

STATEMENT OF DETERMINATION

Defense Materiel Disposition Procedures for the Sale of DoD Materiel

1. In accordance with title 5, CFR 1320.13, the senior official, or designee, of the Department of Defense has determined that this collection of information is needed prior to the expiration of the time periods under title 5, CFR 1320, and that it is essential to the mission of the agency. The agency cannot reasonably follow the normal clearance procedures under title 5, CFR 1320, due to the immediate need to collect information using the required forms (Defense Reutilization and Marketing Service (DRMS Form 1645, DRMS Form 2006, and Standard Form (SF) 114A).
2. The Under Secretary of Defense for Acquisition, Technology, and Logistics, Defense Logistics Agency, is submitting the subject requirement for emergency review and approval. This emergency submission is necessary to avoid impeding the implementation of the Defense Materiel Disposition Interim Final Rule. Failure to implement the rule will lead to a continuing reliance on individual waivers and exceptions to the current 1997 policy, the Defense Materiel Disposition Manual (DoD 4160.21-M). A lack of clear guidance will cause potential confusion on the part of both the public and the Department of Defense and sub-optimize the disposition decision-making process. Individuals and countries, whose interests are counter to those of the United States, target property for their military utility and value. Release of DoD property without clearance checks poses a risk to national security. These concerns were established as a result of Congressional hearings, numerous investigations and seizures conducted by the U.S. Customs Service, Federal Bureau of Investigation, Defense Criminal Investigative Service, and U.S. Attorney's General task forces. The forms will be used to address Congressional, General Accounting Office, and DoD Inspector General findings.
3. The information that is requested is the minimum necessary to comply with the Paperwork Reduction Act.