

# U.S. Election Assistance Commission

## Disposition of Equipment Purchased with HAVA Funds

The purpose of this guidance is to support states and local jurisdictions in managing the disposal of HAVA-funded Special Purpose equipment for voting, voter registration or other special purposes and General Purpose equipment (i.e. vans, forklifts, copy machines, etc.) at either the end of the equipment's useful life or the end of the HAVA award period. Equipment can be disposed of either collectively as a system or individually as components, as follows<sup>1</sup>:

1. States and local jurisdictions can continue to use equipment purchased with HAVA funds for its original purpose for as long as needed, even if the EAC award used to purchase the equipment has been closed. Equipment may also be used for other federally-supported activities currently or previously funded by a Federal agency. Additionally, equipment can be traded-in for replacement equipment for same purposes.
2. Without prior approval from the EAC, equipment purchased with HAVA funds with a current per unit fair market value of less than \$5,000, may be traded-in, sold or scrapped on an as needed basis with no further obligation to the EAC beyond recording disposition in the appropriate equipment inventory log (see point 5 below for record retention requirements).
3. Items of equipment with a current per unit fair market value in excess of \$5,000 may be sold with the funds credited to the state/local HAVA election accounts in an amount calculated by multiplying the current market value or proceeds from sale by the HAVA (Federal and Matching Funds) share in the cost of the equipment.
4. In cases where the titleholder fails to take appropriate disposition actions, the EAC retains the right to direct States to take excess and disposition actions.
5. The final record retention period for equipment replacement or disposition begins on the date the State submits its last Federal Financial Report (FFR) to the EAC and continues for 3 years. For equipment replacement or disposal after the end of award period, the three year record retention period begins from the time the equipment is traded-in or disposed of and continues for three additional years.

### **Special Note for Safe Dispensation**

States and local jurisdictions should take care to follow state equipment disposal policies and any additional guidelines for disposition of sensitive equipment such as cleansing of electronic devices, etc.

Additional resources and practices outlining disposition of sensitive equipment will be provided by the EAC on an ongoing basis.

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<sup>1</sup> See Common Rule requirements for disposition of equipment purchased with Federal funds (41 CFR 105-71.132)