



MANUAL TRANSMITTAL

Department of the Treasury
Internal Revenue Service

9.7.8

AUGUST 28, 2025

EFFECTIVE DATE

(08-28-2025)

PURPOSE

- (1) This transmits revised IRM 9.7.8, Disposition of Seized and Forfeited Property.

MATERIAL CHANGES

- (1) Updated internal controls.
- (2) Updated all IRM, form, website, and CFR references to quick links throughout the IRM.
- (3) Removed “,state, or local” throughout the IRM.
- (4) Updated “Terrorism and Financial Intelligence” to “Terrorism and Illicit Finance” throughout the IRM.
- (5) Updated “Asset Forfeiture Coordinator/Designated Areal Representative (AFC/DAR)” to “Contracting Officer’s Representative or Designated Agency Representative (COR/DAR)” throughout the IRM.
- (6) Removed subsection 9.7.8.1.1(2)(e) “Transferred under the Weed and Seed Initiative.”
- (7) Subsection 9.7.8.2(1) removed “Where the” and added “In administrative”.
- (8) Subsection 9.7.8.2(2) removed “by Division Counsel/Associate Chief Counsel or” and changed “may” to “can”.
- (9) Subsection 9.7.8.2(3) added “certain privacy coins (i.e. anonymity enhanced coins) such as Monero, Zcash, and Dash, etc.” and removed “contraband”.
- (10) Subsection 9.7.8.3 updated to current procedures.
- (11) Subsection 9.7.8.3.1(1) updated to current procedures.
- (12) Subsection 9.7.8.3.1(3) removed “Division Counsel/Associate Chief Counsel” and added “USAO” and updated “by email to HQWF@ci.irs.gov” to “to HQ-ARIS for final processing to TEOAF.”
- (13) Added subsection 9.7.8.3.2, Disposition of Seized and Forfeited Financial Instruments.
- (14) Subsection 9.7.8.3.3 changed “by email to HQWF@ci.irs.gov” to “to HQ-ARIS for final processing to TEOAF.”
- (15) Removed subsection 9.7.8.3.4, Cost Bond Disposition Instructions.
- (16) Removed subsection 9.7.8.4, Disposition Instructions for Assets other than Currency.
- (17) Removed subsection 9.7.8.4.1, Disposition of Seized and Forfeited United States Savings Bonds.
- (18) Subsection 9.7.8.5.1(2) changed “AFC” to “employee”.
- (19) Subsection 9.7.8.5.3 updated entire section to current procedures.
- (20) Subsection 9.7.8.6.1(3) added “Department of the Treasury.”
- (21) Subsection 9.7.8.6.8 updated to current procedures.

- (22) Subsection 9.7.8.6.10(2) added IRM reference and hyperlink for Delegation Order.
- (23) Subsection 9.7.8.7(1) removed “seized and”.
- (24) Subsection 9.7.8.8(1) updated USC reference to 31 USC 9705, Department of the Treasury Forfeiture Fund.
- (25) Subsection 9.7.8.8(2) removed second sentence.
- (26) Removed subsection 9.7.8.8(3).
- (27) Subsection 9.7.8.8(4) removed “in accordance with the SOW and TEOAF Directive 12” and “Declaration of Forfeiture.”
- (28) Subsection 9.7.8.8.1(2) removed “by email to HQWF@ci.irs.gov” and “on the Lien Payment Checklist” and added “to pay off the lien” and “The request must include.”
- (29) Subsection 9.7.8.8.1(3) removed “time”.
- (30) Subsection 9.7.8.8.1(4) removed “to NFC.”
- (31) Removed subsection 9.7.8.8.2(1).
- (32) Subsection 9.7.8.8.2(2) changed “whether or not” to “if”.
- (33) Added subsection 9.7.8.8.2(3) with current procedures.
- (34) Added subsection 9.7.8.8.2(5) with current procedures.
- (35) Subsection 9.7.8.9 updated to current procedures.
- (36) Removed subsection 9.7.8.9.1, General Forfeiture Settlement Policies.
- (37) Removed subsection 9.7.8.10, Settlement Agreements through Administrative Forfeiture.
- (38) Subsection 9.7.8.14(1) updated to current procedures.
- (39) Removed subsection 9.7.8.14(2) “The National Code of Professional Conduct for Asset Forfeiture (Exhibit 9.7.1–1 paragraph VII) states that “seizing entities retaining forfeited property for official law enforcement use shall ensure that the property is subject to internal controls consistent with those applicable to property acquired through the normal appropriations processes of that entity.”
- (40) Subsection 9.7.8.14.1(3) added “Declaration of Forfeiture.”
- (41) Subsection 9.7.8.14.3(3) removed “of the field office responsible for the forfeiture” and “equipment and vehicles through Investigative Equipment Section” and added “investigative equipment through the National Criminal Investigation Academy (NCITA).”
- (42) Subsection 9.7.8.14.4(1) updated to “CI does not place forfeited vehicles into official use.”
- (43) Removed subsection 9.7.8.14.4(2).
- (44) Removed subsection 9.7.8.14.4(3).
- (45) Removed subsection 9.7.8.14.5, Payment of Liens on Forfeited Vehicles Placed into Official Use.
- (46) Removed subsection 9.7.8.16, Property Transferred Pursuant to the “Weed and Seed” Initiative.
- (47) Subsection 9.7.8.17(2) removed “U.S. Department of Homeland Security (DHS)” and “U.S. Immigration and Customs Enforcement (US ICE), Department of Homeland Security” from list.

- (48) Subsection 9.7.8.17.2(2) updated to current procedures.
- (49) Subsection 9.7.8.18(2) removed “In other words, 31 USC 9703.”
- (50) Subsection 9.7.8.18.1(2) updated to current procedures.
- (51) Subsection 9.7.8.18.3 removed last two sentences.
- (52) Removed subsection 9.7.8.18.4, Reporting Seizure and Forfeiture Expenses.
- (53) Editorial changes made throughout the IRM that did not result in substantive changes but contributed to clarity of the subject matter.

EFFECT ON OTHER DOCUMENTS

This IRM supersedes IRM 9.7.8 dated February 14, 2025.

