Equitable Sharing Program

Alice W. Dery
Deputy Chief
Asset Forfeiture and Money Laundering Section
Criminal Division
U.S. Department of Justice
Today’s Agenda

- What is Equitable Sharing?
- How do I participate in the Program?
- How can I use my funds?
- How do I maintain my funds?
- What must I report to the Department of Justice Equitable Sharing Program?
- AFMLS resources
What is AFMLS?

- Asset Forfeiture and Money Laundering Section
- Agency within the Department of Justice
- Create Policy on Asset Forfeiture
- Handle Victim Restitution
- Oversee the Equitable Sharing Program
In the Spotlight...

Transparency

Integrity

Accountability
Equitable Sharing Payments of Cash and Sale Proceeds Executed During Fiscal Year 2013, by Recipient Agency

Foreign Sharing Data

<table>
<thead>
<tr>
<th></th>
<th>Cash Value</th>
<th>Sale Proceeds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>States Grand Totals</td>
<td>$310,066,656</td>
<td>$347,148,795</td>
<td>$657,215,451</td>
</tr>
<tr>
<td>Foreign Sharing Grand Totals</td>
<td>$877,697</td>
<td>$0</td>
<td>$877,697</td>
</tr>
<tr>
<td>Grand Total All</td>
<td>$310,946,353</td>
<td>$347,148,795</td>
<td>$658,095,148</td>
</tr>
</tbody>
</table>

These dollar figures are based on data contained in the property system, not the financial system of record. Therefore, discrepancies may exist with previously published financial data.

http://www.justice.gov/jmd/afp/02fundreport/index.htm
<table>
<thead>
<tr>
<th>Year</th>
<th>Disbursement Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2009</td>
<td>$398,171,299</td>
</tr>
<tr>
<td>FY 2010</td>
<td>$389,901,553</td>
</tr>
<tr>
<td>FY 2011</td>
<td>$437,762,608</td>
</tr>
<tr>
<td>FY 2012</td>
<td>$447,297,761</td>
</tr>
<tr>
<td>FY 2013</td>
<td>$658,095,148</td>
</tr>
</tbody>
</table>
Victim Compensation

- Over $3.5 billion returned to victims since 2000
- Over $1.5 billion returned to victims in FY2012
- Forfeited assets must be paid to all qualified victims before any equitable sharing distributions are permitted
What is Equitable Sharing?

An equitable portion, or share, of proceeds awarded based on an agency’s direct participation in an investigation that results in the forfeiture of a federally seized asset.

21 U.S.C. § 881(e)(3)
Goals of the Forfeiture and Equitable Sharing Programs

- Deter crime by depriving criminals of the profits and proceeds of their criminal activities
- Weaken criminal enterprises by removing the instrumentalities of crime
- Recover property to compensate victims
- Enhance Cooperation among Federal, State, and local law enforcement agencies
Benefits of Equitable Sharing

Equitable sharing benefits the overall law enforcement mission by enhancing resources.

Equitable sharing provides valuable law enforcement resources without burdening taxpayer dollars.
Two Distinct Federal Sharing Programs

- Department of Justice administered by AFMLS for Justice seizing agencies
- Department of Treasury administered by TEOAF for Treasury and DHS seizing agencies
- Each oversees its own respective Equitable Sharing Programs
<table>
<thead>
<tr>
<th>Justice</th>
<th>Treasury</th>
</tr>
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<tbody>
<tr>
<td>DEA</td>
<td>ICE</td>
</tr>
<tr>
<td>FBI</td>
<td>IRS</td>
</tr>
<tr>
<td>ATF</td>
<td>US Secret Service</td>
</tr>
<tr>
<td>Dept of Agriculture</td>
<td>US Coast Guard</td>
</tr>
<tr>
<td>US Postal Inspection Service</td>
<td>Customs &amp; Border Protection</td>
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<tr>
<td>Food &amp; Drug Administration</td>
<td>Tax and Trade Bureau</td>
</tr>
<tr>
<td>Defense Criminal Investigative Service</td>
<td></td>
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<tr>
<td>Dept of State</td>
<td></td>
</tr>
</tbody>
</table>
Two Ways to Participate

