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## Short of Money to Run Elections, Local Authorities Turn to Private Funds

Cities and states face huge bills to deal with voting during the pandemic. Mark Zuckerberg offered \$300 million to help — and conservatives are objecting.



Primary voters in Milwaukee in April. Congress allocated \$400 million to states for election administration in March, far short of the \$4 billion in additional costs experts estimate will be associated with staging the 2020 elections. Lauren Justice for The New York Times



By Kenneth P. Vogel

Published Sept. 25, 2020 Updated Sept. 26, 2020



WASHINGTON — Facing mounting expenses and with Congress yet to provide more money, election administrators across the country are struggling to meet the extraordinary costs of holding an election amid a pandemic.

With Election Day nearly five weeks away and early voting underway in some states, many municipalities and states are turning to alternative sources of funding, most notably \$300 million in grants from the Facebook chief executive, Mark Zuckerberg.

But now even that money is becoming enmeshed in partisan disputes, with conservative groups opening a legal assault on Thursday to block private grants from going to election administrators in Democratic strongholds in four swing states, arguing they will disproportionately help Democrats like the party's presidential nominee, Joseph R. Biden Jr.

The skirmishes underscore the degree to which almost every element of the election has become part of the political battlefield, and fodder for pre-emptive challenges over the legitimacy of the vote, which have been fueled by President Trump, who refused this week to [commit to a peaceful transfer of power](#).

The consequences of the funding shortfall could be especially pronounced, affecting not only the ability of the state and local authorities to handle a surge in mail ballots and to conduct in-person voting, but also the health and safety of voters and poll workers.

"Election officials have expenses they could never have planned for," said David Becker, the executive director of the Center for

Election Innovation and Research, a nonprofit group based in Washington that works with election administrators.

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He cited one state that was seeking \$1.5 million to install plexiglass shields in its polling places to protect against the coronavirus. “Who would have thought eight months ago that that was going to be an expense that you would need to budget for?”

Weber County, Utah, is expecting to spend an additional \$69,000 — or 60 cents for each active registered voter — on costs related to the pandemic, including ballot-folding machines, label printers, personal protective equipment and sanitizer for the county’s sole polling place.

The 2020 election season, said Ricky Hatch, Weber County’s clerk and auditor, “blows every previous election out of the water. It got busy sooner, it’s more contentious, we have more costs, challenges and questions, there is less voter confidence, and we’re already seeing some of the emergency scenarios that you would almost never consider play out.”

The prospect of election administrators tapping large pools of private money has raised new legal and political questions. That is partly because it is unusual for elections to be subsidized by nongovernment funding at this level, but also because most of the cash is coming from nonprofit groups that have liberal ties, and the biggest source of the cash, Mr. Zuckerberg, has drawn fire from across the political spectrum.

Democrats have criticized Facebook for insufficient efforts to fight disinformation and for [not doing more to flag inaccurate or inflammatory posts from Mr. Trump](#). Some Republicans have argued for years that Facebook [suppresses their opinions](#) and have bristled at Mr. Zuckerberg’s [support for immigration reform](#).

In [announcing their \\$300 million commitment](#) this month, Mr. Zuckerberg and Priscilla Chan, his wife, said that “many counties and states are strapped financially and working to determine how to staff and fund operation that will allow for ballots to be cast and counted in a timely way.”

The actor and former California governor Arnold Schwarzenegger also announced this week that he would issue grants to “local and state elections officials who want to reopen polling stations they closed because of a lack of funding.”

Congress allocated \$400 million for election administration in the \$2 trillion coronavirus stimulus relief package [Mr. Trump signed into law in March](#), but that was a fraction of the [\\$4 billion in additional costs](#) experts estimate will be associated with staging the 2020 elections.

An additional House-passed stimulus bill that would have allocated another \$3.6 billion to election administrators was not taken up in the Senate. And while Speaker Nancy Pelosi and Treasury Secretary Steven Mnuchin [restarted negotiations](#) this week over a new stimulus package that reportedly would include election funding, experts and local election administrators say that cash, even if agreed to by both parties in a deeply divided Congress, may come too late to be much help.

