

Eligibility of Voter Education

May 18, 1988

MEMORANDUM FOR: Sam R. Moseley, Regional Administrator-
Regional Housing Commissioner, 6S

ATTN: Victor J. Hancock, Director
Community Planning and Development, 6C

FROM: Jack R. Stokvis, General Deputy Assist
Community Planning and Development, CD

SUBJECT: Port Arthur Voter Education Eligibility

The City of Port Arthur, Texas, wants to fund a Voter Education Program focused on addressing the voter education needs of its low and moderate income citizens. The Regional Office questioned both the eligibility of this activity and, if it were eligible, whether it could be conducted in a non-partisan or neutral manner.

Although partisan political activities are ineligible under §570.207(a)(3) clearly non-partisan voter education activities are eligible as CDBG-funded public services. So, if this activity is not clearly non-partisan, its eligibility may be questioned. Failure to document the non-partisan nature of the activity could jeopardize the eligibility of the activity and could result in expenditures for it being disallowed. Therefore, the grantee should be notified that it must provide such documentation.

Examples of how the a grantee could demonstrate the neutrality or non-partisan nature of the program include:

- a. developing a plan for the activity which addresses the neutrality of activities, employees and other facilitators, and the program as a whole;
- b. using (non-political appointees) employees of the city to administer the program and perform all training functions;
- c. informing every facilitator and employee of the need to keep the program clearly non-partisan; and
- d. documenting (c) above with certification signed by employees and facilitators to the effect that they understand and will be able to abide by the strict non-partisan nature of the program.

The high-risk nature of this activity is evidenced by both the Regional Office's concerns about the grantee's ability to implement a voter education program in strictly a non-partisan manner and a similar concern expressed by the Office of General Counsel regarding subrecipients and non-CDBG funded

facilitators. To meet these concerns, careful documentation of the clearly non-partisan nature of this activity is essential.