AUDIENCE

Criminal Investigation

Justin H. Campbell
Acting Deputy Chief, Criminal Investigation
for
Guy A. Ficco
Chief, Criminal Investigation

9.7.8

Disposition of Seized and Forfeited Property

Table of Contents

9.7.8.1 Program Scope and Objectives

9.7.8.1.1 Background

9.7.8.1.2 Authority

9.7.8.1.3 Roles and Responsibilities

9.7.8.1.4 Program Management and Review

9.7.8.1.5 Program Controls

9.7.8.1.6 Acronyms and Terms

9.7.8.1.7 Related Resources

9.7.8.2 Return of Seized Property

9.7.8.3 Disposition of Funds on Deposit in the United States Treasury Suspense Account or Treasury Forfeiture Fund

9.7.8.3.1 Disposition for Currency Held in the Treasury Suspense Account

9.7.8.3.2 Disposition of Seized and Forfeited Financial Instruments

9.7.8.3.3 Request for Refund from Forfeiture Fund

9.7.8.4 Disposition of Seized Property and/or Forfeited Property by the Seized Property Contractor

9.7.8.4.1 Disposition Procedures

9.7.8.4.2 Disposition Services by the Seized Property Contractor

9.7.8.4.3 Remittance of Seized Property

9.7.8.4.4 Retention by Criminal Investigation

9.7.8.4.5 Transfer to Other Federal Agencies (non-Treasury)

9.7.8.4.6 Destruction

9.7.8.5 Sale of Forfeited Property by the Seized Property Contractor

9.7.8.5.1 Disposition of Property Restrictions

9.7.8.5.2 Pre-Forfeiture or Interlocutory Sales

9.7.8.5.3 Planning and Scheduling

9.7.8.5.4 Methods of Sale

9.7.8.5.5 Advertising

9.7.8.5.6 Inspection and Viewing of Items

9.7.8.5.7 Minimum Bid Amount

9.7.8.5.8 Conduct of Sale

9.7.8.5.9 Disposition of Unsold Items

9.7.8.5.10 Transfer of Items to Purchaser

9.7.8.5.11 Sale/Disposition of Real Property

9.7.8.5.12 Recording of the Final Judgment or Order of Forfeiture

9.7.8.5.13 Special Problems in Disposing of Forfeited Real Property

-
- 9.7.8.6 Payment of State and Local Taxes on Seized and Forfeited Property
 - 9.7.8.7 Payments of Liens, Mortgages and Taxes
 - 9.7.8.7.1 Payment of Liens on Motor Vehicles to be Sold
 - 9.7.8.7.2 Disposition of Properties Subject to Title Restrictions
 - 9.7.8.8 Settlement of Forfeiture Actions
 - 9.7.8.9 Judicial Forfeiture by Settlement
 - 9.7.8.9.1 Civil Judicial Forfeiture by Settlement
 - 9.7.8.9.2 Criminal Forfeiture by Settlement
 - 9.7.8.10 Acceptance of a Monetary Amount in Lieu of Forfeiture
 - 9.7.8.11 Remission of Forfeited Property to Owners, Lienholders or Victims
 - 9.7.8.12 Retention and Use of Forfeited Property
 - 9.7.8.12.1 Forfeited Property Subject to Federal Official Use
 - 9.7.8.12.2 Participating TFF Enforcement Official Use Policies
 - 9.7.8.12.3 Decision-Making Authority and Official Use Approval
 - 9.7.8.12.4 Forfeited Vehicles Placed into Official Use
 - 9.7.8.12.5 Competing Requests for Official Use and Equitable Sharing
 - 9.7.8.13 Equitable Sharing with Participating Federal, State and Local Law Enforcement Agencies
 - 9.7.8.14 Department of the Treasury Forfeiture Fund
 - 9.7.8.14.1 Administration of the Treasury Forfeiture Fund
 - 9.7.8.14.2 Spending Authority of the TFF
 - 9.7.8.15 Payments and Reimbursements from the TFF
 - 9.7.8.15.1 Mandatory Authority Expenses
 - 9.7.8.15.2 Limitations on the Mandatory Spending Authority
 - 9.7.8.15.3 Discretionary Category Expenses
 - 9.7.8.16 Department of Justice Asset Forfeiture Fund

9.7.8.1
(08-28-2025)
Program Scope and Objectives

- (1) Purpose: This section discusses the disposition of seized and forfeited property, situations where seized property is returned without forfeiture and the roles and responsibilities of Criminal Investigation employees and government partners in these instances. In addition, this section discusses the Treasury Forfeiture Fund and its uses.
- (2) Audience: All Criminal Investigation employees.
- (3) Policy Owner: Director, Asset Recovery and Investigative Services.
- (4) Program Owner: Director, Asset Recovery and Investigative Services.
- (5) Primary Stakeholders: All Criminal Investigation employees.
- (6) Contact Information: To make changes to this IRM email **CI-HQ-IRM*.

9.7.8.1.1
(08-28-2025)
Background

- (1) The disposition of forfeited property plays an integral part in fulfilling the goals of the Department of the Treasury Asset Forfeiture Program.
- (2) Property forfeited (currency, proceeds of any financial account, financial instruments, or proceeds from the sale of forfeited property) under 18 USC 981, 18 USC 982, and/or 31 USC 5317(c) may be:
 - a. Deposited into the Treasury Forfeiture Fund.
 - b. Returned to an owner, claimant, or petitioner.
 - c. Placed into official use by Criminal Investigation.
 - d. Transferred to a federal, state, or local law enforcement agency through the equitable sharing program.
 - e. Destroyed pursuant to court order.
 - f. Donated.

9.7.8.1.2
(08-28-2025)
Authority

- (1) See *IRM 9.1.2.7.2*, Title 18 Seizures for the delegated authority relating to IRM 9.7.8, Disposition of Seized and Forfeited Property.

9.7.8.1.3
(02-14-2025)
Roles and Responsibilities

- (1) The Director, Asset Recovery and Investigative Services is responsible for developing, maintaining, and overseeing this IRM and ensuring compliance with current policies and procedures.

9.7.8.1.4
(08-28-2025)
Program Management and Review

- (1) The Director, Asset Recovery and Investigative Services will:
 - a. Review this IRM annually for procedural, operational, and editorial changes.
 - b. Ensure internal control content is complete, accurate, and reviewed annually.
 - c. Update this IRM when content is no longer accurate.
 - d. Incorporate interim guidance into the next revision of this IRM section prior to the expiration date.

9.7.8.1.5
(08-28-2025)
Program Controls

- (1) The Director, Asset Recovery and Investigative Services will review their program and ensure employee compliance with all applicable elements of this IRM.

- (2) The Director, Asset Recovery and Investigative Services will review the instructions and guidelines relating to all IRS documents for procedural, operational, and editorial changes.

