

Department of Homeland Security



U.S. Immigration
and Customs
Enforcement

Homeland Security Investigations

**Retention of
Forfeited Property
Handbook**

HSI HB 11-04

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OFFICIAL USE ONLY


Foreword

The Retention of Forfeited Property Handbook provides a single source of national policies, procedures, responsibilities, guidelines, and controls to be followed by U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Special Agents when seeking to retain forfeited property for official use. This Handbook contains instructions and guidance to help ensure uniformity and consistency among all HSI field offices. Oversight over the retention of forfeited property within HSI resides with the Unit Chief, Asset Forfeiture Unit.

This Handbook supersedes ICE Office of Investigations Directive 05-008, "Retention of Forfeited Property for Official Use," dated July 30, 2005, and all other policy or other documents on this topic issued before the date of this Handbook by the former U.S. Customs Service, Immigration and Naturalization Service, or ICE Offices of Investigations, Intelligence, or International Affairs, or by ICE HSI.

The Retention of Forfeited Property Handbook is an internal policy of HSI and does not confer any right or benefit on any private person or party. If disclosure of this Handbook or any portion of it is demanded in any judicial or administrative proceeding, the HSI Records and Disclosure Unit, as well as the Office of the Principal Legal Advisor at Headquarters and the local U.S. Attorney's Office, are to be consulted so that appropriate measures can be taken to invoke privileges against disclosure. This Handbook contains information which may be exempt from disclosure to the public under the Freedom of Information Act, Title 5, United States Code, Section 552(b), and protected from disclosure in civil discovery pursuant to the law enforcement privilege. Any further request for disclosure of this Handbook or information contained herein should be referred to the HSI Records and Disclosure Unit.

The HSI Policy Unit is responsible for coordinating the development and issuance of HSI policy. All suggested changes or updates to this Handbook should be submitted to the HSI Policy Unit which will coordinate all needed revisions with the Asset Forfeiture Unit.



James A. Dinkins
Executive Associate Director
Homeland Security Investigations

9/12/11

Date

RETENTION OF FORFEITED PROPERTY HANDBOOK

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RETENTION OF FORFEITED PROPERTY HANDBOOK

Chapter 1. PURPOSE AND SCOPE

The Retention of Forfeited Property Handbook establishes policy and procedures to be followed by U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Special Agents (SAs) when requesting to retain forfeited property for official use.

Chapter 2. INTRODUCTION

Asset forfeiture is a valuable law enforcement tool and plays an essential role in deterring criminal activity and dismantling criminal organizations. Forfeiture not only deprives criminals of their ill-gotten gains, thereby removing one of the chief incentives for criminal activity, it also puts forfeited assets back into the fight against crime. In many instances, real property or tangible assets are liquidated and the proceeds are deposited into the Treasury Forfeiture Fund (TFF). The resulting funds may then be used to pay for certain types of law enforcement equipment or activities. In others, the seized assets themselves may be retained and used for law enforcement purposes.

HSI SAs are authorized to request that certain forfeited property be retained for official use. When retaining forfeited property, HSI must work in cooperation with the U.S. Customs and Border Protection (CBP) Office of Fines, Penalties and Forfeitures (FP&F), the custodian for much of HSI's seized property and evidence. Both HSI and CBP, as participants in the TFF, must accomplish the retention of forfeited property within the parameters established by the Treasury Executive Office for Asset Forfeiture (TEOAF).

While this Handbook provides the proper procedures and guidelines for retaining forfeited property for official use, it is recommended that SAs wishing to pursue the retention of forfeited property also consult with the HSI Asset Forfeiture Unit (AFU) and their local CBP FP&F office.

Chapter 3. DEFINITIONS

The following definitions are provided for the purposes of this Handbook:

3.1 Appraised or Fair Market Value

For vehicles, this is the low retail value listed by the National Automobile Dealers Association or Kelley Blue Book. For all other property, it refers to the current value of

property in a given market at which both buyers and sellers are willing to do business with neither being under a compulsion to buy or sell.

3.2 (b) (7)(E)

(b) (7)(E)

3.3 Declaration of Forfeiture or Forfeiture Order

A legal document providing evidence of U.S. Government ownership of forfeited property.

3.4 FP&F Case Number

The 16-digit seizure case identifier generated by the Seized Asset and Case Tracking System (SEACATS).

