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REPORTS OF SURVEY FOR AIR FORCE PROPERTY

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This manual prescribes guidance and procedures applicable to Air Force Reports of Surveys (ROS) Program, the processing of ROS, and processing DD Form 200, **Financial Liability Investigation of Property Loss**. It implements AFPD 23-2, *Supplies and Materiel Management*, AFI 23-111, *Management of Government Property In Possession of the Air Force*, Department of Defense Directive 7200.11, *Liability for Government Property Lost, Damaged, or Destroyed*, and DoD 7000.14-R, *DoD Financial Management Regulation*, Volume 12, Chapter 7, *Financial Liability for Government Property Lost, Damaged, or Destroyed* (to be published). ROSs will be required for all property losses more than $500. "Simple" negligence standard on vehicles that are damaged, lost, or destroyed has been changed to a "gross" negligence standard. No ROSs will be required unless there is evidence of gross negligence, willful misconduct, or deliberate unauthorized use, or if property records must be adjusted. Recommendations for changes will be sent through channels to HQ USAF/LGSP; however, the originator will forward an information copy directly to HQ USAF/LGSP, 1030 Air Force Pentagon, Washington DC 20330-1030.

(PACAF) This publication does not apply to Air National Guard (ANG) or US Air Force Reserve (AFRES) units and members.

SUMMARY OF REVISIONS

This document is substantially revised and must be completely reviewed.

(PACAF) The numbering sequence for the paragraphs have changed and correspond to the appropriate paragraph in the original manual.

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Chapter 1

INTRODUCTION

1.1. Statutory Authority.

1.1.1. Statutory authority governing the accounting for government property lost, damaged, or destroyed and the fixing of responsibility and liability through the Report of Survey (ROS) system is found in various United States Statutes. This authority includes but is not limited to:

- Title 10, United States Code (U.S.C.), Sections 2775, 9832, and 9835.
- Title 32, U.S.C. Section 710.
- Title 37, U.S.C. Section 1007(e).

1.1.2. Statutes pertaining to the collection of administratively established debts, such as liability for the loss, damage, or destruction of government property, include, but are not limited to:

- Title 5, U.S.C. Section 5514.
- Title 10, U.S.C. Section 2775.
- Title 31, U.S.C. Section 3716.
- Title 37, U.S.C. Section 1007(c) through (e).

1.2. Basic DoD Publications. This manual prescribes the guidance, principles, standards, and procedures applicable to cases where Air Force property is lost, damaged, or destroyed. It is based on the following Department of Defense (DoD) publications:

1.2.1. DoD Directive (DoDD) 7200.11, *Liability for Government Property Lost, Damaged, or Destroyed*, October 26, 1993.

1.2.2. DoD Regulation (DoDR) 7000.14-R, *DoD Financial Management Regulation*, Volume 12, Chapter 7 (to be published).

1.3. Applicability. This manual applies to all Air Force activities including the Air National Guard (ANG) and Air Force Reserve (AFRES). This manual does not apply to nonappropriated fund (NAF) activities except in specified situations.

1.4. Overall Guidance.

1.4.1. Commanders are responsible for government real and personal property under their control.

1.4.2. Air Force, AFRES, and ANG, personnel (including civilian employees, Air Force Reserve technicians, and ANG technicians) are responsible for the proper care and safekeeping of Air Force property regardless of whether or not it is on property records.

1.4.3. Air Force members and employees can be held financially liable for the loss, damage, or destruction of Air Force property proximately caused by their negligence, willful misconduct, or deliberate unauthorized use.

1.4.4. Financial liability against an individual(s) will be assessed only after an official investigation has been conducted specifically for the purpose of determining the facts and the circumstances related to the loss, damage, or destruction of the property.

1.5. Assessing Financial Liability.

1.5.1. Paragraph 4 of the DoDD cited in paragraph **1.2.1.** states that financial liability shall be assessed be as follows:

"a. **Personal Arms or Equipment.** The full amount of the loss or damage to personal as or equipment.

"b. **Items of Military Supply.** The full amount of damage to, or the value of, lost or damaged items of military supply.

"c. **Government Housing.** The full amount of loss or damage to Government housing, equipment and furnishings therein, if the loss, damage, or destruction was proximately caused by gross negligence or abuse by the military member, dependent, or guest.

"d. **Other.** In all other cases, up to the full amount of the loss, damage, or destruction of Government property or housing, but in no case more than I month's regular military compensation as defined in 37 U.S.C. 101(25) in the case of military members and one-twelfth of annual pay in the case of civilian employees. For Reserve component personnel, one month's regular military compensation refers to the amount that would be received by the Service member if on active duty."

1.6. Attachments. This manual has six attachments:

1.6.1. **Attachment 2** through **Attachment 5** are sample memoranda. They may be "tailored" to fit the case being processed. They are written for people who still are working for the Air Force, therefore, they may require changing if sent to people who have been separated and the Air Force is still attempting to be reimbursed. This is especially true if the address of the person may have changed. The ROS program manager must decide what changes should be made in these sample memoranda.

1.6.2. A reasonable effort shall be made to obtain payment from a separated member; however, if correspondence is returned by the post office indicating that it cannot locate the addressee, the approving authority may close the case and forward it to the Financial Services Officer (FSO) for continuation of the collection effort. This should be accomplished on or before 90 days of the notification notice (see paragraph **16.2.11.**).

1.6.3. When the ROS case is closed, the ROS program manager must have the original copy of the ROS in the program manager's file. If there is any possibility that the original copy will not be returned, the program manager will send a copy of the original ROS. This does not apply to routing the ROS to personnel involved in the investigation, review, approval, or appeals process.

Chapter 2

GENERAL

2.1. The Air Force Report of Survey (ROS) Program. The program is based on the DoD references cited in paragraph **1.2.** The term ROS is used interchangeably throughout this manual in referring to the ROS program, procedures for processing a ROS, or the processing of a DD Form 200, **Financial Liability Investigation of Property Loss**.

2.2. Purpose. The purpose of the ROS program is contained in paragraphs 070101 and 070202, DoDR 7000.14-R. See paragraph **1.2.2.** The general purposes are:

2.2.1. Research and investigate the cause of loss, damage, or destruction of property and determine if it was attributable to an individual's negligence or abuse.

2.2.2. Assess monetary liability against individuals who have lost, damaged, or destroyed Government property or relieve them from liability if there is no evidence of negligence, willful misconduct, or deliberate unauthorized use of the property.

2.2.3. Provide documentation which can be used to support the adjustment of accountable records.

2.2.4. Provide commanders with case histories which will enable them to take corrective action to prevent recurrence of the incident.

2.3. Miscellaneous ROS Guidance and Procedures.

2.3.1. Disciplinary Action. **Assessment of financial liability will not be used instead of, or as a form of disciplinary action**. Commanders must decide if a case warrants taking disciplinary action under the Uniform Code of Military Justice (UCMJ). This is a separate action and is not related to the assessment or non-assessment of financial liability. Also, commanders are encouraged to use administrative actions when assessment of financial liability by ROS is not practical or desirable. These measures could include counseling, oral or written reprimands, appropriate remarks in performance evaluations, service to the installation or the community, or possibly non-judicial punishment under Article 15 of the UCMJ.

2.3.2. Jointly Operated Activities. If an installation or activity is operated jointly by the Air Force and Army or Navy, the Service component possessing the lost or damaged property is responsible for processing a ROS according to its manuals, regardless of which Service commands the installation.

2.3.3. Administration of Oaths. Any Air Force officer appointed to survey property, or the recorder or presiding officer of any board appointed for such purpose, has the same authority to administer oaths or take depositions as officers authorized to do so by the Manual for Courts-Martial (1994 Edition), Appendix 2, Article 136 (Authority to Administer oaths and to act as notary).

