



BOBBY JINDAL
GOVERNOR

PAUL W. RAINWATER
COMMISSIONER OF ADMINISTRATION

State of Louisiana
Division of Administration
Louisiana Federal Property Assistance Agency

THE 1033 LOUISIANA LESO PROGRAM

FOR

STATE AND LOCAL LAW ENFORCEMENT

JULY 2010

Welcome to the State of Louisiana's Law Enforcement Support Office (LESO) 1033 program. The purpose of the 1033 program is to assist State and Local Law Enforcement Agencies in obtaining surplus equipment and supplies in support of their counter drug and counter terrorism activities. Details of the program, established by LESO, are attached for your convenience.

In order to support and sustain this program, a \$50 per line handling charge is assessed for each Form 1348-1. The charge for helicopters is \$10,000. Heavy vehicles, such as Humvees are \$5,000. Weapons are issued for \$50 each. Certain items, such as generators and cargo trucks, are normally issued through the Surplus Donations Program administered by this agency.

We are proud to be a support component for the law enforcement system in Louisiana.

If additional information is needed, please contact us.

Thomas Jordan
Compliance Officer

**THE DEFENSE LOGISTICS AGENCY SUPPORT TO LAW ENFORCEMENT
AGENCIES UNDER SECTION 1033 OF THE NATIONAL DEFENSE
AUTHORIZATION ACT OF FISCAL YEAR 1997**

Thank you for your inquiry into the section 1033 program managed by the Defense Logistics Agency (DLA). This program has assisted countless law enforcement agencies in obtaining excess Department of Defense (DOD) property for law enforcement use. The following is a brief description of the program and the procedures and agency must follow to initiate the application process.

The Secretary of Defense is authorized under Section 1033 of the National Defense Authorization Act of Fiscal Year 1997 to transfer to Federal and State agencies, personal property that is excess to the needs of the DoD and that the Secretary determines is suitable for use by such agencies in law enforcement activities, including counter-drug and counter-terrorism activities, under such terms prescribed by the Secretary. The authorities granted to the Secretary of Defense have been delegated to DLA. In determining whether property is suitable for use by agencies in law enforcement activities, DLA defines agencies in law enforcement activities as government agencies whose primary function is the enforcement of applicable Federal, state and local laws and whose compensated law enforcement officers have powers of arrest and apprehension.

DLA's Law Enforcement Support Office (LESO) is charged with managing this program commonly known as "The 1033 Program". Through governor appointed state 1033 coordinators the staff of the LESO matches law enforcement logistical requirements with available DOD excess and affects the property transfer. Any asset that is declared excess by the DOD is available for issue so long as it can be justified for use in the primary duties of the requesting law enforcement agency.

To initiate your application, contact your state coordinator identified below.

Name Thomas Jordan, Compliance Officer Phone 225-342-7860

AIRCRAFT REQUEST PROCEDURES

Under section 1033 of the National Defense Authorization Act for fiscal year 1997 the secretary of Defense may transfer to Federal and State agencies personal property of the department of Defense, including aircraft, that the Secretary determines is suitable for use by the agencies in law enforcement activities. Agencies in law enforcement activities are defined as government agencies whose primary function is the enforcement of applicable Federal, state and local laws and whose compensated law enforcement officers have powers of arrest and apprehension. All requests for aircraft from state and local law enforcement agencies must be submitted through the appropriate governor appointed state coordinator for approval. A listing of state coordinators is available upon request from the Defense Logistics Agency's Law Enforcement Support Office (LESO). The following procedures must be followed when submitting requests.

On agency letterhead answer the following questions in narrative form. Please address each question in a separate paragraph.

1. Administrative Data: Name, Address, Phone and FAX numbers of the requesting agency. The full name of the chief executive official of the requesting agency and any additional points of contact.

2. The type and quantities of aircraft requested. Must include the aircraft's intended use and the impact the resource will have within the requesting agency's jurisdiction as well as surrounding jurisdictions.

3. The size of the requesting agency's jurisdiction by population and area.

4. Written understanding of the terms and conditions applicable to aircraft transfers as detailed in the MOA between DLA and the governor appointed state coordinator. (Response must detail the specific terms of transfer.)

5. Written description of agency's plan to maintain, operate and finance the requested aircraft.

6. Written understanding of the FAA regulations governing the operation of the requested aircraft. (Response must detail the specific regulations.)

The letter must be signed by the chief executive official of the requesting agency and then forwarded to the state coordinator for state review. If approved at the state level the request will be forwarded to the servicing LESO for action. A request approved at the state level is no guarantee that the requesting agency will receive an aircraft. Agencies approved to receive aircraft will be contacted by their state coordinators.

Questions regarding this application should be directed to your state coordinator identified below.

State Coordinator Thomas Jordan Phone 225-342-7860

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

STATE OF LOUISIANA

AND

THE _____ SHERIFF/POLICE DEPARTMENT

PURPOSE:

This Memorandum of Understanding (MOU) is entered into between the State of Louisiana (hereafter, the “State”) and the _____ Sheriff/Police Department, to set forth the terms and conditions which will be binding on the parties with respect to excess Department of Defense (DOD) personal property which is transferred pursuant to the National Defense Authorization Act of 1990/1991, as amended.

AUTHORITY:

The Secretary of Defense is authorized by 10 U.S.C. {2576a to transfer to Federal and State Agencies, personal property that is excess to the needs of the DOD and that the Secretary determines is suitable to be used by such agencies in law enforcement activities with emphasis on counterdrug/counterterrorism activities, under such terms prescribed by the Secretary. The authorities granted to the Secretary of Defense have been delegated to the Defense Logistics Agency (DLA).

The Governor of the State of Louisiana has appointed a State Coordinator who will act as a sponsor for local law enforcement agencies wishing to participate in the program. Any agency wishing to participate in the program must sign this MOU.

