



---

# e.\$hare

## Asset Forfeiture Program

---

### STRENGTHENING LAW ENFORCEMENT

---

**U.S. Marshals Service**  
**Asset Forfeiture Office**

---



October 2006

To Federal, State, and Local Law Enforcement Agencies:

I am very pleased to inform you of the new United States Marshals Service (USMS) **E-Share Program** for transmitting equitable sharing payments. E-Share is an exciting new program that enables USMS to pay federal, state, and local law enforcement agencies in a timely, effective manner. The program is driven by The Debt Collection Improvement Act of 1996, which requires federal agencies to comply with 21<sup>st</sup> century business standards. This means federal seizing agencies and state and local law enforcement agencies will get their money faster! Their hard work fighting crime is met with results—money in the bank.

At the end of fiscal year 2006, USMS Districts have made over \$332 million in E-Share payments to over 4,200 state and local law enforcement agencies. Since March 2006, all equitable sharing payments have been made through electronic funds transfers!

I am excited about the E-Share program and look forward to working jointly with your agencies to strengthen law enforcement!

Sincerely,

A handwritten signature in cursive script that reads "Katherine K. Deoudes".

Katherine K. Deoudes

Chief

Asset Forfeiture Office

## Table of Contents

<b>What is <i>E-SHARE</i>?</b>	<b>1</b>
<ul style="list-style-type: none"> <li>▪ What is the Impact? 1</li> <li>▪ <b><i>E-SHARE</i></b> is an Asset Forfeiture Program 1</li> <li>▪ <b><i>E-SHARE</i></b> is NOT Optional 1</li> </ul>	
<b>State and Local Law Enforcement Agencies</b>	<b>2-4</b>
<ul style="list-style-type: none"> <li>▪ Changes 2</li> <li>▪ <b><i>E-SHARE</i></b> does not change the Equitable Sharing Program 2</li> <li>▪ Participating in the Program 2</li> <li>▪ Completing the Automated Clearinghouse (ACH) Form 3</li> <li>▪ Updating ACH Information 3</li> <li>▪ Email Notifications 4</li> </ul>	
<b>Department of Justice Components</b>	<b>5</b>
<ul style="list-style-type: none"> <li>▪ Changes 5</li> </ul>	
<b>Frequently Asked Questions (FAQs)</b>	<b>6-10</b>
<ul style="list-style-type: none"> <li>▪ State and Local Law Enforcement Agencies 6</li> <li>▪ ACH Vendor / Payment Enrollment Form 6</li> <li>▪ ACH Financial Institution Information 8</li> <li>▪ EFT Payment Information 8</li> <li>▪ DOJ Investigative Agencies 10</li> </ul>	

## What is *E-SHARE*?

**E-SHARE** is the United States Marshals Service (USMS) program to make equitable sharing payments to federal, state, and local law enforcement agencies through electronic funds transfer (EFT).

**E-SHARE** changes equitable sharing payments\* from a U.S. Treasury paper check to a direct deposit into the state and local law enforcement agency's bank account



### ★ What is the impact of the *E-SHARE* program?

- Your share is **deposited directly** into your agency's bank account.
- Your equitable sharing payment reaches you faster.
- You will receive an email notice that funds have been deposited.
- Both the deposit and the email notification are automated.

### ★ *E-SHARE* is an Asset Forfeiture program

- **E-SHARE** payments are related to your DOJ Asset Forfeiture Fund Equitable Sharing Payments only.
- **E-SHARE** is not related to any other source of funds that you may receive via EFT such as federal grants, U.S. Treasury Forfeiture Fund Disbursements, or any other federal payments.

### ★ *E-SHARE* is NOT Optional

- State and local law enforcement agencies cannot opt-out of **E-SHARE**. All equitable sharing payments will be made electronically via **E-SHARE**.
- The Debt Collection Improvement Act of 1996 states: "All Federal payments made after January 1, 1999 shall be made by EFT."

### ★ EFT Equitable Sharing Payments are

**Fast • EFFICIENT • Accurate**

\*The best source for basic information about the Department of Justice Equitable Sharing program is *A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies* published by the Department of Justice (DOJ), Asset Forfeiture and Money Laundering Section (AFMLS).