3.5 Luxury vehicle

A vehicle that is claimed to be such by the manufacturer, such as a BMW, Cadillac, Mercedes, Lexus, Acura, etc.; a vehicle that exceeds a purchase price of \$50,000, if new; and a vehicle not normally obtained via ICE procurement systems. These types of luxury vehicles may be requested for retention for official use in a CUC operation or as a special purpose vehicle only.

3.6 Real Property

The physical land at, above, and below the earth's surface with all appurtenances, including any structures, anything growing on the land, natural resources existing below the surface of the land, and any and all interest in the land, whether corporeal or incorporeal, freehold or non-freehold. (Note: The term "real estate" is similar in meaning to "real property, except that "real estate" does not include interests which are not physical.")

3.7 Seized Asset and Case Tracking System

A comprehensive database, owned by CBP, for tracking seized and forfeited property from case initiation to final disposition. SEACATS has been designed to produce auditable statements for authorized users and requestors. SEACATS is the system that generates the FP&F case number.

3.8 Sports Car

A passenger vehicle normally intended for the transportation of no more than two people, such as the Cadillac XLR-V, Chevrolet Corvette, Mercedes Benz SL, or other similar vehicle. These types of vehicles may be requested for retention for official use in a CUC operation or as a special purpose vehicle only.

3.9 Special Purpose Vehicle

A vehicle to be utilized for commercial use or for unusual or intermittent investigative uses, or for casual surveillance purposes, such as luxury vehicles, semi-tractors, utility trailers, all-terrain vehicles, etc., and a vehicle not normally obtained via ICE procurement systems. (Note: Special purpose vehicles are not to be assigned for home-to-work transportation.)

3.10 Special Classes of Property

Property that is primarily ornamental in nature, unique in its design, and has a limited operational use for HSI. Some examples of special classes of property include, but are not limited to, art, antiques, ornamental items, decorative furniture, jewelry, equipment unique to the reproduction of counterfeit documents or stamps, or other unusual items desired to be retained for educational, training, exhibit, or enforcement/undercover purposes.

3.11 Treasury Forfeiture Fund

This is the receipt account for the deposit of non-tax forfeitures made by the Internal Revenue Service, Department of the Treasury, and agencies within the Department of Homeland Security (DHS). (Note: Funds from the TFF may be used for reimbursing proper expenses of seizure and forfeiture, and asset sharing with state and local law enforcement agencies.

3.12 (b) (7)(E)

(b) (7)(E)

Chapter 4. AUTHORITIES AND REFERENCES

4.1 Authorities

- A. Comprehensive Crime Control Act of 1984.
- B. Homeland Security Act of 2002, as amended.
- C. 19 U.S.C. §§ 1616a and 1619.
- D. 31 U.S.C. § 9703.
- E. Title 41, Code of Federal Regulations, Section 102-34.280.
- F. DHS Sensitive Systems Policy Directive 4300A, dated March 14, 2011.

4.2 References

- A. Treasury Guidelines for Seized and Forfeited Property, dated July 2001.
- B. DHS Manual 118-01-01, "Motor Vehicle Fleet Program Manual," dated March 18, 2011.

Chapter 5. RESPONSIBILITIES

5.1 Responsibilities Within Homeland Security Investigations

5.1.1 Executive Associate Director

The Executive Associate Director (EAD) of HSI has overall responsibility for the oversight of the policies and procedures set forth in this Handbook.

5.1.2 Unit Chief, Asset Forfeiture Unit

The AFU Unit Chief is responsible for coordinating with the CBP Fines, Penalties, and Forfeitures Division (FPFD), TEOAF, HSI Undercover Operations Unit, HSI Divisions, and other HSI offices requesting to retain forfeited property.

The AFU Unit Chief is responsible for ensuring that the operational value of the forfeited property is valid, is supported by the cost-analysis and functional-use justifications, and promotes HSI's mission. The AFU Unit Chief is responsible for expeditiously submitting the retention requests to the appropriate approving official(s) and for tracking their recommendations. Upon action by the approving official(s), the AFU Unit Chief will notify the CBP FPFD.

5.1.3 Unit Chief, Facilities Management Unit

The Unit Chief, Facilities Management Unit (FMU), is responsible for managing property and fleet vehicles for HSI. The FMU Unit Chief is responsible for ensuring that all retained forfeited vehicles are allocated in a responsible and equitable manner.

