

105TH CONGRESS  
1ST SESSION

# H. R. 2602

To halt sales of surplus military material until the Defense Logistics Agency reclassifies such material according to the level of demilitarization required to render the material safe for public use and to ensure that, in the future, surplus military material is correctly classified before disposal.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 1997

Mr. STARK (for himself, Ms. PELOSI, Ms. SLAUGHTER, Mr. LIPINSKI, Mr. FILNER, Ms. HOOLEY of Oregon, Mrs. MALONEY of New York, Mr. YATES, Mr. MCGOVERN, Mr. SANDERS, Mrs. LOWEY, Ms. CHRISTIAN-GREEN, Mr. KUCINICH, Mr. McDERMOTT, Mr. MILLER of California, Mr. MARKEY, Mr. SABO, and Mr. GUTIERREZ) introduced the following bill; which was referred to the Committee on National Security

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## A BILL

To halt sales of surplus military material until the Defense Logistics Agency reclassifies such material according to the level of demilitarization required to render the material safe for public use and to ensure that, in the future, surplus military material is correctly classified before disposal.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MEASURES TO ENSURE CORRECT CLASSIFICA-**  
2 **TION OF SURPLUS MILITARY MATERIAL FOR**  
3 **DEMILITARIZATION.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Before the Department of Defense disposes  
6 of surplus military material, the material receives a  
7 demilitarization code designating the degree of de-  
8 militarization necessary to render the material safe  
9 for public use.

10 (2) It is estimated that a significant amount of  
11 the surplus military material currently awaiting dis-  
12 posal is incorrectly classified.

13 (3) Congressional action is necessary to ensure  
14 prompt reclassification of current stocks of surplus  
15 military material for demilitarization and to ensure  
16 that, in the future, surplus military material is cor-  
17 rectly classified before disposal.

18 (b) MORATORIUM ON SALES OF SURPLUS MATERIAL  
19 PENDING RECLASSIFICATION.—(1) Notwithstanding any  
20 other provision of law, after the date of the enactment of  
21 this Act, surplus personal property of the Department of  
22 Defense may not be sold until after the date on which the  
23 Director of the Defense Logistics Agency certifies to Con-  
24 gress that all of the requirements of this subsection have  
25 be satisfied.

1           (2) The Inspector General of the Department of De-  
2 fense shall prepare an inventory of all surplus personal  
3 property of the Department of Defense held as of the date  
4 of the enactment of this Act.

5           (3) The Defense Logistics Agency shall conduct a re-  
6 classification of such surplus personal property to ensure  
7 that the property is correctly classified according to the  
8 degree of demilitarization necessary to render the property  
9 safe for public use.

10          (4) The Comptroller General shall conduct of review  
11 of the system by which the Department of Defense cur-  
12 rently classifies surplus personal property of the Depart-  
13 ment of Defense for demilitarization. On the basis of the  
14 review, the Comptroller General shall submit recommenda-  
15 tions to the Director of the Defense Logistics Agency re-  
16 garding changes to the classification system to prevent the  
17 erroneous classification of surplus personal property be-  
18 fore disposal.

19          (c) IMPROVED CLASSIFICATION OF SURPLUS MATE-  
20 RIAL BEFORE DISPOSAL.—(1) Chapter 153 of title 10,  
21 United States Code, is amended by inserting after section  
22 2572 the following new section:

1 **“§ 2573. Surplus personal property: demilitarization**  
2 **classification and disposal record**

3 “(a) CLASSIFICATION RESPONSIBILITY.—The Direc-  
4 tor of the Defense Logistics Agency shall establish an of-  
5 fice within the Defense Logistics Agency to be responsible  
6 for—

7 “(1) classifying surplus personal property of the  
8 Department of Defense according to the degree of  
9 demilitarization necessary to render the property  
10 safe for public use; and

11 “(2) ensuring that, in the case of surplus per-  
12 sonal property of the Department of Defense in-  
13 tended for public sale in a completely demilitarized  
14 form, the surplus personal property is properly de-  
15 militarized before the sale.

16 “(b) INDEPENDENCE OF OFFICE.—The office of the  
17 Defense Logistics Agency responsible for the demilitariza-  
18 tion classification of surplus personal property of the De-  
19 partment of Defense shall be independent of the Secretar-  
20 ies of the military departments and the armed forces.

21 “(c) RECORD OF SALE.—In the case of each item of  
22 surplus personal property of the Department of Defense  
23 disposed of by sale, the Director of the Defense Logistics  
24 Agency shall maintain a record containing the following:

25 “(1) The Department of Defense source of the  
26 item, including the last military installation at which

1 the item was maintained before the item was de-  
2 clared surplus.

3 “(2) The degree of demilitarization required  
4 and completed before disposal.

5 “(3) The location at which the item was sold  
6 from Department of Defense stocks.

7 “(4) The name of the person purchasing the  
8 item and such other identifying information regard-  
9 ing the purchaser as the Secretary of Defense con-  
10 siders to be appropriate.

11 “(d) PROHIBITION ON INTERNET ADVERTISING.—  
12 The Secretary of Defense may not use the telecommuni-  
13 cations medium commonly known as the Internet to adver-  
14 tise the availability of surplus personal property of the De-  
15 partment of Defense for sale.”.

16 (2) The table of sections at the beginning of such  
17 chapter is amended by inserting after the item relating  
18 to section 2572 the following new item:

“2573. Surplus personal property: demilitarization classification and disposal  
record.”.

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