



DEFENSE LOGISTICS AGENCY
DEFENSE REUTILIZATION AND MARKETING SERVICE
DEFENSE REUTILIZATION AND MARKETING OFFICE
OKLAHOMA CITY
TINKER AIR FORCE BASE
6150 AIR DEPOT BLVD
OKLAHOMA CITY, OK 73145-5000



IN REPLY
REFER TO

MEMORANDUM OF AGREEMENT
(Receipt/Disposal-in-Place)

This Memorandum of Agreement (MOA) is made between the Defense Reutilization and Marketing Service (DRMS) and the Civil Air Patrol, Inc. (CAP), hereinafter called the Generator, or their designees, with the approval of HQ CAP-USAF.

- PURPOSE:** The purpose of this MOA is to provide a process for receipt and/or disposal in place of DoD excess property acquired by CAP. The intent of this MOA is for the parties to utilize receipt and disposal in-place procedures to the maximum extent possible in order to ensure proper accountability/ disposal of any DoD excess property CAP receives, but to avoid unnecessary handling and costs associated with physical return of excess property to servicing Defense Reutilization and Marketing Offices (DRMOs).
- AUTHORITY:** As a DoD sponsored activity, CAP may be authorized by the Secretary of the Air Force and DRMS to screen and receive DoD excess to support valid mission needs of the USAF Auxiliary IAW 10 USC 9444 (b) and (c) and DoD 4160.21-M. Receipt of DoD excess property by CAP is subject to the approval and control of HQ CAP-USAF, the Air Force organization designated by the Secretary to provide day-to-day oversight of the USAF Auxiliary, and AETC CONS/LGCC, the Grants Officer, responsible for administering the Air Force-CAP Cooperative Agreement. See AFI 10-2701. CAP's title to DoD excess property is conditional only. Excess personal property is transferred to CAP upon condition that it will be returned to DRMS for further reutilization/ disposition when it is no longer needed to fulfill valid mission requirements. CAP remains legally responsible for all DoD excess property in its custody. HQ CAP-USAF/LG is the Air Force accountability officer who shall administer the FG property account for DoD excess property transferred to CAP. CAP and its volunteers are strictly prohibited from selling, donating, or bartering property acquired from the DoD disposal system under any circumstances. Disposal of DoD excess property (i.e. transfer, reutilization, DRMS sale, etc.) is subject to DRMS approval and shall be accomplished IAW all relevant DoD guidelines, regulations, and the terms of this agreement.
- The Commander of DRMS, or designated representative, is authorized to execute this agreement on behalf of DRMS pursuant to the authority in DoD 4000.19, Para 4.5.2, and DoD 4160.21-M, Defense Material Disposition Manual. The CAP Executive Director is authorized to execute this agreement on behalf of CAP Corporation. The Commander of HQ CAP-USAF is authorized to approve and control the disposition of DoD excess property by CAP for its USAF Auxiliary mission IAW the authority set forth in 10 USC 9444 (b) and (c), AFI 10-2701, DoD 4160.21-M, and the Statement of Work for the Air Force-CAP Cooperative Agreement.

4. REFERENCE:

a. DoD 4160.21-M, Defense Material Disposition Manual, August 1997, in its entirety, with particular attention to:

(1) **Chapter 3, Receipt, Handling, and Accounting**--Allows for property to be received in place via MOU, MOA, ISA, and with appropriate turn-in documentation when locally determined to be justified for economic reasons or when the DRMO is physically unable to accept property either by regulation or other restrictions. For purposes of this agreement, economic reasons shall include instances when it is impractical for CAP units (squadrons, wings, regions) to physically return items to DRMO due to the distance between the CAP unit and the servicing DRMO and/or where the expense of physically returning the items is significant and/or disproportional to the value of the property.

(2) **Chapter 4, Items Requiring Special Handling Instructions**--Some property, because of its peculiar nature, its potential influence on public health, safety, the environment, security, or private industry, must be disposed of in other than a normal fashion. This chapter sets forth those items or categories of property, explains their peculiarities, and furnishes guidance for their disposal.

(3) **Chapter 10, Environmentally Regulated and Hazardous Property**--Provides DoD installations and DLA personnel with guidance on handling, processing, and disposing of DoD excess, surplus, and FEPP which may be hazardous to human health and the environment.

b. DRMS-I 6050.1, Environmental Compliance for the DRMS Hazardous Property Program(s), June 2000.

