



NASS Resolution on Principles for Federal Assistance in Funding of Elections

WHEREAS, over the years, the members of National Association of Secretaries of State (NASS) have called on Congress to recognize the authority of states in administering elections, [reaffirmed the respective roles](#) of federal, state and local governments in election administration and asserted that, under HAVA Section 209, funding provided to states under the Help America Vote Act is not subject to Election Assistance Commission rules, regulations, or requirements, except to the extent permitted under Section 9(a) of the National Voter Registration Act of 1993;

WHEREAS, NASS has [long-standing principles and resolutions](#) regarding its opposition to unfunded federal mandates or pre-emption of state authority;

WHEREAS, NASS has encouraged Congress to receive input from Secretaries of State on the development of federal legislation and it has requested reasonable deadlines for implementation of federal law;

THEREFORE, the members of NASS have developed the following principles which we urge Congress to consider when addressing federal assistance in funding of elections:

While state and local governments have the primary responsibility of funding election administration expenses, Secretaries of State support federal funding to supplement these expenses in appropriate circumstances.

The emergence of cyber threats to election systems require resources state and local governments may not sustain alone. Election security is equated with national security. Common nationwide threats justify federal assistance in funding individual state efforts to prevent and defend against cyber threats.

States have utilized federal funds to enhance the administration of federal elections through the Help America Vote Act (HAVA). We urge Congress to provide adequate funds to meet the demands for addressing cyber security threats. Distributed HAVA funds should be controlled by chief state election officials with only the minimal federal requirements set forth explicitly in HAVA.

The Department of Homeland Security (DHS) has provided states with services, at no cost, such as cyber hygiene scans, risk and vulnerability assessments, penetration testing and monitors to alert us to network threats. These are valuable tools states have utilized and will continue to make use of in the future.

If new federal funding is allocated, federal law must make it clear that HAVA Section 209 applies to all aspects of such appropriations and cannot be circumvented with the imposition of rules, regulations, or requirements by federal agencies. The purpose is to ensure states have the flexibility essential to making effective use of these funds. The states' diverse election systems require diverse cyber security strategies.

NASS and its members call on Congress to apply these principles as it considers stable federal funding that allows states to plan and implement election security enhancements to counter emerging cybersecurity threats.

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