Appropriations for FY2007 and FY2011 for the HAVA grant programs administered by the U.S. Department of Health and Human Services (HHS) were included in general budget authority for the Administration for Children and Families' (ACF's) Children and Families Services programs. Information about the funding HHS reported awarding for grants for those fiscal years is available in congressional budget justifications from ACF. ACF, *Justification of Estimates for Appropriations Committees: Fiscal Year 2009*, [https://acf.gov/sites/default/files/documents/olab/2009cj\\_comb.pdf](https://acf.gov/sites/default/files/documents/olab/2009cj_comb.pdf); and ACF, *Justification of Estimates for Appropriations Committees: Fiscal Year 2013*, [https://acl.gov/sites/default/files/about-acl/2016-09/FY\\_2013\\_AIDD-congressional-justification%5B1%5D.pdf](https://acl.gov/sites/default/files/about-acl/2016-09/FY_2013_AIDD-congressional-justification%5B1%5D.pdf).
- m. Starting with the Consolidated Appropriations Act, 2014 (P.L. 113-76), appropriations for new funding for HAVA grant programs administered by HHS have been included in general budget authority for the Administration for Community Living's (ACL's) Aging and Disability Services programs. The appropriations acts reference both the polling place accessibility grant program and the P&A system grant program, but, according to HHS, only the P&A system grant program has been funded during that period. The specific totals HHS has reported awarding for P&A system grants each year are available from ACL at <https://acl.gov/about-acl/help-america-vote-act-hava>.
- n. As initially authorized by HAVA, this grant program was available to the P&A systems serving the 50 states, DC, American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. The Protection and Advocacy for Voting Access (PAVA) Program Inclusion Act (P.L. 117-182) extended eligibility for the program to the P&A systems serving CNMI and the American Indian consortium.
- o. These figures are from report language rather than appropriations bill text. The report language indicated that the amounts were to be provided from the EAC's Election Reform Programs account for FY2004 and its Salaries and Expenses account for FY2005 and FY2008.
- p. The amounts listed here are for the Help America Vote College Program as a whole. Grant-making is one of a number of activities, including developing materials and sponsoring seminars and workshops, that HAVA authorizes the EAC to conduct as part of the program (52 U.S.C. §21122).

- q. The joint explanatory statement accompanying the FY2006 appropriations act (H.Rept. 109-307; P.L. 109-115) encouraged the EAC to apply \$250,000 of the funding it received for Salaries and Expenses to the Help America Vote College Program.

## U.S. Election Assistance Commission (EAC)

Federal agency support for the general administration of elections was provided in 2000 by a small office at the Federal Election Commission (FEC) known as the Office of Election Administration (OEA).<sup>35</sup> The scope of the issues with the conduct of the 2000 elections prompted calls for an expanded federal agency role in election administration.

Some proposed assigning any new responsibilities to the existing OEA, while others wanted to create a new agency that would be fully dedicated to election administration.<sup>36</sup> There was also debate among Members about whether a new elections agency should have the authority to issue regulations.<sup>37</sup>

Congress struck a balance in HAVA by providing for a new agency, the EAC, but positioning it as a support agency.<sup>38</sup> The EAC's rulemaking authority is explicitly limited by the act to regulations about two responsibilities it inherited from the FEC—maintaining the federal mail voter registration form established by the NVRA and reporting to Congress about the impact of the NVRA on the administration of federal elections<sup>39</sup>—and its other duties are assistance-oriented. Those duties include

- **Administering grant programs.** The EAC has been charged with administering most of the grant programs authorized by HAVA, as well as other grant funding Congress has provided for improving the collection of election data.<sup>40</sup> The agency's grants administration responsibilities have included distributing funds to grantees, responding to inquiries about use of the funds, collecting and reconciling required grant reporting, negotiating indirect cost rates, and auditing grant spending.<sup>41</sup>
- **Overseeing the voluntary federal voting system testing and certification program.** The FEC issued voluntary federal guidelines for voting systems in 1990

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<sup>35</sup> EAC, *History of the National Clearinghouse on Election Administration*, <https://web.archive.org/web/20191228001136/https://www.eac.gov/assets/1/28/History%20of%20the%20National%20Clearinghouse%20on%20Election%20Administration.pdf>. Support for military and overseas voting and registration was provided at the time—and continues to be provided—by the U.S. Department of Defense's (DOD's) Federal Voting Assistance Program (FVAP). For more on FVAP, see CRS In Focus IF11642, *Absentee Voting for Uniformed Services and Overseas Citizens: Roles and Process, In Brief*, by R. Sam Garrett.

<sup>36</sup> See, for example, U.S. Congress, House Committee on the Judiciary, *Help America Vote Act of 2001*, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., December 5, 2001, pp. 6-7; and The National Commission on Federal Election Reform, *To Assure Pride and Confidence in the Electoral Process*, pp. 71-72.

<sup>37</sup> See, for example, Daniel J. Palazzolo and Fiona R. McCarthy, "State and Local Government Organizations and the Formation of the Help America Vote Act," *Publius*, vol. 35, no. 4 (Fall 2005), p. 533; and Sarah F. Liebschutz and Daniel J. Palazzolo, "HAVA and the States," *Publius*, vol. 35, no. 4 (Autumn 2005), p. 505.

<sup>38</sup> See, for example, U.S. Congress, House Committee on House Administration, *Mark up of H.R. 3295, the Help America Vote Act of 2001*, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., November 15, 2001 (Washington, DC: GPO, 2003), p. 2.

<sup>39</sup> 52 U.S.C. §20929. For more on the federal mail voter registration form and required reporting on the impact of the NVRA, see CRS Report R45030, *Federal Role in Voter Registration: The National Voter Registration Act of 1993 (NVRA) and Subsequent Developments*, by Sarah J. Eckman; and CRS In Focus IF13056, *The Election Administration and Voting Survey (EAVS): Overview and 2024 Findings*, by Karen L. Shanton.

<sup>40</sup> 52 U.S.C. §20981 note. For more on the election data collection grant program, see CRS Report R46646, *Election Administration: Federal Grant Programs for States and Localities*, by Karen L. Shanton.

<sup>41</sup> See, for example, EAC, *Grants Management and Oversight*, <https://www.eac.gov/payments-and-grants/grants-management-and-oversight>.

and 2002, and the National Association of State Election Directors (NASED) developed a program to test and qualify voting systems to the FEC guidelines.<sup>42</sup> HAVA reassigned both of those sets of tasks to the EAC. The EAC, with assistance from NIST and the EAC advisory boards described below, is charged with developing federal Voluntary Voting System Guidelines (VVSG) and overseeing a program to test and certify voting systems for conformance to them.<sup>43</sup> The agency's commissioners have adopted three versions of the guidelines as of this writing: VVSG 1.0 in 2005, VVSG 1.1 in 2015, and VVSG 2.0 in 2021.<sup>44</sup>

- **Issuing voluntary guidance for implementing HAVA's Title III requirements.** HAVA left discretion over how to meet its Title III requirements to the states but directed the EAC to offer voluntary guidance about implementation. It charged the agency with issuing guidance for implementing HAVA's voting systems standards by January 1, 2004, and the other Title III requirements by October 1, 2003.<sup>45</sup>
- **Conducting research and sharing best practices.** HAVA grants the EAC broad authority to conduct research and issue best practices on elections topics.<sup>46</sup> It also directed the agency to produce studies on the following topics: facilitating military and overseas voting (in consultation with DOD); human factor research (in consultation with NIST); mail registration and use of Social Security information (in consultation with the U.S. Social Security Administration [SSA]); electronic voting and the electoral process; and free absentee ballot postage (in consultation with the U.S. Postal Service [USPS]).<sup>47</sup>
- **Establishing the Help America Vote College Program.** HAVA charged the EAC with establishing a program to encourage students at institutions of higher education to serve as poll workers and election officials to use their services. In addition to the grant-making described in the "Grant Programs" section of this report, the agency is authorized to conduct activities like developing materials and sponsoring seminars and workshops as part of the program.<sup>48</sup>