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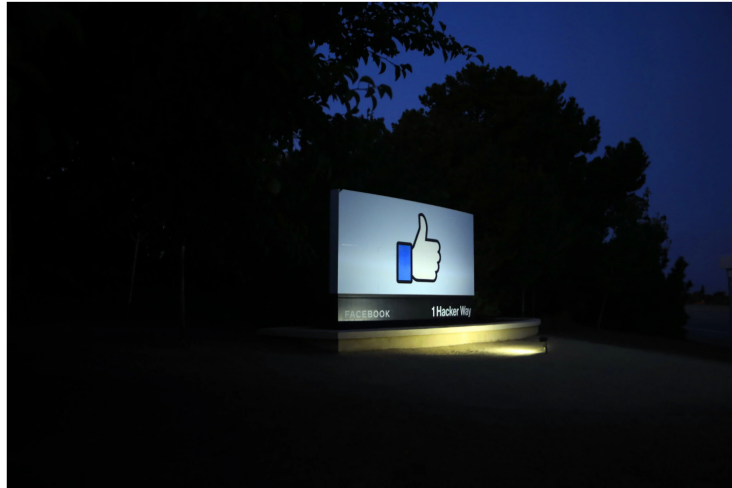
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That has made the Zuckerberg grants and other private funding an attractive proposition for election administrators.

Most of the Zuckerberg money — \$250 million — went to the Center for Tech and Civic Life, a Chicago-based nonprofit group, to pass out to local election administration agencies. The remaining \$50 million went to Mr. Becker's group, the Center for Election Innovation and Research, to give to state agencies that oversee elections to educate their residents on how to vote during the pandemic.

About half of the states have applied for funds from the Center for Election Innovation and Research, Mr. Becker said.

And the Center for Tech and Civic Life said the group had received applications from more than 1,100 county and municipal elections officials this year. That represents more than 10 percent of the more than 10,000 local agencies that handle elections nationwide.



Democrats have criticized Facebook for not doing more to fight disinformation. Jim Wilson/The New York Times

In a [proposal](#) submitted to the Center for Tech and Civic Life in June, the five biggest cities in Wisconsin indicated that they had “spent all or most of the budgeted resources for all of 2020” administering their primary elections in April, under what the cities called the “extraordinary circumstances” of the early days of the pandemic.

The cities — Milwaukee, Madison, Green Bay, Racine and Kenosha — asked for \$6.3 million from the center to pay for ballot drop boxes with security cameras, high-speed tabulators, and more workers to count mail ballots, as well as masks, gloves, face shields, disinfectant and other supplies.

If they did not get the funds, the cities warned, “it will leave communities like ours with no choice but to make tough decisions between health and the right to vote; between budget constraints and access to fundamental rights.”

The cities, which are a major source of Democratic votes in a key swing state, [announced in July that they had won approval](#) for the requested funds from the Center for Tech and Civic Life. And the next month, the center announced that it would donate \$10 million to Philadelphia, drastically expanding the election budget of the biggest Democratic stronghold in one of the biggest swing states, and [\\$2.2 million to adjacent Delaware County](#), as well as an unspecified amount to [undisclosed rural counties and municipalities](#).

The source of funding for those grants is not clear. They were distributed before the Zuckerberg infusion was announced, and were a sharp increase in the scale of the center's financial assistance.



The center is registered under a section of the tax code that allows it to keep its donors private, but in the four years before the Zuckerberg announcement, its tax returns showed an average annual budget of \$1.13 million. It had previously disclosed that it had received grants from Google and Facebook. And in April, the Skoll Foundation, which is focused on social entrepreneurship, [announced](#) it had given \$1.5 million to the Center for Tech and Civic Life.

But it was not until the \$250 million infusion from Mr. Zuckerberg and Ms. Chan was publicized this month that conservatives started mobilizing to try to block the center's grants.

Erick G. Kaardal, a lawyer affiliated with the Thomas More Society, a conservative nonprofit legal group that has been aligned with the Trump administration, predicted Mr. Zuckerberg's grants would set a bad precedent.

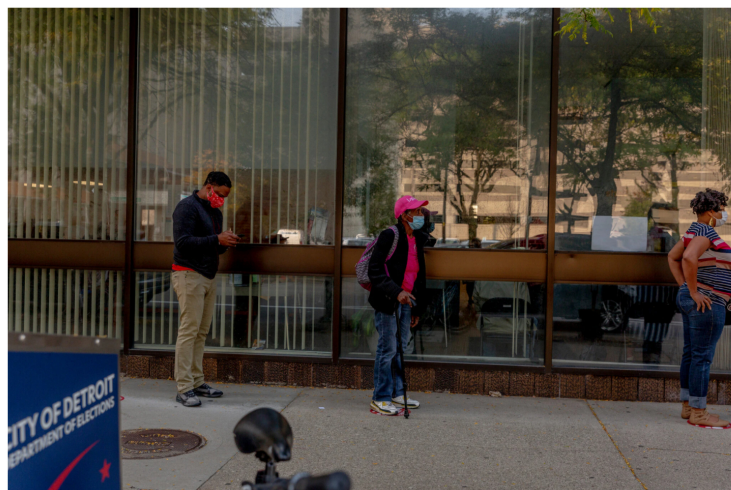
That could "undermine, over time, the way we view elections," he said in an interview, potentially leading to a situation in which "one group of billionaires will own this city, and one group of billionaires will own that city."