- **Joint Investigation**
  State or local law enforcement agency joins forces with a federal investigative agency

- **Adoption**
  State or local law enforcement agency requests a federal agency adopt a seizure
Minimum Monetary Thresholds

- **Vehicles** - $5,000
- **Vessels and Aircraft** - $10,000
- **Real Property** - Greater of $20,000 or 20% of appraised value
- **All other property** - $2,000

Currency, Monetary Instruments, Bank Accounts, Jewelry, Other Property
Exceptions to Minimums

- Serves a compelling law enforcement interest
- Firearms are *always* forfeited
- Contaminated property is *almost never* forfeited
How to Apply for Sharing

State and local law enforcement must...

- Be a participant in the Equitable Sharing Program
- Complete a DAG-71 Form
- Submit DAG-71 to seizing agency within 60 days of federal adoption or of property seizure
<table>
<thead>
<tr>
<th>Date:</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>

### Investigative Agency:

### Case Number:

#### U.S. Department of Justice

**Application for Transfer of Federally Forfeited Property**

**(For Use By United States Law Enforcement Agencies Only)**

<table>
<thead>
<tr>
<th>For Federal Use Only</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<tr>
<td><strong>(For Additional Information - See Instructions)</strong></td>
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<tr>
<td></td>
</tr>
<tr>
<td><strong>I.</strong> Asset #:</td>
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<tr>
<td></td>
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<tr>
<td><strong>Case Type:</strong></td>
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<td></td>
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<tr>
<td>Adoption: Joint:</td>
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<tr>
<td>(Check One)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>II. Requesting Agency Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Address:</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>NCIC Code:</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Contact Person:</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Telephone Number:</strong></td>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>III. Asset Requested:</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td><strong>Property Description:</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td><strong>Other assets in this case (if any):</strong></td>
</tr>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>IV. Specific Intended Law Enforcement Use:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<tr>
<td><strong>Purchase of Equipment:</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td><strong>Other (Please explain):</strong></td>
</tr>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>V. Contribution (If any answer to A thru E is ‘yes’, provide details in Part VI):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td><strong>A.</strong> Did your agency originate the information leading to the seizure?</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>B.</strong> Were any other assets seized under state law?</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>C.</strong> Were extraordinary expenses incurred?</td>
</tr>
<tr>
<td></td>
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<tr>
<td><strong>D.</strong> Did your agency supply any unique or indispensable assistance?</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>E.</strong> Are there any assets located in foreign countries associated with this case?</td>
</tr>
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<td></td>
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<tr>
<td><strong>F.</strong> How many hours were expended?</td>
</tr>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>VI. Additional space for detailed answers (Indicate Part to which answer(s) apply):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<tr>
<td><strong>VII. Certification:</strong></td>
</tr>
<tr>
<td>------------------------</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>A.</strong> The requester certifies that the above information is true and accurate.</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>B.</strong> An officer of the United States of America certifies that the property is not located in the foreign countries associated with this case.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature/Title:</th>
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<tbody>
<tr>
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<tr>
<td><strong>Date:</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>VII. Certification (If space is required, use a separate sheet of paper and attach):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Attachment:</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Telephone Number:**  |
What did you do in the investigation?

We need a complete description of the officers’ contributions to the seizure and forfeiture of the asset

BAD: “Officers assisted DEA in the investigation.”

GOOD: “Three police officers and one drug detection dog from the department assisted DEA during the seizure. Officers provided perimeter security and collected evidence. Officers also conducted post-arrest interviews and transported the defendants to the jail.”
Sharing is based on net proceeds of the forfeiture after addressing claims of owners, lien holders, and victims, and other costs.