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<sup>42</sup> Federal Election Commission (FEC), *Performance and Test Standards for Punchcard, Marksense, and Direct Recording Electronic Voting Systems*, January 1990, [https://www.eac.gov/sites/default/files/eac\\_assets/1/28/FEC\\_1990\\_Voting\\_System\\_Standards1.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/28/FEC_1990_Voting_System_Standards1.pdf); EAC, *Voluntary Voting System Guidelines*, <https://www.eac.gov/voting-equipment/voluntary-voting-system-guidelines/>; and U.S. Congress, House Committee on Science, *Voting Technology Standards Act of 2001*, report to accompany H.R. 2275, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., October 31, 2001, H.Rept. 107-263 (Washington, DC: GPO, 2001).

<sup>43</sup> 52 U.S.C. §20922; 52 U.S.C. §§20961-20962; and 52 U.S.C. §20971.

<sup>44</sup> EAC, *Voluntary Voting System Guidelines*. For more on federal voting system guidelines, testing, and certification, see CRS Report R47592, *Federal Standards and Guidelines for Voting Systems: Overview and Potential Considerations for Congress*, by Karen L. Shanton; and CRS Report WPD00099, *Elections Podcast: Federal Standards and Guidelines for Voting Systems*, by Karen L. Shanton.

<sup>45</sup> 52 U.S.C. §§21101-21102. Delays in establishing the EAC prevented it from meeting those statutory deadlines. The first commissioners were not confirmed until December 2003.

<sup>46</sup> The agency produces parts of its biennial Election Administration and Voting Survey (EAVS) under this authority. The EAVS includes general reporting on election administration data and policies, in addition to congressionally mandated reporting on the NVRA that the EAC inherited from the FEC and on military and overseas voters that it conducts as part of a Memorandum of Understanding with FVAP. For more on the EAVS, see CRS In Focus IF13056, *The Election Administration and Voting Survey (EAVS): Overview and 2024 Findings*, by Karen L. Shanton.

<sup>47</sup> 52 U.S.C. §§20982-20986. For studies the EAC has published on these and other topics, see EAC, *Other Topics*, <https://www.eac.gov/research-and-data/other-topics>; and EAC, *Archives - Other Topics*, <https://www.eac.gov/research-and-data/archives-other-topics>.

<sup>48</sup> The agency has tended to use the funding Congress has provided for this program for grant-making. For more on (continued...)

The structure of the EAC also reflects its positioning as a support agency. The EAC's four-member commission, Office of Inspector General, and professional staff were paired by HAVA with three advisory boards (described below) that are designed to play a central role in the direction and functioning of the agency. The memberships of those advisory boards include state and local election officials and a range of other elections stakeholders.

- **Board of Advisors.** 35 members representing a range of election administration stakeholders,<sup>49</sup> including state and local officials, federal agencies, science and technology experts, and voters.<sup>50</sup> The Board of Advisors is responsible for reviewing voluntary guidance and draft VVSG before they are presented to the EAC's commissioners for a vote on adoption; appointing a search committee in the event of a vacancy for executive director of the agency; and consulting on the EAC's research efforts, program goals, and long-term planning and on NIST's monitoring and review of laboratories accredited by the EAC to test voting systems to the VVSG.<sup>51</sup>
- **Standards Board.** 110 members, with one state official and one local official from each of the 50 states, DC, American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands and a nine-member Executive Board chosen by the Standards Board from among its members.<sup>52</sup> Like the Board of Advisors, the Standards Board or its Executive Board is responsible for reviewing voluntary guidance and draft VVSG before they are presented to the EAC's commissioners for a vote on adoption; appointing a search committee in the event of a vacancy for executive director of the agency; and consulting on the EAC's research efforts, program goals, and long-term planning and on NIST's monitoring and review of laboratories accredited by the EAC to test voting systems to the VVSG.<sup>53</sup>
- **Technical Guidelines Development Committee (TGDC).** 15 members, with the director of NIST as chair and 14 other members representing a range of election administration stakeholders, including state and local officials, individuals with disabilities, and science and technology experts.<sup>54</sup> The TGDC is responsible for

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grant funding provided under the program, see CRS Report R46646, *Election Administration: Federal Grant Programs for States and Localities*, by Karen L. Shanton.

<sup>49</sup> The Board of Advisors initially had 37 members, but its membership dropped to 35 with the 2016 merger of two of the organizations responsible for appointing members. The National Association of County Recorders, Election Officials, and Clerks (NACRC) and the International Association of Clerks, Recorders, Election Officials, and Treasurers (IACREOT) merged to form the International Association of Government Officials (iGO). Doug Chapin, "Fewer Letters in the Alphabet Soup: NACRC, IACREOT to Merge," *Election Academy*, July 7, 2015, <http://editions.lib.umn.edu/electionacademy/2015/07/07/fewer-letters-in-the-alphabet-soup-nacrc-iacreot-to-merge/>.

<sup>50</sup> The membership of the Board of Advisors includes the director of FVAP; the chiefs or designees of the chiefs of the U.S. Department of Justice's (DOJ's) Office of Public Integrity and Civil Rights Division's Voting Section; four members representing science and technology professionals; eight members representing voter interests; and two members appointed by each of the National Governors Association (NGA), National Conference of State Legislatures (NCSL), National Association of Secretaries of State (NASS), National Association of State Election Directors (NASED), National Association of Counties (NACo), United States Conference of Mayors, Election Center, USCCR, Architectural and Transportation Barriers Compliance (Access) Board, and iGO (52 U.S.C. §20944).

<sup>51</sup> 52 U.S.C. §20924; 52 U.S.C. §20942; 52 U.S.C. §20962; and 52 U.S.C. §20971.

<sup>52</sup> According to HAVA, state election officials are chosen for membership on the Standards Board by their state's chief election official, and local officials are selected according to a process overseen by the chief state election official (52 U.S.C. §20943).

<sup>53</sup> 52 U.S.C. §20924; 52 U.S.C. §20942; 52 U.S.C. §20962; and 52 U.S.C. §20971.

<sup>54</sup> In addition to the director of NIST, the members of the Technical Guidelines Development Committee (TGDC) include an equal number of members of the Access Board, Board of Advisors, and Standards Board; representatives of (continued...)



assisting the executive director of the EAC with developing draft VVSG for consideration by the agency's commissioners.<sup>55</sup>

In 2021, the EAC used its authority to establish a fourth advisory board, the Local Leadership Council, to help build its relationships with local election officials and offer them more opportunities for input into the agency's work. The Local Leadership Council consists of two local election officials from each of the 50 states who are appointed by the EAC and, if applicable, serve or have served in a leadership role in a professional association for election officials in their state.<sup>56</sup>

## Ongoing Role in Election Administration Policy

No new federal election laws as multifaceted as HAVA have been enacted since 2002, as of this writing. Congress has also made only relatively minor changes to HAVA itself, extending the deadline for replacing voting systems under the act's lever and punch card voting system replacement grant program, authorizing new funding for the requirements payments program, revising provisions for public notice of states' plans for use of requirements payments, eliminating certain grant program audits, extending eligibility for the P&A system grant program to the P&A systems serving CNMI and the American Indian consortium, and addressing Congress's authority to send designees to observe states' federal election processes.<sup>57</sup>

New developments and continuing concerns have combined, however, to ensure ongoing congressional interest in election administration. The onset of the COVID-19 pandemic introduced novel complications for administration of elections in the 2020 election cycle, for example, and foreign efforts to interfere in the 2016 elections drew attention to the challenges of securing election systems. There are also long-standing efforts among Members to ensure that eligible voters have access to the ballot and ineligible voters do not.