9.7.8.1.6
(08-28-2025)

Acronyms and Terms

- (1) The following table lists the acronyms and terms used throughout this IRM section and their definitions:

| Acronyms | Definition |
|----------|--|
| AFC | Asset Forfeiture Coordinator |
| ARIS | Asset Recovery and Investigative Services |
| CI | Criminal Investigation |
| COR | Contracting Officer's Representative |
| DAR | Designated Agency Representative |
| DOJ | Department of Justice |
| MLARS | Money Laundering and Asset Recovery Section |
| MPA | Management Program Analyst |
| SAC | Special Agent in Charge |
| SOW | Statements of Work |
| TEOAF | Treasury Executive Office for Asset Forfeiture |
| TFF | Treasury Forfeiture Fund |
| TSA | Treasury Suspense Account |
| USAO | United States Attorney's Office |
| USCG | United States Coast Guard |
| USPIS | United States Postal Inspection Service |

9.7.8.1.7
(08-28-2025)

Related Resources

- (1) *IRM 9.7.7, Claims and Petitions.*
- (2) *IRM 9.7.9, Equitable Sharing and Reverse Asset Sharing.*
- (3) *TEOAF Policy Directives website.*

9.7.8.2
(08-28-2025)

Return of Seized Property

- (1) There are instances when seized property is disposed without forfeiture. In administrative forfeiture proceedings, the Special Agent in Charge (SAC) is authorized to release property seized for forfeiture to an innocent owner. The process is referred to as quick release and is covered in *IRM 9.7.7, Claims and Petitions.*
- (2) Seized property can also be returned upon a declination to pursue forfeiture by the United States Attorney's Office (USAO) in connection with a settlement agreement or where a claimant prevails in a forfeiture action.

- (3) Special attention should be given when contemplating the return of certain privacy coins (i.e. anonymity enhanced coins) such as Monero, Zcash, and Dash, etc., weapons, or other dangerous items. Close coordination with the Asset Forfeiture Coordinator (AFC) is required.
- (4) The processes for disposing of seized property depend on the type of property and where it is stored. When seized property is returned, an attempt should be made to secure a Release of Claim also known as a “hold harmless” agreement and a *Form 5914*, Release and Receipt of Property. The AFC should be involved and assist in the return of all seized property.

9.7.8.3
(08-28-2025)
**Disposition of Funds on
Deposit in the United
States Treasury
Suspense Account or
Treasury Forfeiture Fund**

- (1) The Treasury Executive Office for Asset Forfeiture (TEOAF) issued *TEOAF Directive 4*, Seized Cash Management, to allow the Treasury Forfeiture Fund (TFF) to more efficiently and effectively control the disposition of funds deposited into the Treasury Suspense Account (TSA) and/or the TFF. TEOAF Directive 4 instructs all participating TFF law enforcement agencies to use TEOAF Form 2, to initiate the disposition of funds held in the TSA, and TEOAF Form 7, to request post forfeiture refunds. These forms serve as authorizing and control documents to complete the required action. See *TEOAF Forms and Guidelines* website for forms.

9.7.8.3.1
(08-28-2025)
**Disposition for Currency
Held in the Treasury
Suspense Account**

- (1) Seized currency, financial accounts, and financial instruments deposited into the TSA must be transferred to the TFF upon forfeiture. The *TEOAF Form 2*, Disposition Instructions for Currency Held in Treasury Suspense Account, is used to initiate the transfer of funds that have been forfeited from the TSA to the TFF. *TEOAF Form 2* must be signed by the AFC and/or Asset Recovery and Investigative Services (ARIS) Management Program Analyst (MPA) and required documentation, such as *Form 1570*, Declaration of Forfeiture, or Final Judgment or Final Order of Forfeiture. *TEOAF Form 2*, with supporting documentation must be provided to ARIS headquarters (HQ-ARIS) for final processing to TEOAF.
- (2) The number of equitable sharing requests filed that relate to the forfeited funds must be included on the form in addition to seizure and forfeiture related expenses (e.g., advertising and any other specific asset related costs), award payments made by Treasury, and prior reimbursements.
- (3) *TEOAF Form 2* is also used to instruct TEOAF to release funds on deposit in the TSA to the owner or third parties. A court order generally must accompany instructions to release these funds. If the funds are to be released because of a declination by USAO to pursue forfeiture or pursuant to a quick release or through the petition for remission or mitigation process, the associated letter and/or memorandum from the AUSA must accompany a concurrence memo from the SAC through the Director, ARIS, to the Director, TEOAF. These documents along with *TEOAF Form 2* must be sent to HQ-ARIS for final processing to TEOAF.

9.7.8.3.2
(08-28-2025)
**Disposition of Seized
and Forfeited Financial
Instruments**

- (1) *TEOAF Directive 2*, Seizures of Financial Instruments, sets forth procedures and responsibilities for handling financial instruments seized for forfeiture. Financial instruments include items such as, postal money orders, personal and cashier's checks, certificates of deposit (CD), traveler's checks, stocks, bonds, brokerage accounts. See the *TEOAF Policy Directives* website.

- 9.7.8.3.3
(08-28-2025)
Request for Refund from Forfeiture Fund
- (1) *TEOAF Form 7*, Request for Refund from Forfeiture Fund, is used to request a refund of monies that were previously forfeited and deposited into the TFF. *TEOAF Form 7* must be sent to HQ-ARIS for final processing to TEOAF. Supporting documentation for the request must be included with the instructions.
- 9.7.8.4
(11-08-2005)
Disposition of Seized Property and/or Forfeited Property by the Seized Property Contractor
- (1) The seized property contractor is authorized to sell or otherwise dispose of property forfeited by Criminal Investigation (CI) and other participating TFF law enforcement agencies.
 - (2) CI maintains authority over all seized property transferred to the seized property contractor. The seized property contractor maintains seized property until CI directs its disposition.
 - (3) The following subsections are excerpted from the Seized Property Management Services Statements of Work (SOW). The SOW should be referred to as needed for additional or more detailed information.
- 9.7.8.4.1
(08-28-2025)
Disposition Procedures
- (1) CI initiates the disposition of seized and/or forfeited property by furnishing the seized property contractor with a U.S. Customs and Border Protection Disposition Form entitled "Custodial Contractor Property Disposition Form" on the *ARIS AFTRAK SharePoint* site.
 - (2) The *Disposition Order* is signed by the responsible employee who is trained and certified as a Contracting Officer's Representative or Designated Agency Representative (COR/DAR).
 - (3) The seized property contractor will not act upon disposition orders received from any other entity. When directed by the COR/DAR, the seized property contractor will perform a disposition analysis to determine and recommend the most cost-effective disposition available to CI.
- 9.7.8.4.2
(08-28-2025)
Disposition Services by the Seized Property Contractor
- (1) The COR/DAR may request that the seized property contractor dispose of seized property in one of the following ways:
 - a. Remittance.
 - b. Retention by CI for official use.
 - c. Transfer to another federal agency.
 - d. Destruction.
 - e. Donation.
 - f. Sale.
- 9.7.8.4.3
(08-28-2025)
Remittance of Seized Property
- (1) The seized property contractor will remit seized property to the party designated, i.e., owner or third party, by the COR/DAR on the *Disposition Order*.
 - (2) The seized property contractor will summarize all associated costs including holding or direct costs from the designated party. Direct costs include contracting fees, cost of transportation, storage, security, maintenance, and other miscellaneous charges attributable to a particular seizure. Approval to waive these direct costs is obtained in writing from the Director, ARIS on the *Disposition Order*. Approval from the Director, ARIS is necessary to waive any direct costs. The COR/DAR may not waive direct costs. The *Disposition Order* with the director's signature, approving waiver of the direct costs, will be sent to the seized property contractor.

