



EQUITABLE SHARING WIRE

August 11, 2014

Revised DAG-71 Sharing Request Form and Upcoming Electronic Submission

The Department of Justice (DOJ) is continually looking for ways to improve the Equitable Sharing Program and make participation simpler and more efficient. In response to requests and suggestions from Program participants, we have revised and updated the DOJ Sharing Request Form (DAG-71) and submission process.

To view the new Equitable Sharing Request form please click [here](#).

New DAG-71 Form

- **Deadline for submission of DAG-71:** Previously, DAG-71 forms were required to be submitted within 60 days of the seizure. Effective immediately, the new deadline for submitting the Equitable Sharing form is **45 days following the forfeiture**. Agencies may enter DAGs at any time after seizure and amend them to include additional contributions prior to submission. This extended timeframe will afford agencies the opportunity to fully account for and document all of their contributions to the seizure and forfeiture of the asset.
- **Removal of requirement for legal counsel signature:** The new DAG-71 form requires only the agency to sign prior to submission. Legal counsel will no longer be required to certify information.
- **Removal of intended law enforcement use:** All equitable sharing funds must be expended in compliance with the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*. An agency is no longer required to specify uses for funds prior to receipt.
- **Removal of requested percentage:** Equitable sharing is based on an agency's contribution to the law enforcement effort. The new form places a greater emphasis on the workhour contribution and narrative. Percentages of funds awarded to an agency will be based on quantitative and qualitative factors determined by the appropriate decision maker. In addition, DOJ will generally honor sharing percentages in pre-existing, written task force agreements.
- **Late submission waiver:** The DAG-71 now includes a section to provide justification for late submission. Acceptance of late DAG-71s remains at the discretion of the federal seizing agency.

Electronic Submission Process

In 2013, DOJ released the first phase of the eShare Portal, which allows agencies to view and track sharing requests submitted to the DOJ. All Program participants have been invited to establish eShare accounts.

Phase II of the eShare Portal permits electronic submission of the DAG-71 directly to the seizing agency. It is estimated that effective January 2015, use of the eShare Portal will become mandatory for submission of Equitable Sharing Request forms. Until that time, your agency should continue submitting the revised DAG-71 form to the federal seizing agency on paper.

Features of the electronic DAG-71 submission process:

- **Electronic notification of assets eligible for sharing:** Users can receive notification and a list of assets for which they are eligible to submit a DAG-71.
- **Reminder emails and notification of forfeiture and payment**
- **Ability to amend and update the form**
- **Pre-population of data:** A large portion of the DAG-71 form will be pre-populated in the system for the users, reducing submission errors and allowing for more focus on the narrative contribution section.

Your agency will be notified when electronic submission becomes available for your region. However, we recommend obtaining eShare Portal accounts now to familiarize yourself with the system and its current capabilities.

Key Contacts

Permissible Use of Funds
Afmls.aca@usdoj.gov

A-133 Audit Inquiries
A133sharing@usdoj.gov

Websites

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

Subscription

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