2.3.4. Communication Security Equipment and Supply Items. ROS initiating officials are responsible for notifying the local COMSEC custodian when ROS involves the loss of COMSEC equipment and supply items.

2.3.5. Penalizing Units Whose Members Abuse Property. When circumstances warrant, commanders should consider withdrawing funds from abusing units and transferring them to units that have to repair the items. An example of this might be repair of damaged vehicles.

2.3.6. Members' Liability. All Air Force members and employees can be held liable for the loss, damage, or destruction of government property proximately caused by their negligence, willful misconduct, or deliberate unauthorized use. Liability is based upon the preponderance of the evidence. That is, financial liability cannot be assessed unless, after considering all relevant factors, it appears more likely than not that an individual's actions, or failure to act, constituted negligence, willful misconduct, or deliberate unauthorized use, and proximately caused the loss, damage, or destruction at issue. If the weight of the evidence does not support either side, an individual is not held liable. Except for certain instances described in the following paragraphs, liability is limited to one month's basic pay in effect at the time the loss or damage occurred. **THIS PARAGRAPH DOES NOT APPLY TO THE LOSS, DAMAGE OR, DESTRUCTION OF VEHICLES. SEE Chapter 18 FOR GUIDANCE AND PROCEDURES PERTAINING TO VEHICLES.**

2.3.6. (PACAF) Failure to exercise the degree of protection of highly pilferable electronic equipment of the type described in AFMAN 23-220, PACAF Supplement, paragraph , will create a presumption of negligence on the part of the member. Additionally, trainers, ROS program managers, and the immediate supervisors of equipment custodians failing to properly train, or ensure training is being accomplished, may be held jointly and severally liable with equipment custodians for loss or damage to highly pilferable electronic equipment.

2.3.7. ROS for ANG/AGR Personnel. **Chapter 22** contains procedures for ANG/AGR personnel who lose, damage, or destroy ANG property. ROS involving ANG/AGR personnel are processed as if they were regular Air Force members. ANG/AGR personnel who are found to be pecuniary liable may be assessed liability up to one months basic pay, regardless of the actual pay received by the member during a particular month.

2.3.8. Interest, Penalty, and Administrative Charges. Applicable ROS statutes and DoD implementing policy explicitly fixed the charges that apply to ROS debts. Therefore, interest, penalty, and administrative charges are not assessed by ROS officials.

2.3.9. Property Not on Property Records. Government property which is not carried on the property records should not be recorded simply to initiate a ROS. A survey can be initiated without this and action will be taken to obtain reimbursement for any government property lost, damaged, or destroyed regardless of whether or not it is considered as "Accountable" property. This is particularly relevant considering the large number of local purchase items that have been deleted from accountable records.

2.3.10. Collection Guidance. An Air Force member's or employee's consent is not required for collection of ROS debts. The organization responsible for paying the member or employee shall determine the maximum amount to be collected each month. Specific collection procedures are in **Chapter 16**. Overall Air Force policies on debt collection are in DoDR 7000-14R, Volume 1 and 5.

2.3.11. Waiver Provisions - Housing Damage. 10 U.S.C. Section 2775 provides for waiver of liability arising under conditions pertaining to both family housing and unaccompanied personnel housing. The Secretary of the Air Force or designee may waive an uncollected claim of the United States, based upon the unique circumstances of an individual case and determines that the waiver of the claim is in the best interests of the United States. This authority is delegated to the ROS approving and appellate authorities as designated in this manual. Detailed procedures are in **Chapter 17**.

2.3.12. Discretionary Limitation of Liability. The ROS approving or appellate authority may exercise certain discretion regarding assessments of financial liability as contained in **Chapter 8**; however, the approving or appellate authority must assess the full amount of loss for ROS involving liability of any accountable officer for various types of property and personal arms and equipment when:

2.3.12.1. An accountable officer whose negligence, willful misconduct, or deliberate unauthorized use of government property proximately causes the loss of, or damage to, property under his or her accountability, is liable for the entire amount of the loss to the government as computed in accordance with **Chapter 15**. Liability may not be limited to a lesser amount by the approving or appellate authority under paragraph **8.6.**

2.3.12.2. An individual whose negligence, willful misconduct, or deliberate unauthorized use proximately causes the loss of, or damage to, personal arms and equipment (also known as individual equipment) which were issued for the individual's sole use and care. In these cases liability is assessed for the entire amount of the loss of the government as computed in accordance with **Chapter 15**. Liability may not be limited to a lesser amount by the approving or appellate authority under paragraph **8.6.** Personal arms and equipment items are so defined by examining how they are used rather than how they are obtained.

2.3.13. Joint and Several Liability. If the loss, damage, or destruction of government property resulted from negligence, willful misconduct, or deliberate unauthorized use of two or more persons, they are held jointly and severally liable for the amount of the loss to the government, up to one month's basic pay.

2.3.13. (PACAF) Trainers, ROS program managers, equipment custodians and the immediate supervisors thereof, may be held jointly and severally liable if they fail to take appropriate actions in the execution of their responsibilities. As described in paragraph **11.4.2.**, at a minimum, these individuals must ensure that proper training on individual members responsibility and enforcement of required hand receipt/electronic tracking procedures for highly pilferable electronic equipment is accomplished.

2.3.13.1. If, for any reason, collection cannot be made from any person held jointly and severally liable, the remaining persons are each still liable for the loss to the government up to one month's basic pay, or as specified in paragraphs **2.3.12.**, **8.6.**, and **Chapter 17**.

2.3.13.2. Because the Air Force cannot collect more than the total amount of the loss to the government, the approving authority determines the amount to be collected from each person.

2.3.14. Loss of Public Funds. (See paragraph **3.3.4.**)

2.3.15. When financial assessment is recommended, a written legal opinion will be obtained before the ROS file is forwarded to the approving authority and an individual is advised that financial liability is being assessed. The legal review will be made a part of the ROS file.

2.3.16. Many items used in the Air Force are no longer on accountable records; however, commanders are still responsible for assuring that they are properly maintained. When they are no longer required or are usable, they will be reported to accountable officers for subsequent turn-in to Defense Logistics Agency property disposal offices.

2.3.17. There are no legal time limits applicable to initiating a ROS or how rapidly it must be completed; however, Air Force desired time-frames are contained in **Chapter 5** and **Chapter 6**.

2.3.18. Subject to the provisions contained in **Chapter 3**, which indicates when a ROS is required, approving authorities may disregard processing a ROS if the value of the loss, damage, or destruction of the property is $500 or less. This guidance also applies to family housing. See chapter 6, AFI 32-6001, *Family Housing Management*. This option must be tempered by the situation pertaining to each case. This guidance does not preclude approving authorities or commanders from processing a ROS where the loss, damage or destruction is less than $500. **THIS DOES NOT APPLY TO VEHICLES - SEE Chapter 18**.

2.3.19. If a loss occurs in retail supply system stocks or property record items because supervisors did not ensure that stocks were not properly inventoried and required transfer procedures were not followed upon change of custodians. This may be the basis for finding an individual negligent in the performance of assigned duties. (See paragraph **21.4.**)

2.3.20. ROS Program Managers are encouraged to utilize automated means of processing documents related to the program, including prescribed forms.

2.3.21. When referring to this manual it should be remembered that while it is applicable to all commands of the Air Force, they are not all organized the same and do not have the same mission. Further, there are many different accountable officers involved in the ROS process, such as the base chief of supply, information systems for automatic data processing equipment, medical supply, commissary, morale and welfare, and the civil engineer housing officer. As a result, individual base implementing procedures may vary from command to command and from base to base. Except where specific standards or requirements are prescribed, variations are acceptable as long as they comply with the spirit and intent of this manual.