HAVA and the agency it created have played a role in much of that congressional activity. The EAC-administered HAVA funds Congress provided in response to foreign efforts to interfere in the 2016 elections and the onset of the COVID-19 pandemic in the 2020 cycle offer some notable recent examples. Members have also introduced proposals to revisit HAVA or the EAC or to extend them to address new aspects of election administration.

## Proposals to Revisit HAVA or the EAC

There was broad agreement among Members, during the HAVA debate, that Congress should consider a legislative response to the issues with the administration of the 2000 elections.<sup>58</sup> Members disagreed, however, about exactly what that legislative response should look like. The

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the American National Standards Institute (ANSI) and Institute of Electrical and Electronics Engineers (IEEE); two representatives of NASED who do not serve on the Board of Advisors or Standards Board and do not share a political party; and other individuals with technical and scientific expertise relating to voting systems and equipment (52 U.S.C. §20961).

<sup>55</sup> 52 U.S.C. §§20961-20962.

<sup>56</sup> For more on the Local Leadership Council, see EAC, *Local Leadership Council*, <https://www.eac.gov/about-eac/local-leadership-council>. For more on the duties and structure of the EAC in general, see CRS Report R45770, *The U.S. Election Assistance Commission (EAC): Overview and Selected Issues for Congress*, by Karen L. Shanton.

<sup>57</sup> P.L. 110-28; P.L. 111-8; P.L. 111-84; P.L. 112-74; P.L. 113-188; P.L. 117-182; and P.L. 118-106.

<sup>58</sup> Close to 100 election administration bills were introduced between the November 2000 general election in the 106<sup>th</sup> Congress and the enactment of HAVA in the 107<sup>th</sup> Congress, according to a CRS review of data from Congress.gov.



HAVA debate highlighted disagreements about which issues should be addressed in election administration legislation and how they should be addressed.<sup>59</sup>

The enacted legislation reflects compromises on some of those disagreements. Some of HAVA's provisions reflect compromises about the treatment of particular elections topics. For example, the requirement that certain first-time voters who register by mail provide identification in order to cast a regular ballot was a compromise between Members who preferred a more expansive voter ID requirement and Members who opposed requiring any voters to show ID.<sup>60</sup>

Another compromise is built into the structure of the act. Some Members favored limiting federal involvement in the response to the 2000 elections to voluntary guidelines and grant programs, while others wanted a regulatory agency and binding national standards.<sup>61</sup> As noted in the "Overview of Major Provisions" section of this report, HAVA ended up setting some standards in its Title III but leaving many decisions about how to implement and enforce them to the states. It created a new federal agency but strictly limited its regulatory authority and gave states and localities input into its work.

The compromises struck in HAVA did not necessarily resolve the underlying disagreements that prompted them, however. New developments since 2002—both due to HAVA and independently of it—have also changed the election administration landscape.

As a result, some Members have proposed revisiting the act or the agency it created. Some of those post-HAVA proposals would revise the act's treatment of particular elections topics, while others would revisit the structure of HAVA or the EAC. Examples of proposals to revise HAVA's treatment of particular elections topics include bills that would

- **Expand or limit voter identification requirements.** The voter ID debate is often characterized as a debate about how to balance ensuring access to the ballot for eligible voters against preventing access by ineligible voters. Proponents of ID laws argue that they help guard against voter fraud, while opponents say that they can disenfranchise eligible voters. Disagreements about how to prioritize those two considerations persisted after HAVA was enacted, and there have been proposals both to expand the act's ID requirement and to set federal limits on ID laws. For example, Members have introduced legislation to require voters to show photo ID and documentary proof of citizenship, as well as proposals to require states to accept student ID cards as voter ID or submit proposed ID or documentation laws for federal preclearance.<sup>62</sup>
- **Establish standards for matching voter registration data.** HAVA directs certain officials to enter into database-matching agreements for purposes of verifying voter registration data.<sup>63</sup> As election law professor Daniel P. Tokaji has argued, however, the wording of the relevant provisions leaves open questions about exactly how voter registration data matching should

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<sup>59</sup> For a timeline of congressional deliberations about election administration between the November 2000 general election and the enactment of HAVA in October 2002, see **Appendix C**.

<sup>60</sup> 52 U.S.C. §21083(b). See, for example, Liebschutz and Palazzolo, "HAVA and the States," pp. 501, 505; and Sen. Christopher Dodd, "Help America Vote Act of 2002—Conference Report," *Congressional Record*, vol. 148, part 136 (October 16, 2002), p. S20854.

<sup>61</sup> See, for example, Rep. Robert Ney, Comments, *Congressional Record*, vol. 147, part 172 (December 12, 2001), p. H9287; and Palazzolo and McCarthy, "State and Local Government Organizations and the Formation of the Help America Vote Act," p. 533.

<sup>62</sup> See, for example, the John R. Lewis Voting Rights Advancement Act of 2025 (H.R. 14/S. 2523), the Making America Great Again Act (119<sup>th</sup> Congress, H.R. 4798), the Securing our Elections Act of 2025 (H.R. 156), and the Youth Voting Rights Act (119<sup>th</sup> Congress, H.R. 4916).

<sup>63</sup> 52 U.S.C. §21083.

work and what the consequences of a failed match should be.<sup>64</sup> Those questions could have significant practical implications—Tokaji notes that different answers could affect who appears on the voter rolls and which ballots are counted—and some have proposed offering more definitive guidance. For example, Members have introduced bills to prohibit rejecting voter registration applications solely on the basis of a failed match and to set (or direct a federal agency to set) standards for matching registration data.<sup>65</sup>

- **Set specifics for the manually auditable paper records voting systems produce.** Voting systems used in federal elections are required, under HAVA, to produce manually auditable permanent paper records.<sup>66</sup> As those provisions have been interpreted and implemented, they do not specifically require production of individual paper records that voters can verify before casting their ballots.<sup>67</sup> Technology experts raised concerns during the HAVA debate about voting machines that do not produce voter-verifiable paper records, however, and subsequent events and reporting have drawn further attention to the machines' potential for technical faults and security vulnerabilities.<sup>68</sup> Research since 2002 has also produced new methodologies for auditing election outcomes, such as risk-limiting audits.<sup>69</sup> Some have responded to such developments by proposing more specific versions of HAVA's audit and paper record provisions. For example, Members have introduced legislation to require voting systems to produce voter-verifiable paper records and to require, facilitate, or incentivize use of certain types of post-election audits.<sup>70</sup>

Examples of proposals to revisit the structure of HAVA or the EAC include bills that would

- **Terminate the EAC.** The National Association of Secretaries of State (NASS) adopted in 2005—and renewed in 2010 and 2015—a resolution it described as aimed

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<sup>64</sup> Daniel P. Tokaji, "Voter Registration and Institutional Reform: Lessons from a Historic Election," *Harvard Law and Policy Review Online*, vol. 3 (January 22, 2009). For more on voter registration data-matching procedures, see CRS Report R46406, *Voter Registration: Recent Developments and Issues for Congress*, by Sarah J. Eckman.