- If there is no forfeiture, there is nothing to share.
- If there are substantial expenses, there may be nothing to share.

Minimum Federal Share is 20%
Approved percentage is based on the degree of direct participation in the total effort leading to forfeiture

- Compare work hours of participating agencies
- Adjustments for qualitative factors

Percentage approved may differ from that requested on DAG-71
Qualitative Factors

- Agency originated the information leading to the seizure
- Unique or indispensable assistance
- If property could have been forfeited under state law, but agency joined forces with federal authorities to conduct a more effective investigation
Administrative Forfeitures

Under $1 Million – Seizing Agency
Over $1 Million – U.S. DOJ, Criminal Division

Judicial Forfeitures

Under $1 Million – United States Attorney
Over $1 Million – U.S. DOJ, Criminal Division
Processing Payments

Reasons for Delay

- Forfeiture not yet complete
- Victims and restitution
- International sharing
- Incomplete information on case or agency contributions
- Pending asset disposition
- Agency compliance
Using Shared Funds
Permissible Uses

Law enforcement purposes **only** and all expenditures subject to agency’s procurement policies

✔ Activities that enhance future investigations (overtime, reward money)
Permissible Uses

✓ Law enforcement equipment and operations (cell phones, vehicles, uniforms)
Permissible Uses

✔ Law enforcement training
  (financial investigations, narcotics detection, defensive driving)

✔ Contract for special services
  (perform audit, upgrade server, feasibility study)
Permissible Uses

Law Enforcement Facilities

- Leases, utilities, minor improvements, internal walls, flooring, furniture, electrical, cabling, security systems, fencing

- Capital Improvements (brick and mortar construction) must have prior approval from AFMLS
Permissible Uses

Public Safety Complexes: Mixed Use Facilities

- 911 facilities
- Emergency Operations Centers
- Use does not extend to fire and EMS equipment
Permissible Uses

Canines, Equines and Related Expenses

- Canine, equine, and training tools
- Canine, equine, and handler training
- Food, transport, and other supplies
- Veterinary care
Permissible Uses

- Transfer to other State or local law enforcement agencies in Program
- Pro Rata funding *(shared use facilities)*
- Match grant funding *(BPV, Cops, Byrne)*
Permissible Uses

Buy-Back Programs

Permitted for guns, fireworks, prescription medications and other items, with requirements that:

- All items must be destroyed
- Amounts paid must be reasonable
- Accountability controls
Permissible Uses

Anti-bullying, drugs, gang, and other awareness programs

✓ Software
✓ Flyers/Literature
✓ Awareness Campaigns
✓ Motivational Speaker
Permissible Uses

✓ Advertising costs...
National Night Out

Agencies can use shared funds for *some* expenditures to support National Night Out

✔️ Banners, advertisements, motivational speakers are permitted

❌ Food and beverage, rides, and entertainment are not permitted
Support of Community-Based Programs

- Up to 15% of total sharing over the past two years for community-based programs

- State or local government agencies; or private, non-profit organizations

- Approved by chief law enforcement officer

- NO cash transfers or donations
Impermissible Uses

Non-law enforcement expenses

✖ Uses contrary to the laws of the jurisdiction (*Guide* does not allow you to circumvent local procurement policies)

✖ **Extravagant expenditures** (just because you can, should you?)
Loans (cannot be used as a temporary loan until other funding is secured)

Non-law enforcement training (non-law enforcement college classes, training/classes unrelated to job duties)
Impermissible Uses

- Political or personal use of shared assets
Impermissible Uses

Salaries are prohibited, except as provided below:

✔ First year salary for new, temporary or not-to-exceed one year positions (temporary funding source until appropriated funds are budgeted)

✔ Where expressly authorized by federal law (matching share of COPS or Byrne grant)
Impermissible Uses

- Replacement for officer assigned to task force (not limited to one year, so long as replacement officer does not engage in seizure/forfeiture as primary duties)

- Officer assigned to specific, non-traditional functions (DARE, School Resource Officer)
Email questions on use of funds to:

afmls.aca@usdoj.gov
Accounting and Bookkeeping
Supplantation

- Shared funds must supplement, not replace, an agency’s budgeted funds

- AFMLS takes a macro approach to supplanting

- Overall budget must not decrease as a direct result of funds received
Example 1: Your agency receives a $500,000 equitable share. Your agency’s budget is then reduced $500,000 while no other county agency’s budget was reduced. This is clearly supplantation because your budget is reduced as a direct result of your sharing.

