



U.S. ELECTION ASSISTANCE COMMISSION  
1225 New York Ave. NW – Suite 1100  
Washington, DC 20005

**U.S. Election Assistance Commission  
Funding Advisory Opinion  
FA0-09-008**

**Date Issued:**

**Requestor:**

California Office of the Secretary of State on Behalf of Stanislaus County, California

**Question:**

May Help America Vote Act Funds (HAVA) be used to pay for improvements to a warehouse that is used to store voting equipment?

Stanislaus County currently “. . . maintains and conducts Logic and Accuracy testing on 500 pieces of election equipment, including 250 Model-100 machines and 250 Auto Mark machines” stored in its election equipment warehouse. The improvements consist of insulating the ceiling and inside walls and installing a “whole house style fan.” The alterations will keep the summer temperature in the warehouse below 100 degrees which would meet the manufacturer’s storage temperature recommendations of 50 to 100 degrees. Stanislaus County estimates that the costs of the project will not exceed \$145,000.

**Determination:**

The Election Assistance Commission approves the request to use HAVA funds provided under Section 251 (b)(2)(B) to improve the warehouse used by Stanislaus County to store voting equipment. The approval is in accordance with policy established by the EAC in its *Frequently Asked Questions Regarding Appropriate Use of Help America Vote Act Funds* in response to question number 18.

In regard to this matter, please also be advised that if the warehouse is also used to store non-HAVA equipment, then the cost of the renovations would have to be allocated on the basis of the space used by all benefitting activities. Note that States which subgrant HAVA funds to counties or other local units of government have the authority to limit how sub grant funds are used.

*From the Office of the Executive Director*