5. DEFINITIONS:

a. **Accountability**: The obligation imposed by law, lawful order, or regulation, accepted by a person for keeping accurate records to ensure control of property, documents, or funds, with or without possession of the property. The person who is accountable is concerned with control while the person who has possession is responsible for custody, care and safekeeping. *See Also* DoD 4160.21M, Chapter 5, Attachment 1, subparagraph 10; applicable provisions of the Statement of Work for the Cooperative Agreement between the US Air Force and CAP; DoD 3210.6-R; DoD 7000.14-R, Vol. 12, Ch. 5; CFR 41, Chapter 101.

b. **FG Account**: A DoD account that is established to provide a uniform method for controlling US Government assets and for recording transactions that reflect receipts and disposition of DoD excess property transferred to CAP.

c. **Custody**: Immediate charge and control for the protection and safekeeping of personal property located in the custodian's physical barriers.

d. **Demilitarization (DEMIL)**: The act of destroying the military offensive or defensive advantages inherent in certain types of equipment or material. The term includes mutilation, dumping at sea, cutting, crushing, scrapping, melting, burning, or alteration designed to prevent the further use of this equipment and material for its intended military or lethal purpose. It applies equally to material unserviceable or serviceable condition that has been screened through the Inventory Control Point (ICP) and declared surplus or foreign excess.

e. **Disposal Turn In**: The DD Form 1348-1A or DD Form 1348-2 is utilized for all property turn-ins, including property handled through receipt/disposal in place procedures.

f. **Electronic Turn-In Document (ETID)**: Electronic method used to prepare a disposal turn-in document (DD 1348-1A/DD 1348-2) that allows DRMO personnel to review document prior to receipt, to ensure potential problems are identified to allow Generators to correct discrepancies/documentation prior to turn-in of property.

g. **Excess Personal Property**: Any personal property under the control of any Federal agency, which is not required for its needs, and the discharge of its responsibilities and determined by the head thereof. Also referred to in this agreement as “DoD excess property,” “excess property,” and “property.” For purposes of this receipt/disposal-in-place MOA, excess personal property includes Foreign Excess Personal Property (FEPP).

h. **Personal Property**: All monitored, accountable, and capital property items except real property (such as land, buildings, structures, and improvements) owned by or in DLA/DRMO possession.

i. **Hazardous Material/Substance/Waste**: A hazardous material (HM) is any substance capable of posing an unreasonable risk to health, safety, and property during transportation. Hazardous waste (HW) includes any used hazardous materials that are flammable, corrosive, reactive, or toxic to living organisms (e.g. motor oil, paint, and freon from air conditioners) and is regulated under RCRA or state regulation. Hazardous substances (HS) include any HM that requires a report to the National Response Center when spilled.

j. **Military Technology/Application**: Items that are classified for military use only.

k. **Pilferable Items**: Items subject to theft and/or resale on open market.

l. **Responsibility for Property**: The legal obligation of an individual for the proper management, custody, care, and safeguarding of property entrusted to his or her possession or under his or her supervision.

m. **Receipt in Place**: The term used to describe the status of property when signed by DRMS and placed on the DRMS accountable record to expedite the disposal process and avoid unnecessary handling, but held by the Generator who is responsible for the custody, care, and safekeeping of property.

n. **Usable Property:** Property determined to have value (normally by type of property and classification/condition) for donation, redistribution, or sale.

o. **Scrap Property:** Material that has no value except for its basic material content.

p. **Service Contract:** DRMO will use this method as a last resort when all other disposition alternatives for processing non-salable material are not possible or is not economically practicable.

6. **SCOPE:** "DRMS" may be used to mean any level of organization within DRMS (i.e., Headquarters, Zone, DRMO), or any future DRMS organizational entities that may evolve.

7. **PROCEDURES:** When DoD excess property is no longer needed by CAP for valid mission requirements, a request for receipt/disposal in place shall be forwarded by CAP through CAP and CAP-USAF chain of command channels for approval. If approved, CAP will contact the servicing DRMO and request receipt/disposal in place consistent with the terms of this agreement. CAP will properly document the turn in and provide the servicing DRMO with electronic/paper copies of the following: photo of property, condition of property statement, and DD Form 1348-1A (Issue Release/Receipt Document). A signed receipt copy by DRMO of the DD Form 1348-1A or DD Form 1348-2, Disposal Turn-In Document (DTID) will transfer accountability for the excess property to DRMS. CAP shall retain custody of and responsibility for the excess property until final disposition by DRMS. CAP unit/wing/region will forward required paperwork to the appropriate CAP and CAP-USAF offices for closeout. See DoD 4160.21-M, Chapter 3, for additional procedural guidelines that govern receipt/disposal in place.

8. **RESPONSIBILITIES:** CAP, DRMS, and CAP-USAF hereby jointly agree that the following will apply to all "receipt/disposal-in-place" procedures implemented under this MOA.

a. Generator will utilize Electronic Turn-In Document (ETID) initiative, where available, to ensure potential problems with property being turned-in are identified prior to turn-in.

b. DRMS will dispose of usable excess/surplus personal property in place through reutilization, transfer, donation, sale (RTDS), and contract disposal, if necessary.

c. DRMS and Generator are responsible for establishing a list of points of contact for coordination of disposal actions required for all property. Both parties are responsible for updating and maintaining a current list of points of contact.

d. DRMS service contractors will comply with all applicable Federal and State environmental, transportation, and safety laws and regulations.

e. Generator will ensure proper certification/labeling of property/documentation, as deemed necessary, is in accordance with DoD 4160.21.M (i.e., CPU certification, FSCAP [Flight Safety Critical Aircraft Parts] requirements, hazardous property, etc.).

f. Generator will provide covered and/or storage space at no additional cost for excess/surplus property received in place.

g. Generator will be responsible for housekeeping and assignment of indoor/outdoor spaces, which meet safety and fire standards for all DoD excess personal property in its custody. Generator shall provide utilities and facilities maintenance for storage of excess personal property, as specified, until final disposition at no charge or cost. Generator will have responsibility for excess property in its custody and take reasonable precautions to safeguard it, especially pilferable items, from loss, damage, destruction, or theft.

h. Generator will provide physical security and prevent removal of components or parts without written approval of the DRMS or the servicing DRMO. Generator will advise DRMS who has keys and access to areas where excess property is stored.

i. Generator will escort and provide access to the property for inspection and loading to DRMS, sales customers, and disposal contractors by appointment through final disposition of the property. DRMS representatives will contact the designated Generator point of contact(s) and provide minimum 48-hour notification to request access.

j. Generator, for Reutilization, Transfer, Donation, Sale (RTDS) purposes will:

(1) Provide personnel and proper equipment to safely load DRMS customer's property upon receipt of approved release documentation by respective DRMO personnel.

(2) Coordinate and pack, as needed, property for shipment with Transportation Management Officer (TMO) upon receipt of Military Standard Requisitioning & Issue Procedures (MILSTRIP), by respective DRMO, for DoD customers using DRMS fund cite.

(3) For CAP Purposes Only:

(a) DoD Excess Property (property obtained from DRMO): For CAP regions/wings that are not located on a DoD installation with TMO access, CAP will take the DoD excess property to the nearest DRMO or nearest TMO for shipment to DoD customers with all transportation cost incurred by CAP.

(b) For Excess CAP Equipment Acquired with Appropriated Funds Under the Cooperative Agreement: If instructed by CAP-USAF to use the receipt/disposal-in-place process, CAP will deliver the excess equipment to the nearest DRMO or nearest TMO for shipment to DoD customers. CAP may pay transportation cost with funds from the Cooperative Agreement.

k. Generator agrees to allow the DRMS to hold "on-site" local sales as needed to accomplish disposition of the excess personal property.

l. All DoD excess property in the Generator's custody that has potential military application (e.g. uniforms, vehicles, etc.) shall undergo demilitarization as required by DoD regulations and DRMS prior to disposition.

m. Accountability of property, which is not disposed of through reutilization, transfer, donation, or sale, will not be returned to the Generator, except as specified in Chapter 4, Property Requiring Special Processing of referenced DoD 4160.21-M. DRMS shall process all hazardous material on a hazardous waste disposal service contract. CAP will be responsible for any fee/charges related to disposal of hazardous waste/material. (Note: Pursuant to the terms of DRMS hazardous waste disposal contracts, DRMS disposal contractors are responsible for spills or leaks during the performance of their contracts, which result from the actions of the contractors' agents or employees). Any other remaining property will be downgraded to scrap, processed for abandonment and/or destruction (A/D), or disposed of by a DRMS service contract.