Example 2: Your agency wants to purchase previously budgeted items with shared funds. This is permissible as long as the previously budgeted funds are used elsewhere in agency’s budget and not returned to the city, county or state budget.
Supplantation

- Reprogram your funds

Example: Your agency has appropriated funds for fleet maintenance, but wishes to increase your salary payments. Because increasing salaries is not permitted but fleet maintenance is, you can increase the salaries with appropriated funds and the maintain the fleet with sharing funds, so long as your overall budget does not decrease.
Forfeiture is *never* guaranteed, therefore equitably shared funds are *never* guaranteed.

Agency cannot budget funds not yet received.

Agency may earmark received funds for future or revolving expenditures.

Shared funds should not be retained for more than three years (*first in, first out*).
Establish a separate revenue account or accounting code for DOJ equitable sharing funds

Do not commingle DOJ equitable sharing funds with funds from any other source

Treasury or state forfeiture funds, OCDETF overtime payments, all other funds must be maintained separately
Must use cash-based accounting for funds

Deposits and expenses must be accounted for and reported by date cash is received or expended.

Deposit any interest income earned on equitably shared funds in the same revenue account.

Interest subject to same policies in Guide.
Tracking Sharing Requests

- eShare Portal
- Maintain a log and copies of all Forms DAG-71 forwarded to the federal seizing agency
- Update the log when an E-Share notification is received
Track Sharing Requests and Payments

- All sharing payments on or after October 1, 2006
- Status of sharing requests (entered, pending decision, executed, disbursed etc.)
- Export data into Excel
- DOJ data only
Run Status Reports

<table>
<thead>
<tr>
<th>Asset ID</th>
<th>Federal Case Number</th>
<th>Description</th>
<th>Sharing Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>06-TBLA</td>
<td>2812-PS-922494</td>
<td>$8,014.00 U.S. Currency</td>
<td>Pending Forfeiture Decision</td>
</tr>
<tr>
<td>06-TBLA</td>
<td>2812-PS-922494</td>
<td>$5,000.00 U.S. Currency</td>
<td>Pending Forfeiture Decision</td>
</tr>
<tr>
<td>10-TBLA</td>
<td>4155-PS-100830</td>
<td>$5,000.00 U.S. Currency</td>
<td>Pending Forfeiture Decision</td>
</tr>
<tr>
<td>10-TBLA</td>
<td>4155-PS-100830</td>
<td>$1,000.00 U.S. Currency</td>
<td>Pending Forfeiture Decision</td>
</tr>
<tr>
<td>11-TBLA</td>
<td>4155-PS-101468</td>
<td>$1,077.00 U.S. Currency</td>
<td>Pending Forfeiture Decision</td>
</tr>
<tr>
<td>12-DEA</td>
<td>C3-12-0001</td>
<td>$1,043,885.00 U.S. Currency</td>
<td>Pending Payment/Asset Transfer</td>
</tr>
<tr>
<td>12-DEA</td>
<td>CX-12-0001</td>
<td>$2,999,600.00 U.S. Currency</td>
<td>Pending Sharing Decision</td>
</tr>
<tr>
<td>12-DEA</td>
<td>C3-12-0011</td>
<td>$2,170,243.00 U.S. Currency</td>
<td>Pending Sharing Decision</td>
</tr>
<tr>
<td>12-DEA</td>
<td>BZ-11-0075</td>
<td>Financial Instrument - Interest Bearing Account - Value = $75,000.00</td>
<td>Pending Sharing Decision</td>
</tr>
</tbody>
</table>
Run Distribution Reports

Sharing Distribution Report

Agency (required): NJNISP0020 New Jersey Department Of Law And Public Safety

Date Range: From: 01/01/2013 To: 12/31/2013

Generate Reset
Notice that the percentage requested and percentage granted differ.
To obtain a user access account, request the agency’s Finance Contact (as last reported on the annual report) request an account.

