



*Homeland Security Investigations  
Office of the Executive Associate Director*

**U.S. Department of Homeland Security**  
500 12th Street, SW  
Washington, D.C. 20536

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MEMORANDUM FOR: Assistant Directors  
Deputy Assistant Directors  
Special Agents in Charge  
Homeland Security Investigations

FROM: Executive Associate Director  
Homeland Security Investigations

*Kathleen W. Berger* 09/30/2024

SUBJECT: Assists and Transfer of Seized Property

The purpose of this policy memorandum is to align Homeland Security Investigations (HSI) policies with recent changes made by the U.S. Customs and Border Protection (CBP) to its Seized Asset Management and Enforcement Procedures Handbook (SAMEPH) and to explain how the changes apply to HSI personnel.

In April 2024, CBP updated the SAMEPH addressing old terminology and clarified in more detail the differences between assists and seizure incidents recorded in SEACATS. This clarification applies to HSI personnel and the corresponding updates to the HSI Evidence Handbook (HSI HB 15-05), dated November 9, 2015 (hereafter “the Evidence Handbook”), are as follows:

#### Update to Terminology

Chapter 3 and Appendix B of the Evidence Handbook are updated as follows:

- SAS - The term Search, Arrest and Seizure and its acronym SAS are obsolete; they have been replaced by the “SEACATS Incident Report.”
- SEACATS – The term “SEACATS” is now a noun and is no longer the acronym of “Seized Asset and Case Tracking System.”

#### Update and Clarification of Assists

Section 11.3 of the Evidence Handbook is superseded by the following:

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## HOMELAND SECURITY INVESTIGATIONS

### *Assists and Transfer of Seized Property*

Page 2

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#### 11.3 Assists

When HSI Domestic Operations and International Office personnel assist state, local, federal, or foreign governments with seizures, HSI personnel who are present and supporting the enforcement activities will record all seizures in a SEACATS Incident Report as Assist Only (b) (7)(E). SEACATS Incident Reports will utilize the appropriate incident type (i.e., (b) (7)(E) Seizure, (b) (7)(E) Seizure & Arrest) for the recordation of enforcement activities in SEACATS. The appropriate physical status code for evidence seized by non-HSI personnel for (b) (7)(E) and (b) (7)(E) type incidents is (b) (7)(E) - Assist Only.

An (b) (7)(E) SEACATS Incident Report is utilized in SEACATS when HSI **is not** the seizing agency but invested significant time, funding, and resources into the investigation leading to the other law enforcement agency (LEA)'s seizure or arrest. If property is seized by another agency and HSI is not taking physical and legal custody of the property, HSI should enter the activity as an (b) (7)(E) and not a seizure in SEACATS.

When operating in foreign countries, HSI does not have the authority to seize property but relies on the authority and cooperation of the host government. Property seized in support of HSI investigations by a foreign LEA should be entered as (b) (7)(E) by the HSI Attaché and not entered as seizures, as no CBP port code is assigned to foreign offices, and no CBP Fines, Penalties and Forfeiture (FPF) number is generated.

Foreign HSI offices can utilize a Department of Homeland Security (DHS) Form 6051R, Receipt for Property, to track property received from a foreign LEA until that property is transferred to an HSI domestic office for seizure and custody on a DHS Form 6051S, Custody Receipt for Seized Property and Evidence. If an HSI domestic office receives property from a foreign LEA, the domestic HSI office can then enter the property as a seizure in a SEACATS Incident Report to generate the FPF tracking number. The DHS Form 6051S and any supporting documentation for the foreign seizure must be attached to the SEACATS Incident Report.

No documentation is uploaded to SEACATS for Assists; however, HSI officers are required to upload documentation from the other government or law enforcement entity to the Investigative Case Management (ICM) system to support the data entered in the (b) (7)(E) SEACATS Incident Report. The documentation should be entered within (b) (7)(E) from the approval of the SEACATS Incident Report. The HSI Data Management Reporting Unit will periodically review SEACATS Incident Reports to ensure that they were entered correctly as seizures or assists. If there is a question as to whether an incident should be entered as a seizure or an assist, the Unit Chief of the Asset Forfeiture Unit (AFU) should be contacted. The AFU Unit Chief will review the facts and make a final determination.

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**HSI Property Turned Over to (TO) other Law Enforcement Agencies**

Sections 11.6.B.1 and 11.6.B.2 of the Evidence Handbook are updated as follows:

- 1) Under certain circumstances, seized property may be turned over to another agency for a temporary analysis, review, comparison, etc., with the intention that it will be returned to HSI. When seized property is being turned over to another agency on a temporary basis, HSI officers will update SEACATS and ‘add’ a temporary (b) (7)(E) disposition code to accurately reflect the custody and will upload the supporting documentation showing the temporary release. A (b) (7)(E) disposition code is to be utilized when property is sent to laboratories for forensics. Laboratories may include the CBP Laboratories and Scientific Services, the Drug Enforcement Administration Laboratory, the Alcohol, Tobacco, Firearms and Explosives Laboratory, the HSI Forensic Laboratory, or the DHS Cyber Crimes Center or any other certified federal, state or local laboratories. A (b) (7)(E) disposition code is not used when property is transferred within an HSI Area of Responsibility or transferred to other HSI domestic field offices. When property returns from a temporary release, HSI officers are required to ‘Accomplish’ the (b) (7)(E) disposition and upload the corresponding custody document. The original DHS Form 6051 (any version) is not sent with the property when it leaves the custody of HSI or CBP. Instead, a copy of the form is to be used. When the property returns from the laboratory, the HSI officer will sign the original DHS Form 6051S and upload the document to SEACATS. Property in a (b) (7)(E) status does not require a waiver and should only be used for transfers for forensics and other testing. The (b) (7)(E) status is not utilized in lieu of a waiver from AFU for storage only. Once property is returned from a laboratory, the property is to be immediately secured in an HSI evidence room. For any high-risk or forfeitable property, HSI officers have (b) (7)(E) from the date of return to transfer the property to CBP.
- 2) Property seized by HSI that will be permanently turned over (b) (7)(E) to another LEA requires a completed DHS Form 6051S. If the property is a controlled substance, HSI officers are required to weigh the property prior to transfer. The weight must be measured using the metric system. All seizures under one kilogram must be entered as grams using three decimal points, e.g., 0.999 grams; and all seizures over one kilogram must be entered using kilograms and at least two decimal places, e.g., 100.15 kilograms.

Receiving officers must legibly write their first and last name and the name of their home agency on DHS Form 6051S. Receiving officers must also provide a signature, home agency title, home agency badge number, and the date of receipt.

The transferring HSI officer is required to record the (b) (7)(E) in SEACATS (b) (7)(E) and upload the supporting documentation. The original copy for a “TO” will remain with HSI and will be kept in the HSI case file.

**Superseded**

This policy memorandum updates Chapter 2 and Appendix B of the HSI Evidence Handbook (HSI HB 15-05), dated November 9, 2015, and supersedes its Sections 11.3, 11.6.B.1, and 11.6.B.2.