- (3) The seized property contractor will:
 - a. Notify the designated party in writing or by phone regarding the amount due, the date by which the seized property must be retrieved before the seized property contractor costs increase, and the acceptable forms of payment.
 - b. Prepare the seized property for release if needed or according to special instructions.
 - c. Verify that person receiving seized property is person specified on the *Disposition Order* and have all persons sign access control log.
 - d. Obtain total payment for all seized property contractor costs prior to release.
 - e. Obtain signature of recipient on the original *Form 9573*, Custody Receipt for Retained or Seized Property.
- (4) Original *Form 9573* must be returned to the COR/DAR upon disposition of the seized property.

9.7.8.4.4
(08-28-2025)
**Retention by Criminal
Investigation**

- (1) The seized property contractor will release seized or forfeited property to CI when designated on the *Disposition Order* by the COR/DAR. The seized property contractor will obtain the signature on the *Form 9573* of the individual designated on the *Disposition Order*. The original *Form 9573* will be returned to the COR/DAR upon disposition of the property.
- (2) For forfeited property retained by CI or other participating TFF law enforcement agency, the seized property contractor will not collect associated costs.
- (3) The seized property contractor, upon request, will arrange for packing, crating, and shipment of forfeited property designated for official use.

9.7.8.4.5
(08-28-2025)
**Transfer to Other
Federal Agencies
(non-Treasury)**

- (1) The seized property contractor will release property to other (non-Treasury) federal agencies designated on the *Disposition Order* by the COR/DAR. The seized property contractor will collect from the recipient agency all associated costs including holding costs (direct costs of transportation, storage, security, maintenance, and other miscellaneous charges attributable to the particular seizure) as established by CI, before releasing the property unless approval to waive these costs is obtained by the COR/DAR from ARIS in writing on the *Disposition Order*. Approval from ARIS is necessary to waive the holding costs. The COR/DAR may not waive the holding costs.
- (2) The recipient agency will be required to pay all existing liens identified on the *Disposition Order* and show proof of payment before the property is released directly to the recipient agency.
- (3) The seized property contractor will arrange for packing, crating, and shipment of forfeited property designated for official use. The receiving federal agency will pay transportation and packing costs unless otherwise directed by the COR/DAR.

9.7.8.4.6
(08-28-2025)
Destruction

- (1) The seized property contractor will destroy seized and/or forfeited property as prescribed and directed by the COR/DAR on the *Disposition Order*. Property to be destroyed includes items unlawful to sell, items which constitute a safety hazard to the public, contraband, and forfeited items for which the seized property contractor's holding cost plus sales costs and overhead would exceed expected revenue.
- (2) Refer to the SOW for additional information regarding the destruction of property.

9.7.8.5
(08-28-2025)
**Sale of Forfeited
Property by the Seized
Property Contractor**

- (1) Proceeds from the sale of forfeited real and personal property sold by the seized property contractor are deposited into the TFF.
- (2) The seized property contractor will arrange and conduct the sale of forfeited property designated for sale by CI at public auction using the methods outlined in subsection IRM 9.7.8.6.4 below. The sale of forfeited property will be in accordance with provisions of the law and the SOW. The seized property contractor will be provided with the *Disposition Order*, signed by the COR/DAR, for forfeited property designated for sale. The forfeited property must be offered for sale no later than specified in the SOW, unless otherwise agreed to by the COR/DAR.
- (3) Authorization to sell a specific item or lot may be withdrawn by CI at any time before being sold.
- (4) The seized property contractor will repair, refurbish, rehabilitate, modify, or upgrade forfeited property designated for sale when it would significantly enhance its value over and above the cost to accomplish such action in accordance with the threshold levels established in the SOW.
- (5) The seized property contractor is authorized to move forfeited property to another location when it will enhance revenue gained from the sale, provided that such a move is cost effective.

9.7.8.5.1
(08-28-2025)
**Disposition of Property
Restrictions**

- (1) To ensure forfeited property is not sold to a criminal defendant or their agent, prospective bidders must complete and submit a bidder registration form to the seized property contractor. Completion of this form represents the bidder's certification that the bidder and/or the parties that the bidder is representing are not the individuals from whom the property was forfeited, and the bidder is not bidding for or on behalf of those individuals.
- (2) When selling property forfeited by CI, the seized property contractor may hold the purchased property for three days after providing the name of the purchaser to CI. The seized property contractor may release the forfeited property to the purchaser at the close of business on the third day following the sale if no further instructions have been received from CI.
- (3) *TEOAF Directive 1*, Restrictions on Purchase of Forfeited Property, prohibits Department of the Treasury employees and any members of their immediate family from purchasing property that has been forfeited and is being sold by the Department of the Treasury or its agents. This policy is intended to ensure that there is no actual or apparent use of inside information by employees wishing to purchase such property. The purpose of this policy is to protect the integrity of the asset forfeiture program.

