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Department of Defense Directive

SUBJECT Security Trade Controls on DoD Personal Property
Sold in Foreign Areas

- Refs.: (a) DoD Directive 2030.2, "Security Trade Controls on Foreign Excess Personal Property," March 10, 1961 (hereby cancelled)
- (b) DoD Instruction 2030.6, "Implementing Procedures for Security Trade Controls on Foreign Excess Personal Property," March 20, 1973
- (c) DoD Directive 2030.5, "Foreign Nonexcess Personal Property Sold by DoD," May 30, 1964 (hereby cancelled)
- (d) Foreign Military Sales Act, as amended (22 USC 2751-93)
- (e) Title IV., Federal Property and Administrative Services Act of 1949, as amended (40 USC 511-514)
- (f) DoD Instruction 2110.8, "Transfer of Releasable Assets of the DoD to Foreign Countries and International Organizations on a Foreign Military Sales Basis," June 26, 1972
- (g) DoD Directive 4160.21, "DoD Personal Property Disposal Program," February 23, 1972
- (h) DoD Directive 5105.22, "Defense Supply Agency," December 9, 1965

I. PURPOSE AND SCOPE

This Directive sets forth the security trade control policy governing sales of Department of Defense personal property in foreign areas pursuant to the provisions of references (d) through (g), except for personal property located in the Panama Canal Zone, Puerto Rico, and all territories, dependencies and possessions of the United States.

II. APPLICABILITY

The provisions of this Directive apply to Office of the Assistant Secretary of Defense (International Security Affairs) and to the Defense Supply Agency for action (see III.C., below). It is distributed to all other DoD Components for information and guidance.

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Distribution unlimited

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III. POLICY AND RESPONSIBILITIES

- A. DoD personal property located in foreign areas will not be sold directly or indirectly to denied areas (as specified in DoD Instruction 2030.6 (reference (b)), or any other areas that may be designated by the Assistant Secretary of Defense (International Security Affairs) under the provisions of Section IV., below.
- B. The policy in A., above, will be carried out through institution of the following safeguards and controls:
 - 1. Including appropriate terms and conditions in the contract of sale.
 - 2. Assuring the integrity and reliability of purchasers and subpurchasers.
 - 3. Obtaining knowledge of the purchasers' and subpurchasers' intended use and destination of the property.
 - 4. Using measures designed to preclude diversion and, when appropriate, to verify that property has reached the acceptable destination designated by the purchaser or subpurchaser.
 - 5. Using debarment and other available administrative sanctions against parties determined to have violated sales contract provisions.
- C. Pursuant to DoD Directive 5105.22 (reference (h)), the Defense Supply Agency is responsible for sales of DoD property in foreign areas.

IV. DELEGATION OF AUTHORITY

Subject to the authority, direction, and control of the Secretary of Defense as provided by law, the Assistant Secretary of Defense (International Security Affairs), after coordination with the Assistant Secretary of Defense (Installations and Logistics), is authorized to take the necessary action, including the issuance of DoD Instructions and memoranda of a one-time nature, to supplement the provisions of this Directive.

V. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Two copies of implementing instructions shall be forwarded to the Assistant Secretary of Defense (International Security Affairs) within 60 days.

VI. CANCELLATION

References (a) and (c) are hereby superseded and canceled.

N. P. Clem
Deputy Secretary of Defense

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