TERMS AND CONDITIONS:

Law Enforcement Agencies (LEAs) participating in the program must perform a “law enforcement activity” whose primary function is the enforcement of applicable Federal, State, and local laws as defined by DLA regulation (this is referring to DLA Directive (DLAD) 4160.10 which will be superseded by the One Book) and whose compensated officers have powers of arrest and apprehension.

LEAs must request enrollment in the 1033 Program via their State Coordinator. If the request is approved, it will be forwarded to the Law Enforcement Support Office (LESO). If approved by LESO, the State Coordinator will be contacted and provided with a LEA screener’s authorization memo (Authorization Letter for Property Screening and Receiving). Once enrolled, the LEA must sign a Memorandum of Understanding (MOU) with the State Coordinator, agreeing to the terms and conditions of the 1033 Program. As soon as an agency is properly enrolled, materials may be screened manually at a Defense Reutilization and Marketing Office (DRMO); however, the State Coordinator must provide the LEA with their LEA identification (ID) number so they may screen and request materials using automation.

LEA screeners must be full-time and/or part-time, sworn and/or non-sworn officers assigned to the LEA performing this duty. LEAs are allowed a maximum of four (4) screeners per agency. A maximum of two (2) of the authorized screeners may physically screen at any DRMO at one time.

LEAs find needed property electronically through the Defense Reutilization and Market Services (DRMS) website: www.drms.dla.mil or by physically visiting the nearest DRMO. Once property has been identified, LEAs submit a manual or electronic DRMS Form 103 to the State Coordinator. If approved, it is sent to LESO. If approved, it goes to Military Standard Requisitioning and Issue Procedures (MILSTRIP) or a manual DD Form 1348 is sent to the State Coordinator. It is the responsibility of the LEA to transport requested property from the DRMO to their location.

Unless the State is authorized as a distribution center, it will be the gaining LEAs responsibility to store received property through the 1033 Program. Distribution centers should only hold property for their specific customers not more than 90 days. After that date, disposition should be requested, in writing, from the LESO, via their State Coordinator.

LESO will approve property requests in the following priority: counterdrug/counterterrorism and then, any other law enforcement activities.

It is the responsibility of the gaining State/LEA to safeguard all property received through the 1033 Program. Should any property become lost due to theft, destruction, or unauthorized sale/disposal, the State Coordinator must be notified within seven (7) working days after the incident. If the property has a Demilitarization code of C, D, E, F, or G, it must be reported within 24 hrs. The State Coordinator will contact LESO for additional guidance.

Each LEA and the State must maintain records for all property acquired through the 1033 Program. These records must provide an “audit trail” for individual items of property from receipt to distribution. These documents include but are not limited to the following: DRMS Form 103 with all justifications or printouts of automated requests, DD Form 1348 (receipt and turn-in), all disposed and transfer paperwork, approved Bureau of Alcohol, Tobacco, Firearms (ATF) Form 10s, Certificate of Aircraft Registration (AC Form 8050-3), Aircraft Registration Application (AC Form 8050-1), and any pertinent requirements under its applicable state statutes and regulations for the program and this property.

As of October 1, 2003, the LESO will institute a five (5) year file retention policy. This policy will state that the LESO maintain active files for two (2) years and inactive files for three (3) years. After five years, the files are destroyed with the exception of DEMIL codes B through Q, sensitive items, and \$20,000 or more high dollar items.

Property received through the 1033 Program must be placed into use with one (1) year of receipt and utilized for a minimum of one (1) year, unless the condition renders it unusable. If property is not placed in use within one (1) year of receipt, it must be transferred to another authorized agency, or returned to a DRMO. Property returns/turn-ins must be coordinated through the applicable State Coordinator and LESO.

LEAs must coordinate, in writing, transfer of 1033 property through their State Coordinator. The State Coordinator will request final approval from the LESO. Property may be transferred within the State or between States as long as it is properly coordinated with the State Coordinator and LESO. If approved a “LESO transfer approval memo” will be sent to the State Coordinator. For more information regarding these items, view the following links:

WebFLIS

<https://www.webflis.dlis.dla.mil/WEBFLIS>

DEMIL Code definition

http://www.dlis.dla.mil/demil/demil_codes.asp

LEAS must request approval, in writing, from their State Coordinator before any 1033 property is disposed. The State Coordinator will request final approval from the LESO. If approved, a “LESO disposal approval memo” will

be sent to the State Coordinator. Only DEMIL codes A and Q with an integrity code of 6 may be approved for disposal. Items with DEMIL codes of B, C, D, E, F, G, and Q with an integrity code of 3 must be transferred to an authorized agency or returned to a DRMO when no longer needed. Costs incurred for transfers, disposals, or turn-ins will be borne by the State/LEA.

DEMIL code A: Does not require demilitarization and the LEA may dispose of the property after one year of possession.

DEMIL code Q With Integrity code of 6: *Will be treated like a Demil code of A.* Does not require demilitarization and the LEA may dispose of the property after one year of possession.

Demil codes B, C, D, E, F, G, and all Demil Code Q with an Integrity code of 3 are required demilitarization and must be returned to a DRMO. The State Coordinator must obtain the LESO's approval for equipment returns.

LESO will provide turn-in documentation (DD Form 1348-1A). With few exceptions, the State/LEA will be asked to coordinate the turn-in with a local DRMO. Upon receipt the turn-in documentation, the LEA must return the property to a specified DRMO. The DRMO personnel receiving the materials will sign the turn-in document and give the LEA a copy of the signed receipt paperwork. The receipt paperwork must be maintained in the LEA's file and a copy of the receipt must be forwarded to the State Coordinator for their files (see DOD 4160.21-M Defense Material Disposition Manual; DRMS I-4160.14, Volume VII for DEMIL rules).