9.7.8.5.2

(08-28-2025)

**Pre-Forfeiture or
Interlocutory Sales**

- (1) If seized property is liable to perish, waste, or greatly depreciate in value during pendency of the forfeiture proceedings or if the expenses of keeping the property are excessive, the property may be sold and the proceeds of the sale treated as a substitute for the original property in the ensuing forfeiture.
- (2) As a general rule, seized property may be sold before forfeiture in two circumstances: a stipulated sale and an interlocutory sale. A stipulated sale occurs when all interested parties agree to the terms of sale and a district court approves the transaction. An interlocutory sale is ordered by the court and does not require agreement by all interested parties. This type of sale occurs when the seized property is “liable to perish or waste,” is likely “to be greatly reduced in value by keeping” or “the expense of keeping the seized property is disproportionate to its value.”
- (3) *TEOAF Directive 27*, Processing Interlocutory Sales, provides policy guidance to law enforcement agencies and the seized property contractor for interlocutory sales.
- (4) The seized property contractor may sell seized property pursuant to an interlocutory sale. The COR/DAR will provide the seized property contractor with the *Disposition Order*, along with a copy of the interlocutory sale order from the court.
- (5) The seized property contractor will clearly identify any deposit and full payment for seized property from the stipulated or interlocutory sale to be deposited into the TSA.
- (6) The seized property contractor will, upon receipt of the total net proceeds of the sale, and after deducting any payments for approved liens, taxes, mortgages, costs and legal fees associated with the closing, notify CI of the total net amount, identified as the “substitute res,” so that the COR/DAR can notify the court and update AFTRAK. The seized property contractor will deposit the total net proceeds of the sale into the TSA.

9.7.8.5.3

(08-28-2025)

**Planning and
Scheduling**

- (1) The seized property contractor will plan sales on a continuing basis. Sale planning is designed to maximize net revenue by conducting timely sales, effectively managing the cost of sales, and by the use of other market techniques as needed. Pre-sale planning includes the evaluation of forfeited property for sale, selection of the most appropriate method and location for sale, and identification of actions needed to conduct a sale.
- (2) The seized property contractor will analyze forfeited property available for sale, schedule, market, advertise, and conduct sales in a way that maximizes and secures the greatest return to the government. The seized property contractor will operate a sales information program that provides accurate, timely sales information, including responses to all public inquiries concerning the time, place, and nature of all sales.
- (3) The seized property contractor will provide the catalogs describing the forfeited property to be sold to the COR/DAR prior to the sale.

9.7.8.5.4

(08-28-2025)

Methods of Sale

- (1) Forfeited property is to be sold by the seized property contractor at public auction using competitive methods. Public auctions can be opened to prospective bidders in locations outside the local sale site by means of telecommunication or audio/visual networks.

- (2) The seized property contractor may use the following methods, further defined in the SOW, to sell forfeited property at public auction:
 - a. Oral progressive bid public auction.
 - b. Sealed bid.
 - c. Open bid sale (or spot bid).
 - d. Negotiated sale.
 - e. Internet auctions.
 - f. Broker.

9.7.8.5.5
(08-28-2025)
Advertising

- (1) The seized property contractor will publicly advertise the sale of forfeited property in order to generate maximum competition and fulfill the legal requirements of *19 CFR 127.25*, Advertisement of Sale.
- (2) The seized property contractor is required to respond by telephone or in writing to public inquiries regarding time, place, and nature of all sales.
- (3) The seized property contractor provides a subscription service whereby the public may purchase subscriptions to notices of all public sales.

9.7.8.5.6
(11-08-2005)
**Inspection and Viewing
of Items**

- (1) The seized property contractor will ensure that all prospective bidders are given the opportunity to view, handle, and inspect all items designated for sale prior to any scheduled sale held at the contractor operated facilities and sub-contractors' and vendors' facilities.

9.7.8.5.7
(08-28-2025)
Minimum Bid Amount

- (1) The COR/DAR must place a minimum bid or reserve bid amount on the *Disposition Order* directing the seized property contractor to sell the forfeited asset. The COR/DAR should consult with the seized property contractor who will provide their recommendations prior to setting a minimum bid on forfeited property. After obtaining input from the seized property contractor, the COR/DAR will indicate the minimum bid on the *Disposition Order* provided to the seized property contractor prior to sale or auction of the property.
- (2) The seized property contractor will not schedule a sale until the COR/DAR sets a minimum bid for the forfeited property.

9.7.8.5.8
(08-28-2025)
Conduct of Sale

- (1) The seized property contractor shall conduct all sales in accordance with the applicable government terms and conditions of sale. A detailed listing of the terms and conditions is located in the SOW.

9.7.8.5.9
(08-28-2025)
**Disposition of Unsold
Items**

- (1) Forfeited property offered for sale and not sold will be re-offered for sale at the seized property contractor's next regularly scheduled auction. The COR/DAR need not re-issue the *Disposition Order* for resale of unsold items. However, the COR/DAR needs to consider whether the minimum bid needs to be altered in consultation with the seized property contractor and/or ARIS.

9.7.8.5.10
(08-28-2025)
**Transfer of Items to
Purchaser**

- (1) The seized property contractor will prepare the formal transfer of documents for all conveyances sold to the public and forward the documents to the COR/DAR for approval. These documents, issued to the purchaser at the time of sale, will enable the seized property contractor to transfer title to the property from the government to a private entity.

- (2) The SAC has the authority to sign government title transfer documents. See *IRM 1.2.2.10.2(6)*, Order Number 9-2 (Formerly DO-158, Rev. 2), Initiate Investigations and Seize and Forfeit Property under the Money Laundering Control Act and Bank Secrecy Acts.

9.7.8.5.11
(08-28-2025)
Sale/Disposition of Real Property

- (1) Upon receipt of the *Disposition Order* along with a judgment or Final Order of Forfeiture from the COR/DAR to sell real property, the seized property contractor will evaluate the property, analyze variables, and determine the appropriate method of sale (e.g., sell by auction or list with a local real estate broker and sell through usual real estate marketing procedures).

9.7.8.5.12
(08-28-2025)
Recording of the Final Judgment or Order of Forfeiture

- (1) The seized property contractor will record the Final Order of Forfeiture with the appropriate authorities when requested by the COR/DAR. The COR/DAR will provide the seized property contractor with the *Disposition Order*, and a certified copy of the final recorded order of forfeiture from the court.