2.3.22. One of the objectives of the ROS program is to point up materiel management weaknesses. Block 10 of the DD Form 200 addresses actions to prevent recurrence. AFI 23-111, *Management of Government Property in Possession of the Air Force* (formerly AFR 20-14) should be referred to regarding responsibility for Government property.

2.3.23. Disposition of Funds Received From the ROS Program. Paragraph **16.2.13.** addresses what monies are returned to Air Force operation and maintenance (O&M) accounts and which are returned to miscellaneous receipts of the US Treasury. These procedures are based on US statutes.

2.3.24. This manual uses two new terms applicable to ROS. The first is "ROS program manager" in lieu of the prior term of "ROS administrator." This was done to more clearly portray the duties that are performed. The second is the term "Financial Services Officer" (FSO). This replaces the old term "Finance and Accounting Officer (FAO)."

Chapter 3

GUIDELINES FOR DETERMINING WHEN A ROS IS REQUIRED

3.1. When a ROS is Mandatory. A ROS is mandatory when: (See paragraph **3.3.** for details.)

3.1.1. Controlled or sensitive items, weapons, or classified items have been damaged, or destroyed unless exempted by paragraph **3.2.3.**, **3.2.10.**, or **3.2.11.** below. These ROSs will be processed according to this manual. If the ROS contains classified information, the ROS must bear an appropriate Security Classification.

3.1.2. There is evidence of abuse, gross negligence, willful misconduct, or deliberate unauthorized use, fraud, theft, or if negligence is suspected in the case of supply system stocks or property book items.

3.1.3. Negligence is evident in the loss of hand tools regardless of dollar value unless voluntary monetary reimbursement or replacement in kind is offered and accepted.

3.1.4. Hand tools or other pilferable items over $100 unit cost or $500 total cost are lost.

3.1.5. Supply system stock records are adjusted in excess of $2,500 for pilferable items.

3.1.6. Supply system stock records are adjusted in excess of $16,000 for uncontrolled or non-pilferable items.

3.1.7. Supply system stock record adjustments exceed $50,000.

3.1.8. Ammunition losses addressed in paragraph 3.46, AFI 21-202, *Combat Ammunition Systems Procedures*, require a ROS. Also see paragraph **3.2.3.**

3.1.9. Bulk petroleum losses exceed authorized allowances.

3.1.10. The initial investigation does not identify the cause of the discrepancy in the supply system or property account and the discrepancy meets the requirement for a ROS.

3.1.11. Contractor held property is lost, damaged, or destroyed by Air Force military or civilian personnel.

3.1.12. Air Force property is lost or damaged while being carried by a government aircraft or vessel.

3.1.13. Requested by an accountable officer.

3.1.14. Public funds are lost. See paragraph **3.3.4.**

3.1.15. Items are lost, damaged, or destroyed after they have been removed from an aircraft damaged in authorized operations.

3.1.16. Repetitive cases of loss, damage, or destruction occur, even though any one by itself would not warrant the processing of a ROS.

3.1.17. Air Force property is lost, damaged or destroyed while under the control of a non-appropriated fund (NAF) instrumentality; however, coordination with the NAF activity is essential because items procured with NAF funds are processed differently than those procured with Operations and Maintenance (O&M) funds.

3.1.18. An involuntary payment is to be effected.

3.1.19. When there is evidence of gross negligence, willful misconduct, or deliberate unauthorized use pertaining to the loss, damage, or destruction of a government vehicle or vehicle property records must be adjusted.

3.2. When a ROS is not Mandatory. A ROS is not required when: (See paragraph **3.3.** for details.)

3.2.1. An individual voluntarily wishes to pay for property that was lost, damaged, or destroyed and the item(s) is not one that requires a ROS and is valued at $500 or less.

3.2.2. A vehicle accident investigation report indicates that gross negligence, willful misconduct, or deliberate unauthorized use were not involved and it is not necessary to adjust property records.

3.2.3. Ammunition losses are covered by AFI 21-202, paragraph 3.46. Also see paragraph **3.1.8.**

3.2.4. Air Force property is damaged from the operation of privately owned vehicles, boats, aircraft, or conveyances.

3.2.5. Property belonging to other DoD activities is lost, damaged, or destroyed by Air Force military or civilian personnel.

3.2.6. Major weapon systems components, and attachments are lost, damaged, or destroyed.

3.2.7. An item becomes unserviceable due to fair, wear, and tear.

3.2.8. An item is disassembled for component parts or is salvaged.

3.2.9. Competent authority authorizes an item be abandoned.

3.2.10. Loss, damage, or destruction is caused by Acts of God.

3.2.11. Property is lost in combat operations.

3.3. Detailed Guidance Pertaining to Cases Requiring or Not Requiring a ROS.

3.3.1. Hand Tools and Other Pilferable Items. When negligence is evident, a ROS is required for all tool losses regardless of unit cost; however, one is not required for hand tool losses when the unit cost is less than $100, the total cost is $500 or under, and the maintenance branch chief responsible for the property determines that no negligence is involved. This guidance does not prevent the initiation of a ROS when the loss is less than $100/500 and it is apparent that there have been systematic losses of tools over a period of time. Voluntary reimbursement or replacement in kind is encouraged and may be accepted in lieu of a ROS. This $100/500 limit also applies to other pilferable items.

3.3.2. Contractor-Held Property. The Federal Acquisition Regulation (FAR) and the USAF supplements govern the accounting for government property lost, damaged, or destroyed while in a contractor's possession. If such property is lost, damaged, or destroyed by an Air Force member or civilian employee, a ROS is processed under this manual.

3.3.3. Property Lost or Damaged While on a Government Vessel or Aircraft. Air Force property lost or damaged while carried on a government vessel or aircraft requires a ROS unless it is evident that there was no negligence, willful misconduct, or deliberate unauthorized use. If liability is not evident, either prepare a ROS or use an appropriate accountability document per AFMAN 23-110, Volume II, Part Two. The activity maintaining the property control or accountability record initiates the ROS.

3.3.4. Loss of Public Funds. The loss of public funds not included in the accountability of an FSO or disbursing officer is subject to a ROS. These funds usually represent undeposited sales receipts. When the FSO is accountable for the lost funds, the guidance and procedures in AFRs 177-102 and 177-108 apply.

3.3.5. Air Force Property Used by Nonappropriated Fund Activities. Loss of, or damage to, Air Force property under control of nonappropriated fund (NAF) instrumentalities is covered in AFI 34-204, chapter 5. NAF employees designated by AFI 34-204 as accountable for Air Force property are acting in a capacity similar to those individuals who are designated custodians of Equipment Authorization Inventory Data (EAID) equipment on Customer Authorization/Custody Receipt Listings (CA/CRL). If Air Force equipment is lost or damaged by a NAF employee, a ROS must be initiated. If negligence is evident, liability is assessed and collection is pursued by notifying the NAF individual through the employing NAF activity. If collection is unsuccessful, the employing NAF activity is requested to withhold pay by whatever means are authorized for collection of administratively determined debts. Also see paragraph **3.1.18.**.

3.3.6. Damage Involving Private Conveyances. Damage to Air Force property resulting from operation of privately owned vehicles, boats, airplanes, or other conveyances is not generally subject to the ROS process. Claims, or administrative action against responsible individuals are usually pursued under AFI 51-502, *Personnel and Government Recovery Claims*, and other publications. If Air Force members or employees are involved, a ROS may be prepared instead of asserting a tort claim for the damage to Air Force property. These actions must be coordinated with the legal office.