5.1.4 Requesting Office

The requesting HSI domestic field office or Attaché office is responsible for initiating and submitting a “Request for Retention of Forfeited Property for Official Use” for the property desired for official use. Depending on the approval level (see Chapter 8), HSI field offices will use the templates found in Appendix A, B, C, or D, as appropriate. The requesting HSI office is also responsible for ensuring that the operational value of the requested property is valid and supports the cost-analysis and functional-use justifications.

5.1.5 Receiving Office

Upon receipt of the requested property, the HSI domestic field office or Attaché office receiving the forfeited property will be responsible for recording its retention in the appropriate inventory tracking system. Forfeited property retained for official use will be recorded in the current inventory tracking system, such as Sunflower. (b) (7)(E)

Special purpose vehicles will not be used for home-to-work transportation, which is reserved for vehicles procured under Federal Acquisition Regulations.

5.2 Responsibilities Outside of Homeland Security Investigations

5.2.1 CBP Fines, Penalties, and Forfeitures Division

FPFD manages and oversees national policies concerning seized property management. FPFD administers seizures and forfeitures for CBP, HSI, and the ICE Office of Professional Responsibility.

5.2.2 CBP Fines, Penalties, and Forfeitures Offices

FP&F field offices manage and implement national policies concerning seizures, forfeitures, and storage of certain types of evidence and seized property for both CBP and ICE.

5.2.3 Treasury Executive Office for Asset Forfeiture

TEOAF is part of the Department of the Treasury. It develops, manages, and oversees policies concerning seized and forfeited property for TFF member agencies, including ICE.

TEOAF is responsible for the payment of all proper expenses of seizure and forfeiture, including the expenses of detention, inventory, security, maintenance, advertisement, sale, or disposal of such property.

5.2.4 ICE National Firearms and Tactical Training Unit

HSI offices requesting the retention of firearms and firearms-related property for official use must consult with and obtain the approval of the ICE National Firearms and Tactical Training Unit (NFTTU).

Chapter 6. POLICIES APPLICABLE TO ALL RETENTION REQUESTS

6.1 Prohibition on Use Prior to Forfeiture

Seized property must not be placed into official use until a final decree or final order of forfeiture has been issued and the request to place the property into official use has been approved by the appropriate official.

The process for retention requests may be initiated prior to the final order of forfeiture (see Section 6.4); however, under no circumstances may seized property pending forfeiture be transferred or utilized by any field office. This restriction on the transfer and use of property by HSI prior to forfeiture should not be confused with the discontinuance of a forfeiture and transfer of property to a state or local agency for forfeiture under applicable state or local law.

6.2 Requirement for Operational Value

HSI offices requesting to retain forfeited property for official use must demonstrate that the property has an operational value to that office. The HSI office must also demonstrate that the property with an operational value will have the potential to provide a measurable functional or financial contribution to HSI's mission.

6.3 Routing and Priority of Retention Requests

All HSI requests for retention of forfeited property, regardless of value or final approval level, will be submitted to the local CBP FP&F office having control of the seizure and will be routed through AFU.

If there are multiple retention requests within HSI for the same property, retention priority rests with the seizing office.

6.4 Time Limit for Submission

Retention requests must be filed within 30 days of the seizure and prior to the issuance of a disposition order to sell the property. In some instances, retention requests may not be approved after an item has been advertised for sale.

6.5 Disposition of Liens

Forfeited property subject to liens cannot be retained until the liens have been satisfied. The disposition of liens is considered part of the mitigation/remission process. The forfeited property is technically not eligible for a disposition recommendation until the determination of the lien status has occurred. The approval for payment of liens resides within TEOAF.

6.6 Intent to Use Forfeited Property for At Least One Year

Forfeited property may not be retained if its retention is primarily for the purposes of exchange, sale, or other uses not expressly authorized for property acquired through the expenditure of appropriated funds. There must be an intent to use the property for official purposes for at least one year.

Chapter 7. CLASSES OF PROPERTY

7.1 Vehicles

As a general rule, vehicles desired for retention should have less than 60,000 miles and be in good condition. Occasionally, vehicles that exceed this criterion may be retained based on the requesting office's needs; however, this is the exception, not the rule. Vehicles which do not comply with Environmental Protection Agency or Department of Transportation standards may be retained "for export only" purposes. They may be transferred to ICE offices in foreign locations.

(b) (7)(E)

Special purpose vehicles may not be used for home-to-work transportation. Once a special purpose vehicle is received by the requesting office, it will be considered part of the requesting office's vehicle fleet and must be added in all appropriate property management systems.