n. In the event any excess/surplus property items for which the DRMS has accountability, but has not assumed custodial responsibility, becomes lost, damaged, stolen, or destroyed, Generator shall immediately notify DRMS and HQ CAP-USAF/LG. See also DoD 3210.6-R, section 32.34(f)(4). Generator shall promptly investigate and fully document the circumstances surrounding the discrepancy within (14) days of the notice and forward this investigation to HQ CAP-USAF/LG, for review by the Air Force. If investigation determines the discrepancy is due to record keeping error, HQ CAP-USAF/LG shall inform DRMS and DRMS shall prepare the property inventory adjustment document. If the discrepancy is not due to a record keeping error, HQ CAP-USAF shall prepare a DD Form 200, Financial Liability Investigation of Property Loss (FLIPL), per the criteria in DoD 7000.14-R, Vol 12, Ch 7 (Financial Liability for Government Property Lost, Damaged, or Destroyed) and DRMS-I 4160.14, Vol IV, Ch 6 (Documenting Adjustments and Reporting Government Property Lost, Damaged, or Destroyed). See also AFMAN 23-220, para 20.3. A copy of the completed DD Form 200 and supportive documentation will be forwarded to DRMS/OL within 30-60 days of the reported loss so that DRMS can adjust the discrepancy in their accountable records.

9. **REIMBURSEMENT/FUNDING:** The provisions of this agreement do not require the transfer or conveyance of any funds between the CAP and DRMS. CAP receives Federal appropriations under the Air Force-CAP Cooperative Agreement, which provides CAP with appropriated funds for allowable costs related to its USAF Auxiliary missions and activities.

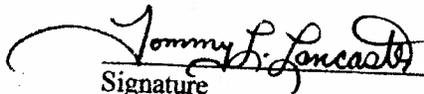
10. **RESOLUTION PROCESS:** Disagreements arising under this MOA will be resolved among NHQ CAP/LG, CAP-USAF/LG, and DRMO/Field Service Team (FST). In the event of any disagreements, NHQ CAP/LG, DSN: 493-1665 and CAP-USAF/LG, DSN 493-4234 will be promptly notified by CAP and DRMO. Unresolved differences will be elevated to Headquarters DRMS/OL, HQ CAP-USAF/CC, and the CAP Executive Director. Headquarters DRMS retains final decision authority over any disputed matters. The parties will promptly notify CAP-USAF/CC at DSN 493-6986 in the event any unresolved differences are elevated to DRMS Headquarters level.

11. **MODIFICATION:** This MOA can be supplemented or modified upon the written agreement of all parties.

12. **EFFECTIVE DATE AND TERMINATION:** MOA is effective as of 1 January 2009 and will remain in effect through 31 December 2009 or as amended by mutual agreement or until terminated earlier by one of the parties. This MOA may be terminated with 60 days written notice by any of the parties listed below.

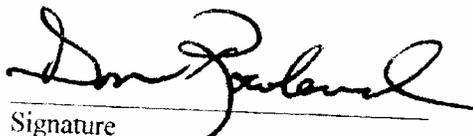
13. **APPROVAL:** All parties identified below agree to the provisions and terms of this MOA.

APPROVED:


Signature

TOMMY L. LANCASTER, Colonel, USA
Deputy, Defense Reutilization & Marketing Service

Date: 12 May 2009

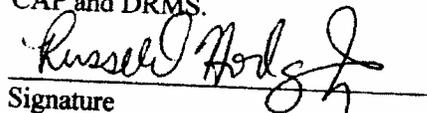

Signature

DON ROWLAND
Executive Director, CAP

Date: 24 Mar 2009

14. **APPROVED:**

I have reviewed the Receipt in Place MOA and concur with the terms of the agreement between CAP and DRMS.


Signature

Date: 24 Mar 2009

RUSSELL D. HODGKINS, JR., Colonel, USAF
Commander, CAP-USAF

This MOA will cover property turned-in by CAP Generators, which will be received in place (RIP). Specific document numbers (DTIDs), with Department of Defense Activity Address Code (DoDAAC): FG3301, are not identified on this MOA.