



## DoD INSTRUCTION 4160.28

### DoD DEMILITARIZATION PROGRAM

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<b>Originating Component:</b>	Office of the Under Secretary of Defense for Acquisition and Sustainment
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<b>Reissues and Cancels:</b>	DoD Instruction 4160.28, "DoD Demilitarization (DEMIL) Program," April 7, 2011, as amended
<b>Approved by:</b>	William A. LaPlante, Under Secretary of Defense for Acquisition and Sustainment

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**Purpose:** In accordance with the authority in DoD Directive 5135.02 and in accordance with the intent of Section 1051 of Public Law 105-261, also known as the "Strom Thurmond National Defense Authorization Act for Fiscal Year 1999," this issuance establishes policy and assigns responsibilities for:

- The DoD Demilitarization (DEMIL) Program.
- DEMIL analysis, planning, and execution.
- DoD personal property DEMIL or mutilation before release from DoD control.
- DEMIL code assignment accuracy.

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## SECTION 1: GENERAL ISSUANCE INFORMATION

### 1.1. APPLICABILITY.

This issuance applies to:

- a. OSD, the Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).
- b. DoD personal property in the control or possession of any organization identified in Paragraph 1.1.a.
- c. DoD personal property in the possession of other organizations through DoD special programs as defined in Volume 3 of DoD Manual 4160.21, DoD security cooperation programs, and security assistance programs administered by the DoD.
- d. DoD personal property in the possession of other Federal agencies in accordance with Parts 101 and 102 of Title 41, Code of Federal Regulations (CFR).

### 1.2. POLICY.

- a. The DoD maintains the DoD DEMIL Program to evaluate and support the execution of DEMIL requirements within the DoD, DoD special programs, DoD security cooperation programs, and security assistance programs administered by the DoD and other Federal agencies.
- b. DoD Components administer proper DEMIL analysis, planning, and execution in DoD programs for the research, development, and acquisition; management; sustainment; maintenance; disposition; or release of DoD personal property outside the control of the DoD.
- c. Except when permitted pursuant to specific legal authority, DoD Components demilitarize DoD personal property prior to release from DoD control when the DoD personal property is:
  - (1) Identified on the United States Munitions List in Parts 120 through 130 of Title 22, CFR; or
  - (2) Identified on the Commerce Control List (CCL) in Part 774 of Title 15, CFR, and determined to have significant military utility in accordance with Volumes 1 and 2 of DoD Manual 4160.28.
- d. Except when permitted pursuant to a specific legal disposition authority, DoD Components mutilate personal property to the point of scrap before release from DoD control:

(1) Sensitive and non-sensitive CCL items located outside the United States and its territories.

(2) Sensitive CCL items inside the United States and its territories.

e. DoD Components release DoD personal property CCL items pursuant to specific legal authority using established trade security control (TSC) measures in accordance with DoD Instruction (DoDI) 2030.08.

f. DoD Components release DoD personal property as international transfers in accordance with the policy and procedures in DoDI 2040.02, Defense Security Cooperation Agency (DSCA) 5105.38-M, and other relevant DoD policies.

## **SECTION 2: RESPONSIBILITIES**

### **2.1. UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT (USD(A&S)).**

The USD(A&S) establishes policy as appropriate on all matters relating to the DoD personal property DEMIL.

### **2.2. ASSISTANT SECRETARY OF DEFENSE FOR SUSTAINMENT (ASD(S)).**

Under the authority, direction, and control of the USD(A&S), the ASD(S) implements the DoD DEMIL Program.

### **2.3. DIRECTOR, DEFENSE LOGISTICS AGENCY (DLA).**

Under the authority, direction, and control of the USD(A&S), through the ASD(S), and in addition to the responsibilities in Paragraph 2.5., the Director, DLA:

- a. Maintains the DoD DEMIL Program Office (DDPO).
- b. Maintains the DoD DEMIL Coding Management Office (DDCMO) to improve DEMIL code accuracy, in accordance with the intent of Section 1051 of Public Law 105-261.
- c. Supports the intent of Section 1051 of Public Law 105-261 for management control and oversight of the DoD DEMIL Program in coordination with the ASD(S) and the DoD Component heads.
- d. Designates a DoD DEMIL Program Manager (DDPM) to:
  - (1) Provide guidelines for the identification and DEMIL of DoD personal property to prevent its unauthorized use and the potential compromise of U.S. national security.
  - (2) Evaluate DoD DEMIL Program deficiencies and advances in technology, as needed, and to recommend changes to lists of defense articles requiring DEMIL and other controls in coordination with:
    - (a) The Defense Technology Security Administration as the lead for technology.
    - (b) Stakeholders from the Office of the Under Secretary of Defense for Research and Engineering, the Office of the USD(A&S), and the Military Services.
  - (3) Chair meetings with Military Service and Defense Agency DEMIL Program administrators on an as-required basis to discuss DEMIL procedural changes and potential policy impacts.