<sup>65</sup> See, for example, the Count Every Vote Act of 2007 (H.R. 1381/S. 804), the Protection Against Wrongful Voter Purges Act (111<sup>th</sup> Congress, H.R. 3835), and the Voting Opportunity and Technology Enhancement Rights Act of 2005 (H.R. 533/S. 17).

<sup>66</sup> 52 U.S.C. §21081.

<sup>67</sup> See, for example, EAC, *EAC Advisory 2005-004: How to Determine if a Voting System is Compliant with Section 301(a) - A Gap Analysis Between 2002 Voting System Standards and the Requirements of Section 301(a)*, July 20, 2005, [https://web.archive.org/web/20051225131913/http://www.eac.gov/docs/EAC%20Advisory%2005-004%20\(%204%20page%20fit%20\).pdf](https://web.archive.org/web/20051225131913/http://www.eac.gov/docs/EAC%20Advisory%2005-004%20(%204%20page%20fit%20).pdf); and U.S. Congress, House Committee on House Administration, *Hearing on Oversight of HAVA Implementation*, 109<sup>th</sup> Cong., 1<sup>st</sup> sess., February 9, 2005 (Washington, DC: GPO, 2006).

<sup>68</sup> See, for example, U.S. Congress, House Committee on Science, *Improving Voting Technologies: The Role of Standards*, 107<sup>th</sup> Cong., 1<sup>st</sup> sess., May 22, 2001 (Washington, DC: GPO, 2001); Tadayoshi Kohno, Adam Stubblefield, Aviel D. Rubin, et al., "Analysis of an Electronic Voting System," *Johns Hopkins Information Security Institute Technical Report TR-2003-19*, July 23, 2003; Maryland Department of Legislative Services, *A Review of Issues Relating to the Diebold AccuVote-TS Voting System in Maryland*, January 2004; and The Pew Center on the States, *Back to Paper: A Case Study*, Washington, DC, February 2008, <https://web.archive.org/web/20080306020841/http://www.pewcenteronthestates.org/uploadedFiles/EB21Brief.pdf>.

<sup>69</sup> See, for example, Mark Lindeman and Philip B. Stark, "A Gentle Introduction to Risk-Limiting Audits," *IEEE Security and Privacy, Special Issue on Electronic Voting*, March 16, 2012. For more on risk-limiting audits, see CRS In Focus IF11873, *Election Administration: An Introduction to Risk-Limiting Audits*, by Karen L. Shanton.

<sup>70</sup> For example, the Voter Confidence and Increased Accessibility Act of 2003 (H.R. 2239/S. 1980) would have required voting systems used in federal elections to produce voter-verifiable paper ballots. A version of that bill was introduced in every Congress from its initial introduction in the 108<sup>th</sup> Congress through the 118<sup>th</sup> Congress, including as part of the Freedom to Vote Act (118<sup>th</sup> Congress, H.R. 11/S. 1/S. 2344) and the Voter Empowerment Act of 2024 (H.R. 9727/S. 5151). For more on legislation related to risk-limiting audits, see CRS In Focus IF11873, *Election Administration: An Introduction to Risk-Limiting Audits*, by Karen L. Shanton.

at preventing the EAC from evolving into a regulatory agency.<sup>71</sup> That resolution, which asked Congress not to reauthorize or fund the agency, was one of the rationales cited for proposals to terminate the EAC in the 112<sup>th</sup> through 115<sup>th</sup> Congresses.<sup>72</sup>

- **Reinforce or expand the EAC's authority:** Members have also introduced bills that would take the opposite of the above approach, reinforcing or expanding the EAC's role. Some of those proposals would designate the agency as the federal lead on election administration, giving it primary federal jurisdiction over issues related to the administration of federal elections where not otherwise specified in law and prohibiting other federal entities from making payments to states for purposes of administering federal elections.<sup>73</sup> Other proposals would expand the agency's regulatory authority. HAVA's explicit restriction on EAC rulemaking means that the agency has limited authority beyond voluntary guidance to clarify ambiguities in the act, such as the open questions about voter registration data matching described above, or to fill in details of future federal elections policies that Congress might not want to enshrine in statute. As a result, some have proposed lifting the restriction in certain contexts or repealing it entirely.<sup>74</sup>
- **Revisit HAVA's enforcement mechanisms.** The limit on EAC rulemaking has also been cited by some as a reason to revisit HAVA's enforcement mechanisms.<sup>75</sup> Without the option of agency regulations—and barring new federal legislation—the primary federal forum for resolving ambiguities in HAVA is the courts.<sup>76</sup> HAVA expressly authorizes DOJ to bring civil action under certain provisions of the law, and some have proposed also explicitly authorizing individuals to bring suit. For example, Members have introduced bills to add an explicit private right of action for existing HAVA requirements or for new requirements that would be established by amendments to the act.<sup>77</sup>
- **Address EAC operations.** HAVA authorized up to \$10 million in operational funding for the EAC for each of FY2003 through FY2005. Congress has continued to fund EAC operations in subsequent fiscal years, and bills have been introduced to explicitly reauthorize—and raise or remove the limit on—the agency's funding.<sup>78</sup>

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<sup>71</sup> NASS, *Resolution Reaffirming the NASS Position on Funding and Authorization of the U.S. Election Assistance Commission*, July 2015, <https://web.archive.org/web/20250212041305/https://www.nass.org/sites/default/files/resolutions/2015/nass-resolution-eac-summer15-0.pdf>. The resolution does not appear to have been renewed since its expiration in 2020.

<sup>72</sup> See, for example, the Election Assistance Commission Termination Act (115<sup>th</sup> Congress, H.R. 634) and the Election Support Consolidation and Efficiency Act (112<sup>th</sup> Congress, H.R. 672). For more on proposals to terminate the EAC, see CRS Report R45770, *The U.S. Election Assistance Commission (EAC): Overview and Selected Issues for Congress*, by Karen L. Shanton.

<sup>73</sup> See, for example, the American Confidence in Elections (ACE) Act (118<sup>th</sup> Congress, H.R. 4563), the Ensuring Faith in Our Elections Act (118<sup>th</sup> Congress, H.R. 4494), and the Positioning the Election Assistance Commission for the Future Act of 2023 (H.R. 4479).

<sup>74</sup> See, for example, the Early Voting Act (116<sup>th</sup> Congress, S. 957), the Election Integrity Act of 2016 (H.R. 6072), and the Polling Place Protection Act of 2019 (S. 955).

<sup>75</sup> See, for example, Tokaji, “Public Rights and Private Rights of Action: The Enforcement of Federal Election Laws.”

<sup>76</sup> Tokaji, “Public Rights and Private Rights of Action: The Enforcement of Federal Election Laws.”

<sup>77</sup> See, for example, the Count the Vote Act (116<sup>th</sup> Congress, H.R. 1513), the For the People Act of 2021 (H.R. 1/S. 1/S. 2093), the People Over Long Lines (POLL) Act (119<sup>th</sup> Congress, H.R. 4911), the Streamlined and Improved Methods at Polling Locations and Early (SIMPLE) Voting Act of 2019 (H.R. 118), and the Voter Empowerment Act of 2024 (H.R. 9727/S. 5151).

