

Dos and Don'ts: Federal Funds and Voter Registration

All 501(c)(3) organizations must follow the same IRS rule barring charities from conducting partisan political activities to support or oppose candidates while allowing nonprofits to conduct voter engagement and election activities on a nonpartisan basis. In a few special cases Congress has added stipulations on the use of certain federal funds to restrict voter registration activities. In contrast, the National Voter Registration Act of 1993 (NVRA) requires state agencies offering federal assistance like Medicaid or WIC to offer voter registration to those who sign up.

Federal Funds with Voter Registration Restrictions

Community Service Block Grants (CSBG)

Nonprofits who receive Community Service Block Grant funding, like Community Action Agencies:

CANNOT

- Use CSBG funds to pay for staff or materials to conduct voter registration.
- Use CSBG funds to provide rides to the polls.

CAN

- Use non-CSBG funds to do voter registration such as having staff or others not paid by CSBG funds help register voters, so long as it's not identified as a service of the agency. In this case, voter registration should be done outside of service delivery, for example, at a table or local event.
- Use CSBG or other funds to do any other kinds of nonpartisan voter engagement activities to promote voter education and voter participation such as reminding staff and clients about an upcoming election. However, it is recommended that CSBG funds used for nonpartisan election activity be limited and not done in a way to give public perception of the agency as being in any way involved in partisan politics.

Head Start

Head Start has similar restrictions to that of CSBG recipients, except Head Start had language added in 2007 to amend the Head Start Act to affirm a Head Start program's right to have outside groups do nonpartisan voter registration drives at their sites. A Head Start program:

CANNOT

- Use Head Start funds to conduct or have employees conduct voter registration activities.
- Use Head Start funds to provide rides to the polls.

CAN

- Have a nonpartisan organization or non-Head Start personnel do voter registration at Head Start facilities during all hours of operation.
- Do any other type of nonpartisan voter education, such as keeping parents and others informed about how, when, and where to vote.

Do CDBG funds have similar restrictions?

No. Unlike with CSBG funds, there are no restrictions on doing voter registration or any type of nonpartisan activity. A nonprofit CDBG funds should follow the same rules that apply to

any 501(c)(3) organization barring partisan, political activity to support or oppose candidates.

AmeriCorps and the Corporation for National and Community Service (CNCS)

AmeriCorps members and other recipients of CNCS funding are subject to the standard 501(c)(3) prohibition on partisan political activities for or against candidates. Additionally, while charging time to the AmeriCorps program or otherwise performing activities supported by the AmeriCorps program, CNCS supported personnel or service volunteers:

CANNOT

- Do voter registration during work hours or while performing work for the host organization.

CAN

- Make voter registration forms and information available on the premises for clients.
- Conduct any other type of nonpartisan voter education as undertaken by the organization where they are doing service.
- Do political activities in personal time outside of work and when not representing the organization they are assigned to.

Legal Services

Legal Services groups are the most restricted. Legal Service employees and volunteers are generally prohibited by the Legal Services Act (LSA) and related policies from conducting any kind of nonpartisan or partisan political activity or issue advocacy.

Federal Funds with Requirements to Do Voter Registration

The [National Voter Registration Act of 1993](#) requires several types of federally supported agencies—such as those that offer public assistance or primarily serve people with disabilities—to proactively offer the people they serve the opportunity to register to vote. These include nonprofit agencies like community health centers or food pantries that sign people up to receive Medicaid, WIC, food stamps and other federally funded public assistance programs.

See Nonprofit VOTE's [factsheet](#) on the National Voter Registration Act for more information.

Resources

- CAPLAW, [Election Year Refresher for Nonprofit Community Action Agencies](#)
- Legal Information Institute, [Prohibited uses of CDBG Funds](#)
- Corporation for National and Community Service, [Prohibited Activities](#)
- Legal Services Corporation, [Regulations CFR 45 Part 1608](#)
- Nonprofit VOTE, [National Voter Registration Act Factsheet](#)
- Department of Justice, Civil Rights Division, [National Voter Registration Act \(NVRA\) FAQ](#)

Source: [Nonprofit VOTE](#)