The State Coordinator, his/her staff, and LEAs should be trained/familiar with guidance on the following websites:

DLA Operations
www.dla.mil (DLA handbook)

LESO Operations
<https://pubweb.drms.dla.mil/leeds> (1033 Program/Automation training guides, Under LINKS tab)

DRMS Operations
www.drms.dla.mil (Automation requisitioning process/procedures)

THE STATE WILL:

- A. Receive applications for participation in the program from its law enforcement activities and validate with signature, their law enforcement mission prior to forwarding to LESO for approval as an authorized LEA. Once the approval process is completed and the agency is loaded in the DRMS automated requisitions system, provide enrolled LEAs with their LEA ID number so they may request materials on-line.
- B. Forward requests to LESO for excess property that is necessary to meet requirements for LEA efforts. Assure the recipient LEA is identified on all requisitions.
- C. Be responsible for the transfer and/or allocation of property to qualified LEAs.
- D. Assure the LEAs agree to maintain, at no expense to the U.S. Government, adequate liability and property damage insurance coverage and workmen's compensation insurance to cover any claims.
- E. Control and maintain accurate records on all property obtained under this plan. These records must provide an "audit trail" for individual items of property from receipt to distribution. These documents include but are

- not limited to the following: DRMS Form 103 with all justifications or printouts of automated requests, DD Form 1348 (receipt and turn-ins), all disposal and transfer paperwork, approved ATF Form 10s, Certificate of Aircraft Registration (AC Form 8050-3), Aircraft Registration Application (AC Form 8050-1), and any pertinent paperwork through the LESO. The records maintained must also satisfy any and all pertinent requirements under its applicable state statutes and regulations for the program and this property.
- F. Enter into agreements with LEAs to assure they fully comply with the terms, conditions, and limitations applicable to property transferred pursuant to this plan/program.
 - G. Allow a maximum of four (4) screeners, full-time and/or part-time, sworn and/or non-sworn officers, per LEA performing this duty. The screeners must be named in a "letter of authorization/Application for Participation" provided to the LESO, to be updated as changes occur, or whenever LESO requests an update. A weapons point of contact (POC) fulltime officer must be included on the "letter of authorization/Application for Participation" for any LEAs that have received or are requesting weapons. NOTE: A maximum of two (2) of the authorized screeners may physically screen at any DRMO at one time.
 - H. Assure that all environmentally regulated property is handled, stored, and disposed of in accordance with applicable Federal, State, and local environmental laws and regulations.
 - I. Assure all weapons are registered with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives. See the Definitions section of the ATFE Form 10 for instructions, <http://www.atf.gov/forms/pdfs/f532010.pdf> The State and each LEA must comply with all applicable firearm laws and regulations. Report all stolen or unaccounted for weapons to DLA, LESO not later than twenty four (24) hours after it is discovered. The State Coordinator must provide a weapon POC on all LEA Applications for Participation. All weapons transfers between LEAs must be approved by the LESO before it is completed. Maintain an approved copy of the ATF Form 10 for all weapons issued to State/LEA.
 - J. Identify to LESO each request that will be used in counterdrug/counterterrorism activities.
 - K. Ensure LEAs are aware of their responsibilities in accordance with the Single Audit Act of 1984, as amended (31 U.S.C. 7501-7). Assist LEAs by identifying which property oversight agency the audit must be submitted to.
 - L. Review and update the State Plan of Operation annually (calendar year) or when the Governor-appointed State Coordinator changes or Governor changes. If there are no changes to the State Plan of Operation, send a signed letter/e-mail to the LESO indicating that the plan has been reviewed and no changes necessary.
 - M. Ensure all LEAs enrolled in State 1033 Program maintain a current copy of the State Plan of Operation or MOU.
 - N. Conduct periodic reviews of each LEA enrolled in the program. To include physical inventory/spot checks of property received and any related records. Additionally, ensure LEAs are in compliance with applicable Memorandum of Agreement (MOA)/MOU/and/or the State Plan of Operation. These reviews must be documented and maintained by the State Coordinator for future LESO reviews.
 - O. Obtain reconciliation reports from the LESO website and conduct monthly reconciliations on all items received and annual reconciliations for high dollar items (items valued over \$20,000) and/or High Awareness (Demilitarization required, MLI, (CLI, FSCAP) property between the State/LEA and LESO.
 - P. Ensure serial/tail numbers are provided to LESO on items such as Peacekeepers/Armored Personell Carriers (APCs), Aircraft, Watercraft, and Weapons.
 - Q. Validate and certify LEA inventory reconciliation results electronically and forward them to LESO within 10 working days of the monthly or annual reconciliation process. Maintain a signed copy of all property reconciliation documentation received through the 1033 Program.
 - R. Submit requests for property returns (turn-ins to a DRMO) to LESO. NOTE: Costs of shipping or repossession of the property by the U.S. Government will be borne by the LEA.
 - S. Submit disposal, transfer, and inventory adjustment requests to LESO.
 - T. Contact the LESO in writing not later than 30 calendar days prior, to a State Coordinator change.
 - U. All property transfers will cease if no current Governor's letter is on file; the State has no signed the MOA with DLA; The State Coordinator or POC does not validate all property requests and there is no State Plan of Operation on file.

THE LAW ENFORCEMENT AGENCY WILL:

- A. Submit applications for participation in the program to the State Coordinator for approval.
- B. Submit requests for property (electronically). Provide justification for all requisitions to the State Coordinator.
- C. Agrees to maintain, at no expense to the U.S. Government, adequate liability and property damage insurance coverage and workmen's compensation insurance to cover any claims.
- D. Control and maintain accurate records on all property obtained under this plan. These records must provide an "audit trail" for individual items of property from receipt to distribution. These documents include but are not limited to the following: DRMS Form 103 with all justifications or printouts of automated requests, DD Form 1348 (receipt and turn-in), all disposal and transfer paperwork, approved ATF Form 10s, Certificate of Aircraft Registration (AC -Form 8050-3), Aircraft Registration Application (AC-Form 8050-1), and any pertinent paperwork through the LESO. The records maintained must also satisfy any and all pertinent requirements under its applicable State statutes and regulations for the program and this property.
- E. Comply with the terms, conditions, and limitations applicable to property transferred pursuant to this plan/program.
- F. Allow a maximum of four (4) screeners, full-time and/or part-time, sworn and/or non-sworn officers, per LEA performing this duty. The screeners must be named in a "letter of authorization/Application for Participation" provided to the LESO, to be updated as changes occur, or whenever LESO requests an update. A weapons POC fulltime officer must be included on the "letter of authorization/Application for Participation" for any LEAs that have received or are requesting weapons. NOTE: A maximum of two (2) of the authorized screeners may physically screen at any DRMO at one time. Appoint a Property Accountable Officer responsible for approving/disapproving all property requests and maintaining all accountable records for property received.
- G. Assure that all environmentally regulated property handled, stored, and disposed of in accordance with applicable Federal, State, and local laws and regulations.
- H. Assure that all weapons are registered with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives. See the Definitions section of the BATFE Form 10 for instructions, <http://www.atf.gov/forms/pdfs/f532010.pdf>. Recipients must comply with all applicable firearm laws and regulations. Report all stolen or unaccounted for weapons to LESO through the State Coordinator not later than twenty four (24) hours after the incident has occurred. The LEA must provide a weapon POC on all data sheets. All weapon transfers between LEAs must be approved by the LESO before it is completed. LEA must maintain an approved copy of the ATF Form 10 for all weapons received.
- I. Identify to LESO each request that will be used in counterdrug/counterterrorism activities.
- J. LEAs enrolled in the State 1033 Program must maintain a copy of the State Plan of Operation or MOU.
- K. LEAs must be aware of their responsibilities under the Single Audit Act of 1984, as amended (31 U.S.C. 7501-7).
- L. Conduct periodic reviews to include physical inventory/spot checks of actual property and related records. Ensure compliance with applicable MOA/MOU and/or State Plan of Operation.
- M. Obtain reconciliation reports from the State Coordinator and conduct monthly and annual reconciliations. Provide reconciliation results to the State Coordinator.
- N. Ensure serial/tail numbers are provided to the State Coordinator on items such as Peacekeepers/Armored Personnel Carriers (APCs), Aircraft, Watercraft, and Weapons.
- O. Conduct inventory reconciliations and provide inventory reconciliation results electronically to the State Coordinator within 10 working days of the monthly or annual reconciliation process. Maintain a signed copy of all property reconciliation documentation received through the 1033 Program.
- P. Submit requests for property returns (turn-ins to a DRMO) to the State Coordinator. Note: Costs of shipping or repossession of the property by the U.S. Government will be borne by the LEA.
- Q. Submit disposal, transfer, and inventory adjustment requests to the State Coordinator.
- R. Contact the State Coordinator, in writing, not later than 30 days prior, when property accountable officer changes.

SPECIAL NOTICE:

Each State involved in the Law Enforcement Program operates under different law, rules, and regulations. The Louisiana State Coordinator has the final authority over the program in Louisiana. Any issues or problems that need resolution must be sent to the State Coordinator in writing.

TERMINATION:

This MOU can be terminated by either party by advising the other party in writing, prior to thirty (30) days from termination. All property remaining under restriction will be returned to LESO or transferred to another approved LEA.

IN WITNESS THEREOF, the parties hereto have executed this agreement as of the last date written below.

State Coordinator Signature

LEA Chief Executive Signature

Type/Print Name and Title

Type/Print Name and Title

Date _____

Date _____



**LAW ENFORCEMENT AGENCY (LEA)
WEAPON REQUEST FORM**

RECEIVING AGENCY: _____ DATE: _____

RECEIVING AGENCY ID: _____

ADDRESS (No P.O. Box): _____

CITY: _____ STATE: _____

ZIP: _____ EMAIL: _____

PHONE: _____ FAX: _____

WEAPONS POC: _____

CHIEF EXECUTIVE OFFICIAL/HEAD OF AGENCY (LOCAL FIELD AGENCY)

TYP OF WEAPON: _____ QTY of weapon: _____

JUSTIFICATION: _____

The Chief Executive Official or Head of Agency (Local Field Office) read and agrees to the following (Please Initial):

- _____ Read and understands the terms and conditions applicable to weapon transfers as detailed in the Memorandum of Agreement between the Defense Logistics Agency and the governor appointed State Coordinator (Contact applicable State Coordinator for copy of agreement).
- _____ Ability to maintain, operate, finance, and properly store the requested weapons.
- _____ Familiar with the Bureau of Alcohol, Tobacco, and Firearms (ATF) regulations governing the registration of the requested weapons. (ATF 10)

The Chief Executive Official/Head of Agency (Local Field Office) and the State Coordinator, by signing, certifies that all information contained above is valid and accurate.

STATE & LOCAL AGENCIES

CHIEF EXECUTIVE OFFICIAL:

PRINTED NAME

SIGNATURE

STATE COORDINATOR:

PRINTED NAME

SIGNATURE

FEDERAL AGENCIES

HEAD OF AGENCY:
(LOCAL FIELD OFFICE)

PRINTED NAME

SIGNATURE

LESO USE ONLY

PREVIOUSLY ISSUED

TYP OF WEAPON: _____ QTY of weapon: _____
TYP OF WEAPON: _____ QTY of weapon: _____
TYP OF WEAPON: _____ QTY of weapon: _____
TYP OF WEAPON: _____ QTY of weapon: _____

CURRENT REQUEST

TYP OF WEAPON: _____ QTY of weapon: _____
TYP OF WEAPON: _____ QTY of weapon: _____
TYP OF WEAPON: _____ QTY of weapon: _____
TYP OF WEAPON: _____ QTY of weapon: _____

APPROVED: _____ DISAPPROVED: _____

REASON FOR DISAPPROVAL:

FILE NUMBER: _____

LESO HEADQUARTERS ID:

LESO Agent:

PRINTED NAME

SIGNATURE



LAW ENFORCEMENT AGENCY (LEA) APPLICATION FOR PARTICIPATION

* This form must be updated and resubmitted within 30 days of any changes as they occur.

