

CHAPTER 1

INTRODUCTION

A. GENERAL. This manual, authorized by DoD 4140.1-R, Department of Defense (DoD) Materiel Management Regulation, implements the requirements of the Federal Property Management Regulation (FPMR), and other laws and regulations as appropriate, as they apply to the disposition of excess, surplus, and foreign excess personal property (FEPP). It takes precedence over conflicting instructions within the DoD. The Federal Property and Administrative Services Act of 1949, as amended (Act of 30 June 1949, 63 Stat. 377, 40 United States Code [USC] 471), hereafter referred to as the “Act”, and the FPMR shall take precedence over this manual, unless otherwise provided by statute.

B. SCOPE AND APPLICABILITY

1. The contents of this manual are applicable to all elements of the DoD, their subordinate commands, installations and activities, worldwide, except as otherwise indicated. It applies to the disposition of excess, surplus and FEPP, and other property as authorized. Provisions of this manual affecting Defense Reutilization and Marketing Service (DRMS) operations are also applicable to Federal civil agency excess and surplus property turned-in to a Defense Reutilization and Marketing Office (DRMO), for disposition under applicable Interagency Agreements.

2. Specific guidance for property identified as Munitions List Items (MLI)/Strategic List Items (SLI) is found in DoD 4160.21-M-1, Defense Demilitarization and Trade Security Control Manual.

3. Unless otherwise stated, this manual is not applicable to:

a. Items under management control of the Defense Nuclear Agency (DNA), in Federal Supply Group (FSG) 11; all Department of Energy (DoE) special design and quality controlled items; and all DoD items designed specifically for use on or with nuclear weapons (identified by manufacturers' codes 57991, 67991, 77991, and 87991 in the Defense Logistics Services Center [DLSC] master item file). These items shall be processed in accordance with Technical Publication, Supply Management of Nuclear Weapons Materiel, DoE-DNA Technical Publication (TP) 100-1, Navy Special Weapons Operating Procedure (SWOP) 100-1, Army Technical Manual (TM) 39-100-1, Air Force Technical Order (TO) 11N-100-1.

b. Cryptologic/cryptographic Materiel. This materiel shall be processed in accordance with NSTISSI 4008 (For Official Use Only [FOUO] and National Security Agency (NSA) Circular 60-5(C)).

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c. Naval Nuclear Propulsion Plant Materiel. This materiel shall be processed in accordance with Naval Sea Systems Command Instruction (NAVSEAINST) C5511.32 and Ships Parts Control Center Instruction (SPCCINST) 4440.376H as stated in, Chapter 4, Property Requiring Special Processing, paragraph B44.

d. Army Corps of Engineers Civil Works Property. The DRMS may be utilized on a reimbursable basis.

e. Automation Resources (AR) items under the management control of the Defense Information Systems Agency (DISA), Chief Information Officer, Defense Automation Resources Management Program Division.

f. Property provided to foreign governments under security assistance programs.

4. Suggested revisions and/or requests for waivers to this manual should be submitted through DoD component channels (see Chapter 2, Attachment 1), to the Defense Logistics Agency (DLA), for consideration.

C. OBJECTIVES

1. Personal property (including scrap) shall be disposed of in a manner that ensures maximum use to satisfy valid needs, permits authorized donations, obtains optimum monetary return to the U.S. Government for property sold, protects the environment, and minimizes the need for abandonment or destruction (A/D).

2. The procedures, codes and uniform formats of the DoD 4000.25-1-M, Military Standard Requisitioning and Issue Procedures (MILSTRIP), DoD 4000.25-2-M, Military Standard Transaction Reporting and Accounting Procedures (MILSTRAP), etc., shall be used to the maximum extent possible in all property disposition transactions.

3. Precious metals bearing scrap and end items containing precious metals shall be disposed of in a manner that assures cost effective disposition and recovery of precious metals when economically feasible under the Precious Metals Recovery Program (PMRP).