3.3.7. Loss of Damage Involving Other DoD Property. Loss of, or damage to, property owned by DoD components, other than Air Force, is handled under the owning component's regulations or interservice support agreements. Air Force members or employees held liable for loss of, or damage to, another DoD component's property are subject to ROS procedures of the other component. Collection from members is made under provisions of the DoD Military Pay and Allowances Entitlements Manual.

3.3.8. Deployments. A ROS is generally not prepared for loss, damage, or destruction of major weapons, such as aircraft and missiles, including components and attached equipment, used in authorized operations. Once a deployment is ordered (operational, exercise, or training) all vehicles that make up the Augmented Deployable Unit (ADU) in convoy are considered an integral part of the weapon system. Therefore, from generation through deployment to redeployment and recovery, the entire convoy, except for individual equipment, is exempt from ROS procedures; however, this paragraph must be related to paragraph **3.3.9.**

3.3.9. Property Lost During Combat Operations. Property lost during, or as a result of combat operations is not subject to the provisions of this manual. It is accounted for per AFM 67- 1, volume 1, part one, chapters 10 and 11.

3.3.10. Equipment Items. A ROS is not required for nonexpendable items listed on AF Form 2691, **Aircraft/Missile Equipment Property Record**, when these items are lost in aircraft accidents occurring under the circumstances in paragraph **3.3.9.** above.

3.3.11. A ROS is not required for other than AF Form 2691 equipment lost in aircraft accidents occurring under the circumstances in paragraph **3.3.8.** The aircraft termination message or any document signed by a commander indicating that the items were lost in the accident can be used to adjust the appropriate property record.

3.3.12. A ROS is not required when loss, damage, or destruction was incident to the following circumstances:

3.3.12.1. Authorized flight, takeoff, landing, taxiing, or ground handling by the pilot, copilot, other crew members, or authorized ground personnel. (Ground handling includes refueling, servicing, loading, and unloading. authorized ground personnel includes maintenance personnel.)

3.3.12.2. Unserviceability due to fair wear and tear.

3.3.12.3. Disassembly for recovery of component parts or salvage authorized by competent authority.

3.3.12.4. Abandonment resulting from an accident incident to authorized operations.

3.3.12.5. Act of God.

3.3.13. Exceptions to paragraph **3.3.12.**

3.3.13.1. A ROS is required for aircraft partially damaged and unserviceable, damaged beyond economical repair, abandoned, or destroyed under circumstances other than those described in paragraph **3.3.12.**

3.3.13.2. A ROS is required for repair cycle assets and AF Form 2691 items if they are damaged or lost after removal from an aircraft. Note: An aircraft may have been damaged incident to authorized operations, but once accountable items are removed, they are subject to similar accountability and standard of care as other property book items. If these items are lost or damaged after removal from the damaged aircraft, this could not be construed as loss of damage incident to authorized ground handling, and a ROS will be initiated.

Chapter 4

GENERAL PROCEDURES FOR PROCESSING A ROS (DD FORM 200)

4.1. General Overview of ROS Processing Procedures. Detailed procedures are in other parts of this manual.

4.1.1. When property is lost, damaged, or destroyed by an individual or an organization, the organization that has possession of the property will initiate the ROS and that unit commander, or in some cases the appointing authority, will appoint an investigating officer who will determine the facts in the case. The ROS Program Manager will be advised promptly so that a ROS number can be assigned.

4.1.2. **The investigating officer must be "disinterested" and have no interest in the custodianship, care, accountability, or safekeeping of the property. Further, when appointed as investigating officer, the completion of the investigation becomes a primary duty and the officer will be relieved of other duties or assignments that would interfere with the investigation.**

4.1.3. The investigating officer (the term "officer" applies to anyone appointed to investigate the case), at a minimum, will answer the six questions outlined in para 070203, reference 1.2.2. These are: what happened, how, where, and when; who was involved, and was there any evidence of negligence, misconduct, or deliberate unauthorized use or disposition of the property.

4.1.4. The investigating officer, based on the facts, makes findings and recommendations on the issue of liability of the person(s) involved.

4.1.5. The next step is to refer the ROS to the accountable officer so that the records may be adjusted. Note that this action will **not** be affected by the action taken by the approving or appellate authority; therefore, the accountable records are adjusted as soon as possible.

4.1.6. Next, the investigating officer allows the person(s) involved to review the case and provide verbal or written information to refute the findings and recommendations.

4.1.7. The ROS is then processed to the appointing authority for assignment of financial responsibility against the individual(s) charged or relieving them from responsibility. If financial responsibility is to be assessed, the ROS will be referred to the legal office for review. If the investigating officer has not performed a thorough job, the ROS should be returned for reaccomplishment.

4.1.7. (PACAF) Notwithstanding the following, before submitting the ROS to the appointing authority, the investigating officer (IO) will in every instance submit the ROS to the legal office for review. Any attorney who advised the IO in matters pertaining to the investigation will not sign-off on that review. It will not thereafter be necessary to submit the ROS to the legal office if the appointing authority determines financial liability will be assessed, or forwards the ROS to the approving authority as described in paragraphs **2.3.15.** and **9.5.2.**

4.1.8. In some cases the appointing authority may appoint a financial liability officer to re-investigate the case. This is a second investigation and is performed when it is necessary to reevaluate the initial investigation or because of the complicated nature of the case. In most cases, a financial liability officer should not be required if the investigating officer accomplishes a proper investigation.

4.1.9. In unusual cases, the approving authority may appoint a financial liability board to evaluate the findings of the appointing authority and the financial liability officer.

4.1.10. Upon conclusion of these actions, the approving authority reviews the ROS and assigns financial responsibility or relieves the individual(s) of responsibility.

4.1.11. At this time the ROS is submitted for acknowledgment by the individual(s) charged who are advised that the ROS action may be appealed to the next level in the chain of command above the person who assigned the financial liability assessment.

Chapter 5

TIME FRAMES FOR PROCESSING A ROS

5.1. DoD Guidance. Para A.6., 070301 of reference 1.2.2. allows the Services to set processing time limits.

5.2. ROS Must Be Acted on Expeditiously. Processing time limits are outlined below. They are mandatory for Active Air Force units. ANG and AFRES units are encouraged to adhere to them if feasible; however, because ANG and AFRES units train on weekends, extended time frames have been established to meet the administrative requirements of these organizations. The program manger, acting for the approving authority, is responsible to ensure that they are met. If circumstances preclude adherence to these time limits, this information must be provided to the ROS program manager so that the ROS file can be properly annotated.

5.3. Active Air Force Processing Times.

5.3.1. Fifteen days from the date of the discovery of the loss, the organization will complete the preliminary investigation phase - blocks 1 through 8. This includes obtaining a ROS Investigation Number and appointing an investigating officer.

5.3.2. Thirty days for the investigating officer and the responsible officer to complete the initiation phase - blocks 9 through 12 and return the ROS to the ROS program manager. This includes interviewing all persons involved in the case. A detailed list of investigators duties are contained in **Chapter 7**. These times assume that the person(s) that may be held liable are located on the same base as the investigator. If it is necessary to obtain statements by mail, these times are additive to the 30 days; however, it is not feasible to indicate the time required to obtain mailed testimony.

5.3.3. Five days for the ROS program manager to send the ROS to the accountable officer for the adjustment of property records and to send a copy of the ROS file to person(s) who may be held liable based on the investigators findings and recommendations (**Attachment 2** and **Attachment 3**).