(b) (7)(E)

(b) (7)(E)

7.2 Firearms

Firearms and associated equipment and property may be retained for either official use or **(b) (7)(E)**. In either case, retention must be approved by ICE NFFTU. NFFTU can advise field offices on weapons desired for official use by other field offices.

7.3 Real Property

The Executive Director of TEOAF has sole authority to approve the retention of real property for official use.

7.4 Special Classes of Property

7.4.1 Retention of Special Classes of Property

The retention of special classes of property (see Section 3.10) is authorized when properly justified. Such property will be subjected to the following use and storage restrictions:

- A. The property is limited to being utilized or displayed in public areas only. An office does not qualify as a public area if property will be retained only for display;
- B. When not utilized or on display in a public area, the property must remain in secure storage, commensurate with the value and sensitivity of the item; and
- C. The property is not to be used for office décor at any time.

7.4.2 Special Classes of Property Eligible for Retention Under Specific Guidelines

(b) (7)(E)

(b) (7) (E)

7.5 Information Technology Equipment

All HSI offices must comply with Section 4.8.3(c) of DHS Sensitive Systems Policy Directive 4300A, dated March 14, 2011, which states that any device that has been obtained through civil or criminal asset forfeiture shall not be used as part of a DHS information system nor used to process DHS data. This policy also applies to forfeitures obtained by means of administrative asset forfeiture. Information technology equipment includes computers, ancillary equipment, software, firmware, and similar procedures, services (including support services), and related resources that are used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by a DHS agency.

Chapter 8. AUTHORITY TO APPROVE THE RETENTION OF FORFEITED PROPERTY

Regardless of value, all requests for the retention of forfeited property must be routed through AFU for review.

- A. Special Agents in Charge (SACs) and Attachés have retention approval authority for general property up to \$50,000 in appraised value, excluding vehicles, vessels, aircraft, (b) (7)(E) and all requests for retention of special classes of property.
- B. The AFU Unit Chief has retention approval authority for general property from \$50,001 to \$250,000 in appraised value, and for vehicles, including luxury and special purpose vehicles, up to \$100,000.
- C. The Deputy Assistant Director, Investigative Services Division, has retention approval authority for general property exceeding \$250,000 in appraised value; and for vehicles, including luxury and special purpose vehicles, valued in excess of \$100,000 (e.g., a tractor or snow plow).
- D. The EAD of HSI has retention approval authority for aircraft, vessels, firearms, special classes of property, (b) (7)(E)

- E. The AFU Unit Chief, in concert with other applicable Headquarters Managers, will act as the final arbiter when multiple offices are seeking retention of the same forfeited merchandise. In resolving disputes, the AFU Unit Chief will consider a totality of circumstances that led to the seizure including, among other things, the contribution to the seizure/forfeiture, the needs of HSI, and proper vehicle ratios according to FMU.

(Note: The Guidelines for Seized and Forfeited Property, dated July 2001, state: “The Secretary of the Treasury has delegated the authority to place real property into official use to the Under Secretary (Enforcement). The Under Secretary (Enforcement) has delegated this authority to the Director of TEOAF. Requests to place real property into official use must be submitted in writing to the Director of TEOAF.”)

Chapter 9. PROCEDURES FOR SUBMITTING RETENTION REQUESTS

9.1 Format of Retention Requests

The requesting HSI office will prepare a separate retention request for each desired property. (Note: For the purposes of retention requests, each line item in SEACATS will generally be considered a separate property. Requesting HSI field offices may contact AFU for possible exceptions or waivers to this requirement.) Requests will be processed using a “Request for Retention of Forfeited Property for Official Use.” Templates for the proper format of retention requests may be found in Appendices A, B, C, and D. The format in Appendix A is a template for requests that must be approved by the SAC or Attaché. Appendix B is a template for requests that must be approved by the AFU Unit Chief. Appendix C is a template for requests that must be approved by the Deputy Assistant Director, Investigative Services Division. Appendix D is a template for requests that must be approved by the EAD of HSI. (See Chapter 8 for information on approval levels.)

9.2 Information Required in Retention Requests

9.2.1 Requests for Retention of All Forfeited Property

Requests for the retention of all forfeited property will contain the following:

- A. A description of the property, the FP&F case number, and the SEACATS line item number and sub line item number, if applicable.
- B. The appraised value of the property at the time of forfeiture (property stored for more than 1 year at the time of forfeiture should be reappraised and assigned an updated forfeiture value).