## State and Local Law Enforcement Agencies

### ★ What changes affect state and local law enforcement agencies?

Very few.

The most significant change is the payment method. Instead of a paper check, funds will be electronically transferred.

Change	Impact
<i>Payment Format</i>	<ul style="list-style-type: none"> <li>• Equitable Sharing payments will be deposited directly into agency bank accounts.</li> <li>• A separate payment will be made for each individual asset being shared.</li> </ul>
<i>Payment Notification</i>	<ul style="list-style-type: none"> <li>• An email notification is sent within five business days after funds are deposited in your bank account.</li> </ul>
<i>Payment Policy</i>	<ul style="list-style-type: none"> <li>• All sharing amounts will be paid, even amounts below \$50.</li> </ul>

### ★ **E-SHARE** does not change the Equitable Sharing Program

#### What will remain the same for state and local law enforcement agencies?

- Equitable Sharing Program Concept
- Request process (DOJ Form DAG-71)
- Approval process (DOJ Form DAG-72)
- USMS role to execute payment

### ★ Participating in the Program

- USMS has implemented the **E-SHARE** program in all states.
- Refer to the USMS website for the ACH form, the ACH form instructions, and contact information. That website is [www.usmarshals.gov/assets](http://www.usmarshals.gov/assets).
- For all questions, email or call the USMS E-Share Helpdesk. The email address is [E.Share.Help@usdoj.gov](mailto:E.Share.Help@usdoj.gov), and the phone number is 202.307.9205.

## 🌟 **Completing the Automated Clearinghouse Form**

The key to successful E-Sharing is the Automated Clearinghouse (ACH) form (USM-391), which collects banking information.

***Email or call the USMS E-SHARE Helpdesk as soon as possible if any of your agency's ACH information changes.***

### ***Tips for completing or revising the ACH form:***

- Follow all instructions closely when preparing the ACH form.
- The Payment Notification email can be sent to only one email address. State and local agencies must determine the most appropriate person to receive the email notification.
- Please complete the entire “Law Enforcement Agency” and “Financial Institution Information” sections. Otherwise, payment processing cannot be completed.
- Send completed ACH form to:  
Booth Management Consulting, LLC  
90 Painters Mill Road, Suite 226  
Owings Mills, MD 21117  
Phone: 800.846.7220  
Email: [usmseft@bmc-llc.net](mailto:usmseft@bmc-llc.net)  
Fax: 410.644.5261

## 🌟 **Updating ACH Information**

- If banking account information changes, a new ACH form must be completed and submitted to USMS/AFO via fax at 202.307.8517.
- If email information or other non-banking information changes, email the E-SHARE Helpdesk with the new information at [E.share.help@usdoj.gov](mailto:E.share.help@usdoj.gov).

## 🌟 Understanding the Email Notification of Payment

The email notification to a receiving agency includes:

- Agency that is sharing
- District from which sharing is made
- Identifies type of payment
- CATS ID/AIN
- Case Number and Asset Description
- Percent Approved
- Dollar amount shared
- Vendor
- Date it was verified that the bank received it
- Contact at the District

### *Sample Notification*

**Automated Email Notification - DO NOT Respond**

The **U.S. Marshals Service, District of E/VIRGINIA** has made an **Equitable Sharing payment** related to CATS ID# 04-DEA-431380; **GS-04998 LEXUS GS300, 25% approved.**

Payment is in the amount of **\$1003.88** to **CITY OF RICHMOND POLICE DEPT**, wire transferred to your account on **11/22/2004.**

For additional information or support, please contact:  
**ARRON TALAN: 111.111.1111 ARRON.TALAN@USDOJ.GOV**

*State and local law enforcement agencies should refer to their federal investigative agencies contacts for questions and concerns related to sharing percentage approval.*

### **IMPORTANT!**

The individual at the state and local law enforcement agency who receives the Payment Notification Email is responsible for disseminating payment information to appropriate components in your agency.

## Department of Justice Components

### 🌟 What changes affect DOJ components?

The method in which USMS makes equitable sharing payments and notifies agencies that payments are made have changed. The changes are described below.