5.3.4. Forty days - 30 days for the person(s) who may be held liable to respond to **Attachment 2** or **Attachment 3** (Intent Notifications) plus 10 days mailing times from and to the program manager.

5.3.5. Five days for the appointing authority to review the file and pass it to the approving authority.

5.3.6. Thirty days if the appointing authority requires a review by a financial liability officer or board.

5.3.7. Twenty days for a legal review if financial liability is recommended.

5.3.8. Five days for the approving official to approve the findings and recommendations.

5.3.9. Total time to complete the ROS - 100 days if there is no assessment of financial liability, 130 days if a financial liability officer or board is appointed, and 150 days if financial liability is recommended because a legal review is required.

5.4. ANG and AFRES Processing Times.

5.4.1. Forty five days to complete blocks I through 8.

5.4.2. One hundred days to complete blocks 9 through 12, 16, and 17.

5.4.3. Total time to complete the ROS - 145 days if no financial liability is assessed. Add 40 days if a legal review is required (total 185 days) and another 60 days if a financial liability officer or boards is appointed (total 245 days).

Chapter 6

TIME LIMITS FOR ACTIONS REQUIRED AFTER APPROVAL OF A ROS

6.1. General. This chapter outlines actions that must be taken after the approving authority assesses liability against a person(s) or received a request for reconsideration, appeal, or waiver. **Chapter 16** outlines the details involved in voluntary payments, collections, and refunds.

6.1.1. Within five workdays of the approval authority assessing financial liability, the program manager will advise the individual found liable if located on the same base.If the approving authority is at different location from the person found liable, 12 work days is allowed for mail notification within the CONUS; however, this target maybe extended by the program manager to fit mail schedules, especially if remote overseas locations are involved. Sample memoranda sent to the person(s) found financially liable are at **Attachment 4** for Non-Government Housing Damage and **Attachment 5** for Government Housing Damage.

6.1.2. Concurrently with the actions in paragraph **6.1.1.**, the program manager will advise the FSO to record the debt on the member's pay record. Involuntary collection may not begin until the expiration of 30 days from the date that the individual receives notification of liability. Within five work days after the expiration date, the program manager will advise the FSO to initiate involuntary collection if no reply has been received from the individual.

6.1.3. Within 30 days of being notified of financial liability, the individual(s) may: voluntarily pay the amount assessed or appeal the assessment to the approving authority if the dollar amount is one month's pay or less; however, if the assessment exceeds one month's pay, the individual must notify the approving authority of the intent to appeal the assessment. The appeal must be submitted within 60 days of the date that the notification was received.

6.1.4. If an appeal is received within the allowed time, the FSO is advised immediately not to collect the debt until the appeal is ruled upon by the approving authority.

6.1.5. If the debt exceeds one month's pay and the individual indicates that an appeal will be made, the FSO is advised to suspend collection for 60 days plus mailing times. If no appeal is received within 60 days plus mailing time, the FSO is notified to begin involuntary collection. If the appeal is received within the allowed time, the FSO is notified immediately to suspend collection until the approving authority rules on the appeal.

6.1.6. Within 10 days of action on the appeal, the program manager advises the FSO to close out the collection action and also advises the individual(s) if the appeal is approved. If the appeal is disapproved, the FSO is advised to place the debt collection in suspense pending action by the next higher headquarters and advises the individual(s) that the appeal request will be forwarded to the next higher headquarters for action.

6.1.7. Times authorized headquarters above wing level to act on requests for reconsiderations, appeals, or waivers are as follows: The next higher headquarters will act on a ROS within 30 days after receipt. MAJCOMs will act on a ROS within 60 days of receipt and HQ USAF will act on a ROS within 90 days of receipt.

6.1.8. Forty-two days, including 12 for mailing, are allowed for an individual transferred to another CONUS base to respond to the proposed assessment of financial liability by the former base. If a

response is not received by day 42, the program manager will forward the case to the FSO for collection.

6.1.9. Creditor organizations are allowed 45 days to complete due process procedures against civilian employees. After this date the program manager will follow up every 30 days until the case is returned for involuntary collection (see paragraph **16.2.4.**).

6.1.10. Within 15 days of receipt of a ruling from a headquarters above wing level disallowing a request for reconsideration appeal, or waiver, the program manager will forward the case to FSO for collection.

Chapter 7

INVESTIGATING OFFICER - RESPONSIBILITIES AND DUTIES

7.1. General. The commander to whom the lost, damaged, or destroyed property was issued normally will appoint an official who will determine the facts in the case and make findings and recommendations as to assessing or not assessing pecuniary liability against an individual.

7.1.1. The investigating official will be an officer, non-commissioned officer (E-7 or above), or civilian employee in grades GS-7, WG-9, WL-5 or WS-1 or above. If feasible, the investigator will be senior in rank to the person(s) being investigated and be from a unit different from the one involved in the ROS. When the investigating "officer" is not senior in rank or grade to the individual being investigated, the person who appointed the investigating officer will advise the appointing authority in writing as to why this was necessary. This document will be made a part of the ROS file as an exhibit.

7.1.2. The investigator must be a disinterested, impartial individual who has no interest or involvement in the custodianship, care, accountability, or safe keeping of the property in question.

7.2. General Duties of Investigators. The investigator will become familiar with this manual and the requirements for making an investigation.

7.2. (PACAF) Once that is done, the investigator will schedule an appointment with an attorney or paralegal in the installation legal office to discuss the investigator's duties and the nature of an investigation. The legal office person with whom the investigator meets will be available to discuss issues with and to assist the IO throughout the investigation. Any attorney who advises the IO in matters pertaining to the investigation will not sign-off on the legal review of the ROS.

7.2.1. Paragraph **4.1.3.** outlines the six basic DoD requirements for conducting an investigation.

7.2.2. In addition to the DoD requirements, when applicable, the investigator will:

7.2.2.1. Review and evaluate as a minimum the adequacy of existing procedures to protect property.

7.2.2.2. Determine compliance with existing procedures and directives.

7.2.2.3. Determine the individuals responsible and the type of responsibility assigned (such as command, supervisory, or personal).

7.2.2.4. Present facts indicating whether or not negligence or abuse was involved.

7.2.2.5. Determine the proximate cause of the loss, damage, or destruction.

7.2.2.6. Recommend corrective action to minimize or preclude recurrence.

7.2.2.7. Establish when it was first determined that the property was lost or damaged.

7.2.2.8. Determine if the custodian(s) performed their duties properly. (See **Chapter 21**.)

7.2.2.9. Determine if the custodians were properly trained.

7.2.2.10. Determine what actions were taken to find lost property.

7.2.2.11. If vehicle damage is involved, determine if the operator was properly briefed regarding governing directives and if the driver was properly trained.

7.3. Investigation is a Primary Duty. Conducting the investigation will be the primary duty of the investigator until it is completed and blocks 1 through 12 of the ROS (DD Form 200) are completed. The investigator will be relieved of normal duties which could impair the expeditious completion of the investigation. See Chapter 5 for allowable ROS processing times.

7.4. Detailed Investigator Duties. The investigator will comply with the requirements outlined in paragraph **4.1.4.** above, ensure that they are well documented in Block 9 of the DoD Form 200 above, and also will:

7.4.1. Develop the facts in the case which will logically lead to the findings and recommendations(s). The investigator must interview any persons with a knowledge of the case if they are in the immediate area. This includes the person(s) who may have lost, damaged, or destroyed the property.

7.4.2. Obtain written statements from persons interviewed. These statements will be sworn to in accordance with the Manual For Courts Martial (1984), Appendix 2, Section 936. This section authorizes the investigator to swear witnesses.