- C. The receiving organization and a point of contact (i.e., name, address, organization code, phone number, and point of contact within the receiving HSI office).
- D. A written justification documenting the assessment of operational value to the recipient. The operational value must demonstrate that the retention is necessary and appropriate as supported by both formal cost-analysis and functional-use justifications. The written justification must state that the property is for official use only. It must also state whether the property is or is not normally authorized for procurement by the receiving office, and is or is not prohibited or restricted from importation into or exportation from the United States. If the retained property is not authorized for procurement and/or is prohibited or restricted, the justification must describe in sufficient detail how the office will securely store the property and how the office will dispose of the property.
- E. (b) (7)(E)
- F. A copy of the Declaration of Forfeiture must accompany the retention request.
- G. (b) (7)(E)
- H. An assessment of operational value to the recipient. The following assessments must be addressed in the retention request to establish the operational value to the recipient:
- 1) The requesting office uses similar assets or establishes and documents a need for that type of asset.
 - 2) The asset will benefit the achievement of the office's mission and the impact/consequence of not acquiring the asset is substantiated.
 - 3) A cost analysis comparing the value of the asset (appraised value) and the lost opportunity (fair market value compared to the acquisition cost), and a statement indicating that the asset is functionally compatible with assets in the existing inventory.

9.2.2 Additional Information Required for Retention Requests Involving Special Classes of Property

Requests for the retention of special classes of property will include the following information, in addition to the requirements listed in Section 9.2.1:

- A. A functional use statement describing the intended educational, training, or exhibit use of the property and justifying its utility to HSI (how the intended use will impact the importation, procurement, export, or use restrictions).
- B. A cost-benefit analysis demonstrating that there was no lost opportunity (sale of the property for profit) associated with the retention of the property because it cannot be sold due to restrictions or other prohibitions or because the potential lost opportunity is less than the operational value of the property to HSI. This analysis must articulate an accurate comparison of the lost opportunity of sale cost to an estimated worth of the operational value to HSI.

9.3 Routing and Handling of Retention Requests

9.3.1 Handling by Fines, Penalties, and Forfeitures

The request will be forwarded to the seizing port of entry FP&F office for initial processing within 30 days of the seizure. The FP&F office will file the requests in the FP&F case file pending forfeiture of the property. After the forfeiture has been accomplished, the local FP&F office will forward the retention request to PPFD for processing. An administrative Declaration of Forfeiture or judicial Order of Forfeiture must accompany the forwarded retention request.

(Note: The FP&F office will process retention requests for specific line items of forfeited property with an FP&F number. Retention requests for nonspecific, general types of forfeited property without an FP&F number will be forwarded to PPFD, which will forward the request to HSI AFU for approval.)

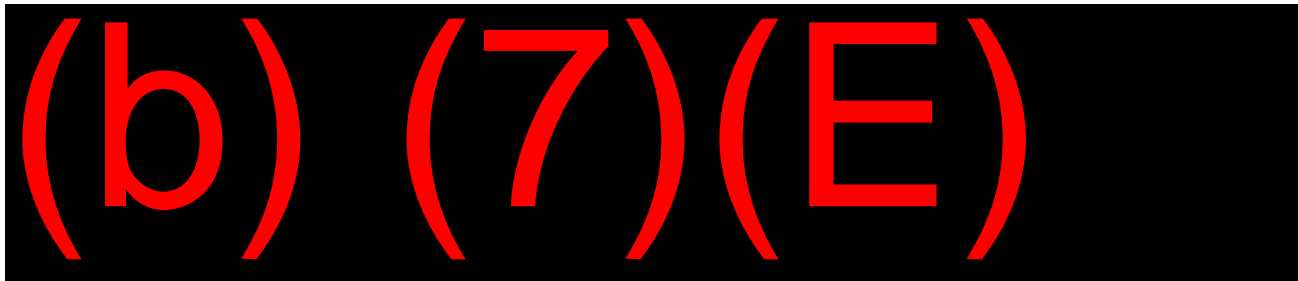
In the case of a vehicle retention, a vehicle inventory/condition receipt, a certification of the Vehicle Identification Number (VIN) and the actual presence of a VIN plate will be required, as well as a statement that any applicable liens have been satisfied. It is important to remember that property subject to liens is not available for retention until the applicable liens have been satisfied.

Upon receipt by PPFD, the retention request will be reviewed to ensure that it is properly prepared in compliance with the provisions of this Handbook. If the request is properly prepared, PPFD will forward the request to HSI AFU. If not, PPFD will return the request, cite the reason for the disapproval on the face of the request, and return the request to the requestor for corrections and resubmission.

After approval/disapproval by the appropriate HSI official (see Chapter 8 for information on approval levels), the retention request will be returned to FPPD to provide the response to the requestor and, if approved, effect the needed action to screen and locate the requested property. Upon location of the requested property, FPPD will issue specific retention instructions.

9.3.2 Handling by the Asset Forfeiture Unit

HSI AFU will review all retention requests processed by FPPD. Following the review, the retention requests will be submitted to the appropriate HSI approving official.



If an HSI field office desires forfeited property seized by another agency, the AFU TEOAF Liaison Officer will coordinate the request with the seizing agency.

If a vehicle retention request is originated by HSI and the vehicle is not intended for use in (b) (7)(E) HSI AFU will coordinate with FMU. The FMU Unit Chief must concur before AFU approves a vehicle retention request. FMU will ensure that the requested vehicle does not exceed an office's allowable limit/cap and that the vehicle is recorded in the appropriate property tracking system.

Chapter 10. STORAGE, HANDLING, AND ASSOCIATED COSTS OF FORFEITED PROPERTY

Costs for storage, transportation, and maintenance incurred by HSI for property retained for HSI official use are covered under the National Seized Property Contract administered by TEOAF, which makes this service available to participating agencies. Transportation of the property from the seized storage location to the recipient will be the responsibility of the requesting office.

Upgrades, modifications, retrofits, refurbishment, or enhancement of such property may be performed only after ensuring that funding is available. It is the responsibility of the receiving office to ensure that funding for this type of work is available and approved prior to performance of the work. These costs may be funded from TFF resources when specifically requested and approved in advance, in accordance with established TFF guidelines.

TFF requests should be packaged and provided to the FP&F office with the retention request. Once the forfeiture has occurred, the retention request will be forwarded to the appropriate approving official. At the same time, the TFF request will be forwarded to HSI AFU to obtain review and approval by TEOAF.

Request for Retention of Forfeited Property for Official Use

**(for approval by the
Special Agent in Charge or Attaché)**



**Homeland
Security**

(DATE)

MEMORANDUM FOR: Special Agent in Charge or Attaché
City, State

THROUGH: Local FP&F Officer, CBP

FROM: [Requesting Official]
[Title of Requesting Official]

SUBJECT: Request for Retention of Forfeited Property for Official Use

The purpose of this memorandum is to request approval to retain the following forfeited property for official use. The property is not prohibited or restricted from importation into the United States, and is normally authorized for procurement by the receiving Homeland Security Investigations (HSI) office. The following information is provided:

1. Property description: Currency Counter (in good condition)
Seizure Number (b) (7)(E); Line item # 001
2. Appraised value: \$75

Receiving office and point of contact:

U.S. Immigration and Customs Enforcement
Homeland Security Investigations
Special Agent in Charge or Attaché Office (or other field office)

Name: John Doe
Address: Street address
City, State 12345 (and Country, as appropriate)
Telephone: (123) 456-7890 (Office)
(098) 765-4321 (Fax)
Organization Code: 12345678

The property has an operational value to HSI as indicated in the following justification:

Cost-Analysis Description:

1. Acquisition Cost:	\$ 279.00
a) Cost to acquire similar property	\$ 279.00
b) Cost to acquire subject property	\$ 0

This represents the cost to ICE to acquire the property.

1) The total of all costs: \$ 279.00

Contractor/holding costs
Appraisal Costs, etc.
Refurbishment/Repair Costs

2) The lost opportunity of sale cost: \$ 0

2. Operating Cost: \$ 0

Functional Use Description:

This currency counting machine is in very good condition. It will be utilized by and stored in the Special Agent in Charge office (or Attaché office, as appropriate) for the processing of future currency seizures. It is not prohibited or restricted from importation into the United States and is normally authorized for procurement.