9.7.8.5.13
(08-28-2025)
Special Problems in Disposing of Forfeited Real Property

- (1) It is the policy of the Department of the Treasury to sell forfeited real properties with title insurance to maximize the revenue from the sale. On occasion, some real properties are held for long periods of time while CI and the seized property contractor attempt to clear a “clouded” title to the property as interpreted by the title company. This results in increased property management costs and the inherent liabilities of maintaining vacant real properties in inventory for long periods of time.
- (2) Real property forfeited to the government in a judicial proceeding vests title in the United States. On occasion, title companies challenge the government’s title for title insurance purposes because of perceived defects in notice, in the satisfaction of lienholder interest, or in the forfeiture process. As a result, these title companies will not issue title insurance for the property.
- (3) In order to expedite the disposition of properties with “clouded” titles, it is the policy of the Department of the Treasury to dispose of the property using a Special Warranty Deed and, if necessary, an Indemnification Agreement. This procedure, as detailed in *TEOAF Directive 32*, Use of Special Warranty Deed and Indemnification Agreement for the Sale of Real Property, should expedite the sale of such properties but may not encourage a title company to issue title insurance.
- (4) For guidance in disposing of real property contaminated with hazardous substances or lead based paint, or real property included in or eligible for the National Register of Historic Places, refer to:
 - *TEOAF Directive 7*, Seizure and Forfeiture of Real Property that is Potentially Contaminated or is Contaminated with Hazardous Substances.
 - *TEOAF Directive 25*, Departmental Policy Regarding the Seizure and Forfeiture of Real Property that is Included in or Eligible for the National Register of Historic Places.
 - *TEOAF Directive 30*, Interim Guidelines re: Lead-Based Paint in Residential Property Built Prior to 1978. ;

9.7.8.6
(08-28-2025)

Payment of State and Local Taxes on Seized and Forfeited Property

- (1) *TEOAF Directive 12*, , Payment of Taxes, Liens and Mortgages on Forfeited Real Property, establishes Department of the Treasury policy on the payment of state and local taxes by the TFF on forfeited property.
- (2) *TEOAF Directive 12* permits the payment of taxes upon forfeited properties that: .
 - a. Have not yet been sold.
 - b. Are the subject of pending litigation regarding payment of taxes, provided, however, that a tax claim was filed with the Federal District Court prior to entry of the Order of Forfeiture or that a valid lien was recorded among pertinent land records giving the Federal District Court notice of the tax claim prior to entry of the Order of Forfeiture.
- (3) The United States will pay interest but not penalties on overdue taxes pursuant to *TEOAF Directive 12(5)(B)(1)*.

9.7.8.7
(08-28-2025)

Payments of Liens, Mortgages and Taxes

- (1) Pursuant to 31 USC 9705, Department of the Treasury Forfeiture Fund, any payment made for valid liens and mortgages against property that has been forfeited shall not exceed the value of the property at the time of seizure.
- (2) The payment of liens, mortgages, and taxes is governed by *TEOAF Directive 12*.
- (3) The COR/DAR will ensure that the *Disposition Order*, copies of court documents (Final Judgment or Final Order of Forfeiture), and instructions are provided to the seized property contractor within three business days of receipt of the documents. The seized property contractor will verify lien, mortgage, and tax information, conduct appropriate title and appraisal actions, and advise CI of any discrepancies that may require resolution by CI.
- (4) If the seized property contractor does not find any discrepancy that may delay the sale and closing of the property, the contractor will send a letter to the COR/DAR requesting concurrence for payment of liabilities and the initiation of sale.
- (5) The COR/DAR will return the letter of concurrence to the seized property contractor within ten calendar days. If objections or concerns about the letter occur, the COR/DAR will contact the appropriate seized property contractor's office to resolve the issue.
- (6) If the seized property contractor receives no objections to the letter of concurrence, the seized property contractor will send copies of the signed concurrence document, as well as final tax and lien payoff information to the Director, TEOAF, for review and funding approval.

9.7.8.7.1
(08-28-2025)

Payment of Liens on Motor Vehicles to be Sold

- (1) The Department of the Treasury's policy on the payment of liens on forfeited motor vehicles is contained in *TEOAF Directive 33*, Seizure of Motor Vehicles, Payments of Liens, and Official Use Requirements.
- (2) Once a forfeited vehicle is sold, the COR/DAR must forward a written request to pay off the lien from the SAC; through the Director, ARIS; to the Director, TEOAF. The request must include a copy of the *Disposition Order* signed by the seized property contractor stating the gross sales proceeds, a statement indicating the appraised value at the time of seizure, and any other required information and documentation specified in *TEOAF Directive 33*.

- (3) It is the responsibility of the COR/DAR to notify ARIS when expedited action is required to comply with the terms of a court order. CI must communicate to the involved AUSA the need to include reasonable time limits for the accomplishment of lien payments in court orders. A 90-day period from the date of issuance of a forfeiture order or from the date of sale is the recommended standard.
- (4) It is the responsibility of CI to ensure that requests for payment of liens do not occur until the subject vehicles are forfeited and that the amount of the payment requests do not exceed the lesser of the appraised value, net proceeds of sale, or the unpaid loan principal balance.
- (5) The TEOAF will be responsible for expeditiously approving all properly documented lien payment requests and ensuring that the approved requests are timely forwarded for payment processing.

9.7.8.7.2
(08-28-2025)
**Disposition of Properties
Subject to Title
Restrictions**

- (1) *TEOAF Directive 29*, Seizure and Disposition of Assets Subject to Title Restrictions, requires participating TFF law enforcement agencies to determine at the time property is seized for forfeiture if a particular seized property was reported as “stolen” in situations involving vehicles, vessels, and aircraft or as salvage in cases involving conveyances. TEOAF Directive 29 requires that the status of these properties be checked again at the time of disposition to ensure that no reports identifying these properties as “stolen” or as “salvage” were reported to law enforcement, licensing, or titling agencies after seizure.
- (2) For any properties identified as “salvage”, title shall be carefully examined to determine whether it should be held until forfeiture, and to determine what type(s) of disposition would be acceptable upon forfeiture.
- (3) Any properties identified as “stolen” or “salvage” will not be sold, retained for official use, or transferred to another federal law enforcement agency through equitable sharing without a written request for approval from the SAC, through the Director, ARIS; to the Director, TEOAF.
- (4) For salvage properties approved for sale, the property must be fully identified as “salvage” at time of auction.

9.7.8.8
(08-28-2025)
**Settlement of Forfeiture
Actions**

- (1) Settlements over forfeited property are encouraged to conserve the resources of both the United States and claimants in situations where justice will be served. The Department of Justice’s (DOJ) Money Laundering and Asset Recovery Section (MLARS) Asset Forfeiture Policy Manual establishes policies for forfeiture settlements. See the DOJ website for all *MLARS* publications.

9.7.8.9
(08-28-2025)
**Judicial Forfeiture by
Settlement**

- (1) No agreement, whether a settlement in a civil judicial action or a plea agreement resolving both criminal charges and the forfeiture of assets, may contain any provision binding CI to a particular decision on a petition for remission or mitigation of forfeiture or otherwise contain terms whose effectiveness is contingent upon such a decision. The remission and mitigation process is a matter of executive discretion and is completely independent of the investigation and litigation settlement process.

9.7.8.9.1
(09-20-2007)

**Civil Judicial Forfeiture
by Settlement**

- (1) A settlement that purports to “forfeit” property only binds the parties to that agreement; therefore, it is necessary to complete the forfeiture action so that a forfeiture of the property occurs. In civil forfeiture cases, the AUSA must assure that a valid and complete forfeiture occurs by:
 - a. Filing a verified civil complaint for forfeiture with the district court having jurisdiction over the property.
 - b. Ensuring that a warrant of arrest in rem has been executed against the property.
 - c. Providing notice to all known parties personally and noticing other parties by publication as required by the Supplemental Rules.
 - d. Seeking a default judgement pursuant to Rule 55 of the Federal Rules of Civil Procedure (Fed. R. Crim. P. 55) if no claim is filed within ten days after process has been executed as required by Rule C (6) of the Supplemental Rules.
 - e. Filing with the court proposed orders of forfeiture which includes a copy of the settlement agreement.

9.7.8.9.2
(12-03-2002)

**Criminal Forfeiture by
Settlement**

- (1) If the settlement occurs in the context of a criminal investigation by way of a plea agreement, the AUSA must remember that a defendant can agree to forfeit only that interest in the property that belongs to them. Any settlement in the context of a plea agreement technically results in a forfeiture of only the defendant’s interest in the property with the interests of third parties to be resolved in an ancillary proceeding. Accordingly, the AUSA must ensure that a valid forfeiture results through a plea agreement by:
 - a. Including a forfeiture count in the indictment or information, otherwise forfeiture is legally impossible.
 - b. Complying with the requirements applicable to third party interests, including notice of the forfeiture and the right of third parties to obtain an adjudication of their interest in the property.
 - c. Reducing the entire settlement agreement to writing and requiring that the defendant concede facts supporting the forfeiture.
 - d. Including a “hold harmless” provision.
 - e. Ensuring that the court issues a Final Order of Forfeiture that incorporates the settlement and, if necessary, addresses all third-party claims.
 - f. Whenever possible, accepting only unencumbered property with the exception of valid financial institution liens to avoid protracted litigation of ownership issues.

9.7.8.10
(12-03-2002)

**Acceptance of a
Monetary Amount in
Lieu of Forfeiture**

- (1) In certain instances, the settlement of a forfeiture may provide for the acceptance of a monetary amount instead of forfeiture of the specific property. For example, if the settlement is within the context of an existing judicial proceeding, or in a criminal forfeiture investigation where the requirements for forfeiture of substitute assets are satisfied.

9.7.8.11
(12-03-2002)

**Remission of Forfeited
Property to Owners,
Lienholders or Victims**

- (1) The Deputy Director, Global Operations Policy and Support (GO), has the authority to grant petitions for remission or mitigation of forfeited property filed with CI in administrative forfeiture actions. The Attorney General has the authority to grant petitions for remission or mitigation of forfeited property submitted in civil judicial and criminal forfeiture actions. The remission or mitigation of forfeited property and quick release of seized property is covered in *IRM 9.7.7, Claims and Petitions*.

9.7.8.12
(08-28-2025)
**Retention and Use of
Forfeited Property**

- (1) The Secretary of the Treasury has the authority to retain or transfer any forfeited property for official use by any federal agency. *TEOAF Directive 6*, Transfer of Forfeited Property or Retention for Official Use clarifies the requirements and processes for the transfer of forfeited property to a law enforcement agency and the retention of forfeited property by a TFF participating agency for official use.

9.7.8.12.1
(08-28-2025)
**Forfeited Property
Subject to Federal
Official Use**

- (1) CI may place forfeited property that has a law enforcement purpose into official use. Neither cash nor proceeds from the sale of forfeited property may be transferred to or retained by the participating TFF enforcement agency. Cash and proceeds must be deposited into the TFF.
- (2) Requests to retain or transfer real property to other federal agencies may be considered if such transfers will serve a significant and continuing federal purpose. Requests to place real property into official use must be submitted by memorandum from the SAC; through the Director, ARIS; to the Director, TEOAF.
- (3) No seized property will be placed into official use until a Final Judgement, Declaration of Forfeiture, or Final Order of Forfeiture has been entered and the request to place the property into official use has been approved by the appropriate official. Likewise, other federal agency acting in the capacity of a substitute custodian may not use such property for any purpose before completion of the forfeiture. However, the Director, TEOAF, may grant exceptions in certain situations, such as the seizure of a ranch or business where continued operation of the enterprise is necessary to maintain the value of property.

9.7.8.12.2
(09-20-2007)
**Participating TFF
Enforcement Official Use
Policies**

- (1) The TEOAF requires each participating TFF enforcement agency to establish internal guidelines consistent with the following guidelines governing the placement of property into official use.
- (2) All official use guidelines shall:
 - a. Require the entry of a final determination of forfeiture and the appropriate approval to place the property into official use prior to the use of the seized property.
 - b. Require that a written justification be prepared in each instance detailing the reasons why the forfeited property should be placed into official use and that these documents be retained for three years.
 - c. Require that a specific supervisory level be responsible and accountable for the decision to place each item of forfeited property into official use and ensure appropriate official use of such property following its transfer.
 - d. Require that property placed into official use be identified and tracked in an accountable property system.
 - e. State that the property may be retained if it is primarily for purposes of exchange/sale or other uses not expressly authorized for property acquired through the expenditure of appropriated funds and is intended for an official use purpose for at least one year.

9.7.8.12.3
(08-28-2025)

**Decision-Making
Authority and Official
Use Approval**

- (1) The Secretary of the Treasury has delegated the authority to place real property into official use to the Under Secretary, Terrorism and Illicit Finance. The Under Secretary, Terrorism and Illicit Finance, has delegated this authority to the Director, TEOAF.
- (2) The Secretary of the Treasury has delegated the authority to place non-cash personal property into official use to the head of the participating TFF law enforcement agency responsible for the seizure.
- (3) Requests to place non-cash personal property into official use in CI must be submitted by memorandum from the SAC to the Director, Field Operations (DFO), with the concurrence of the CI Headquarters Section responsible for that program area (i.e., undercover assets through Special Investigative Techniques (SIT) and investigative equipment through the National Criminal Investigation Academy (NCITA)), justifying and detailing the reasons why the forfeited property should be placed into official use.

9.7.8.12.4
(08-28-2025)

**Forfeited Vehicles
Placed into Official Use**

- (1) CI does not place forfeited vehicles into official use.

9.7.8.12.5
(08-28-2025)

**Competing Requests for
Official Use and
Equitable Sharing**

- (1) When CI seeks to place forfeited property into official use and another federal, state, local agency, or foreign country has filed a request for an equitable share of the property, the SAC, with assistance from the COR/DAR and investigating agent, may refer to the *TEOAF's SharePoint site* for the *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies for Seized and Forfeited Property*, for factors to consider in making a determination regarding the disposition of the property.

9.7.8.13
(12-03-2002)

**Equitable Sharing with
Participating Federal,
State and Local Law
Enforcement Agencies**

- (1) Any federal, state, or local law enforcement agency, as well as foreign countries that directly participate in an investigation or prosecution that results in a federal forfeiture by CI may request an equitable share of the net proceeds of the forfeiture. Equitable sharing is covered in *IRM 9.7.9, Equitable Sharing and Reverse Asset Sharing*.

9.7.8.14
(08-28-2025)

**Department of the
Treasury Forfeiture Fund**

- (1) The Department of the TFF was created by Section 638 of Public Law 102–393 (1992), which is codified at 31 USC 9703. This law transformed what had been the United States Custom Service (USCS) Forfeiture Fund into a new Treasury-wide forfeiture fund, into which forfeited cash and proceeds from the sale of forfeited property are to be deposited.
- (2) Although some former Treasury bureaus were subsequently transferred to the Department of Homeland Security by the Homeland Security Act of 2002 (Public Law No. 107-196), the following agencies remain participants of the TFF:
 - Internal Revenue Service - Criminal Investigation (IRS-CI), U.S. Department of the Treasury.
 - U.S. Homeland Security Investigations (HSI), Department of Homeland Security.
 - U.S. Customs and Border Protection (CBP), Department of Homeland Security.

- U.S. Secret Service (USSS), Department of Homeland Security.
- U.S. Coast Guard (USCG), Department of Homeland Security.

9.7.8.14.1
(08-28-2025)
**Administration of the
Treasury Forfeiture Fund**

- (1) The Secretary of the Treasury has delegated responsibility for the operation and administration of the TFF to the Under Secretary (Terrorism and Illicit Finance) who has re-delegated these functions and duties to the Director, TEOAF.
- (2) The Under Secretary (Terrorism and Illicit Finance), or designee, makes all determinations regarding distributions from the TFF. As part of this process, TEOAF prepares annual budget estimates for the TFF based on information submitted by participating TFF law enforcement agencies.
- (3) The TEOAF is responsible for preparing and submitting to Congress annual budgets and reports on the TFF. The participating TFF law enforcement agencies, including CI, provide the necessary information to TEOAF for preparation of these reports.

9.7.8.14.2
(08-28-2025)
**Spending Authority of
the TFF**

- (1) The TFF is a special fund. Special funds are federal fund collections that are earmarked by law for specific purposes. 31 USC 9703 defines the purposes for which revenue forfeited by the Department of the Treasury may be used.
- (2) The TFF utilizes two types of spending authorities:
 - a. **Mandatory Authority** used to meet business expenses of the TFF and support asset forfeiture program administration. This includes providing funding to support non-tax, third-party money laundering, and financial crimes task force investigations and training.
 - b. **Discretionary Authority** used to advance law enforcement operational capabilities.
 - Strategic Support** is used to support federal law enforcement activity and agencies priorities and investigative infrastructure.
 - Secretary's Enforcement Fund** is derived from equitable shares received from DOJ or the United States Postal Inspection Service (USPIS) and is available for the federal law enforcement related purposes of participating TFF law enforcement agencies.

9.7.8.15
(08-28-2025)
**Payments and
Reimbursements from
the TFF**

- (1) 31 USC 9703 states that "The Fund shall be available to the Secretary... with respect to seizures and forfeitures made pursuant to any law (other than IRC 7301 or IRC 7302 of 1986) enforced or administered by the Department of the Treasury or the United States Coast Guard (USCG) for the following law enforcement purposes:".
- (2) 31 USC 9703 requires that any payments and reimbursements for allowable expenses from the TFF to CI be made only when CI, or another participating TFF law enforcement agency is the agency responsible for effecting the seizure and forfeiture.
- (3) Payments and reimbursements to CI are not payable from the TFF when CI assists a DOJ law enforcement agency or the USPIS in effecting a seizure and forfeiture.

9.7.8.15.1
(08-28-2025)

**Mandatory Authority
Expenses**

- (1) The following is a summarized list of mandatory authority expenses that qualify for reimbursement from the TFF with respect to seizures and forfeitures effected by CI or another participating TFF law enforcement agency:
 - a. Payment of all proper expenses of seizure and forfeiture.
 - b. Payment for contract services, the employment of outside contractors, and the reimbursement of any federal, state, or local agency.
 - c. Awards of compensation to informers.
 - d. Satisfaction of liens and mortgages.
 - e. Payment of amounts authorized by law with respect to remission and mitigation.
 - f. Payment of claims.
 - g. Equitable sharing payments.
 - h. Payment for services of experts and consultants.
 - i. Payment of costs of state or local law enforcement that are incurred in joint operations.
 - j. Payments necessary and directly related to seizure and forfeiture program expenses.
- (2) For a comprehensive list of mandatory expenses reimbursable from the TFF, and whether they qualify, consult CI's TEOAF Liaison or the Director, ARIS.

9.7.8.15.2
(11-08-2005)

**Limitations on the
Mandatory Spending
Authority**

- (1) In addition to payments and reimbursements for expenses of a seizure and forfeiture not effected by CI or another participating TFF law enforcement agency, expenses not payable from the TFF include, but are not limited to:
 - a. Purchase of real property or any interest therein except to acquire full title to or to satisfy liens or mortgages.
 - b. Expenses of equipping or improving property transferred to non-Treasury agencies.
 - c. Reception and representation expenses.
 - d. Claims of unsecured creditors, particularly if such payment may jeopardize the claims of existing lienholders.

9.7.8.15.3
(08-28-2025)

**Discretionary Category
Expenses**

- (1) The Secretary of the Treasury has the discretion to make payments from the TFF for other specifically authorized expenses when funds are appropriated for that purpose. See 31 USC 9703(a)(2).

9.7.8.16
(08-28-2025)

**Department of Justice
Asset Forfeiture Fund**

- (1) As part of the *Comprehensive Crime Control Act of 1984*, Congress established the DOJ Asset Forfeiture Fund, into which forfeited cash and proceeds from the sale of property forfeited by a Justice agency are to be deposited. Refer to the *DOJ Asset Forfeiture Policy Manuals*.