7.4.3. Attach witness statements to the ROS. They must substantiate the statements and the findings and recommendations of the investigator.

7.4.4. Ensure that all witnesses are identified by first name, middle initial, last name, rank or grade, SSN, organization to which assigned, and if applicable the address of the witnesses.

7.4.5. Include a statement that will indicate how the witness is (or was) involved in the case or how the witness has knowledge of the situation.

7.4.6. Indicate in block 9 (Circumstances) of the DD Form 200 whether any laws or directives or procedures were violated. If the loss relates to the changing of custodians, refer to paragraph **21.4.** pertaining to the procedures for transferring accounts from one custodian to another. Also indicate how the person(s) involved did or did not exercise ordinary or reasonable care.

7.4.7. Attempt to communicate with witnesses not in the immediate area and obtain written statements which the witness will certify as being true and correct to the best of the knowledge and belief of the witness, or request that the witness prepare a statement and swear to it in front of a notary public or military official authorized to administer oaths.

7.4.8. Submit a written signed statement outlining the information verbally received from the witness if the investigator is not able to obtain statements indicated in paragraph **7.4.2.** above. The statement will contain words to indicate that the statement is a true portrayal of what the witness told the investigator and what investigator believes the witness would have stated if a written statement had been provided.

7.4.9. Attach the motor vehicle accident investigation conducted by either military or civilian law enforcement officials to the ROS. This must substantiate the investigator's statements, findings, and recommendations if a ROS is submitted on the accident. See **Chapter 18**, *ROS Pertaining to Vehicles*. In general this states that a ROS on vehicles only will be prepared if there is evidence of gross negligence, willful misconduct, deliberate unauthorized use, or property records must be adjusted.

7.4.10. Complete blocks 9 (Circumstances in the case and the investigator's findings and recommendations) and 10 (Corrective Actions) on the DD Form 200.

7.4.10.1. Ensure that the findings and the recommendations are supported by the testimony of persons involved and that the testimony leads logically to the findings and recommendations. Also see paragraph **14.1.9.**

7.4.10.2. Determine if financial liability should be assessed based strictly on the facts and circumstances of the case. If financial liability is recommended, it will be based on the value of the property involved. It will not be tempered by the fact that financial liability generally is limited to not exceed one month's pay nor by statements made to the investigating officer by the person(s) involved that the assessment of financial liability will cause personal hardship. Reduction of the recommended assessment of financial liability is a command prerogative and not within the purview of the investigating officer.

7.4.10.3. When the person(s) involved responds to the approving authority's Notification of Assessment Of Financial Liability (**Attachment 4** or **Attachment 5**), comments may be included regarding the adverse impact that paying the assessed amount will have upon the personnel involved.

7.4.10.4. Complete and sign Block 11, then pass the case to the responsible officer for the completion of Block 12.

Chapter 8

COMMANDER'S RESPONSIBILITIES AND DISCRETIONARY AUTHORITIES

8.1. General. This chapter explains squadron, group, wing/installation, commander's roles regarding ROS. In some instances in this chapter, the term "wing/installation commander" is synonymous with squadron or group commanders.

8.2. Guidance.

8.2.1. The wing/installation commander is designated as the ROS approving authority. The installation commander usually is the commander of a wing or air base group but may be the commander of a technical training center or similar level organization. The wing or installation commander also normally serves as the approving authority for ROS initiated by host or tenant units.

8.2.2. Approving authorities are located at HQ USAF, MAJCOMs, numbered Air Forces. technical training centers, wing/installation commanders, and some Field Operating Agencies (FOAs) and Direct Reporting Units (DRUs). Wing/installation commanders may designate group commanders as ROS approving authorities.

8.2.3. The wing/installation commander serves as the reviewing authority for ROS initiated by Air Force ROTC units. This authority may be delegated to group commanders.

8.2.4. In unusual circumstances, MAJCOM, numbered Air Force, or wing/installation commanders may delegate approving authority in writing to squadron or other unit commanders if they are operating at locations or in situations that preclude or make ROS processing difficult compared to those encountered at the units home station.

8.2.5. Exceptions are outlined in paragraph **8.5.**

8.3. Responsibilities. Group, wing/installation commanders will:

8.3.1. Be responsible for accuracy, review, and completeness of ROS originating within their approval jurisdiction.

8.3.2. Ensure all personnel under their command are thoroughly instructed in property responsibilities and are constantly alert to guard against loss, damage, or destruction of government property.

8.3.3. Ensure personnel under their command comply with this manual.

8.3.4. Ensure the assessment of financial liability against an individual is not used instead of or as a form of disciplinary action.

8.3.5. Develop inspection procedures that will ensure that unit commanders document, monitor, and take appropriate corrective action pertaining to property loss. damage, or destruction cases that occur under unusual or recurring circumstances, regardless of the dollar value involved. In addition, loss, damage, or destruction data from units will be reviewed to ensure that responsible organizations process ROS when required. As appropriate, this information will be forwarded to the ROS program manager for inclusion in the manager's trend data.

8.4. Authority To Delegate Responsibility.

8.4.1. Wing/installation commanders may delegate approving authority in writing to group commanders. If group commanders become approving authorities, the wing/installation commanders will be the appellate authorities; however, if appeals are disapproved by the wing/installation commander, they are forwarded to the next higher commander as indicated in paragraph **17.3.**

8.4.2. MAJCOM commanders may delegate to commanders of numbered air forces, technical training centers, or similar levels of command, the authority to take final action on ROS appeals in cases in which they did not also serve as final approving authority. Further, these commanders may delegate authority to take final action on ROS appeals to members of their immediate staff, however, these delegations must be in writing.

8.4.3. The authority to approve ROS for leather flying jackets is not delegated below the wing or group commander having command authority over the individual who lost, damaged, or destroyed the jacket. They are not included in the $500 rule of no ROS required; however, if an individual volunteers to pay for a lost, damaged, or destroyed jacket, a ROS is not required.

8.4.4. Wing/installation commanders may delegate, in writing, the authority for a ROS program manager to approve not processing a ROS if the value is under $500 and a ROS is not required. The intent of this delegation is to decrease the workload involved in processing unnecessary ROS. It is emphasized that this is optional and implementing it may be valid at some bases but not at others.

8.5. Exceptions.

8.5.1. The Commander, HQ USAF Recruiting Service, is the approving authority for ROS originating within recruiting command units.

8.5.2. The Commander, Air Force Office of Special Investigations (AFOSI), is the approving authority for ROS on property for which accountability is maintained centrally at HQ AFOSI.

8.5.3. The Assistant/Deputy Adjutant General - Air is the approving authority for ROS involving ANG property.

8.5.4. The AFROTC region commander, after administrative review by the group, wing/installation commander, is the final approving authority for ROS originating within AFROTC units.

8.5.5. The Commander, Joint Communications Support Element (JCSE), is the approving authority for ROS originating within this Element.

8.5.6. The Commander, HQ Air Force Space Command, is the approving authority for ROS on property for which accountability is maintained centrally at HQ Air Force Space Command.

8.5.7. The Director, Worldwide Automated Law Library Systems, Air Force Legal Services Agency is the approving authority for ROS on property for which the accountability is maintained centrally by the Director, HQ USAF Legal Services Agency.

8.6. Discretionary Authorities. Commanders and or approving authorities, if they provide written rationale, may exercise certain discretion regarding assessments of financial liability based on the following guidance:

8.6.1. **The approving or appellate authority may not limit the amount of liability pertaining to accountable officers or individuals who lose, damage, or destroy personal arms and equipment based on the conditions outlined in paragraph 2.3.12.**

8.6.2. The approving or appellate authority may waive occupant liability for government housing based on the procedures contained in **Chapter 17** and **Chapter 19**.

