



EQUITABLE SHARING WIRE

September 29, 2022

Controlled Equipment Purchases with Equitable Sharing Funds

On May 25, 2022, President Joseph Biden issued [Executive Order 14074, “Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety”](#) to identify actions that enhance public safety and trust through the embodiment of fair and equal treatment, transparency and accountability. The Executive Order establishes a list of equipment that Law Enforcement Agencies (LEAs) may not acquire via transfer from federal agencies or purchase using federally-provided funds such as equitable sharing. This new policy does not preclude agencies from using non-federal funds to purchase these items. Effective immediately, funds awarded through the Department of Justice (Justice) and Department of the Treasury (Treasury) Equitable Sharing Programs (Program) shall not be used to purchase equipment prohibited by the Executive Order.

The Executive Order reinstates the requirement that LEAs obtain pre-approval from the funding federal agency and follow new guidelines when purchasing equipment found on the Controlled Equipment List. Effective May 25, 2022, the following equipment is either prohibited or requires approval when purchased with federal funds:

Prohibited Equipment	Controlled Equipment Requiring Approval
Weaponized Aircraft with no Commercial Application	Manned Aircraft, Fixed and Rotary Wing
Weaponized Drones and Weapons Systems	Unmanned Aerial Vehicles
Armored and Tracked Vehicles unless approved for specified uses	Armored and Tactical Vehicles, wheeled
Grenades, Grenade Launchers, and Bayonets	Command and Control Vehicles
Firearms and ammunition of .50 Caliber or Greater and Silencers	Specialized Firearms and Ammunition under .50 Caliber
Explosives, unless approved for specified uses	Explosives and Pyrotechnics
	Breaching Apparatus
	Riot Batons and Shields

If a LEA intends to use Program funds to purchase any Controlled Equipment, the agency must submit a [Controlled Equipment Request Form](#) to [Money Laundering and Asset Recovery Section \(MLARS\)](#) for Justice Program funds and the [Treasury Executive Office for Asset Forfeiture \(TEOAF\)](#) for Treasury Program funds for approval prior to obligating funds or making the purchase. Additional guidance is available in the Executive Order. MLARS and TEOAF will review requests and notify agencies when the request has been approved or denied.

Key Contacts

Program and Use of Funds Questions
MLARS.ESProgram@usdoj.gov

Subscription

To **subscribe** or **unsubscribe** to or from this email, please send a plain text email to eqeswire-subscribe@lists.usdoj.gov or eqeswire-unsubscribe@lists.usdoj.gov.

Websites

Department of Justice Equitable Sharing Program
www.justice.gov/criminal-mlars/equitable-sharing-program

Treasury Executive Office for Asset Forfeiture

<https://home.treasury.gov/policy-issues/terrorism-and-illicit-finance/asset-forfeiture/equitable-sharing>