<sup>78</sup> See, for example, the American Confidence in Elections (ACE) Act (118<sup>th</sup> Congress, H.R. 4563), the Freedom to (continued...)

Those bills have also tended to propose changes to other aspects of EAC operations, such as budget requests, commissioner compensation, advisory body support or membership, contracting authority, and staffing levels at the EAC or its Office of Inspector General.<sup>79</sup>

## **Proposals to Extend HAVA or the EAC**

HAVA marked a departure from previous federal elections statutes in at least two ways: (1) it was more wide-ranging in the topics it aimed to address than elections measures Congress had tended to approve in the recent past, with (2) a greater emphasis on federal assistance for states and localities. Other recent federal election laws had tended primarily to set requirements and to focus on particular aspects of election administration or the accessibility of the electoral process to particular groups of voters.<sup>80</sup> HAVA, by contrast, spans multiple issues and voter groups—from voter registration to voting information and voters with disabilities to young voters—and pairs its requirements with grant programs and the assistance-oriented EAC.

Those two features have made HAVA and the agency it created common choices of vehicles for congressional efforts to engage with elections issues. First, the broad scope of the act has made it a common choice of vehicle for proposals to set requirements for aspects of election administration that are not addressed by other, more specialized federal election laws. New HAVA requirements have been proposed in response to developments in particular election cycles. Following the onset of the COVID-19 pandemic in the 2020 cycle, for example, some Members proposed amending HAVA to require states and localities to offer no-excuse absentee voting and registration during emergencies, to require election officials to conduct public education campaigns about election changes due to emergencies, or to require states to conduct their 2020 elections entirely by mail.<sup>81</sup>

Members have also proposed new HAVA requirements as part of broader efforts to advance general objectives for election administration. For example, proposals to amend HAVA to set federal standards for the number of election resources states provide at polling places and for the way states conduct mail voting and report election results have been presented as ways to increase access to the ballot for eligible voters and to secure the integrity of the electoral process, respectively.<sup>82</sup>

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Vote Act (118<sup>th</sup> Congress, H.R. 11/S. 1/S. 2344), the Positioning the Election Assistance Commission for the Future Act of 2023 (H.R. 4479), and the Voter Empowerment Act of 2024 (H.R. 9727/S. 5151). Congress has appropriated more funding for EAC operations in some fiscal years than the \$10 million specified in HAVA. For more on operational funding for the EAC, see CRS Report R45770, *The U.S. Election Assistance Commission (EAC): Overview and Selected Issues for Congress*, by Karen L. Shanton.

<sup>79</sup> See, for example, the American Confidence in Elections (ACE) Act (118<sup>th</sup> Congress, H.R. 4563), the Freedom to Vote Act (118<sup>th</sup> Congress, H.R. 11/S. 1/S. 2344), the Positioning the Election Assistance Commission for the Future Act of 2023 (H.R. 4479), and the Voter Empowerment Act of 2024 (H.R. 9727/S. 5151).

<sup>80</sup> For example, the NVRA sets requirements for voter registration, and the Voting Rights Act of 1965 (VRA), as amended, primarily addresses the accessibility of the electoral process to members of racial and language minority groups. For more on those statutes, see CRS Report R45030, *Federal Role in Voter Registration: The National Voter Registration Act of 1993 (NVRA) and Subsequent Developments*, by Sarah J. Eckman; CRS Report R47520, *The Voting Rights Act: Historical Development and Policy Background*, by R. Sam Garrett; and CRS Testimony TE10033, *History and Enforcement of the Voting Rights Act of 1965*, by L. Paige Whitaker.

<sup>81</sup> See, for example, the Resilient Elections During Quarantines and Natural Disasters Act of 2020 (H.R. 6202/S. 3440), the Vote From Home America Act of 2020 (H.R. 7118), and the Voter Notice Act (116<sup>th</sup> Congress, H.R. 6512).

<sup>82</sup> See, for example, the People Over Long Lines (POLL) Act (119<sup>th</sup> Congress, H.R. 4911) and the Restoring Faith in Elections Act (119<sup>th</sup> Congress, H.R. 160).

Second, HAVA's emphasis on assistance has made it and the EAC common vehicles for efforts to provide new federal support for election administration, as well as efforts to condition access to federal funding on use of specified elections policies. Members have proposed authorizing HAVA or EAC grant programs to help meet new federal requirements, such as a proposed requirement to implement automatic voter registration; to facilitate or incentivize voluntary policies, such as use of electronic poll books; and to provide states with ongoing financial support for election administration.<sup>83</sup> They have also proposed directing the EAC to offer other, nonfinancial support for election administration, such as research into barriers to voting by individuals who are homeless and voluntary guidance about the use and risks of artificial intelligence in election administration.<sup>84</sup>

Congress has appropriated funding for existing EAC-administered HAVA grant programs to help address new election administration challenges. For example, it provided funding for HAVA's general improvements grant program in response to foreign efforts to interfere in the 2016 elections and the onset of the COVID-19 pandemic in the 2020 election cycle.<sup>85</sup>

Existing EAC and HAVA grant programs have also been invoked in proposals to condition state or local access to federal funding on use of certain elections policies. Members have proposed withholding EAC or HAVA funds from states or localities that do not adopt specified policies, such as using nonpartisan independent commissions for state legislative redistricting, extending the existing prohibition on noncitizen voting in federal elections to state and local contests, or conducting post-election audits of voting systems.<sup>86</sup>

## Potential Considerations for Congress

As noted in the "Ongoing Role in Election Administration Policy" section of this report, no new federal election laws as multifaceted as HAVA have been enacted as of this writing. As that might suggest, Congress has generally tended to defer to state and local officials on policy responses to election administration issues. The enactment of HAVA and other federal election laws and the ongoing introduction of new election administration bills demonstrate, however, that Members sometimes also see a role in elections policy for the federal government.

HAVA and the EAC offer potential vehicles for any future federal involvement in election administration policymaking. HAVA is perhaps the closest thing in federal law to a general elections statute, and the EAC has subject matter expertise in election administration, existing relationships with state and local election officials, and experience administering elections grant programs.

There are also other possible vehicles, however, as well as various ways Congress might structure federal involvement in election administration through HAVA or the EAC. The following issues

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<sup>83</sup> See, for example, the Restoring Faith in Elections Act (119<sup>th</sup> Congress, H.R. 160), the Supplying Wait-time Information to Facilitate Timely Voting with Operational and Technology Enhancements (SWIFT VOTE) Act (119<sup>th</sup> Congress, H.R. 4881), and S.Amdt. 2850 to the One Big Beautiful Bill Act (119<sup>th</sup> Congress, H.R. 1).

<sup>84</sup> See, for example, the Housing Is a Human Right Act of 2025 (H.R. 4457) and the Preparing Election Administrators for AI Act (119<sup>th</sup> Congress, S. 2346).

<sup>85</sup> See, for example, P.L. 115-141; P.L. 116-93; and P.L. 116-136.

<sup>86</sup> See, for example, the American Confidence in Elections (ACE) Act (118<sup>th</sup> Congress, H.R. 4563), the Citizen Legislature Anti-Corruption Reform of Elections (CLEAN Elections) Act (119<sup>th</sup> Congress, H.R. 158), and the Protect Election Integrity Act of 2020 (H.R. 8753/S. 4893). For more on proposals to condition federal funding on elections policies, see CRS In Focus IF13013, *Conditioning Federal Funding on Elections Policies: Options and Considerations for Congress*, by Karen L. Shanton.



might be of interest to Members who are weighing whether or how to engage with election administration policy:

- **Prioritization of considerations.** The HAVA debate was framed by many of its participants as about making it “easier to vote and harder to cheat,” or ensuring access to the ballot for eligible voters on one hand and preventing fraud in elections on the other.<sup>87</sup> Foreign efforts to interfere in the 2016 elections highlighted another possible consideration for elections policymaking—security—and state and local experiences suggest others. For example, state and local officials factored considerations like accessibility, ease of administration, and cost-effectiveness into their post-HAVA decisions about voting systems. As debates over issues like voter ID requirements illustrate, different choices about how to prioritize such considerations can produce different policy preferences. An initial step in elections policymaking might, therefore, be to determine which considerations to factor into policy decisions and how to prioritize them.
- **Choice of agency.** As the only federal agency dedicated to helping improve the general administration of elections, the EAC might often be a logical choice for new federal agency work on election administration. However, some features of the agency, such as its limited rulemaking authority and current size and funding level, could introduce challenges for certain types of work. Other agencies might also have or acquire expertise that is particularly relevant to certain aspects of election administration. HHS has subject matter expertise in disability access, for example, and NIST has subject matter expertise in standards and technology. The U.S. Department of Homeland Security (DHS) also took on new election security responsibilities following its designation of election systems as critical infrastructure in January 2017.<sup>88</sup> Congress might choose to delegate new elections tasks to the EAC—either with or without changing some of its features—or to assign them to other agencies instead of or in conjunction with the EAC.
- **Choice of legislative approach.** Like the EAC, HAVA might often be a logical choice of vehicle for congressional engagement with election administration policy. Also like the EAC, it might have some characteristics that are less logical fits for certain purposes. Members have sometimes chosen to address such characteristics by proposing amendments to HAVA or, in the case of grant programs in particular, including funding conditions in appropriations language.<sup>89</sup> Members might also

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<sup>87</sup> See, for example, David Nather, “Election Overhaul May Have to Wait in Line Behind Other ‘Crisis’ Issues,” *CQ Weekly*, July 27, 2002; Sen. Kit Bond, “Help America Vote Act of 2002—Conference Report,” *Congressional Record*, vol. 148, part 136 (October 16, 2002), p. S10488; and Sen. Christopher Dodd, “Help America Vote Act of 2002—Conference Report,” p. S10505.

<sup>88</sup> U.S. Department of Homeland Security (DHS), “Statement by Secretary Jeh Johnson on the Designation of Election Infrastructure as a Critical Infrastructure Subsector,” press release, January 6, 2017, <https://www.dhs.gov/news/2017/01/06/statement-secretary-johnson-designation-election-infrastructure-critical>. For more on the critical infrastructure designation, see CRS In Focus IF10677, *The Designation of Election Systems as Critical Infrastructure*, by Brian E. Humphreys. DHS has reportedly subsequently paused or discontinued much of its election security work. See, for example, Brenna Nelson, *As Federal Support for Elections Evolves, States Adapt to Close Emerging Gaps*, National Conference of State Legislatures, July 31, 2025, <https://www.ncsl.org/state-legislatures-news/details/as-federal-support-for-elections-evolves-states-adapt-to-close-emerging-gaps>; and Christina A. Cassidy, “US Cyber Agency Puts Election Security Staffers Who Worked With the States on Leave,” *Associated Press*, February 10, 2025, <https://apnews.com/article/election-security-cisa-kristi-noem-cybersecurity-5bac8ce416c46b4f4e44c94ae5874b39>.

<sup>89</sup> See, for example, the proposals to revisit HAVA’s enforcement mechanisms in the Count the Vote Act (116<sup>th</sup> Congress, H.R. 1513), the For the People Act of 2021 (H.R. 1/S. 1/S. 2093), the People Over Long Lines (POLL) Act (continued...)



choose to develop new legislation with characteristics that are better suited to their purposes or to amend existing laws others than HAVA. For example, some election security and youth voter participation bills would have amended the Homeland Security Act of 2002 (HSA; P.L. 107-296) and the Higher Education Act of 1965 (HEA; P.L. 89-329), respectively.<sup>90</sup>

- **Balance of statute and regulation.** As noted in the “Proposals to Revisit HAVA or the EAC” section of this report, the wording of HAVA’s voter registration data-matching provisions left some open questions about how data matching should work. Legislative proposals to provide more definitive guidance illustrate two of the options available for federal policymaking: (1) specifying policy details in statute, and (2) delegating details to a federal agency. Some of those bills would amend the text of HAVA’s data-matching provisions to add more specifics, for example, while others would direct a federal agency to set data-matching standards. Either of those two options—or a combination of both—might be a better fit in certain circumstances. For example, specifying policy details in statute might be a better fit for cases in which Congress knows exactly how it wants a policy to be implemented, while delegating details to an agency might better fit cases in which new developments are likely to change the policy landscape or more information or expertise is required to determine how best to implement the policy.
- **Balance of federal action and state or local action.** The structure of HAVA highlights a third option for federal policymaking, in addition to specifying policy details in statute and delegating them to a federal agency: deferring on some policy details to states and localities. HAVA set requirements for the administration of federal elections, for example, but left states significant discretion over exactly how to implement them. It established a federal elections agency but limited its authority to set regulations for states and localities and provided for state and local input into its work. Members who are interested in engaging with elections issues might similarly consider how to distribute decisionmaking among federal, state, and local officials. States and localities have primary responsibility for administering elections in the United States, so state and local officials might often be particularly well positioned to identify the best policy options for their jurisdictions. On the other hand, deferring to states and localities on policy details might contribute, in some cases, to variations in the effectiveness of a policy across states or policy choices that are at odds with congressional objectives.

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(119<sup>th</sup> Congress, H.R. 4911), the Streamlined and Improved Methods at Polling Locations and Early (SIMPLE) Voting Act of 2019 (H.R. 118), and the Voter Empowerment Act of 2024 (H.R. 9727/S. 5151). See also the new match requirements for funding under HAVA’s general improvements grant program set by the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136); the Consolidated Appropriations Act, 2018 (P.L. 115-141); the Consolidated Appropriations Act, 2020 (P.L. 116-93); the Consolidated Appropriations Act, 2022 (P.L. 117-103); the Consolidated Appropriations Act, 2023 (P.L. 117-328), and the Further Consolidated Appropriations Act, 2024 (P.L. 118-47).

<sup>90</sup> See, for example, the Election Protection Act of 2021 (H.R. 2844), the For the People Act of 2021 (H.R. 1/S. 1/S. 2093), and the Help Students Vote Act (117<sup>th</sup> Congress, H.R. 2232/S. 992).

