



DEPARTMENT OF THE TREASURY
UNDER SECRETARY FOR TERRORISM AND FINANCIAL INTELLIGENCE

EXECUTIVE OFFICE FOR ASSET FORFEITURE
1341 G ST., N.W., SUITE 900, WASHINGTON, D.C. 20005

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JUN 21 2018

Jennifer Lucchesi
Executive Officer
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825
Jennifer.Lucchesi@slc.ca.gov

Re: California Senate Bill 50- United States' Properties Acquired through Asset
Forfeiture

Dear Ms. Lucchesi:

The Treasury Executive Office for Asset Forfeiture (TEOAF) manages the sale of real properties that the United States has acquired through forfeiture on behalf of the United States Department of Treasury and Department of Homeland Security. This letter addresses Item 89 on the Agenda for the California State Lands Commission's June 21, 2018, meeting, entitled "Consider exercising right of first refusal for the acquisition of federal public lands, or right to arrange for their transfer to another entity, in various counties," which addresses properties that the United States has acquired through forfeiture.

I am writing to memorialize that the United States, which owns the subject properties and acquired them through forfeiture, is not providing the California State Lands Commission a right of first refusal as to any of these properties, or a right to arrange for their transfer to third parties, pursuant to California Public Resources Code § 8560. Nor is the United States applying for a waiver of the State's purported rights under Section 8560. As you know, the United States has filed suit to challenge the constitutionality of the law under which section 8560 was enacted, 2017 California Senate Bill 50 (Stats. 2017, ch. 535) ("SB 50").

Please note that your consideration of the subject properties does not reflect any waiver or concession by the United States of any issue in that litigation. Moreover, TEOAF has executed contracts for the sale of several of the forfeited properties identified in Staff Report C89. TEOAF has been told that title insurance will not be issued for properties forfeited to, and being sold by, the United States unless a Certificate of Compliance is obtained.

Sincerely,


John Farley
Director
Treasury Executive Office for Asset Forfeiture



U.S. Department of Justice

United States Marshals Service

Asset Forfeiture Division

*Crystal Gateway 3, 9th floor
Washington, DC 20530-0001*

June 20, 2018

VIA U.S. MAIL and E-MAIL

Jennifer Lucchesi
Executive Officer
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825
Jennifer.Lucchesi@slc.ca.gov

Re: California Senate Bill 50 – United States’ Properties Acquired through Asset Forfeiture

Dear Ms. Lucchesi:

The United States Marshals Service (“USMS”) manages the sale of real properties that the United States acquires through forfeiture on behalf of the United States Department of Justice. This letter addresses Item 89 on the June 21, 2018 Agenda, which concerns certain properties the United States has acquired, or is in the process of acquiring, through forfeiture.

I am writing to memorialize that the United States is not providing the California State Lands Commission (SLC) a right of first refusal, or a right to arrange for transfer to third parties, as to any of the properties referenced in Item 89, or any of the properties the United States acquires through forfeiture. Nor is the United States asking the SLC to waive its purported rights under 2017 California Senate Bill 50.

Please note that the USMS has executed contracts for the sale of several of the forfeited properties identified in Staff Report C89. The USMS has been told that title insurance will not be issued for properties forfeited to, and being sold by, the United States unless a Certificate of Compliance has been obtained.

Sincerely,

A handwritten signature in blue ink that reads "Wesley Newbold".

Wesley Newbold
Chief, Asset Management Section
Asset Forfeiture Division
United States Marshals Service