



U.S. ELECTION ASSISTANCE COMMISSION
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HAVA GRANTS GUIDANCE: USING HAVA FUNDS FOR PUBLIC RECORDS REQUESTS

Issued: October 2024

The U.S. Election Assistance Commission (EAC) has received inquiries from state and local election offices regarding the use of Election Security Grant funds to respond to requests for public records. The funds may be used by election offices to assist with public records requests concerning voting rights and procedures under HAVA Section 101(b)(1)(C) – “Educating voters concerning voting procedures, voting rights, and voting technology.”

Use of Election Security Grant funds to respond to requests for public records concerning voting rights and procedures includes costs associated with staffing needs required for processing requests and public record request software. The funds may also be used to train election office staff on how to handle requests regarding voting records, including understanding state and local procedures in responding to public records requests on voting rights and procedures. Examples of allowable costs to process public records requests to educate voters concerning voting procedures, voting rights, and voting technology may include:

- Search Tools: Effective search tools to locate relevant voting records quickly, which may include indexing systems for election files or voting records.
- Redaction Tools: Software to redact sensitive information as required by state law.
- Reporting Tools: Systems to generate reports, statistics, and trends on state and local election requests, helping to improve voter transparency.
- Database Tools: In some circumstances, the costs of a database may be allowed. If the database provides an archive for voting data and is used to support administrative activities such as public records requests regarding state and local election processes and procedures, then the associated costs may be allowable based on the benefit to elections.

Importantly, HAVA Section 101(b)(2) provides prohibitions on using funds to pay for costs associated with any litigation or for the payment of any judgment. This prohibition applies to the use of funds associated with the cost of litigation or judgment on public records requests. State and local offices must follow [prior guidance](#) on allocation, reasonableness and necessity, and supplanting. Notably, the costs of processing public records requests must be allocated between election and non-election purposes. State and local election offices are encouraged to seek guidance from the EAC Office of Grants Management on the use of funds not referenced above.