



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON DAEGU
UNIT #15746
APO AP 96218-5746

IMKO-ADZ

4 JAN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: US Army Garrison (USAG) Daegu Command Policy Letter #46, Damaged Property Policy

1. REFERENCE.

AR 735-5, Policies and Procedures for Property Accountability, 28 Feb 05.

2. PURPOSE

To provide command guidance on the proper method for obtaining relief from responsibility from damages when simple negligence or willful misconduct were not involved. The proponent of this policy letter is the Directorate of Logistics.

3. APPLICABILITY

These procedures are applicable to all personnel assigned to and/or under the operational control of USAG Daegu.

4. POLICY

a. Overview: Conservation of government property is a fundamental obligation of all Commanders, Officers, Soldiers (US and KATUSA), Department of the Army Civilians, Local Nationals and Invited Contractors assigned or attached to USAG Daegu. Timely and accurate reporting of incidences that caused government property to become damaged, regardless of the circumstances, is also an inherent obligation of all assigned or attached personnel. There are no provisions in governing regulations that permit damage to government property to go unreported or to be repaired without determining cause.

b. USAG Daegu Commander's Intent: Under the provision of AR 735-5, para 14-18, when Government property becomes damaged and neither negligence nor willful misconduct was involved, the Garrison Commander may allow the item to be repaired via a statement. The statement will attest to the fact that a thorough review of the prevailing circumstances indicates that there was no evidence of negligence or willful misconduct involved.

c. Effective immediately, in order to fully implement the provisions of AR 735-5, para 14-18, I hereby grant special authority to the HHC Company Commander, USAG Daegu's Directors and heads of special staff to conduct research into the cause of damage to equipment that

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occurred in their area of operation. I expect each of the aforementioned to personally conduct a thorough and impartial investigation into all incidents involving damage to Government property. If it is determined as a result of the investigation, that neither negligence nor willful misconduct was involved, a statement to that effect will be submitted to this Headquarters.

d. The Director of Logistics is hereby appointed as the reviewing authority to review, approved or disapprove damage statements submitted to this headquarters by the HHC commander, directors and/ or special staff.

4. PROCEDURES:

a. Although special authorization was granted to specific positions within the garrison to investigate and submit damage statements, a \$1000.00 limit per incident is imposed. Upon notification of an incident involving equipment damage, the preliminary investigation will be comprised of the following:

(1) Immediately identifying those personnel who were involved in the incident and conduct interviews.

(2) A visual and pictorial inspection of the equipment is swiftly undertaken to assess the extent of damage.

(3) That the visual and pictorial review of the incident is sufficient to release the equipment for the necessary repairs.

(4) That an Estimated Cost of Damage (ECOD) is requested from the maintenance support activity.

(5) Develop, evaluate and make a determination based on the pertaining facts as to the cause of the incident. If it is concluded after the investigation, that neither negligence nor willful misconduct were involved, submit a damage statement within five (5) days of the incident to the Director of Logistics. The damage statement will contain the following statement:

“I have reviewed the circumstances surrounding the damage to the above item(s) and find no evidence of negligence or willful misconduct.”

Append to the damage statement, will be documentation supporting the decision.

(6) If the investigation concludes that negligence or willful misconduct were involved, responsible individuals will be afforded the opportunity to make voluntarily restitution to pay for the damage(s). If the individual(s) refuses to make a make a voluntary offer of restitution, a Financial Liability Investigation of Property Loss (FLIPL) will

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immediately be initiated. A FLIPL will also be initiated when the facts and circumstances are deemed to be undetermined.

(7) Upon receipt of an ECOD or Actual Cost of Damage (ACOD) and the cost exceeds the \$1000.00 limit, the damage statement will be forwarded thru the Director of Logistics to the garrison commander for review and approval.

b. The Director of Logistics is the proponent of this process and will thoroughly review all damage statements forwarded to this headquarters to ensure the intent of this policy are rigidly adhered to.

c. When the Director of Logistics determines that a damage statement is factually incorrect or suspicious, the statement will be disapproved and returned to the sender with specific instructions to initiate a FLIPL. The sender will also be advised of the timelines for initiating the FLIPL.

d. The Director of Logistics will ensure proper oversight is established to ensure quarterly reviews of damage statements are conducted. Further, the Director of Logistics will incorporate the review of damage statements into the Command Supply Discipline Program (CSDP).

5. The proponent of this policy is the Director of Logistics. The points of contacts are Mr. John Weal or Mr. Harold Albertina at DSN: 768-7327 and 768-8765.


KATHLEEN A. GAVLE
COL, MI
Commanding

DISTRUBUTION:

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