Change	Impact
<i>Payment Format</i>	<ul style="list-style-type: none"> <li>• All equitable sharing payments will be electronically deposited in agencies' bank accounts.</li> <li>• There are no hard copy checks to present to state and local agencies.</li> <li>• For ceremonial presentations, AFO will provide DOJ agencies with a check template.</li> <li>• Agencies may fill out check template and enlarge it for check presentation.</li> </ul>
<i>Payment Notification</i>	<ul style="list-style-type: none"> <li>• State and local agencies will receive email notification of EFT deposit.</li> <li>• DEA, FBI, and USAO Field Divisions and Districts will receive automatic notification in CATS when Equitable Sharing Memorandums are generated by USMS based on a predetermined dollar threshold. (<i>Note: Payments will still be held for non-participating state and local agencies</i>)</li> <li>• USMS District offices will provide the Payment Confirmation Report to DOJ agencies.</li> <li>• State and local law enforcement agencies may have questions about payment details. IAs and USAOs can research that information in CATS reports or access website for copy of Equitable Sharing Memorandum.</li> </ul>
<i>Payment Policy</i>	<ul style="list-style-type: none"> <li>• Previously, amounts under \$50 were not paid. Now all amounts will be paid.</li> </ul>



# Frequently Asked Questions

## **State and Local Law Enforcement Agencies**

### **1. What is E-SHARE?**

The U.S. Marshals Service (USMS) administers the Department of Justice (DOJ) Equitable Sharing Program. USMS is currently transitioning from check payments to payments via electronic funds transfer (EFT). With EFT payments, your agency will receive its asset forfeiture proceeds much faster and an email notification will be sent to your agency a few days after the transfer is made.

### **2. What is the E-SHARE Program goal?**

The **E-SHARE** Program's goal is to implement Equitable Sharing payments through the process EFT. This means that E-Sharing with state and local law enforcement agencies will now take place electronically in order to comply with the Debt Collection Improvement Act of 1996.

## **ACH Vendor/Miscellaneous Payment Enrollment Form**

### **1. Why is Booth Management Consulting, LLC (BMC) contacting state and local agencies to collect data for the U.S. Marshals Service?**

BMC has been contracted by the USMS to collect ACH Vendor Payment Enrollment data. Due to the large number of law enforcement agencies across the country that participate in DOJ Asset Forfeiture Program (approximately 6,600 agencies), USMS decided to contract the data collection services to achieve its goal of implementation by 2006.

### **2. I am not sure that my agency participates in a program with the USMS. Do I need to complete this form?**

USMS provided BMC with a list of law enforcement agencies that are considered active and meet all requirements of the DOJ Asset Forfeiture Program. Please contact the Asset Forfeiture and Money Laundering Section (AFMLS) regarding your participation in the DOJ Equitable Sharing Program.

**3. *My agency has not received funds from the U.S. Marshals Service in years. Why should I complete the form?***

Completing the ACH form (USMS 391) will allow your agency to receive funds in a timely manner, should it be entitled to a share of asset forfeiture funds in the future.

**4. *Do you need a special banking account to participate in the Equitable Sharing Program?***

Yes. Appendix C of *A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies* requires that each state and local law enforcement agency, “Establish a separate revenue account through your Department of Finance for the proceeds from the disposition of federal sharing proceeds. This account will be solely for the use of federal sharing proceeds.”

**5. *Who should complete the ACH form?***

The law enforcement agency should complete all items in the “Law Enforcement Agency” Section. The finance office or the law enforcement agency’s bank/financial institution should complete all items in the “Financial Institution Information” Section. **Please be sure to complete the entire Law Enforcement Agency and Financial Institution Information sections.**

**6. *What is the Taxpayer ID No.?***

The Taxpayer Identification Number (TIN) is the agency’s nine-digit (9) federal taxpayer ID number or federal employer identification number. **This number must be included on the form in order to complete enrollment.**

**7. *Why do I need an email address?***

An email notification of the EFT deposit is sent to the contact person email address shortly after the EFT is made. As you can see from the sample email notification on page 4, it includes the relevant information related to the equitable sharing.

