

DoD 4160.21-M
August 1997



DEFENSE MATERIEL DISPOSITION MANUAL

**DEPARTMENT OF DEFENSE
OFFICE OF THE DEPUTY UNDER SECRETARY OF DEFENSE
(LOGISTICS)**

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Where applicable, DoD components will consult with outside organizations for market impact advice.

e. Property reporting and sale schedules shall be developed to ensure expeditious property disposal, maximum competition, maximum sale proceeds, good public relations, and uniform workload.

f. The DRMS shall provide advance notice to the U.S. Department of Commerce, Room 1300, 433 West Van Buren Street, Chicago, IL 60607, of all proposed or scheduled competitive bid sales (except negotiated, zone spot bid, zone auction, and zone local sealed bid sales) of surplus usable property located in the United States, Puerto Rico, American Samoa, Guam, TTPI, and the Virgin Islands, having a total acquisition cost of \$250,000 or more per sale and sales of scrap and recyclable material with a minimum potential return of \$5,000 per sale.

C. SALE SOLICITATIONS

1. Preparation and distribution of sale solicitations

a. Sale solicitations should be prepared in a manner that provides the prospective purchasers with general information, instructions, general sale terms and conditions, special conditions, and an accurate, complete description of the property being offered for sale.

b. Sale solicitations shall be given adequate public notice and shall be distributed in sufficient time to be received by prospective purchasers before the first day of the inspection period.

c. DRMS shall maintain consolidated lists of prospective purchasers for control and distribution of sale solicitations. This listing shall be maintained by classes of property and geographical areas to permit selection of prospective purchasers both by commodity desired and geographic location in which the purchaser has stated an interest in buying.

2. Sales Terms and Conditions

a. General sale terms and conditions and special conditions found in DRMS' publication "Sale by Reference" shall be used in the sale of all surplus, foreign excess, or other categories of property offered for sale by DRMS. Sales contracting will be conducted in accordance with the FPMR.

b. Additional sales terms and conditions applicable to the sale of MLI/SLI are found in the DoD 4160.21-M-1, Defense DEMIL and TSC Manual, and are required for all sales of MLI/SLI.

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laws. A record shall be maintained of visits by qualified inspectors showing the date of the visit, and where appropriate, action taken to correct the accuracy of the scales. It is the responsibility of the DRMO to initiate the action to obtain the services of a qualified scale inspector, and to request repair action when needed.

b. Military Services/Defense Agency Scales. The host installation shall inspect, calibrate, and maintain scales under their jurisdiction at a frequency not less than annually and more often if required by States or local laws.

4. Purchasers are required to pay, before delivery of any of the property, the full purchase price based upon the quantity or weight as set forth in the sale offering, except for term sales. If prepayment of an overage quantity is not practicable or possible, payment shall be due upon issuance by the SCO of a Statement of Account after release of property. Where the purchaser is a State, local government, or instrumentality thereof whose laws or regulations prevent payment before delivery, the purchaser shall be provided 60 days from the date of removal of property within which to make the payment.

5. Removal of property shall be subject to general and special conditions of sale and the loading table as set forth in the sale solicitation and resulting contract.

L. MLI/SLI

1. Policy and procedures for the control of MLI/SLI, are contained in DoD 4160.21-M-1, and incorporate the provisions of DoDD 2030. Trade Security Controls on DoD Personal Property. It applies to all MLI/SLI property owned, procured by or under the control of the DoD (referred to as U.S. origin property), that is released through transfer, donation, grant loan, lease, barter, trade or sale to any entity other than another DoD Component activity (except DoD/Military Service museums), to include all Government owned property furnished to or acquired by DoD contractors. It also applies to U.S. Origin property that was sold by commercial sale and licensed for export by the DoS, Bureau of Politico-Military Affairs, Office of Defense Trade Controls (PM/ODTC); the Department of Commerce, Bureau of Export Administration (BXA); the DT, Office of Foreign Assets Control (FAC); or that is granted or sold by the DoD through Security Assistance Programs, to include the MAP.

2. Specialized Sale of Defense Items Requiring DEMIL. See DoD 4160.21-M-1.

M. COMMERCIAL SPACE LAUNCH ACT (CSLA) (PUBLIC LAW 98-575)

1. General. The purpose of the CSLA is to promote economic growth and entrepreneurial activity through the utilization of the space environment for peaceful purposes; encourage the private sector to provide launch vehicles and associated launch services; facilitate/encourage the acquisition (sale, lease, transaction in lieu of sale, or otherwise) by the private sector of launch