Contact information:

(202) 616-2287
Forfeiture.systems@usdoj.gov
The U.S. Marshals Service, District of E/VIRGINIA has made an Equitable Sharing payment related to CATS ID# 07-DEA-444444; GS-05-1234; Diamond Brace; 25% approved.

Payment is in the amount of $18,000.00 to Arlington County, wire transferred to your account on 11/22/2005.

For additional information or support, please contact:

Jane Doe:  555.555.5555  JANE.DOE@USDOJ.GOV

<table>
<thead>
<tr>
<th>Federal agency wiring funds</th>
<th>Dollar amount shared</th>
</tr>
</thead>
<tbody>
<tr>
<td>District wiring funds</td>
<td>Vendor (Agency)</td>
</tr>
<tr>
<td>Asset ID</td>
<td>Date verified bank received funds</td>
</tr>
<tr>
<td>Case number and brief description</td>
<td>Percent approved</td>
</tr>
<tr>
<td>Contact at the District</td>
<td></td>
</tr>
</tbody>
</table>

E-Share Help Desk  202-307-9205  e.share.help@usdoj.gov
Procurement Policies

- Establish internal procedures to recommend and approve expenditures from revenue account
- Obtain approval for expenditures from the governing body, if appropriate
- Ensure procurement policies for bidding, selection, and purchasing are followed
Maintain a record of all expenditures from the revenue account or accounting code

Issue quarterly/yearly reports that detail amounts and uses of the equitable sharing funds and property, as needed
Shared tangible property

- Is limited to law enforcement use
- Law enforcement use must continue for at least two years, waivers granted on case by case basis
- If sold, the proceeds must go into the agency’s equitable sharing account
- Proceeds must be reported as other income on annual report
Tangible Property
The agency is responsible for paying the 20% federal share plus any accrued expenses when taking an item instead of proceeds.

<table>
<thead>
<tr>
<th>Seizure Date</th>
<th>Asset ID #</th>
<th>Asset Description</th>
<th>Amount/Appraised Value at Seizure</th>
<th>Granted</th>
<th>Date Received</th>
<th>Amount Paid to DOJ</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/12/2009</td>
<td>09-DEA-554321</td>
<td>2007 Ford Explorer VIN #..</td>
<td>$18,000.00</td>
<td>Yes</td>
<td>2/24/2010</td>
<td>$4,100.00</td>
<td>Officer Smith using as undercover vehicle</td>
</tr>
<tr>
<td>10/4/2009</td>
<td>09-DEA-555111</td>
<td>50&quot; Sony Plasma TV</td>
<td>$1,300.00</td>
<td>Yes</td>
<td>3/10/2010</td>
<td>$360.00</td>
<td>Briefing Room TV</td>
</tr>
<tr>
<td>12/8/2009</td>
<td>09-FBI-234567</td>
<td>2009 Chevy Impala VIN #..</td>
<td>$19,700.00</td>
<td>Denied</td>
<td></td>
<td></td>
<td>Asset returned</td>
</tr>
</tbody>
</table>
State and local law enforcement agencies must retain *all* documents and records pertaining to their participation in the Department of Justice Equitable Sharing Program for a period of at least five years.
Who should get an independent audit?

- State and local law enforcement agencies that receive federal funds (HUD, OCDETF, Equitable Sharing, grants, etc.) and expend more than $500,000 in federal funds are required to perform an audit consistent with the Single Audit Act (OMB Circular A-133)

When are OIG Audits Performed?