**8. *Who should receive the email notification?***

Someone in the state or local law enforcement agency directly involved with the agency’s finances. This employee should promptly notify the appropriate parties. It should be an email address that is checked regularly.

**9. *My agency already receives electronic funds transfers from the U.S. Marshals Service. Why do I need to complete this form?***

This form is specifically for the receipt of equitable sharing payments for agencies participating in DOJ Asset Forfeiture cases. Other payments may be made by USMS through EFT. Equitable sharing payments are followed with email notification that fully identifies the payment received.

 **ACH Financial Institution Information**

**1. *Who is the ACH Coordinator? Can it be someone at my agency or does it have to be someone from the financial institution?***

The ACH Coordinator is the person at your agency's financial institution that coordinates ACH transfers. If you do not have the financial institution's ACH Coordinator's name, you may leave this item blank.

**2. *Who should sign the "Signature and Title of Authorized Official?"***

The authorized official could be someone at your agency or at the financial institution who is attesting that the data on the form is accurate and complete.

 **EFT Payment Information**

**1. *How will payments be received?***

There will be a separate wire transfer payment for each asset being shared. Payments will be deposited in the state and local law enforcement agencies bank account electronically. You will receive an email notification that a payment has been deposited to your bank account.

**2. *Could my agency continue to receive paper checks?***

No. The Debt Collection Improvement Act of 1996 stipulates that all Federal payments must be made through Electronic Funds Transfers. Once the USMS transitioned all states from paper checks to EFT, equitable sharing payments can no longer be distributed via paper checks.

**3. What should I do if I don't receive an email notification for a payment?**

If you do not receive an email notification for a payment, it may be for different reasons. In any case, please contact the **E-SHARE** Helpdesk at [e.share.help@usdoj.gov](mailto:e.share.help@usdoj.gov) or call 202.307.9205 to add your office's point of contact email address information.

**4. What happens when payment is received, but I can't identify the asset it is for?**

The email notification will include a brief description along with the Case Number and Asset Identification Number (AIN) of the asset being shared. If there is still confusion, you should contact the person identified in the email notification as the USMS District contact.

**5. What happens if my contact person leaves?**

If your contact person leaves, you will need to contact the **E-SHARE** Helpdesk at [e.share.help@usdoj.gov](mailto:e.share.help@usdoj.gov) to submit a new Point of Contact email address so your office continues to receive email notification of sharing payments.

**6. What happens if my account changes?**

If your bank account changes, you will need to fill out a new ACH form and fax it to USMS/AFO at 202.307.8517 with a brief explanation.

**7. Where do I go if the E-SHARE deposit is not in the amount I was expecting for a particular asset?**

Refer all questions regarding percentage approval and amount paid to your federal investigation agency contact.

**8. When will we start to receive Equitable Sharing EFT payments?**

About 10-30 days after you submit an ACH form to Booth Management Consulting; your respective USMS District(s) will be able to start making payments to your agency through the **E-SHARE** Program.

## **DOJ Investigative Agencies**

### **1. How do I know an E-SHARE payment was made?**

USMS Districts will send the applicable IA and/or USAO a copy of the Payment Confirmation Report every time a payment is made. Each CATS asset ID is followed by an (A) or (J) to identify the forfeiture as either Administrative or Judicial.

### **2. How do we set up a new state and local law enforcement agency to receive E-SHARE payments?**

Please contact the **E-SHARE** Helpdesk at [e.share.help@usdoj.gov](mailto:e.share.help@usdoj.gov) or call 202.307.9205. The state or local law enforcement agency must fill out an ACH form and submit it.

### **3. How do I answer a question from a State and Local Law Enforcement Agency if they didn't receive the expected amount?**

You may refer to **CATS Detail Expense and Income Report** and/or print the **CATS Equitable Sharing Memorandum** for all information pertaining to an asset and the proceeds being disbursed.

### **4. What happens now that I do not have a check to present?**

You may prepare a cardboard check or you may request USMS district office or the Helpdesk to provide a check template that you may modify and enlarge as needed.

[www.usmarshals.gov/assets](http://www.usmarshals.gov/assets)