

## Request for Records Disposition Authority

Records Schedule Number           DAA-0060-2015-0004

Schedule Status                    Approved

  

Agency or Establishment           Department of Justice

Record Group / Scheduling Group   General Records of the Department of Justice

Records Schedule applies to       Major Subdivision

Major Subdivision                  Criminal Division

Minor Subdivision                  Office of Administration

Schedule Subject                    Asset Forfeiture and Money Laundering Policy and Training -  
Program Management Records

Internal agency concurrences will  
be provided                         No

Background Information            The Asset Forfeiture and Money Laundering Section (AFMLS) leads the Department's asset forfeiture and anti-money laundering enforcement efforts. AFMLS provides leadership by: (1) prosecuting and coordinating complex, sensitive, multi-district, and international money laundering and asset forfeiture investigations and cases; (2) providing legal and policy assistance and training to federal, state, and local prosecutors and law enforcement personnel, as well as to foreign governments; (3) assisting Departmental and interagency policy makers by developing and reviewing legislative, regulatory, and policy initiatives; and (4) managing the Department's Asset Forfeiture Program, including distributing forfeited funds and properties to appropriate domestic and foreign law enforcement agencies and to community groups within the United States, as well as adjudicating petitions for remission or mitigation of forfeited assets.

### Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
5	0	5	0

### GAO Approval

## Outline of Records Schedule Items for DAA-0060-2015-0004

Sequence Number	
1	1. Equitable Sharing Records
1.1	1.1 Equitable Sharing Request Approval Records. Disposition Authority Number: DAA-0060-2015-0004-0001
1.2	1.2 Annual Equitable Sharing Agreement and Certification Records. Disposition Authority Number: DAA-0060-2015-0004-0002
1.3	1.3 Audits, Compliance Reviews, Law Enforcement Determinations, and Permissible Use Records. Disposition Authority Number: DAA-0060-2015-0004-0003
2	2. Petitions for Remission; Reconsiderations; Restoration Requests. Disposition Authority Number: DAA-0060-2015-0004-0004
3	3. General Correspondence Related to Forfeiture. Disposition Authority Number: DAA-0060-2015-0004-0005

## Records Schedule Items

Sequence Number																			
1	<p><b>1. Equitable Sharing Records</b> An ancillary benefit to asset forfeiture is the ability to share forfeited proceeds with cooperating state and local law enforcement agencies through the Equitable Sharing Program. In order for an agency to receive equitable sharing, it must be a compliant participant in the Program; file yearly compliance certifications; and submit requests detailing participation in the law enforcement effort leading to forfeiture.</p>																		
1.1	<p><b>1.1 Equitable Sharing Request Approval Records.</b> Disposition Authority Number      DAA-0060-2015-0004-0001</p> <p>Decision-making authority regarding the amount to be shared with the state and locals rests with the Criminal Division in cases valued at over \$1 million. Records relating to such approvals may consist of DAG-71, DAG-72, and FCF forms; correspondence; Consolidated Asset Tracking System records and reports; and judicial documents.</p> <table border="0"><tr><td>Final Disposition</td><td>Temporary</td></tr><tr><td>Item Status</td><td>Active</td></tr><tr><td>Is this item media neutral?</td><td>Yes</td></tr><tr><td>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?</td><td>Yes</td></tr><tr><td>Do any of the records covered by this item exist as structured electronic data?</td><td>Yes</td></tr><tr><td>GRS or Superseded Authority Citation</td><td>N1-60-93-10, Item 1</td></tr></table> <p><b>Disposition Instruction</b></p> <table border="0"><tr><td>Cutoff Instruction</td><td>Cut off at the close of case.</td></tr><tr><td>Retention Period</td><td>Destroy 6 year(s) after the cutoff.</td></tr></table> <p><b>Additional Information</b></p> <table border="0"><tr><td>GAO Approval</td><td>Not Required</td></tr></table>	Final Disposition	Temporary	Item Status	Active	Is this item media neutral?	Yes	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes	Do any of the records covered by this item exist as structured electronic data?	Yes	GRS or Superseded Authority Citation	N1-60-93-10, Item 1	Cutoff Instruction	Cut off at the close of case.	Retention Period	Destroy 6 year(s) after the cutoff.	GAO Approval	Not Required
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Do any of the records covered by this item exist as structured electronic data?	Yes																		
GRS or Superseded Authority Citation	N1-60-93-10, Item 1																		
Cutoff Instruction	Cut off at the close of case.																		
Retention Period	Destroy 6 year(s) after the cutoff.																		
GAO Approval	Not Required																		
1.2	<p><b>1.2 Annual Equitable Sharing Agreement and Certification Records.</b> Disposition Authority Number      DAA-0060-2015-0004-0002</p>																		