- Random selection
- Requested by AFMLS, USAO, or other federal agencies
CFDA Numbers

Catalog of Federal Domestic Assistance

Justice funds  CFDA # 16.922
Treasury funds  CFDA # 21.000
AFMLS Compliance Reviews

- Team conducts on-site compliance reviews of randomly selected Program participants
- Two to three days on-site with agency
- Evaluates current agency procedures and expenditures
Certification And Reporting
Agreement, Certification, and Audit Requirements

- **Equitable Sharing Agreement and Certification form**
- Submitted annually within 60 days of close of agency’s fiscal year
- Agency certifies the amount of equitably shared funds received and how funds were spent
Agreement, Certification, and Audit Requirements

- Download form from AFMLS website
  
  www.justice.gov/criminal/afmls

- Must have Adobe 9.0 or newer
  
  Free download available from AFMLS website

- Right click on the link to “save target as” and save to computer
Agreement, Certification, and Audit Requirements

- Email completed form as an .xml file to aca.submit@usdoj.gov
- Email PDF of the signed Affidavit to aca'affidavit@usdoj.gov
Why must I answer this question?

Equitable Sharing payments are federal funds and agencies receiving federal funds are required to comply with the federal statutes listed on the form.

What types of cases must I report?

Any case in which the agency was found to be in violation of a federal discrimination statute.
The **Governing Body Head** certifies, as the fiduciary oversight agency, that the information submitted is an accurate account of the funds received and spent by the Agency and that the budget has not been supplanted in any way.

The **Agency Head** certifies that the funds are correctly reported and that the expenditures are permissible in accordance with the *Guide to Equitable Sharing*. 
Annual Certification: Review Process

- Successful transmission acknowledgement of Agreement and Certification form will be sent.
- Acknowledgement does not confirm compliance, only that the form is received.
- Certification is reviewed by AFMLS personnel to verify funds are accurately reported.
- AFMLS will contact agency if any discrepancies are found.
Annual Certification: 
Common Discrepancies

Reasons to Amend the form

- Insufficient details for “other” expenses
- Comingling or misreporting of Treasury and Justice funds
- Received funds reported do not match DOJ and Treasury records
Annual Certification: Common Discrepancies

- **Failure to report other income**

  Other income could be repayment for impermissible expenditures or proceeds from the sale of items purchased with equitably shared funds or items obtained for official use.

- **Failure to report funds received from or transferred to other agencies, including task force members** *(Tables B & C)*
For agencies found to have misused funds, the following action(s) will take place:

- AFMLS will audit agency to ensure equitable sharing funds are accurately reported and expenses are permissible
- Agency will be required to redeposit funds or AFMLS will offset future sharing payments
- Temporary or permanent exclusion from further participation in the Program
Extinguishment of Funds

- Agencies non-compliant for more than 12 months become ineligible
- All pending sharing requests for ineligible agencies are extinguished
- Agency can no longer submit sharing requests
- Last reported amount of funds must be returned
- If agency files paperwork and accounts for previous funds, it can re-join the Program
Equitable Sharing Agreement and Certification Form
This is the independent auditor or company that handles your agency’s annual A-133 audit.

Report any proceeds from the sale of items taken for official use or purchased with equitable sharing funds.

Equitable Sharing Agreement and Certification

**Agency Name:** Sample Police Department

**NCIC/ORI/Tracking Number:** F L 1 2 3 4 5 6 7

**Street Address:** 123 Main Street

**City:** Sample  
**State:** FL  
**Zip:** 12345

**Finance Contact:**
- First: Sally  
- Last: Numbers
  - Phone: 407-555-1212  
  - E-mail: -

**Preparer:**
- First: John  
- Last: Doe
  - Phone: 407-555-2222  
  - E-mail: janedoe@mylocalpdp.gov

**Independent Public Accountant:**
- E-mail: janedoe@mylocalpca.com

**Last FY End Date:** 12/31/2013

**Agency Current FY Budget:** $3,575,000.00

- New Participant: Read the Equitable Sharing Agreement (page 5) and sign the Affidavit (page 6)
- Existing Participant: Complete the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6)
- Amended Form: Revise the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6).