8.6.3. In cases involving property other than that related to accountable officers or an individuals' personal arms and equipment addressed in paragraph **2.3.12.**, the approving or appellate authority may, within the bounds of reasonableness, fairness, and equity, impose financial liability in an amount equal to the amount of the loss or damage (up to one month's basic pay), or in some lesser amount deemed appropriate, or relieve an individual from liability, based on the circumstances of each case. In determining the amount of financial liability, the approving or appellate authority may consider factors including, but not limited to:

8.6.3.1. Degree of abuse or negligence involved.

8.6.3.2. The extent, if any, to which involuntary collection would cause substantial financial hardship, constitute a clear injustice, or adversely impact unit morale and discipline.

8.6.3.3. Available government remedies against other culpable persons, and the relative culpability of all persons whose acts or omissions contributed to the damage or loss.

8.6.3.4. Any prior instances of abusive or negligent conduct toward government property.

8.6.3.5. Degree of risk arising from assigned duties.

8.6.3.6. Experience and training.

8.6.4. If more than one individual is held liable on a ROS in which the approving or appellate authority is considering reduction of liability under this paragraph, each person is held jointly and severally liable for the total of the assessed liability after reduction. Although collection from each person may differ, the actual assessment of liability may not be apportioned. (See paragraph **2.3.13.**)

Chapter 9

APPOINTING AUTHORITY - RESPONSIBILITIES AND DUTIES

9.1. Appointment. The appointing authority must be designated in writing by the approving authority. Normally the approving authority is the wing or installation commander. More than one appointing authority may be designated.

9.2. Who Else May be an Appointing Authority. The following are also authorized to serve as appointing authorities:

9.2.1. The commander of a MAJCOM or any officer authorized by the commander for ROS arising within their command headquarters, if the MAJCOM headquarters is not a tenant on the base. If it is a tenant, the wing or installation commander could be the appointing authority in addition to having the normally assigned duty of being the approving authority.

9.2.2. The commander or deputy of a numbered Air Force, technical training center, or other headquarters above wing level and wing/installation or group commanders.

9.2.3. Commanders, or their deputies, of all types of bases and geographically separated organizations (GSU) except AFROTC units. For AFROTC units the region commander serves as the appointing authority.

9.2.4. The commanders of USAF Recruiting Groups and HQ AFOSI/FM.

9.2.5. A person appointed on orders as a member of a financial liability board and who has been authorized to act as an appointing authority.

9.2.6. The commander of an organization above squadron or similar unit level.

9.2.7. The commander of the next higher echelon of command when one of the above is personally accountable or has custodial responsibility for the property being surveyed.

9.2.8. Approving authorities.

9.3. Responsibilities of Appointing Authorities. The first seven responsibilities listed below are mandated by DoD in paragraph 070301 B, Reference 1.2.2.; however, some are modified for Air Force use.

9.3.1. Appoints a financial liability officer when conditions warrant.

9.3.2. Appoints a board in lieu of a financial liability officer to conduct the investigation, if warranted. Reasons for considering appointment of a board include complexity, size, or unique type of loss due to negligence or abuse.

9.3.3. Provides administrative guidance to financial liability and investigating officers.

9.3.4. Reviews all ROS, appeals, and waiver requests for accuracy and compliance with this manual.

9.3.5. Approves or disapproves the recommendations of the financial liability officer or the board, and forwards personal recommendations to the approving authority.

9.3.6. Takes final action on ROS for normal retail type items used at base level when the amount of the loss or damage is less than $2,000 and there is no evidence of negligence, willful misconduct, or deliberate unauthorized use if authorized to do so by the approving authority.

9.3.7. Approves or disapproves DD Forms 200 when the gain or loss of inventory in **Supply System Stocks** is less than $100,000 and authorization has been delegated in writing by the approving authority.

9.3.8. Makes recommendations to the approving authority on ROS administrative guidance and procedures.

9.3.9. Examines ROS for unauthorized erasures and alterations, completeness, logical conclusions, findings, and recommendations.

9.3.10. Appoints an investigating officer when the situation warrants. Examples of this are when:

9.3.10.1. When the unit commander determines that it is not feasible to obtain a disinterested officer from the unit even though the unit commander normally appoints the investigating officer. This can easily occur in cases where property book items are involved and the someone in the chief of supply's office may be the custodian and the chief of supply the accountable officer. In such cases the unit commander should obtain an investigator from an organization not involved in the ROS; however, if this is not feasible, the appointing authority will designate an investigating officer from another unit to avoid a conflict of interest.

9.3.10.2. The appointing officer desires to designate investigating officers to ensure that there is no conflict of interest and the investigation is conducted in an objective manner by an impartial, disinterested investigator from an organization different than the one to which the property belonged.

9.4. Appointing Authority Responsibilities to the Investigating Officer. The appointing authority must:

9.4.1. In addition to the assistance provided by the ROS program manager, the appointing authority may provide additional guidance to the investigating officer by advising how thorough the investigation should be and providing advice and help when required or requested by the investigating or financial liability officer or the president of the financial liability board.

9.4.2. Review the findings and recommendations to ensure that:

9.4.2.1. Any contradictions in the ROS are resolved.

9.4.2.2. The statements of interested persons are confirmed or refuted.

9.4.2.3. Findings are stated clearly.

9.4.2.4. Recommendations are sound and are supported by logical conclusions based on the facts stated in the findings and there is no apparent or possible conflict of interest.

9.4.2.5. Monetary charges are computed correctly.

9.4.2.6. The person(s) who may be found financially liable were interviewed by the investigating officer and, if one is appointed, by the financial liability officer or board.This testimony must become a part of the ROS file and it must be weighed against other testimony obtained from other individuals, and used in developing the findings and recommendations.

9.5. Other Appointing Authority Responsibilities. The appointing authority must:

9.5.1. Review the evidence included with the ROS and must screen out unnecessaryevidence while ensuring that enough information is there for later reviews. If more evidence is needed the ROS is sent back to the initiator or to the investigating officer.

9.5.2. Ensure that the judge advocate or the legal office perform a legal review of any ROS that recommends that a person be held pecuniary liable, that this review is accomplished before the approving authority takes final action, and that it is made a part of the ROS file.

9.5.3. Ensure that all pertinent instructions concerning preparation of ROS were followed before it is sent to the approving authority for action.

Chapter 10

APPROVING AUTHORITY - RESPONSIBILITIES AND DUTIES

10.1. DoD Policy Pertaining to Approving Authorities. Paragraphs 070301 and 070302, reference l.2.2. are quoted below for Air Force compliance.

10.1.1. Paragraph 070301 (Duties and Responsibilities) reads as follows:

"A. **Approving Authority.** DoD Component Regulations shall designate who may be an approving authority. The approving authority's responsibilities may be delegated; however, the delegations must be in writing. The approving authority also may act as the appointing authority or designate an appointing authority in writing. The approving authority shall:

"1. Designate an appointing authority, when needed.

"2. Disqualify himself or herself when a conflict of interest is possible because the loss relates to property for which he or she is responsible and/or accountable.

"3. Establish procedures and designate a person to initiate and conduct an inquiry immediately after the loss, damage, or destruction is discovered. (NOTE: Within the Air Force, the unit commander normally designates the investigating officer; however, this is in consonance with the DoD guidance, because it is an implementing action taken to accomplish the DoD objective).

"4. Ensure that all DD Forms 200 received are accurate and complete. Evaluate each DD Form 200 and either approve recommendations to assess financial liability or relieve those involved from liability, responsibility or accountability. The approving authority approves or disapproves all DD Forms 200, regardless of dollar value, unless otherwise delegated in writing.