Approve: _____ Date _____
Special Agent in Charge or Attaché

Disapprove: _____ Date _____
Special Agent in Charge or Attaché

Request for Retention of Forfeited Property for Official Use

**(for approval by the
Unit Chief, Asset Forfeiture Unit)**



**Homeland
Security**

(DATE)

MEMORANDUM FOR: Unit Chief
Asset Forfeiture Unit
Investigative Services Division

THROUGH: Fines, Penalties, and Forfeitures Division, CBP

Local FP&F Office, CBP

Special Agent in Charge or Attaché
City, State (and Country, as appropriate)

FROM: [Requesting Official]
[Title of Requesting Official]

SUBJECT: Request for Retention of Forfeited Property for Official Use

The purpose of this memorandum is to request approval to retain the following forfeited property for official use. The property is not prohibited or restricted from importation into the United States, and is normally authorized for procurement by the receiving Homeland Security Investigations (HSI) office. The following information is provided:

- Property description: 2008 Chevrolet Suburban
In good condition, 17,000 miles
Seizure Number (b) (7)(E); Line item # 001
- Appraised value: \$48,000 (Kelly Blue Book)

Receiving office and point of contact:

U.S. Immigration and Customs Enforcement
Homeland Security Investigations
Special Agent in Charge or Attaché Office (or other field office)

Name: John Doe
Address: Street address
City, State 12345 (and Country, as appropriate)

Telephone: (123) 456-7890 (Office)
 (098) 765-4321 (Fax)
 Organization Code: 12345678

The property has an operational value to HSI as indicated in the following justification:

Cost-Analysis Description:

1. Acquisition Cost:	\$ 2,000.00
a) Cost to acquire similar property	\$48,000.00
	(Kelley blue book value)
b) Cost to acquire subject property	\$ 2,000.00

This represents the cost to HSI to acquire the property.

1) The total of all costs:	\$ 2,000.00
Contractor/holding costs	\$ 800.00
Appraisal Costs, etc.:	\$ 1,200.00
Refurbishment/Repair Costs:	0.00
2) The lost opportunity of sale cost:	\$46,000.00

2. Operating Cost:

It is estimated that this vehicle's total operating cost is approximately 51 cents per mile, which is based on the current General Services Administration Mileage Reimbursement Rate. Based on a total usage of 12,000 miles per year, 15 mpg and \$4.00 per gallon, the estimated annual operating cost is:

\$ 6,120.00

Functional Use Description:

This vehicle is a 2008 Chevy Suburban in good condition. This vehicle is for official use and is normally authorized for procurement. It is not prohibited or restricted from importation into the United States.

Approve: _____ Date _____
 Unit Chief, Asset Forfeiture Unit

Disapprove: _____ Date _____
 Unit Chief, Asset Forfeiture Unit

Request for Retention of Forfeited Property for Official Use

**(for approval by the
Deputy Assistant Director,
Investigative Services Division)**



Homeland
Security

(DATE)

MEMORANDUM FOR: [Deputy Assistant Director's Name]
Deputy Assistant Director
Investigative Services Division

THROUGH: Unit Chief
Asset Forfeiture Unit
Investigative Services Division

(b) (7)(E)

Fines, Penalties, and Forfeitures Division, CBP

Local FP&F Office, CBP

Special Agent in Charge or Attaché
City, State (and Country, as appropriate)

FROM: [Requesting Official]
[Title of Requesting Official]

SUBJECT: Request for Retention of Forfeited Property for Official Use

The purpose of this memorandum is to request approval to retain the following forfeited property for official use. The property is not prohibited or restricted from importation into the United States, and is normally authorized for procurement by the receiving Homeland Security Investigations (HSI) office. The following information is provided:

1. Property description: 2010 Freightliner Cascadia
In excellent Condition
FP&F Number (b) (7)(E) Line item # 001
2. Appraised value: \$102,000 (Kelly Blue Book)

Receiving office and point of contact:

U.S. Immigration and Customs Enforcement
 Homeland Security Investigations
 Special Agent in Charge (SAC) or Attaché Office (or other field office)

Name: John Doe
 Address: Street address
 City, State 12345 (and Country, as appropriate)
 Telephone: (123) 456-7890 (Office)
 (098) 765-4321 (Fax)
 Organization Code: 12345678

The property has an operational value to HSI as indicated in the following justification:

Cost-Analysis Description:

1. Acquisition Cost:	\$ 3,000.00
a) Cost to acquire similar property	\$125,000.00
	(NADA book value)
b) Cost to acquire subject property	\$ 3,000.00

This represents the cost to HSI to acquire the property.