NEW UPDATE

AGENCY: _____ DATE: (MM/DD/YYYY) _____

ADDRESS(No P.O. Box): _____

CITY: _____ STATE: _____

ZIP: _____ EMAIL: _____

PHONE: _____ FAX: _____

* By signing this application, the Chief Executive Official or Head of Agency (Local Field Office) certifies that their compensated officers have the powers of arrest and apprehension.

NUMBER OF SWORN OFFICERS

FULL-TIME: _____ PART-TIME: _____ RESERVE: _____

SCREENER(S)/POC(S), WEAPONS POC & AIRCRAFT POC MUST BE AUTHORIZED IN WRITING BY THE GOVERNOR APPOINTED STATE COORDINATOR

SCREENER/POC #1 _____

SCREENER/POC #2 _____

SCREENER/POC #3 _____

SCREENER/POC #4 _____

WEAPONS POC _____

AIRCRAFT POC _____

Inventory Check

Does the Agency currently have any Equipment from the 1208/1033 Program: YES NO

WEAPONS: YES NO AIRCRAFT: YES NO APCs: YES NO

HMMWV: YES NO WATERCRAFT: YES NO VEHICLES: YES NO

* By signing this application, the Chief Executive Official or Head of Agency (Local Field Office) is aware of LESO property currently in the possession of their department or agency.

* Upon acceptance into the 1033 Program, I understand that I have 30 days to familiarize myself with the State Plan of Operation and all 1033 Program guidance.

STATE & LOCAL AGENCIES

CHIEF EXECUTIVE OFFICIAL:

PRINTED NAME

SIGNATURE

STATE COORDINATOR:

PRINTED NAME

SIGNATURE

FEDERAL AGENCIES

HEAD OF AGENCY:
(LOCAL FIELD OFFICE)

PRINTED NAME

SIGNATURE

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1 outside the Department of Defense for drug interdiction and
2 counter - drug activities. However, funds may not be obligated
3 for such purpose until the Secretary of Defense submits to the
4 congressional defense committees a certification that the pro-
5 curement or modification of such aircraft and the use of such
6 aircraft by other departments or agencies of the United States
7 will significantly reduce the level of support that would other-
8 wise be required of F1-3 AWACS aircraft as part of the drug
9 interdiction and counter-drug mission of the Department of
10 Defense.

11 (b) NONINTRUSIVE INSPECTION DEVICES.-- Of the funds
12 authorized to be appropriated under section 301(19) for drug
13 interdiction and counter-drug activities, not more than
14 \$10,000,000 may be used to procure three no intrusive inspec-
15 tion devices for use by departments and agencies of the United
16 States outside the Department of Defense for drug interdiction
17 and counter-drug activities.

18 (c) AUTHORITY TO TRANSFER EQUIPMENT.—The Sec-
19 retary of Defense may transfer to the head of any department
20 or agency of the United States outside the Department of De-
21 fense any equipment procured or modified under this section
22 with funds referred to in this section.

23 SEC. 1033. TRANSFER OF EXCESS PERSONAL PROPERTY
24 TO SUPPORT LAW ENFORCEMENT ACTIVITIES.

25 (a) TRANSFER AUTHORITY.---(1) Chapter 153 of title 10,
26 United States Code, is amended by inserting after section 2576
27 the following new section:

28 “ 2576 Excess personal property: sale or dona-
29 tion for law enforcement activities

30 “(a) TRANSFER AUTHORIZED.---(1) Notwithstanding any
31 other provision of law and subject to subsection (b), the Sec-
32 retary of Defense may transfer to Federal and State agencies
33 personal property of the Department of Defense, including
34 small arms and ammunition, that the Secretary determines
35 is

10 – 17

1 “(A) suitable for use by the agencies in law enforce-
2 ment activities, including counter-drug and counter-terror-
3 ism activities; and

4 “(B) excess to the needs of the Department of De-
5 fense

6 “(2) The Secretary shall carry out this section in consulta-
7 tion with the Attorney General and the Director of National
8 Drug Control Policy.

9 “(b) CONDITIONS FOR TRANSFER---The Secretary of De-
10 fense may transfer personal property under this section only
11 if---

12 “(1) the property is drawn from existing stocks of the
13 Department of Defense;

14 “(2) the recipient accepts the property on an as-is,
15 where-is basis;

16 “(3) the transfer is made without the expenditure of
17 any funds available to the Department of Defense for the
18 procurement of defense equipment: and

19 “(4) all costs incurred subsequent to the transfer of
20 the property are borne or reimbursed by the recipient.

21 “(c) CONSIDERATION.---Subject to subsection (b) (4), the
22 Secretary may transfer personal property under this section
23 without charge to the recipient agency.

24 “(d) PREFERENCE FOR CERTAIN TRANSFERS- In consid-
25 ering applications for the transfer of personal property under
26 this section, the Secretary shall give a preference to those ap-
27 plications indicating that the transferred property will be used
28 in the counter-drug or counter-terrorism activities of the recipe-
29 ent agency."

30 (2) The table of sections at the beginning of such chapter
31 is amended by inserting after the item relating to section 2567
32 the following new item:

 "2576a. Excess personal property: sale or donation for law enforcement
 activities.

33 (b) CONFORMING AMENDMENTS. --- (1) Section 1208 of
34 National Defense Authorization Act for Fiscal Years 1990 and
35 1991 (Public Law 101-189: 10 U.S.C. 372 note) is repeated.

10 - 18

1 (2) Section 1005 of the National Defense Authorization
2 Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat.,
3 1630) is amended by striking out "section 1208 of the National
4 Defense Authorization Act for Fiscal Years 1990 and 1991 (10
5 U.S.C. 372 note) and section 372" and inserting in lieu thereof
6 "sections 372 and 2676a."
7 SEC. 1034 SALE BY FEDERAL DEPARTMENTS OR AGEN-
8 CIES OF CHEMICALS USED TO MANUFAC-
9 TURE CONTROLLED SUBSTANCES.

10 (a) DEA CERTIFICATION ---- The Controlled Substances Act
11 is amended by inserting after section 519 (21 U.S.C. 889) the
12 following new section:

13 "SEC 020, REVIEW OF FEDERAL SALES OF CHEMICALS
14 USABLE TO MANUFACTURE CONTROLLED
15 SUBSTANCES.

16 "A Federal department or agency may not sell from the
17 stocks of the department or agency any chemical which, as de-
18 termined by the Administrator of the Drug Enforcement Ad-
19 ministration, could be used in the manufacture of a controlled
20 substance unless the Administrator certifies in writing to the
21 head of the department or agency that there is no reasonable
22 cause to believe that the sale of the chemical would result in
23 the illegal manufacture of a controlled substance."

24 (b) CLERICAL AMENDMENT.---The table of contents of the
25 Comprehensive Drug Abuse Prevention and Control Act of
26 1970 (84 Stat. 1236) is amended by inserting after the item
27 relating to section 519 the following new item:

"Sec 520. Review of Federal sales of chemicals usable to manufacture
controlled substances."

Subtitle D --- Reports and Studies

28 SEC 1041 ANNUAL REPORT ON OPERATION PROVIDE
29 COMFORT AND OPERATION ENHANCED
30 SOUTHERN WATCH.

31 (a) ANNUAL REPORT – Not later than March 1 of each
32 year, the Secretary of Defense shall submit to Congress a re-
33 port on Operation Provide Comfort and Operation Enhanced
34 Southern Watch

PROPERTY REQUIRING WRITTEN JUSTIFICATION* PRIOR TO TRANSFER

(BY Federal Supply Class)

EQUIPMENT ITEM	NSN*	EQUIPMENT DESCRIPTION
Nuclear Ordinance Equipment		
	1190	Specialized Test and Handling Equipment Nuclear Ordinance
Fire Control Equipment		
	1220	Fire Control Computing Sights and Devices
	1260	Fire Control Designating and Indicating Equipment
	1265	Fire Control Transmitting and Receiving Equipment (except Airborne)
	1270	Aircraft Gunnery Fire Control Components
	1280	Aircraft Bombing Fire Control Components
	1285	Fire Control Radar Equipment ,except Airborne
	1290	Miscellaneous Fire Control Equipment
Guided Missile Equipment		
	1440	Guided Missile, Launchers, Components, and Remote Control Systems
	1450	Guided Missile Handling and Servicing Equipment
Aircraft Launching, Landing, and Ground Handling Equipment		
	1710	Aircraft Arresting, Barrier, and Barricade Equipment
	1720	Aircraft Launching Equipment
Ships, Small Craft, Pontoons, and Floating Docks		
	1905	Aircraft Carriers (for scrapping only)
	1905	Battleships, Cruisers, Destroyers (for scrapping only)
	1905	Landing Ships (e.g., LSM,LSMR,LSSL,LST,ect.)
	1905	Minehunters, Minesweepers, Minelayers, etc.
	1905	Submarines (for scrapping only)
	1905	Landing Craft (e.g.,LCVP,LCPL,LCM,.etc.)
	1910	Transport Vessels.Passenger and Troop
	1915	Cargo and Tanker Vessels
	1925	Ferry
	1925	Harbor Utility Craft
	1925	Repair Ships
	1925	Tugs (e.g., YTB,YTL, ATA, etc.
	1930	Fuel Barge, Gasoline Barge, Water Barge
	1930	Lighters (open and covered)
	1935	Barges and Lighters, Special Purpose
	1940	Patrol Craft (e.g.,PC,PCS,SC,YP, PCE,etc.)
	1940	Seaplane Tenders
	1940	Small Craft under 40 feet in length powered and non-powered
	1945	Pontoons and Floating Docks (e.g.,pontoon ramps, etc.)
	1950	Floating Dry Docks
	1990	Miscellaneous (Includes fishing vessel, dredges, and commercial sailing vessels
Ship and Marine Equipment		
	2010	Ship and Boat Propulsion Components (excl. engines and turbines)
	2030	Deck Machinery
	2040	Marine hardware and Hill items (anchors, hatches, rudders, oars,etc.)

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PROPERTY REQUIRING WRITTEN JUSTIFICATION* PRIOR TO TRANSFER
(By Federal Supply Class)

EQUIPMENT ITEM	NSN*	EQUIPMENT DESCRIPTION
Ship and Marine Equipment (Continued)		
	2050	Buoys
	2090	Miscellaneous Ship, Marine, and Commercial Fishing Equipment (includes sails, marine furniture, ladders, etc.)
Railway Equipment		
	2210	Locomotives
	2220	Rail Cars
	2230	Right-of-Way Construction and Maintenance Equipment, Railroad
	2240	Locomotive and Rail Car Accessories and Components
	2250	Track Materials, Railroad (e.g., rails, frogs, fish plates, etc.)
Tractors		
	2410	Tractors, Full Track, Low Speed (e.g., caterpillar and crawler, etc.)
	2420	Tractors, Wheeled (e.g., agricultural and industrial wheeled tractors)
	2430	Tractors, Track Laying, High Speed
Vehicular Equipment Components		
	2590	Miscellaneous Vehicular Components (e.g., A-frames, bulldozer blades, crane booms, etc.)
Engines, Turbines, and Components		
	2845	Rocket Engines and Components
Woodworking Machinery and Equipment		
	3210	Sawmill and Pinning Mill Machinery
	3220	Woodworking Machines (excl. hand-held power driven tools)
	3230	Tools and attachments for Woodworking Machinery
Metalworking Machinery		
	3411	Boring Machines
	3412	Broaching Machines
	3413	Drilling and Tapping Machines
	3414	Gear Cutting and Finishing Machines
	3415	Grinding Machines
	3416	Lathes (excludes speed lathes)
	3417	Milling Mac
	3418	Planers and Shapers
	3419	Misc. Machine Tools (e.g., gun rifling machines, speed lathes, etc.)
	3422	Rolling Mills and Drawing Machines
	3424	Metal Heat Treating and Non-Thermal Treating Equipment
	3426	Metal Finishing Equipment
	3431	Electric Arc Welding Equip. (excl. welding supplies, assoc equip.)
	3432	Electric Resistance Welding Equipment
	3433	Gas Welding, Heat Cuffing, and metalizing Equipment
	3436	Welding Positioners and Manipulators
	3438	Miscellaneous Welding Equipment
	3439	Misc. Welding, soldering, and brazing supplies and accessories
	3441	Bending and Forming Machines

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PROPERTY REQUIRING WRITTEN JUSTIFICATION* PRIOR TO TRANSFER
(By Federal Supply Class)

EQUIPMENT ITEM	NSN*	EQUIPMENT DESCRIPTION
Metalworking Machinery (continued)		
	3442	Hydraulic and Pneumatic Presses, Power driven
	3443	Mechanical Presses, Power drive (includes forging presses)
	3444	Manual Presses
	3445	Punching and Shearing Machines
	3446	Forging Machinery and Hammers (excl. forging presses)
	3447	Wire and Metal Ribbon Forming Machines (excl roll forming machines)
	3448	Riveting Machines (excludes power driven hand riveting machines)
	3449	Misc. Secondary Metal Forming and Cuffing Machines
	3450	Machine Tools, Portable
	3455	Cutting Tools for Machine tools (excluded flame cuffing tools)
	3456	Cutting and Forming Tools for Secondary Metalworking Machinery
	3460	Machine Tool Accessories (incl. access. For secondary metals - working machinery.
	3465	Production Jigs, Fixtures, and Templates
	3470	Machine Shop Sets, Kits, and Outfits
Service and trade Equipment		
	3510	Laundry and Dry Cleaning Equipment
	3520	Shoe Repairing Equipment
	3530	Industrial Sewing Machines and Mobile Textile Repair Shops (excl shoe sewing machines)
	3540	Wrapping and Packaging Machinery
	3550	Vending and Coin Operated Machines
	3590	Misc. Service and Trade Equipment (includes barber chairs, kits, etc.)
Special Industry Equipment		
	3605	Food Products Machinery and Equipment (excl kitchen and gallery equipment)
	3610	Printing, Duplicating, and Bookbinding Equipment
	3615	Pulp and Paper Industries Machinery
	3620	Rubber and Plastics Working Machinery
	3625	Textile Industries Machinery
	3635	Crystal and Glass Industries Machinery
	3645	Leather Tanning and Leather Working Industries Machinery
	3650	Chemical and Pharmaceutical Products Manufacturing Machinery
	3655	Gas Generating Equipment (excl. meteorological equipment)
	3680	Foundry Machinery, Related Equipment and Supplies (e.g. molding machines, tumbling mills, etc.)
	3685	Specialized Metal Container Manufacturing Machinery and Related Equipment
	3690	Specialized Ammunition and Ordinance Machinery and Related Equipment
	3695	Misc. Special Industry Machinery (includes marking machines, clay, concrete, etc.)

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PROPERTY REQUIRING WRITTEN JUSTIFICATION* PRIOR TO TRANSFER

(*) - By Federal Supply Class)

EQUIPMENT ITEM	NSN	EQUIPMENT DESCRIPTION
Agricultural Machinery and Equipment		
	3710	Soil Preparation Equipment
	3720	Harvesting Equipment, Dairy Poultry and Livestock Equipment
	3740	Pest, Disease, and Frost Control Equipment
Construction Mining, Excavation, and Highway Maintenance Equipment		
	3805	Earth Moving and Excavating Equipment
	3810	Cranes and Crane-Shovels (excl. barge-mounted cranes)
	3815	Crane and Crane - Shovel Attachments
	3820	Mining, Rock Drilling, Earth Boring, and Related Equipment
	3825	Road clearing and Cleaning Equipment
	3895	Misc. Construction Equipment (e.g., asphalt heaters and kettles, concrete mixer, etc.)
Materials Handling Equipment		
	3910	Conveyers
	3930	Warehouse Trucks and Tractors, Self-propelled
	3950	Winches, Hoists, Cranes, and Derricks
	3960	Elevators and Escalators
	3990	Misc. Materials Handling Equipment (e.g., skids/pallets) and Materials Feeders
Refrigeration and Air Conditioning Equipment		
	4110	Self-contained Refrigeration Units and Accessories
	4120	Self-contained Air Conditioning Units and Accessories
	4130	Refrigeration and Air Conditioning Plants and Components
	4140	Fans and Air Circulators, Industrial and Nonindustrial
Fire Fighting, Rescue, and Safety Equipment		
	4210	Fire Fighting Equipment (including Fire Trucks)
	4220	Marine Lifesaving and Diving Equipment (excludes lifesaving boats)
	4230	Decontaminating and Impregnating Equipment
Furnace, Steam, Plant, and Drying Equipment		
	4410	Industrial Boilers
	4420	Heat Exchangers and Steam Condensers
	4430	Industrial Furnaces, Kilns, Lehrs, and Ovens
	4440	Driers, Dehydrators, and Anhydrators
	4460	Air Purification Equipment
Plumbing, Heating, and Sanitation Equipment		
	4510	Plumbing Fixtures and Accessories
	4520	Space Heating Equipment and Domestic Water Heaters
	4530	Fuel Burning Equipment Units

