DEPARTMENT OF THE TREASURY
EXECUTIVE OFFICE FOR ASSET FORFEITURE

DIRECTIVE NO. 6

DATE: April 7, 2026

SUBJECT: Transfer of Forfeited Property or Retention for Official Use

1. PURPOSE. This Department of the Treasury Executive Office for Asset Forfeiture (TEOAF) Directive No. 6 clarifies the requirements and processes for (a) the transfer of forfeited property to a federal law enforcement agency; and (b) the retention of forfeited property by a Treasury Forfeiture Fund (TFF) participating agency for official use. This directive also formalizes a policy change issued by TEOAF in a May 5, 2023 memorandum.

2. SCOPE. This Directive applies to all TFF participating agencies.

3. POLICY. TFF participating agencies are required to follow the guidance provided in this Directive whenever (a) the seizing agency wishes to retain forfeited property for official use; or (b) the seizing agency wishes to transfer forfeited property to another federal agency. All restitution or remission issues must be resolved before any asset can be placed into official use or transferred to another agency. Tangible property may **not** be directly shared with or transferred to state and local law enforcement agencies. This includes but is not limited to vehicles, vessels, computers, electronic equipment and real property.

4. RESPONSIBILITIES. All TFF participating agencies shall ensure that (a) approval for all official use property is received and documented; and (b) assets placed into official use by the seizing agency are utilized and tracked in accordance with Treasury policy.

5. BACKGROUND. Statutory authority to transfer or retain forfeited property for official use is contained in 31 U.S.C. § 9705(g)[1]. Pursuant to that authority, (a) a seizing federal agency may place forfeited property into official use; and (b) forfeited property may be transferred to any federal agency, and need not be predicated upon the receiving agency's participation in the investigation that resulted in the forfeiture.

6. PROCEDURES.

A. Eligible Recipients of Forfeited Assets

(1) TFF participating agencies are eligible to place forfeited assets into official use (that is, for their own use).

(2) Federal agencies (whether they are a member of the TFF or not) are eligible to request a transfer of forfeited assets regardless of whether they participated in the investigation that led to the forfeiture.

B. Restrictions

[1] This section was previously 9705(h) but was re-lettered to 9705(g) due to amendments enacted in Public Law 119-60, Div. G, Title LXXII, § 7207(a) to (c), Dec. 18, 2025.

(1) All restitution or remission issues must be resolved before any asset is placed into official use or transferred to another agency.

(2) No gift cards or any type of stored value card may be placed into official use or transferred to another agency.

(3) Only federal agencies may request the transfer of firearms or ammunition.

(4) No property may be placed into official use or transferred to another agency prior to the entry of a final order/declaration of forfeiture.

(5) No real property may be placed into official use or transferred to another agency without TEOAF approval.

(6) No tangible property may be directly shared with or transferred to state and local law enforcement agencies. This includes but not limited to vehicles, vessels, computers, electronic equipment and real property.

(7) All recalls must be addressed before placing vehicles into official use.

(8) Any property that has a lien is not eligible for official use, unless approved by TEOAF due to special circumstances.

C. Process and Approval

(1) A TFF participating agency headquarters official or designee has authority to approve official use requests for its own agency's use for any eligible property (other than real property) with a fair market value of less than $20,000.

(2) The following requests to retain any property for official use must be submitted to TEOAF for approval:
   a. A property with a fair market value of $20,000 or more.
   b. All requests for cryptocurrency.
   c. All requests for real property.

(3) All requests for transfer to a non-TFF federal agency that participated in the investigation must be submitted to TEOAF for approval. These requests must be routed through, and receive the concurrence of, the seizing agency's headquarters.

(4) All requests for transfer to a federal agency that did not participate in the investigation that resulted in a forfeiture of the asset must be approved by TEOAF, and must be routed through, and receive the concurrence of, the seizing agency's headquarters.