Participating state and local law enforcement agencies must annually submit an Equitable Sharing Agreement and Certification (ESAC) form to the Asset Forfeiture and Money Laundering Section to maintain compliance with the Program. These forms are submitted electronically and no paper records exist. Records housed in the compliance database include ESAC forms and related affidavits; correspondence; Consolidated Asset Tracking System records and reports; and staff notes. Records exist primarily in electronic format.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

**Disposition Instruction**

Cutoff Instruction Cut off at the end of the fiscal year.

Retention Period Destroy 6 year(s) after the cutoff.

**Additional Information**

GAO Approval Not Required

13 1.3 Audits, Compliance Reviews, Law Enforcement Determinations, and Permissible Use Records.

Disposition Authority Number DAA-0060-2015-0004-0003

DOJ conducts various audits and compliance reviews of spending by Program participants. In addition, AFMLS provides advice and guidance as to the permissibility of proposed expenditures of equitable sharing funds of eligibility of an agency to participate in the Program. Records relating to such activity may include audit or compliance review reports and findings; agency responses; Consolidated Asset Tracking System records and reports; and correspondence.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

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**Disposition Instruction**

Cutoff Instruction                      Cut off after close of audit, review and/or recommendation.

Retention Period                      Destroy 6 year(s) after the cutoff.

**Additional Information**

GAO Approval                      Not Required

**2. Petitions for Remission; Reconsiderations; Restoration Requests.**

Disposition Authority Number      DAA-0060-2015-0004-0004

The Chief of AFMLS has the delegated authority to rule on petitions for remission and reconsideration requests for judicially forfeited property. In addition, the Chief has the authority to rule on requests for restoration of both judicially and administratively forfeited assets. Records relating to such activity may include petitions for remission or mitigation; reconsideration requests; restoration requests; judicial documents; Consolidated Asset Tracking System records and reports; and correspondence.

Final Disposition                      Temporary

Item Status                      Active

Is this item media neutral?              Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?              Yes

Do any of the records covered by this item exist as structured electronic data?              Yes

**Disposition Instruction**

Cutoff Instruction                      Cut off at the close of case.

Retention Period                      Destroy 6 year(s) after the cutoff.

**Additional Information**

GAO Approval                      Not Required

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**3. General Correspondence Related to Forfeiture.**

Disposition Authority Number      DAA-0060-2015-0004-0005

AFMLS provides oversight for many areas of the Asset Forfeiture Program. As a result, various approvals and correspondence related to the disposition of forfeited assets are reviewed and prepared by the Policy and Training Unit. Such

approvals may include direct adoptions; official use requests; congressional or press correspondence; and miscellaneous correspondence.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

**Disposition Instruction**

Cutoff Instruction Cut off when date closed.

Retention Period Destroy 6 year(s) after the cutoff.

**Additional Information**

GAO Approval Not Required

## Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

## Signatory Information

Date	Action	By	Title	Organization
01/13/2015	Certify	Rebekah Meservy	Assistant Director of RIM Operations	Justice Management Division - Office of Records Mgt Policy
05/05/2016	Submit for Concurrency	Lloyd Beers	Appraisal Archivist	National Archives and Records Administration - ACNR Records Management Services
05/09/2016	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
05/09/2016	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
05/11/2016	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist