

A BILL

To abolish the Election Assistance Commission, repeal section 201 of the Help America Vote Act of 2002, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Election Assistance Commission Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

(1) The Election Assistance Commission (EAC) distributes election grants to States, develops voluntary voting system guidelines, certifies voting systems, and maintains the national mail voter registration form.

(2) The functions of the EAC are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.

(3) By setting standards and guidelines for the administration of State elections, the EAC intrudes upon the authority of the States over elections, which Article I, Section 4 commits in the first instance to “the Legislature” of each State, and which Article II, Section 1 commits, for the appointment of presidential electors, to each State “in such Manner as the Legislature thereof may direct.”

(4) In carrying out its functions, the EAC disregards the Ninth Amendment, which provides that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(5) The Constitution delegates to the United States no power over elections, which the Constitution commits to the States. By directing the administration of elections in the States, the EAC exercises powers that the Tenth Amendment reserves “to the States respectively, or to the people,” contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as “few and defined” and those remaining in the States as “numerous and indefinite.”

(6) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive “their just powers from the consent of the governed,” and it charged the Crown with having “erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.” The EAC perpetuates the centralized administration the Declaration condemned.

(7) Abolishing the Election Assistance Commission and repealing section 201 of the Help America Vote Act of 2002 will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE ELECTION ASSISTANCE COMMISSION.

(a) In General.—The Election Assistance Commission is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Election Assistance Commission, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Election Assistance Commission shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Election Assistance Commission shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE ELECTION ASSISTANCE COMMISSION.

(a) In General.—Section 201 of the Help America Vote Act of 2002 (52 U.S.C. 20921), and any other provision of law establishing the Election Assistance Commission or vesting functions in the Election Assistance Commission, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the Election Assistance Commission and to any office, officer, or function established in or vested in the Election Assistance Commission;

(2) terminating every function of the Election Assistance Commission, no part of which shall be reassigned to any other department or agency of the Federal Government; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Election Assistance Commission.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

(a) No Restoration of Prior Structures.—No element of the Election Assistance Commission shall revert to its organizational structure as it existed prior to the establishment of the Election Assistance Commission, and no function of the Election Assistance Commission shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Election Assistance Commission abolished by this Act.

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.