Annual Certification Report

**Summary of Equitable Sharing Activity**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Justice Funds</th>
<th>Treasury Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Beginning Equitable Sharing Fund Balance (must match ending balance)</td>
<td>$42,500.00</td>
<td>$18,625.00</td>
</tr>
<tr>
<td>2. Federal Sharing Funds Received</td>
<td>$27,425.00</td>
<td>$5,675.00</td>
</tr>
<tr>
<td>3. Federal Sharing Funds Received from Other Law Enforcement Agencies</td>
<td>$2,500.00</td>
<td></td>
</tr>
<tr>
<td>4. Other Income</td>
<td>Non-Interest</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bearing</td>
<td></td>
</tr>
<tr>
<td>5. Interest Income Accrued</td>
<td>$4,800.00</td>
<td></td>
</tr>
<tr>
<td>6. Total Equitable Sharing Funds (total of lines 1 - 5)</td>
<td>$77,225.00</td>
<td>$24,300.00</td>
</tr>
<tr>
<td>7. Federal Sharing Funds Spent (total of lines a - m below)</td>
<td>$44,650.00</td>
<td>$7,025.00</td>
</tr>
<tr>
<td>8. Ending Balance (difference between line 7 and line 6)</td>
<td>$32,575.00</td>
<td>$17,275.00</td>
</tr>
</tbody>
</table>
Select Yes to report any tangible property taken for official use, then complete table H.

Must verify recipient agency’s compliance before transferring funds.

<table>
<thead>
<tr>
<th></th>
<th>Total spent on electronic surveillance equipment</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>h</td>
<td>Total spent on buildings and improvements</td>
<td>$12,000.00</td>
<td></td>
</tr>
<tr>
<td>i</td>
<td>Total transfers to other participating state and local law enforcement agencies (complete Table C)</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>j</td>
<td>Total spent on other law enforcement expenses (complete Table D)</td>
<td>$12,000.00</td>
<td></td>
</tr>
<tr>
<td>k</td>
<td>Total Expenditures in Support of Community-Based Programs (complete Table E)</td>
<td>$9,075.00</td>
<td></td>
</tr>
<tr>
<td>l</td>
<td>Total Windfall Transfers (complete Table F)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>m</td>
<td>Total spent on matching grants (complete Table G)</td>
<td>$3,400.00</td>
<td></td>
</tr>
<tr>
<td>n</td>
<td>Total spent on non-cash assets</td>
<td>$44,650.00</td>
<td>$7,025.00</td>
</tr>
<tr>
<td>o</td>
<td>Did your agency receive non-cash assets?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

Table A: Members of Task Force

<table>
<thead>
<tr>
<th>Agency Name</th>
<th>NCIC/ORI/Tracking Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

Table B: Equitable Sharing Funds Received from other Agencies

<table>
<thead>
<tr>
<th>Transferring Agency Name, City, and State</th>
<th>Justice Funds</th>
<th>Treasury Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighboring Task Force</td>
<td>$2,500.00</td>
<td></td>
</tr>
</tbody>
</table>

Table C: Equitable Sharing Funds Transferred to Other Agencies

<table>
<thead>
<tr>
<th>Receiving Agency Name, City, and State</th>
<th>Justice Funds</th>
<th>Treasury Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistance PD</td>
<td></td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>
Include name of community-based program and description of purchase

Include description and details (i.e.; make, model, and VIN)

Note that Treasury does not allow support of community-based programs
AFMLS Resources
**Compliance Listing**

Visit [www.justice.gov/criminal/afmls/](http://www.justice.gov/criminal/afmls/) to verify a recipient agency’s compliance status. Must verify prior to all transfers.
Unified Financial Management System (UFMS)

UFMS Instructions for completing UFMS Vendor Request Form

Instructions on completing this form are on the second page. Fields outlined in "RED" are required.