The grants to the Wisconsin cities were awarded by the center nearly two months before Mr. Zuckerberg's donation was announced. But 10 days after the Zuckerberg announcement, Mr. Kaardal and other lawyers affiliated with the Thomas More Society [filed a complaint](#) about the grants with Wisconsin's election commission.

The complaint — which compared the grants with past efforts to make it easier for white voters to cast ballots than Black voters — [was dismissed last week on a technicality](#) by the election commission.

But on Thursday, the Thomas More Society said it filed [lawsuits](#) with federal courts in four swing states — Michigan, Minnesota, Pennsylvania and Wisconsin — against the localities that had received a combined total of nearly \$26 million from the Center for Tech and Civic Life. The grants that were awarded to communities in Michigan appear to be the only ones that were announced after the announcement of the Zuckerberg grant.

The recipients of the grants — East Lansing, Flint, Lansing, and Wayne County in Michigan; Minneapolis; Delaware County and Philadelphia in Pennsylvania; and the five Wisconsin cities — cast about 76 percent of their combined votes in 2016 for Hillary Clinton.



Voters wait in line at an early voting location in Detroit on Wednesday. Sylvia Jarrus for The New York Times

Mr. Kaardal, who is listed as the lead lawyer on the suits against Minneapolis and the Wisconsin cities, has been active in



Republican politics. He and his firm also were involved in the failed effort to get the rapper Kanye West on the presidential ballot in Wisconsin, which was widely seen as [a ploy to siphon votes from Mr. Biden](#).

But he said the effort to block the election administration grants was driven by concerns about fairness, not partisanship. “You don’t want private federal election grants favoring one demographic area over another,” he said.

The suits, which were filed on behalf of voters in those states and accompanied by [requests for temporary restraining orders](#) to block spending of the grants, claim that the grants violate federal laws empowering states, not localities, to carry out elections, and argue that the grants bypassed that authority because they were not approved by the states.

Christine A. Reuther, the Delaware County councilwoman who wrote the grant proposal for her county, said that the funding helped the county train poll workers and acquire drop boxes, some of which were dispatched to majority Republican municipalities.

“I have no idea why it is a bad thing, let alone unconstitutional, for Delaware County to accept a grant to improve safe and secure access to the polls for all of its registered voters,” she said, calling the lawsuit a “time-consuming, resource-wasting effort.”

In a [statement](#), the Center for Tech and Civic Life called the lawsuits “baseless,” and said the group was nonpartisan, working with Democrats, Republicans and nonpartisan officials.

Conservatives have raised concerns about the political backgrounds of the center’s co-founders, who the lawsuits note had worked together at a Democratic Party-aligned organizing group, and of Mr. Becker. He had briefly worked for the liberal group People for the American Way after leaving the Justice Department, where he had enforced voting laws during Democratic and Republican administrations.

Mr. Becker said he worked with election administrators of both parties and that the six-member board for the Center for Election Innovation and Research included three Republicans. Since his group’s grants go to state election agencies, he said the money would be used to educate voters across those states, not just in big cities that tended to vote Democratic.

Mr. Hatch, the Utah election official, sits on the advisory board of the Center for Tech and Civic Life, and is a Republican. He has turned down other election grants, he said, “because I just don’t want the appearance of any kind of meddling or influence in any decision that I make as an election administrator.”

But he said that was not a concern with the Center for Tech and Civic Life, which he called “an excellent independent advocate for election officials and for voters,” adding that the grants “will be very helpful for a lot of jurisdictions.”

Kitty Bennett contributed research.

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Ken Vogel covers the confluence of money, politics and influence from Washington. He is also the author of "Big Money: 2.5 Billion Dollars, One Suspicious Vehicle, and a Pimp — on the Trail of the Ultra-Rich Hijacking American Politics." [@kenvogel](#) - [Facebook](#)

A version of this article appears in print on Sept. 27, 2020, Section A, Page 21 of the New York edition with the headline: Short of Money to Run Elections, Local Authorities Turn to Private Funds. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)

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