

Request for Property Seized/Forfeited by a Treasury Agency

Instructions for Completing Treasury Form **92-22.46** General Instructions

- Transfer of property seized/forfeited by a Treasury agency is governed by the Secretary of the Treasury's Guidelines on Seized and Forfeited Property and the Department of the Treasury, Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies.
- The requesting federal, State or local law enforcement agency (Agency) head or designee must complete the TD F **92-22.46**. (Note: Incomplete or inaccurate information is the most common cause of delay in processing.)
- For the international transfer of property forfeited by a Treasury agency, contact the Asset Sharing Coordinator, Executive Office for Asset Forfeiture, Department of Treasury, Washington, D.C.
- A separate TD F **92-22.46** must be completed for each seizure, unless the investigation or enforcement action resulted in multiple seizures, then one TD F **92-22.46** may be filed with a listing of the seizures.
- The deadline for submitting the TD F **92-22.46** to the Treasury investigative agency processing the seizure/forfeiture is **60** days from the date of seizure. Only in extraordinary circumstances will a TD F **92-22.46** be considered if submitted after the deadline.
- In some instances the Agency must return costs and the appropriate Treasury agency equitable share to the Treasury Forfeiture Fund. If the Agency is unable to return the costs and Treasury share, the property will be liquidated and the proceeds distributed proportionally. (Upon adequate justification exceptions may be granted by the deciding official.)

Instructions

Part I: For Treasury use only.

Part II: Provide the agency's name, address and NCIC code. If the NCIC code is not known, contact the Treasury investigative agency responsible for processing this forfeiture. The contact person is the person who has authority to accept property and transfer documents, **and/or** money.

Part III: Provide as complete a property description as possible. Include serial or vehicle identification number. You must check either "**Item**" (if requesting an asset) or "**Cash/Proceeds**" (if requesting a percentage of the asset). Attach a list of any other **asset(s)** seized in this case.

If "Cash/Proceeds" is requested, provide the percentage of the net proceeds requested by the agency. The percentage requested must be based on the degree of direct or indirect law enforcement effort by the federal, State or local agency resulting in the seizure forfeiture, taking into account the total value of all property forfeited and total law enforcement effort, including any related criminal prosecution with respect to the violation of law on which the forfeiture is based.

Part IV: Indicate the specific intended law enforcement **purpose(s)** for the requested cash, proceeds or tangible property. Pursuant to the Guidelines, all property, including cash and proceeds, must be used for the specific law enforcement **purpose(s)** approved.

Part V: Answer all items A - F. If an answer to A through E is yes, provide details in Block **VI**.

Part VI: Space for additional information.

Part VII: Agency head or his designee and appropriate legal officer must certify that information provided in Blocks **I – VI** is true and accurate.