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PROPERTY REQUIRING WRITTEN JUSTIFICATION* PRIOR TO TRANSFER
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EQUIPMENT ITEM	NSN	EQUIPMENT DESCRIPTION
	4540	Misc. Plumbing & Heating, and Sanitation Equipment
Water Purification and Sewage Treatment Equipment		
	4610	Water Purification Equipment
	4620	Water Distillation Equipment, Marine and Industrial
	4630	Sewage Treatment Equipment
Valves		
	4810	Valves, Powered
	4820	Valves, Non-powered
Maintenance and Repair Shop Equipment		
	4925	Ammunition Maintenance and Repair Shop Specialized Equipment
	4931	Fire Control Maintenance and Repair shop Specialized Equipment
	4933	Weapons Maintenance, Torpedo Maintenance, Depth Charge and Mines Maintenance, Rocket Maintenance and Repair Shop Specialized Equipment
	4935	Guided Missile Maintenance, Repair, and Checkout Specialized Equip.
	4940	Misc. Maintenance and Repair Shop Specialized Equipment
	4960	Space Vehicle Maint., Repair, and Checkout Specialized Equipment
Prefabricated Structures and Scaffolding		
	5410	Prefabricated and Portable Buildings and Rigid Wall Shelters
	5420	Bridges, Fixed and Floating (excl. pontoons and floating docks)
	5430	Storage Tanks
	5440	Scaffolding Equipment and Concrete Forms
	5445	Prefabricated Tower Structures
	5450	Misc. Prefabricated Structures (e.g., bleachers)
Lumber, Millwork, Plywood, and Veneer		
	5510	Lumber and related Basic Wood Material (e.g., plywood doors, door frames, and windows.)
Construction and Building Materials		
	5610	Mineral Construction Material, Bulk
	5640	Wallboard, Building Paper, and Thermal insulation materials
	5650	Roofing and Siding Materials
	5660	Fencing, Fences, and Gates
	5670	Architectural and Related Metal Products (e.g., door frames, fixed fire escapes, etc.
	5680	Misc. Construction Materials (e.g. metal lath, airplane landing mats)
Communication Equipment		
	5840	Radar Equipment, except Airborne
	5841	Radar Equipment, Airborne
	5845	Underwater Sound Equipment (includes only communication types of infrared equipment)
Alarm and Signal Systems		
	6320	Shipboard Alarm and Signal Systems
	6340	Aircraft Alarm and signal System

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PROPERTY REQUIRING WRITTEN JUSTIFICATION * PRIOR TO TRANSFER
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EQUIPMENT ITEM	NSN	EQUIPMENT DESCRIPTION
Alarm and Signal Systems (continued)		
	6350	Misc. Alarm & Signal Systems. Traffic and Transit and Railroad Signal and Warning Devices.
Medical, Dental, and Veterinary Equipment and Supplies		
	6505	Drugs, Biological, and Official Reagents
	6515	Medical and Surgical Instruments, Equipment and Supplies
	6500	Dental Instruments, Equipment and Supplies
	6525	X-Ray Equipment and Supplies
	6530	Hospital Furniture, Equipment, Utensils, and Supplies
	6540	Opticians' Instruments, Equipment and Supplies
	6545	Medical Sets, Kits, Outfits, Cosmetics and Toiletries
Instruments and Laboratory Equipment		
	6635	Physical Properties Testing Equipment
Chemicals and Chemical Products		
	6810	Chemicals (includes nonmedicinal chemical elements and compounds, etc.)
	6820	Dyes
	6830	Gases: compressed and Liquefied
	6840	Pest Control Agents and Disinfectants
	6850	Misc. Chemical Specialties (e.g., antifogging compound, antifreeze, deicing fluid, etc.)
Training Aids and Devices		
	6910	Training Aids (e.g., cutaway models, vehicle training aid, etc.)
	6930	Operational Training Devices (e.g., flight simulators, etc.)
	6940	Communication Training Devices
Furniture		
	7105	Household Furniture
	7110	Office Furniture
	7125	Cabinets, Lockers, Bins, and Shelving
	7195	Misc. Furniture & Fixtures
Household and Commercial Furnishings and Appliances		
	7210	Household furnishings (e.g., bed blankets, mattresses, and pillows, etc.)
	7240	Household and Commercial Utility Containers.
	7290	Misc. Household and Commercial Furnishings and Appliances (e.g. carpets, tile, etc.)
Food and Food Preparation and Serving		
	7310	Food Cooking, Baking, and warming Equipment
	7320	Kitchen Equipment and Appliances
	7330	Kitchen Hand Tools and Utensils
	7350	Tableware, Cutlery and Flatware
	7360	Food and Food Preparation and Serving Kits and Outfits

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PROPERTY REQUIRING WRITTEN JUSTIFICATION* PRIOR TO TRANSFER
(By Federal Supply Class)

EQUIPMENT ITEM	NSN	EQUIPMENT DESCRIPTION
Office Machines and Data Processing Equipment		
	7410	Punched Card system Machines
	7420	Accounting and Calculating Machines
	7430	Typewriters and Office Type Composing Machines
	7440	Automatic Data Processing Systems: Industrial, Scientific, and office types.
	7450	Office Type Sound Recording and Reproducing Machines
	7460	Visible Record Equipment (e.g., rotary files, etc.)
	7490	Misc. Office Machines (e.g., cash registers, check machines, etc.)
Office Supplies and Devices		
	7510	Office Supplies
	7520	Office Devices and Accessories
	7530	Stationary and Record Forms (excludes standard forms approved for Government wide use)
Musical Instruments, Phonographs, and Home-Type radios		
	7710	Musical Instruments and Accessories
	7730	Phonographs, Phonograph records, radios, and television sets: Home-Type
Recreational and Athletic Equipment		
	7810	Athletic and Sporting Equipment
	7830	Toys, Games, Recreational, and Gymnastic Equipment
Cleaning Equipment and Supplies		
	7910	Floor Polishers, Vacuum Cleaners, Brushes, Brooms, and Mops
	7930	Cleaning and Polishing Compounds and Preparations
Brushes, Paints, Sealers, and Adhesives		
	8010	Paints, Paint Brushes, dopes, Varnishes, and Related Products
	8030	Preservative and Sealing Compounds
	8040	Adhesives
Containers, Packaging, and Packing Supplies		
	8140	Ammunition and Nuclear Ordnance Boxes, packages, and Special
Textiles, Leather, Furs, Apparel, and Findings, Tents and Flags		
	8305	Textiles, Leather, Fur, Flags and Pennants
	8340	Tents and tarpaulins
Clothing and Individual Equipment		
	8420	Underwear and Nightwear, Men's
	8445	Hosiery, Hand wear, Underwear, and Clothing Accessories: Women's
	8460	Luggage
Agricultural Supplies		
	8710	Forage Feed, Seed and Fertilizers

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