2. Is the vendor required to register in CCR (Y/N)*
   -
3. If not, what is the FAR exemption (i.e. Employee, Foreign vendor, etc):
   -

*If the vendor is required to register in CCR, please have them do so before completing this form. CCR Registration exceptions can be found in FAR 4.1102. The assumption is that the CCR information is valid. If the information currently listed at CCR.gov or in UFMS is incorrect, then the vendor should be contacted to be updated their CCR information.

If the vendor is not required to register, please complete all fields on this request.

### USDOJ Component Information

<table>
<thead>
<tr>
<th>4. Date of Request: (MM/DD/YYYY)</th>
<th>5. Name of Requesting Component:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Employee/Vendor/Payee Information

<table>
<thead>
<tr>
<th>8. Vendor Name/Code:</th>
<th>9. UFMS Security Org:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Defaultorg</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10. Vendor Type:</th>
<th>11. Component-specific SecOrg/Justification:</th>
</tr>
</thead>
</table>
Sign up for the...

December 3, 2013

Equitable Sharing Wire

Sequestration Reduction to Equitable Sharing Payments Cancelled

The Asset Forfeiture and Money Laundering Section (AFMLS) is pleased to announce that, effective immediately, the 10 percent reduction to Department of Justice equitable sharing payments made to state and local law enforcement agencies has been cancelled.

Changes to Agreement, Certification, and Audit (ACA) Team States

To enhance the service provided to our state and local law enforcement participants in the Equitable Sharing Program, AFMLS has re-assigned the following states to the ACA Team members listed below effective December 1, 2013:

Florida’s new contact is Rosa Ashford, (202) 305-3048 or rosa.ashford@usdoj.gov

Georgia’s new contact is Caroline Dingess, (202) 616-3999 or caroline.dingess@usdoj.gov

Arizona’s and Tennessee’s new contact is Tanya Penny, (202) 514-4244 or tanya.penny@usdoj.gov

South Dakota’s new contact is Jovan Ware, (202) 307-2257 or jovan.ware@usdoj.gov

Please update your contact list with the name of the person now handling your state. All other states remain unchanged and are still handled by your assigned ACA Team representative.

The complete contact list available on AFMLS’ public website also reflects these changes.

AFMLS Communications Email

AFMLS periodically sends important program updates or information from afmls.communications@usdoj.gov. To ensure receipt of these important emails, please add afmls.communications@usdoj.gov to your contact list so that these emails do not get delivered to your spam or junk email box.

Please note that afmls.communications@usdoj.gov is an unattended email.

Should you have questions regarding the Equitable Sharing Program, please contact your ACA representative or send an email to afmls.communications@usdoj.gov.

Important Information:

ACH Vendor Forms: The U.S. Marshal’s Service has changed its tax number for receiving new or updated ACH Vendor forms. The new tax number is 763-386-0073.

Independent Public Accountants: The Frequently Asked Questions on AFMLS’ public website provides information on how the independent public accountant and why this information is needed.
AFMLS Website

www.justice.gov/criminal/afmls/

- Equitable Sharing Agreement and Certification form
- Agency Compliance link
- Guide to Equitable Sharing
- DAG-71 Sharing Request form
- USMS ACH Vendor form
- Adoption Form
Treasury Executive Office for Asset Forfeiture

U.S. Department of the Treasury
1341 G Street, NW
9th Floor
Washington, DC 20005
(202) 622-9600

http://www.treasury.gov/about/organizational-structure/offices/Pages/The-Executive-Office-for-Asset-Forfeiture.aspx
Asset Forfeiture and Money Laundering Section

U.S. Department of Justice
1400 New York Avenue, NW
10th Floor
Washington, DC 20005
(202) 514-1263 – phone
(202) 616-1344 - fax