(4) In accordance with the intent of Section 1051 of Public Law 105-261, maintain the DoD DEMIL Life Cycle Planning Center to support the DDPO in executing DoD DEMIL Program responsibilities for DEMIL planning during total life cycle systems management.

(5) In accordance with the intent of Section 1051 of Public Law 105-261, maintain an appropriate DoD DEMIL training program and continuously evaluate and develop a revised training curriculum for all DoD Components, DoD special programs, and other Federal agencies that utilize DoD personal property.

(6) Maintain and update the DoD DEMIL Program Website at <https://www.dla.mil/What-DLA-Offers/Federal-and-International-Cataloging/DEMILCoding/DEMILCodes> with current DoD DEMIL Program information.

(7) Review and take appropriate action on requests for waivers and modifications.

(8) Provide operational direction for the DDCMO's mission and functions as an integral part of the DDPO in accordance with the intent of Section 1051 of Public Law 105-261.

e. Maintains the Controlled Property Verification Office to validate DEMIL codes cited on DoD personal property receipt documents.

f. Maintains the DoD controlled property process, to include identification and verification of:

(1) DEMIL required DoD personal property turned in as batch lots.

(2) DoD personal property turned in with suspect local stock numbers.

g. Maintains centralized DLA organizational capability to perform required physical DEMIL funded by annual DoD Component reimbursements.

h. Establishes DEMIL instructions in a readily available location for every DLA-managed national item identification number (NIIN) that requires such instructions.

i. Identifies DEMIL requirements in the terms and conditions of DoD contracts and for government-to-government transferred defense articles.

j. Directs each DLA supply center to appoint a knowledgeable individual to support the DoD DEMIL Program as the DEMIL administrator for that DLA supply center.

#### **2.4. DIRECTOR, DSCA.**

Under the authority, direction, and control of the Under Secretary of Defense for Policy and in addition to the responsibilities in Paragraph 2.5., the Director, DSCA:

a. Assists security cooperation organizations and the DDPO in responding to issues associated with DEMIL requirements to ensure that DoD policy, procedures, and program implementation are consistent with U.S. foreign policy and national security objectives.

b. Designates a point of contact to work with DDPM, security cooperation organizations, and the Department of State in DoD DEMIL Program oversight.

c. Directs that appropriate guidance regarding DEMIL requirements is incorporated into DSCA 5105.38-M and the security cooperation workforce training program.

## **2.5. DOD COMPONENT HEADS AND COMMANDANT OF THE COAST GUARD.**

The DoD Component heads and Commandant of the Coast Guard:

a. Plan and budget for DoD and United States Coast Guard (USCG) personal property DEMIL requirements throughout the total life cycle systems management process.

b. Identify DEMIL requirements in all procurement actions in their subordinate organizations.

c. Provide training for personnel with assigned DEMIL duties to include:

(1) DEMIL code assignment, administration, management, and disposition.

(2) Skills and knowledge needed to perform physical DEMIL.

d. Apply appropriate inventory controls based on the assigned controlled inventory item code for DoD and USCG personal property with DEMIL requirements during all phases of the acquisition life cycle.

e. Administer DEMIL requirements as provided for in terms and conditions of assigned contracts.

f. Identify DEMIL requirements and requirements for government-to-government transferred defense articles in the terms and conditions of DoD contracts.

g. Before disposition or DEMIL, consider use of DoD property for reclamation or capability to meet internal supply requirements and materiel shortages such as diminishing manufacturing sources and material shortages in accordance with DoDI 4245.15 and Volume 3 of DoD Manual 4160.21.

