

## Fact Sheet on Resumption of Equitable Sharing Payments

### 1. *When will equitable sharing payments resume?*

The equitable sharing disposal and disbursement process will resume immediately; therefore, state, local, and tribal law enforcement agencies will begin receiving equitable sharing payments in April, and the payments will continue after that as we process the claims.

### 2. *Will state, local and tribal law enforcement agencies receive full equitable sharing payments or reduced payments when equitable sharing is resumed?*

Agencies will receive the full amount of their share of any approved equitable sharing payments.

### 3. *How is the Department going to prioritize the backlog of equitable sharing payments?*

The Department will first process payments that were ready for payment prior to the deferral decision on December 21, 2015, but were suspended mid-process. Any sharing payments approved after December 21, 2015 will be paid on a “first in, first out” basis.

### 4. *How long will it take the Department to pay all the deferred equitable sharing payments?*

The Department is restarting the Equitable Sharing payment process immediately. In addition, we are modifying the current system in order to streamline and speed up the large number of payments that are expected to be processed from now until the end of the fiscal year. We are centralizing our payment distribution process to ensure that both the deferred payments, as well as the future disbursements, are made as quickly as possible.

### 5. *How will individual state, local, and tribal law enforcement agencies know when a specific equitable sharing payment will be made?*

As is usually the case in equitable sharing, the recipient agency will receive an email notification alerting it to a payment, unless the agency previously opted out of receiving these notifications. In addition, agencies can view the status of all pending and disbursed equitable sharing payments in the eShare portal.

### 6. *Is there a risk that equitable sharing payments will need to be deferred, again, this year?*

We would not have restarted equitable sharing payments right now unless we were confident the Assets Forfeiture Fund will remain solvent through remainder of the fiscal year, which ends on September 30, 2016. At the end of any fiscal year, total Assets Forfeiture Fund expenses and rescission amounts cannot exceed resources available in the fund. This is why the combined and unanticipated impact of \$1.2 billion in rescissions three months into the fiscal year forced us to defer payments until additional deposits could replenish the loss.

### 7. *What will happen in 2017?*

Assuming our budget request to Congress is enacted, we also anticipate fully funding the Equitable Sharing Program in Fiscal Year 2017.