D. Request Format

Prior to submitting a request for official use, the requesting agency should follow their internal guidelines (refer to Section 6.F. for guidance) and should verify the following information:

(1) A request for official use pursuant to Section 6.C. must include the following information:

a. Identity of the property, including the seizing agency's tracking number;
b. Date on which the property was forfeited;
c. Forfeiture Order;
d. Intended use of the property;
e. Fair market value of the property;
f. Costs associated with the property (e.g. storage, maintenance, liens); and
g. Whether there are anticipated victim or other third party payment liabilities, and the amount of any such liabilities, associated with the asset.

E. Request Requirements for Real Property.

All requests for real property for official use, must be approved by TEOAF and must follow the request format in section D. Additionally, all requests for real property must follow the following guidelines:

(1) The forfeiture must be final and no longer subject to appeal, clear title must be vested in the government, and the real property must be vacant

(2) The requested use of real property must comply with all applicable laws, including zoning and land-use restrictions

(3) Environmental issues and costs of remediation must be addressed.

(4) Requesting agency must inform the seizing agency (if different) and TEOAF of intentions to request property for official use as soon as possible

(5) Requesting agencies must receive appropriate level of approval from agency's headquarters.

(6) All requests for real property must be vetted, evaluated and approved by agency's facility personnel.

(7) Completed requests should be finalized and submitted within 1 year of forfeiture. Failure to do so may result in the property being auctioned to reduce the impact of holding costs.

F. Agency Internal Guidelines

Each agency is required to maintain internal guidelines governing federal official use requests. The internal guidelines shall:

(1) Prohibit the placement into federal official use of any seized property before (1) entry of final determination of forfeiture, (2) resolution of all third-party interests, including victim compensation, and (3) the appropriate approval of the request to place the property into federal official use.

(2) Require all seized property to be recorded and tracked in an official inventory of seized property without regard to its intended disposition.

(3) Require a written justification detailing the reasons why the forfeited property was placed into federal official use and require retaining the justifications for at least one year after the disposal of property.

(4) Require a specific supervisory-level official to be responsible and accountable for the decision to place each item of forfeited property into federal official use and for ensuring appropriate federal official use of such property following its transfer.

(5) Require the property placed into federal official use be identified and tracked in an accountable property system.

(6) State that the property may not be transferred or retained for the purposes of trade or sale.

G. Additional Requirements Pertaining to Petitions for Remission/Restitution/Mitigation

(1) Restoration Requests and Petitions for Remission granted to innocent owners or victims take priority over official use or sharing requests. Petitions by innocent owners may result in the property being returned to the owner. Victims may require the liquidation of the forfeited property, with the net proceeds made available to such parties.

(2) The transfer of title for a vehicle for official use where a petition for remission or restoration request has been filed, may only occur if such remission or restoration has been denied and all periods for reconsideration have lapsed. The TFF participating agency must initiate this process by requesting a Standard Form 97, Certificate to Obtain Title to a Vehicle from TEOAF.

H. Reporting Requirement

(1) TFF participating agencies must submit an annual report to TEOAF detailing all property that was transferred or retained for official use during the year.

(2) The report must contain the following information for each asset:

a. Seizure number;
b. Property description;
c. Forfeiture date;
d. Fair market value at time of transfer or placement into official use;
e. Date of transfer or placement into official use;
f. Name of receiving agency, if the property was transferred;
g. Breakdown of associated costs and/or liens that were incurred by TEOAF;
h. Total amount of waived costs; and
i. Date of TEOAF approval, if applicable.

7. AUTHORITY. 31 U.S.C. § 9705; Treasury Directive 15-04, "Delegations Relating to the Treasury Forfeiture Fund," October 10, 2017; and Treasury Order 102-14, "Delegation of Authority with Respect to the Department of the Treasury Forfeiture Fund," October 18, 2021.

8. INFORMATION CONTACT. Any inquiries pertaining to this Directive should be directed to the TEOAF Property Team at (202) 622-9600.

9. EFFECTIVE DATE. April 7, 2026

/S/
Bill Bradley
Deputy Director, TEOAF