## **2.6. SECRETARIES OF THE MILITARY DEPARTMENTS AND COMMANDANT OF THE COAST GUARD.**

In addition to the responsibilities in Paragraph 2.5., the Secretaries of the Military Departments and Commandant of the Coast Guard:

a. Designate a DEMIL Program administrator to support the DDPM in DoD DEMIL Program oversight of their respective Military Departments or USCG.

b. Require the appointment of an individual knowledgeable in DEMIL to serve as the DEMIL administrator and to support the execution of the DoD DEMIL Program for each inventory control point (ICP) under their respective Military Department.

c. Support DoD DEMIL Program oversight reviews and provide DEMIL plans to the respective Military Department or USCG DEMIL Program administrator, the DDPM, and activities requiring the plans to perform physical DEMIL.

d. Assign an accurate DEMIL code to every item of DoD and USCG personal property for which a Military Department or the USCG has management responsibility, including items for which logistic responsibility has been reassigned.

e. Require that DoD Component or USCG acquisition program managers apply DEMIL requirements during the entire system design process and prepare programmatic and procedural DEMIL plans and related documentation.

f. Establish DEMIL instructions in a readily available location for every managed NIIN that requires such instructions.

g. Support the DoD DEMIL Code Challenge Program, established via Volume 1 of DoD Manual 4160.28, and collaborate with the DDCMO on code corrections.

h. Identify DEMIL requirements in the terms and conditions of DoD Component or USCG contracts.

i. Identify the DEMIL requirement as indicated by the assigned DEMIL code and, when available, documentation such as DEMIL plans to the DSCA to support security assistance program case development and oversight.



## GLOSSARY

### G.1. ACRONYMS.

<b>ACRONYM</b>	<b>MEANING</b>
ASD(S)	Assistant Secretary of Defense for Sustainment
CCL	Commerce Control List
CFR	Code of Federal Regulations
DDCMO	DoD Demilitarization Coding Management Office
DDPM	DoD Demilitarization Program Manager
DDPO	DoD Demilitarization Program Office
DEMIL	demilitarization
DLA	Defense Logistics Agency
DoDI	DoD instruction
DSCA	Defense Security Cooperation Agency
ICP	inventory control point
NIIN	national item identification number
TSC	trade security control
USCG	United States Coast Guard
USD(A&S)	Under Secretary of Defense for Acquisition and Sustainment

### G.2. DEFINITIONS.

<b>Term</b>	<b>DEFINITION</b>
<b>acquisition program manager</b>	The designated individual with responsibility for and authority to accomplish acquisition program objectives for development, production, product support, and sustainment to meet the user's operational needs in accordance with DoD Directive 5000.01.
<b>CCL</b>	Defined in Part 772 of Title 15, CFR.
<b>controlled inventory item</b>	Defined in Volume 11 of DoD Manual 4140.01.

<b>Term</b>	<b>DEFINITION</b>
<b>DDCMO</b>	An organization within the Defense Logistics Information Service under the direction of the DDPO established to support plans to improve accuracy of DEMIL codes, in accordance with the intent of Section 1051 of Public Law 105-261.
<b>defense article</b>	Defined in Subpart 120.6 of Title 22, CFR.
<b>DEMIL</b>	The act of eliminating the functional capabilities and inherent military design features from DoD and USCG personal property, DEMIL requires certification and verification. DEMIL methods and degrees range from removal and destruction of critical features to total destruction by cutting, crushing, shredding, melting, burning, etc. DEMIL is required to prevent property from being used for its originally intended purpose and to prevent the release of inherent design information that could be used against the United States. DEMIL applies to DoD and USCG personal property in both serviceable and unserviceable condition(s).
<b>DEMIL code</b>	A code assigned to DoD and USCG personal property. It indicates the degree of required physical destruction, identifies items requiring specialized capabilities or procedures, and identifies items that do not require DEMIL but may require TSC. It is used throughout the total life cycle systems management process to identify control requirements before release of DoD and USCG personal property from DoD or USCG control.
<b>DEMIL Life Cycle Planning Center</b>	An organization established by the DDPM to support the intent of Section 1051 of Public Law 105-261 to improve the implementation of DEMIL requirements throughout the defense acquisition life cycle in accordance with DoDI 5000.01.
<b>DEMIL plan</b>	A set of procedures and information to assist in the performance of physical DEMIL or the programmatic conduct of analysis and planning for DEMIL. A DEMIL plan is a living document that should be updated throughout the total life cycle systems management process.
<b>DoD and USCG personal property</b>	Any end item, materiel, equipment, spares, or repair part that is owned or controlled by the DoD or USCG. Excludes real property, records of the Federal Government, battleships, cruisers, aircraft carriers, destroyers, and submarines.

<b>Term</b>	<b>DEFINITION</b>
<b>DoD DEMIL Code Challenge Program</b>	The quality control program implemented by the DDPM and administered by the DDCMO to validate DEMIL code accuracy.
<b>ICP</b>	An organizational unit or activity within the DoD supply system assigned the primary responsibility for the materiel management of a group of items either for a particular Military Department, or for the DoD as a whole. In addition to materiel management functions, an ICP may perform other logistics functions in support of a particular Military Department or for a particular end item (e.g., centralized computation of retail requirements levels and engineering tasks associated with weapon system components).
<b>mutilation</b>	Defined in Volume 2 of DoD Manual 4160.28.
<b>NIIN</b>	The last nine digits of the national stock number that differentiates each individual supply item from all other supply items. The first two digits signify the National Codification Bureau that assigned the NIIN, while the last seven digits are not significant and are sequentially assigned by the Federal Logistics Information System. All U.S. manufactured items have a National Codification Bureau Code of “00” (cataloged before 1975) or “01” (cataloged in 1975 or later).
<b>procedural DEMIL plan</b>	A plan that provides information to support the performance of physical DEMIL and is needed before DoD and USCG personal property will be subject to a disposal requirement.
<b>programmatic DEMIL plan</b>	A plan tailored to each acquisition program that may be addressed as a stand-alone or integrated with other plans. It should address how DEMIL considerations will be integrated into system engineering processes.

<b>Term</b>	<b>DEFINITION</b>
<b>scrap</b>	Recyclable, waste, and discarded materials derived from items that have been rendered useless beyond repair, rehabilitation, or restoration such that the item's original identity, utility, form, fit, and function have been destroyed. Items classified as scrap can be processed by cutting, tearing, crushing, mangling, shredding, or melting. Intact or recognizable United States Munitions List or CCL items, components, and parts are not scrap. In rare instances, even though there are no recognizable parts, items, or components, certain types of scrap materials may be listed on the United States Munitions List or CCL (generally specific alloys). Further guidance is in Volume 3 of DoD Manual 4160.21; Subchapter C, Parts 730 through 774 of Title 15, CFR; and Section 102-36 of Title 41, CFR.
<b>security assistance</b>	Defined in DoD Directive 5132.03.
<b>security cooperation</b>	Defined in DoD Directive 5132.03.
<b>TSC</b>	Defined in DoDI 2030.08.
<b>United States and its territories</b>	Includes the 50 States; the District of Columbia; the U.S. Virgin Islands, American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, and Palau.
<b>United States Munitions List</b>	Defined in Part 121 of Title 22, CFR.

## REFERENCES

- Code of Federal Regulations, Title 15
- Code of Federal Regulations, Title 22
- Code of Federal Regulations, Title 41
- Defense Security Cooperation Agency 5105.38-M, “Security Assistance Management Manual,” current edition<sup>1</sup>
- DoD Directive 5000.01, “The Defense Acquisition System,” September 9, 2020, as amended
- DoD Directive 5132.03, “DoD Policy and Responsibilities Relating to Security Cooperation,” December 29, 2016
- DoD Directive 5135.02, “Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)),” July 15, 2020
- DoD Instruction 2030.08, “Implementation of Trade Security Controls (TSCs) for Transfers of DoD Personal Property to Parties Outside DoD Control,” February 19, 2015, as amended
- DoD Instruction 2040.02, “International Transfers of Technology, Articles, and Services,” March 27, 2014, as amended
- DoD Instruction 4245.15, “Diminishing Manufacturing Sources and Material Shortages Management,” November 5, 2020
- DoD Manual 4100.39, “Federal Logistics Information System (FLIS) Procedures,” March 8, 2017, as amended
- DoD Manual 4140.01, Volume 11, “DoD Supply Chain Materiel Management Procedures: Inventory Accountability and Special Management and Handling,” March 8, 2017, as amended
- DoD Manual 4160.21, Volume 3, “Defense Materiel Disposition: Reutilization, Transfer, and Sale of Property,” October 22, 2015, as amended
- DoD Manual 4160.28, Volume 1, “Defense Demilitarization: Program Administration,” August 9, 2017, as amended
- DoD Manual 4160.28, Volume 2, “Defense Demilitarization: Demilitarization Procedures,” November 1, 2022, as amended
- Public Law 105-261, Section 1051, “Strom Thurmond National Defense Authorization Act for Fiscal Year 1999,” October 17, 1998

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<sup>1</sup> Available on Defense Security Cooperation Agency website <https://samm.dsca.mil/listing/chapters>