4. Military Service excess containing components required to offset buy, budget, and repair needs shall be reclaimed before disposal.

5. The development and use of electronic capabilities (e.g., Electronic Commerce/Electronic Data Interchange [EC/EDI]) is encouraged throughout all aspects of the Defense Materiel Disposition Program.

6. Coordination. Coordination shall be made with:

a. The Military Services, other DoD components, and Federal civilian agencies when the proposed change affects their areas of responsibility or operation; refer to the DUSD (L) with pertinent comments any unresolved nonconcurrency with the proposed changes

b. The Department of State (DoS), or the U.S. Diplomatic Missions in the country or countries concerned, regarding the disposition of personal property in foreign countries, to assure conformance with U.S. foreign policy.

c. The Department of the Treasury (TD), relative to the acceptance of foreign currencies in payment for personal property.

d. The Department of Justice (DoJ) to obtain antitrust advice on certain sales as prescribed in this manual. Instances of suspected collusion shall be referred to the DoJ or the DoS representative as appropriate.

D. FOREIGN LIAISON

1. Visits

a. Continental United States (CONUS) DRMOs. Authority for granting visit to CONUS DRMOs by foreign nationals and representatives of foreign governments rests with the Assistant Executive Director, International Programs, Headquarters (HQ) Defense Logistics Agency (DLA). Prospective foreign visitors to DRMO's must submit visit requests through their embassy according to procedures in Department of Defense Directive (DoDD) 5230.20, Visits and Assignments of Foreign Representatives. Furthermore, visit requests to DRMOs must include a request for a security clearance from the host Military Service. HQ DLA receives the visit requests through channels, processes the requests according to DLA Instruction (DLAI) 5205.21, DLA Foreign Liaison/Disclosure Program, and provides written authority to cognizant primary level field activity commanders and/or DRMO Chiefs. Visit requests must be submitted 30 days in advance. Unclassified visits by foreign nationals can be approved for the purpose of inspection prior to acquiring through security assistance programs and other programs authorized by statute.

b. Outside CONUS DRMOs. By authority of the Commander of a DoD activity, foreign nationals and representatives of friendly foreign governments or international organizations may be admitted to the DRMO or DRMS for the purpose of inspecting items of excess (for foreign military sales (FMS)), surplus, or FEPP available for sale, or obtaining information relative to such sales. (See definitions for Denied Areas, Friendly Foreign Governments, and International Organizations.)

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2. Release of Unclassified Information

a. Release to representatives or nationals of denied areas. All written requests for information from foreign nationals or representatives of denied areas shall be referred to the assigned security office.

b. Release to representatives of friendly foreign governments organizations. Unclassified information which is normally furnished to the general public may be released by any DoD field activity directly to representatives of friendly foreign governments when such information is requested.

c. Release to Nationals of Friendly Foreign Governments or representatives of International Organizations.

(1) Unclassified information relating to the sale of surplus or FEPP which is normally furnished to the general public may be released by any DoD field activity directly to individuals or business concerns in friendly foreign countries (or representatives in the United States of such foreign business concerns).

(2) Release of technical data (as defined in the DoD 4160.21-M-1) relative to MLI/SLIs, to any individual, requires established Trade Security Controls (TSC) procedures.

E. PERSONNEL AND TRAINING

1. Selection of Key Personnel. The magnitude of the Defense Materiel Disposition Program and its effects on public relations require that only qualified personnel be assigned. The duties and responsibilities require that key personnel be trained in DoD materiel disposition policy, regulations, and procedures.

2. Training of DoD Personnel with Responsibilities in the Materiel Disposition Program.

a. The importance of this program requires that personnel receive training in the field of defense material disposition and related technical areas, such as safety, environmental protection, Demilitarization (DEMIL), Trade Security Controls (TSC), accounting, administration, and management.

b. Formal training in the area of property disposition (Reutilization and Marketing) is covered in DoDD 5010.16, Defense Management Education and Training Program and applicable Service and DLA training directives.

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