## Appendix A. Major Provisions of HAVA by Issue Area

**Table A-I. Major Provisions of HAVA by Issue Area**

Issue Area	Corresponding Section of Report <sup>a</sup>	Provision <sup>b</sup>
Absentee Voting	U.S. Election Assistance Commission (EAC)	Study and report on electronic voting and the electoral process 52 U.S.C. §20985
	EAC	Study and report on free absentee ballot postage 52 U.S.C. §20986
Individuals with Disabilities and Older Individuals	Requirements	Accessibility for individuals with disabilities 52 U.S.C. §21081(a)(3)
	Requirements EAC	Adoption of voluntary guidance by commission 52 U.S.C. §21101
	Grant Programs	Process for development and filing of plan 52 U.S.C. §21005
	Grant Programs	Payments to states and units of local government to assure access to individuals with disabilities 52 U.S.C. §§21021-21025
	Grant Programs	Grants for research on voting technology improvements 52 U.S.C. §§21041-21043
	Grant Programs	Pilot program for testing of equipment and technology 52 U.S.C. §§21051-21053
	Grant Programs	Payments for protection and advocacy systems 52 U.S.C. §§21061-21062
	EAC	Membership of Board of Advisors 52 U.S.C. §20944
	EAC	Technical Guidelines Development Committee (TGDC) 52 U.S.C. §20961
	EAC	Report on human factor research 52 U.S.C. §20983
	EAC	Study and report on free absentee ballot postage 52 U.S.C. §20986
	Requirements	Alternative language accessibility 52 U.S.C. §21081(a)(4)
Individuals with Limited English Proficiency	Requirements EAC	Adoption of voluntary guidance by commission 52 U.S.C. §21101

<b>Issue Area</b>	<b>Corresponding Section of Report<sup>a</sup></b>	<b>Provision<sup>b</sup></b>
Military and Overseas Citizens	Grant Programs	Grants for research on voting technology improvements 52 U.S.C. §§21041-21043
	Grant Programs	Pilot program for testing of equipment and technology 52 U.S.C. §§21051-21053
	EAC	Report on human factor research 52 U.S.C. §20983
	Requirements Appendix B <sup>c</sup>	Voting assistance programs 10 U.S.C. §1566
	Requirements Appendix B <sup>c</sup>	Designation of single state office to provide information on registration and absentee ballots for all voters in state 52 U.S.C. §20302(b)
	Requirements Appendix B <sup>c</sup>	Report on absentee ballots transmitted and received after general elections 52 U.S.C. §20302(c), note
	Requirements Appendix B <sup>c</sup>	Extension of period covered by single absentee ballot application 52 U.S.C. §20306 <sup>d</sup>
	Requirements Appendix B <sup>c</sup>	Additional duties of Presidential Designee under Uniformed and Overseas Citizens Absentee Voting Act 52 U.S.C. §§20301-20302
	Requirements Appendix B <sup>c</sup>	Prohibition of refusal of voter registration and absentee ballot applications on grounds of early submission 52 U.S.C. §20306
	Requirements Appendix B <sup>c</sup>	Other requirements to promote participation of overseas and absent uniformed services voters 52 U.S.C. §20302(d)
	Grant Programs	Authorization of appropriations for requirements payments 52 U.S.C. §21007(a)(4) <sup>e</sup>
	EAC	Membership of Board of Advisors 52 U.S.C. §20944
	EAC	Study, report, and recommendations on best practices for facilitating military and overseas voting 52 U.S.C. §20982
Poll Workers and Election Observers	Requirements	Access to federal election processes by designated congressional election observers 52 U.S.C. §21083a
	Grant Programs	State plan 52 U.S.C. §21004
	Grant Programs	Help America Vote Foundation 36 U.S.C. §§90101-90112

<b>Issue Area</b>	<b>Corresponding Section of Report<sup>a</sup></b>	<b>Provision<sup>b</sup></b>
Provisional Voting	Grant Programs EAC	Help America Vote College Program 52 U.S.C. §§21121-21123
	Requirements	Provisional voting requirements 52 U.S.C. §21082(a)
	Requirements	Voters who vote after the polls close 52 U.S.C. §21082(c)
	Requirements	Fail-safe voting 52 U.S.C. §21083(b)(2)(B)
Voter Identification	Requirements EAC	Adoption of voluntary guidance by commission 52 U.S.C. §21101
	Requirements	Requirements for voters who register by mail 52 U.S.C. §21083(b)(1)-(3)
	Requirements EAC	Adoption of voluntary guidance by commission 52 U.S.C. §21101
	EAC	Study and report on voters who register by mail and use of Social Security information 52 U.S.C. §20984
Voter Registration	Requirements	Computerized statewide voter registration list requirements implementation 52 U.S.C. §21083(a)(1)
	Requirements	Computerized list maintenance 52 U.S.C. §21083(a)(2)
	Requirements	Technological security of computerized list 52 U.S.C. §21083(a)(3)
	Requirements	Minimum standard for accuracy of State voter registration records 52 U.S.C. §21083(a)(4)
	Requirements	Verification of voter registration information 52 U.S.C. §21083(a)(5)
	Requirements	Requirements for voters who register by mail 52 U.S.C. §21083(b)(1)-(3)
	Requirements	Contents of mail-in registration form 52 U.S.C. §21083(b)(4)
	Requirements EAC	Adoption of voluntary guidance by commission 52 U.S.C. §21101
	EAC	Study and report on voters who register by mail and use of Social Security information 52 U.S.C. §20984
	EAC	Study and report on electronic voting and the electoral process 52 U.S.C. §20985
Voting Information	Requirements	Voting information requirements 52 U.S.C. §21082(b)

<b>Issue Area</b>	<b>Corresponding Section of Report<sup>a</sup></b>	<b>Provision<sup>b</sup></b>
Voting Systems	Requirements EAC	Adoption of voluntary guidance by commission 52 U.S.C. §21101
	Grant Programs	State plan 52 U.S.C. §21004
	EAC	Study and report on electronic voting and the electoral process 52 U.S.C. §20985
	Requirements	Voting systems standards requirements in general 52 U.S.C. §21081(a)(1)
	Requirements	Audit capacity 52 U.S.C. §21081(a)(2)
	Requirements	Accessibility for individuals with disabilities 52 U.S.C. §21081(a)(3)
	Requirements	Alternative language accessibility 52 U.S.C. §21081(a)(4)
	Requirements	Error rates 52 U.S.C. §21081(a)(5)
	Requirements	Uniform definition of what constitutes a vote 52 U.S.C. §21081(a)(6)
	Requirements EAC	Adoption of voluntary guidance by commission 52 U.S.C. §21101
	Grant Programs	State plan 52 U.S.C. §21004
	Grant Programs	Payments to states for replacement of punch card and lever voting systems 52 U.S.C. §§20902-20906
	Grant Programs	Grants for research on voting technology improvements 52 U.S.C. §§21041-21043
	Grant Programs	Pilot program for testing of equipment and technology 52 U.S.C. §§21051-21053
	EAC	Technical Guidelines Development Committee (TGDC) 52 U.S.C. §20961
	EAC	Process for adoption of Voluntary Voting System Guidelines (VVSG) 52 U.S.C. §20962
	EAC	Certification and testing of voting systems 52 U.S.C. §20971
	EAC	Report on human factor research 52 U.S.C. §20983

Issue Area	Corresponding Section of Report <sup>a</sup>	Provision <sup>b</sup>
Young Voters	EAC	Study and report on electronic voting and the electoral process 52 U.S.C. §20985
	Grant Programs	National Student and Parent Mock Election 52 U.S.C. §§21071-21072
	Grant Programs	Help America Vote Foundation 36 U.S.C. §§90101-90112
	Grant Programs EAC	Help America Vote College Program 52 U.S.C. §§21121-21123

**Source:** CRS analysis based on review of the *U.S. Code*.

**Notes:** Provisions of HAVA that relate to election administration generally—such as the act’s enforcement mechanisms, its general improvements grant program, most aspects of its requirements payments program, and the EAC’s general research authority—are not included in this table. Provisions that address more than one issue area are listed for all of the issue areas they address.

