

1 SEC. 10 _____ S1053]. INDEPENDENT EVALUA-
2 TION OF DEPARTMENT OF DEFENSE EXCESS
3 PROPERTY PROGRAM.

4 (a) IN GENERAL.—The Secretary of Defense shall
5 enter into an agreement with a federally funded research
6 and development center, or another appropriate inde-
7 pendent entity, with relevant expertise to conduct an eval-
8 uation of the Department of Defense excess property pro-
9 gram under section 2576a of title 10, United States Code.
10 Not later than 180 days after the date of the enactment
11 of this Act, the Secretary shall submit such evaluation to
12 the congressional defense committees

13 (b) ELEMENTS OF EVALUATION.—The evaluation re-
14 quired under paragraph (1) shall include each of the fol-
15 lowing:

16 (1) A review of the current listing of “author-
17 ized”, “controlled”, and “prohibited” items as de-
18 fined by Executive Order 13688 and by Department
19 of Defense policy, guidance, and instruction, as well
20 as why each item is currently assigned to each cat-
21 egory.

22 (2) A review of the preferences and any associ-
23 ated prioritization provided to Federal, State, and

1 equipment to be used in border security,
2 counterdrug, and counterterrorism activities, pursu-
3 ant to section 2576a(a)(1)(A) of title 10 United
4 States Code, including the overall numbers and per-
5 centages of equipment provided and used under
6 these preferential categories.

7 (3) Whether the Department of Defense has
8 bought a type of equipment and declared as excess
9 the same type of equipment during the same year,
10 and if so, how much such equipment.

11 (4) The type of information being collected by
12 State coordinators and the Defense Logistics Agency
13 when a request for equipment is made, and whether
14 or not that information is sufficient to demonstrate
15 a need for the equipment requested by the law en-
16 forcement agency making the request.

17 (5) The extent to which State coordinators and
18 the Defense Logistics Agency deny requests for
19 equipment and the reasons for such denials.

20 (6) The extent to which law enforcement agen-
21 cies have been suspended from participating in the
22 program and the reasons for such suspensions.

23 (7) Any other matters the Secretary determines
24 appropriate.