1) The total of all costs:	\$ 1,000.00
Contractor/holding costs	\$.00
Appraisal Costs, etc.	\$.00
Refurbishment/Repair Costs: Repair Trailer	\$ 1,000.00
2) The lost opportunity of sale cost:	\$102,000.00

2. Operating Cost:

It is estimated that this vehicle's total operating cost is approximately 51 cents per mile, which is based on the current General Services Administration Mileage Reimbursement Rate. Based on a total usage of 5,000 miles per year, 15 mpg and \$4.00 per gallon, the estimated annual operating cost is:

\$ 2,550.00

Functional Use Description:

This vehicle is 2011 Freightliner Cascadia and is in excellent condition. This vehicle is for official use and is normally authorized for procurement. It is not prohibited or restricted from importation into the United States.

Approve: _____
Deputy Assistant Director
Investigative Services Division
Date

Disapprove: _____
Deputy Assistant Director
Investigative Services Division
Date

Request for Retention of Forfeited Property for Official Use

**(for approval by the
Executive Associate Director,
Homeland Security Investigations)**



**Homeland
Security**

(DATE)

MEMORANDUM FOR: [Executive Associate Director's Name]
Executive Associate Director

THROUGH: Deputy Associate Director

Assistant Director
Investigative Programs

Deputy Assistant Director
Investigative Services Division

Unit Chief
Asset Forfeiture Unit
Investigative Services Division

(b) (7)(E)

Fines, Penalties, and Forfeitures Division, CBP

Local FP&F Office, CBP

Special Agent in Charge or Attaché
City, State (and Country, as appropriate)

FROM: [Requesting Official]
[Title of Requesting Official]

SUBJECT: Request for Retention of Forfeited Property for Official Use

The purpose of this memorandum is to request approval to retain the following forfeited property for official use. The property is not prohibited or restricted from importation into the United States, and is normally authorized for procurement by the receiving Homeland Security Investigations (HSI) office. The following information is provided:

1. Property description: Glock 17 9mm pistol, serial # 12345678
In good condition,
 FP&F Number (b) (7)(E); Line item # 001
- Glock 17 9mm magazines, 2 each
In good condition,
 FP&F Number (b) (7)(E); Line item # 002
2. Appraised value: \$300.00 – Glock 17 9mm pistol
 \$ 30.00 – Glock 17 9mm magazines

Receiving office and point of contact:

U.S. Immigration and Customs Enforcement
 Homeland Security Investigations
 Special Agent in Charge or Attaché Office (or other field office)

Name: John Doe
 Address: Street address
 City, State 12345 (and Country, as appropriate)
 Telephone: (123) 456-7890 (Office)
 (098) 765-4321 (Fax)
 Organization Code: 12345678

The property has an operational value to HSI as indicated in the following justification:

Cost-Analysis Description:

1. Acquisition Cost:	\$ 0.00
a) Cost to acquire similar property	\$ 500.00
b) Cost to acquire subject property	\$ 0.00
This represents the cost to HSI to acquire the property.	
1) The total of all costs:	\$ 0.00
Contractor/holding costs	\$ 0.00
Appraisal Costs, etc.:	\$ 0.00
Refurbishment/Repair Costs:	0.00
2) The lost opportunity of sale cost:	\$ 0.00

2. **Operating Cost:**

(b) (7)(E)

Functional Use Description:

The commodities are in very good condition. **(b) (7)(E)**

(b) (7)(E) The commodities are not prohibited or restricted from importation into the United States and are normally authorized for procurement.

Approve: _____
Executive Associate Director
U.S. Immigration and Customs Enforcement

Date

Disapprove: _____
Executive Associate Director
U.S. Immigration and Customs Enforcement

Date

ACRONYMS

A

AFU Asset Forfeiture Unit

B

C

CBP U.S. Customs and Border Protection

(b) (7)(E)

D

DHS Department of Homeland Security

E

EAD Executive Associate Director

F

FMU Facilities Management Unit
FP&F Fines, Penalties and Forfeitures
FPFD Fines, Penalties, and Forfeitures Division

G

H

HSI Homeland Security Investigations

I

ICE U.S. Immigration and Customs Enforcement

J-M

N

NFTTU National Firearms and Tactical Training Unit

O-R

S

SA Special Agent
SAC Special Agent in Charge
SEACATS Seized Asset and Case Tracking System
SUV Sport Utility Vehicle

T

TEOAF Treasury Executive Office for Asset Forfeiture
TFF Treasury Forfeiture Fund

U

URC Undercover Review Committee
USC U.S. Code

V

VIN Vehicle Identification Number

W-Z