- a. Provisions are categorized here as they appear in the text of this report. For more on a given provision, see the corresponding section of the report.
- b. Provisions are generally listed here as they are presented in statutory language.
- c. These provisions amended existing law on military and overseas voting. They are discussed briefly in the “Requirements” section of this report and in more detail in **Appendix B**.
- d. This provision was repealed by the Military and Overseas Voter Empowerment (MOVE) Act of 2009, which was enacted as Subtitle H of Title V of the National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84).
- e. The MOVE Act amended HAVA to authorize funding for the requirements payments program for FY2010 and subsequent fiscal years. The funding was authorized to meet new requirements for military and overseas voting established by the MOVE Act.



## Appendix B. HAVA Amendments to Military and Overseas Voting Processes

**Table B-I. HAVA Amendments to Military and Overseas Voting Processes**

Summary of Changes	
Voting Assistance Programs 10 U.S.C. §1566	<p>Require voting assistance officers to be given sufficient time and resources to perform specified voting assistance duties.</p> <p>Direct the U.S. Department of Defense (DOD) to implement and report on measures to ensure that postmarks or other official proofs of mailing date are provided for absentee ballots that are collected overseas or at sea.</p> <p>Direct the Secretary of each military department to provide notice of absentee ballot mailing deadlines; information about requirements and deadlines for voter registration and absentee ballot applications and the availability of voting assistance officers; and federal voter registration forms.</p> <p>Require designation of day(s) for providing information at military installations about election timing, registration requirements, and voting procedures.</p>
Designation of Single State Office to Provide Information on Registration and Absentee Ballots for All Voters in State 52 U.S.C. §20302(b)	<p>Require each state to designate a single state office to provide information about the voting and registration processes available to military and overseas voters.</p> <p>Recommend that the designated office carry out the state's responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).</p>
Report on Absentee Ballots Transmitted and Received After General Elections 52 U.S.C. §20302(c), note	<p>Require states and localities to report to the U.S. Election Assistance Commission (EAC) and the public after each regular federal general election on the number of absentee ballots transmitted to and received from military and overseas voters.</p> <p>Direct the EAC and its Board of Advisors and Standards Board to develop a standardized format for the reports and make the standardized format available to states and localities.</p>
Extension of Period Covered by Single Absentee Ballot Application 52 U.S.C. §20306	<p>Extend the period covered by absentee ballot applications submitted by military and overseas voters to the following two regular federal general elections.<sup>a</sup></p>
Additional Duties of Presidential Designee Under Uniformed and Overseas Citizens Absentee Voting Act 52 U.S.C. §§20301-20302	<p>Direct the Presidential Designee under UOCAVA to ensure that election officials are aware of the act's requirements, develop a standard oath affirming potential penalty of perjury for material misstatements of fact on UOCAVA documents, and provide statistical analysis of voter participation by overseas voters.</p> <p>Require states that require oaths or affirmations for UOCAVA documents to use the standard oath developed by the Presidential Designee.</p>
Prohibition of Refusal of Voter Registration and Absentee Ballot Applications on Grounds of Early Submission 52 U.S.C. §20306	<p>Prohibit states from refusing to accept or process an otherwise valid voter registration or absentee ballot application from a military voter on the grounds that the application was submitted before the first date on which the state otherwise accepts or processes such applications.</p>

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**Summary of Changes**

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Other Requirements to Promote Participation of Overseas and Absent Uniformed Services Voters 52 U.S.C. §20302(d)	Require states to provide military and overseas voters with reasons for rejecting their voter registration or absentee ballot applications.
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**Source:** CRS analysis based on review of the *U.S. Code*.

**Notes:** The requirements in this table generally apply to elections for federal office.

- a. This provision was repealed by the Military and Overseas Voter Empowerment (MOVE) Act of 2009, which was enacted as Subtitle H of Title V of the National Defense Authorization Act for Fiscal Year 2010 (P.L. 111-84).

## Appendix C. Timeline of Congressional Deliberations on Election Administration

**Table C-1. Timeline of Congressional Deliberations on Election Administration**  
(from the November 2000 general election to the enactment of HAVA in October 2002)

Date	Action
November 7, 2000	November 2000 regular federal general elections are held.
December 12, 2000	U.S. Supreme Court issues decision in <i>Bush v. Gore</i> .
February 14, 2001	House Committee on Energy and Commerce holds hearing on "Election Night Coverage by the Networks."
March 7, 2001	Senate Committee on Commerce, Science, and Transportation holds hearing on "Election Reform."
March 14, 2001	Senate Committee on Rules and Administration holds hearing on "Election Reform."
March 19, 2001	Equal Protection of Voting Rights Act (S. 565) is introduced in Senate.
March 22, 2001	Equal Protection of Voting Rights Act (H.R. 1170) is introduced in House of Representatives.
May 3, 2001	Senate Committee on Governmental Affairs holds hearing on "Federal Election Practices and Procedures."
May 8, 2001	Senate Committee on Commerce, Science, and Transportation holds hearing on "S. 368 and Election Reform."
May 9, 2001	House Committee on Armed Services Subcommittee on Military Personnel holds hearing on "Department of Defense Voting Assistance and Military Absentee Ballot Issues." Senate Committee on Governmental Affairs holds hearing on "Federal Election Practices and Procedures."
May 10, 2001	House Committee on House Administration holds hearing on "Federal Election Reform."
May 17, 2001	House Committee on House Administration holds "Voting Technology Hearing."
May 22, 2001	House Committee on Science holds hearing on "Improving Voting Technologies: The Role of Standards."
May 24, 2001	Bipartisan Federal Election Reform Act (S. 953) is introduced in Senate. House Committee on House Administration holds "Hearing on Technology and the Voting Process."
June 27, 2001	Senate Committee on Rules and Administration holds hearing on "Report of the U.S. Commission on Civil Rights on the November 2000 Election and on Election Reform Issues."
June 28, 2001	Senate Committee on Rules and Administration holds hearing on "Members of the House of Representatives on Election Reform Issues."
July 23, 2001	Senate Committee on Rules and Administration holds "Field Hearing in Atlanta, Georgia on Election Reform Issues."
November 14, 2001	Help America Vote Act (H.R. 3295) is introduced in House of Representatives.
November 15, 2001	House Committee on House Administration holds "Mark Up of H.R. 3295, the Help America Vote Act of 2001."

November 28, 2001	Senate Committee on Rules and Administration reports S. 565 to full Senate.
December 5, 2001	House Committee on the Judiciary holds hearing on “Help America Vote Act of 2001.”
December 10, 2001	House Committee on House Administration reports H.R. 3295 to full House of Representatives.
December 12, 2001	House of Representatives passes H.R. 3295 362-63.
February 13-15, 2002	Senate considers S. 565.
February 25-27, 2002	Senate considers S. 565.
March 1, 2002	Senate considers S. 565.
March 4, 2002	Senate considers S. 565.
April 10, 2002	Senate considers S. 565.
April 11, 2002	Senate passes S. 565 99-1, amends text of H.R. 3295 with text of S. 565, and requests conference with House of Representatives.
May 1, 2002	Senate appoints conferees.
May 16, 2002	House of Representatives appoints conferees.
October 8, 2002	Conference report on H.R. 3295 (H.Rept. 107-730) is filed.
October 10, 2002	Conference report on H.R. 3295 is agreed to in House of Representatives 357-48.
October 16, 2002	Conference report on H.R. 3295 is agreed to in Senate 92-2.
October 29, 2002	H.R. 3295 is signed by President George W. Bush and becomes P.L. 107-252.

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**Source:** CRS analysis based on review of data from Congress.gov, the *Congressional Record*, and the U.S. Government Publishing Office.

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