"5. Ensure that all gains and losses that require a formal investigation are promptly and thoroughly investigated. The system used to process DD Form 200 must be frequently reviewed to evaluate the accuracy and timeliness of the investigations.

"6. Ensure that DD Forms 200 are initiated, processed and adjudicated within the time limits that may be established by the DoD Components.

"7. Require, if delays occur in the initiating or processing of a DD Form 200, a written explanation of the reason for the delay and take appropriate corrective actions.

"8. Ensure that persons held financially liable are so notified, informed of their rights (including waiver rights if Government housing is involved), and given the opportunity to inspect and copy the DD Form 200.

"9. Personally evaluate each DD Form 200 when there is evidence of negligence or abuse.

"10. Determine whether to delegate to the appointing authority the authority to approve or disapprove a DD Form 200 when there is no evidence of negligence or abuse.

"11. Ensure, when financial liability is recommended, or when recommendations appear to be inconsistent with findings, that a judge advocate or civilian attorney has reviewed the find-

ings and provided an opinion on the adequacy of evidence and its relationship to the finding sand recommendations. This legal review shall be included as a part of the record with the DD Form 200 and completed before final action is taken by the approving authority. initialed and documented.

"12. Ensure that corrections of any attested entries are properly initialed and documented.

"13. Overrule, when appropriate, the recommendations of the appointing authority and the financial liability officer. When this action results in the assessment of financial liability, the individuals not previously recommended for liability shall be advised of their rights and afforded an opportunity to exercise their rights.

"14. Formally notify individuals against whom he or she has approved financial liability."

10.1.2. Paragraph 070302 **Summary** reads as follows: "The appointing and approving authorities must act on the DD Form 200 once an individual has been properly notified and given the opportunity to respond to the findings. Failure of involved individuals to respond to recommendations of financial liability is not a sufficient reason to delay the approval process if the individuals were given a reasonable opportunity to reply..."

10.2. Air Force Requirements Pertaining to DoD Mandates.

10.2.1. Delegation of Responsibilities. See **Chapter 8**.

10.2.2. Responsibilities. Approving authorities will:

10.2.2.1. Take action on a ROS when the amount of financial liability to be assessed is equal to or less than $10,000. When the amount of financial liability to be assessed is greater than $10,000 or when the commander is personally involved, the ROS will be forwarded to the next higher command for action.

10.2.2.2. Take action on ROS for any dollar amount of loss or damage when there is no evidence of negligence, willful misconduct, or deliberate unauthorized use.

10.2.2.3. Designate an appointing authority in writing or assume the responsibilities of the appointing authority.

10.2.2.4. At their option, authorize the appointing authority to take action on a ROS when the amount of the loss or damage is less than $2,000 and there is no evidence of negligence, willful misconduct, or deliberate unauthorized use. This authorization is included in the written designation of the appointing authority. If the amount is $2,000 or more, the approving authority acts on the ROS.

10.2.2.5. Designate in writing the name of the individual, who as the ROS program manager, is responsible for the efficient operation of the ROS program. The program manager's responsibilities and duties are addressed in **Chapter 11**. To ensure that there is only one program manager per base, the designation will be made by the senior approving authority on the base.

10.2.2.6. Make determinations on appeals of liability. If denied, send appeals to the next higher commander.

10.2.2.7. Ensure that the facts and circumstances of the case support the findings and recommendations of the investigating official. If not, the approving authority will direct the appointing

authority to reaccomplish the ROS so that the findings and recommendations are logical actions to be taken based on the facts and circumstances.

10.2.2.8. Consider the appropriateness of granting waivers of liability for housing damage when requested by the occupant. If waivers are not approved, forward the case with the requests for waiver to the next higher commander for action.

10.2.2.9. Consider appropriateness of reducing or eliminating an assessment of financial liability based on the discretionary authorities granted to commanders in paragraph **8.6.**

10.2.2.10. Disapprove recommendations of investigating officials where warranted and notify the individuals accordingly.

10.2.2.11. Make recommendations to the AFROTC region commander on ROS initiated by AFROTC units.

10.2.2.12. Ensure the ROS is reviewed by a legal officer, that a written opinion is provided on the adequacy of evidence and propriety of the findings and recommendations in cases where financial liability is assessed, and that the legal opinion becomes part of the ROS file.

10.2.3. Tenant Activities. The wing or installation approving authority takes action on all ROS originating within tenant activities on or attached to the base for logistical support, including major commands, intermediate commands, field operating agencies (FOAs), and direct reporting units (DRUs). This does not apply to ANG tenants unless a specific written agreement exists.

10.2.3.1. In cases where a ROS involves a commander or deputy commander and negligence is evident, the approving authority forwards the ROS to the next higher command for action. If the case involves the commander or deputy commander of a MAJCOM, FOA, or DRU, forward the ROS to HQ USAF/LGS for final action.

10.2.3.2. AFROTC units initially process all ROS through their respective host base ROS program manager to ensure proper preparation, legal review, and processing requirements are met. After review of the ROS, the host base approving authority, or designee, makes a recommendation to the AFROTC region commander; however, final approval authority remains with the appropriate AFROTC area commandant.

10.2.4. Consider authorizing repair or replacement in kind. The approving authority may allow individuals who lose, damage, or destroy Air Force property to satisfy their liability by replacing or repairing the property; however, the approving authority must ensure the replacement property or repair to Air Force property meets minimum Air Force standards. If there is any doubt as to whether the replacement property of repair meets Air Force standards, the property or repair will not be accepted. The approving authority may delegate this responsibility. For example, the housing officer may be designated to make the determination for government housing damage or the vehicle control officer for vehicle damage.

10.2.5. Summary of Actions to Be Taken by the Approving Authority. The approving authority will take one of the following courses of action on the basis of personal review of the ROS:

10.2.5.1. Approve the recommendations.

10.2.5.2. Return the ROS to the appointing authority for reaccomplishment or reconsideration.

10.2.5.3. Make new recommendations.

10.2.5.4. Relieve the persons charged with financial liability from responsibility and or accountability for the lost, damaged, or destroyed property.

Chapter 11

BASE ROS PROGRAM MANAGER RESPONSIBILITIES

11.1. General. This chapter prescribes the responsibilities of the report of survey (ROS)program manager.

11.2. Appointment. Establishing a program manager is an Air Force requirement. Neither of the DoD references cited in paragraph **1.2.** prescribe or address the requirement for a program manager. The approving authority will designate in writing who will be the ROS program manager. To ensure that there is only one program manager per base, the designation will be made by the senior approving authority on the base.

11.3. Overall Program Manager's Responsibilities. The manager ensures that all aspects of the ROS system function in a timely and efficient manner. The program manager works directly for the senior approving authority on the base in carrying out the responsibilities addressed below. This includes ROS initiated by AFROTC and tenant units. The manager also assists appointing authorities, investigating officers and unit commanders as required. This includes advising the approving and the appointing authorities if there appears to be, or possibly is, a conflict on interest in personnel involved in processing the ROS.

11.4. Duties of Program Managers.

11.4.1. Acts as installation focal point for ROS guidance and procedures.

11.4.1.1. Maintains ROS information that will show trends and potential problem areas and will apprise the commander or the approving authority of the status and the results of the ROS program. This information may include statistics such as accountability assessments and the number, type, and dollar value of property lost, damaged, or destroyed by the unit. This information will be provided to the next higher headquarters as mutually agreed to by the program managers.

11.4.1.2. As appropriate, keeps the MAJCOM program manager apprised of the status of the base program in a manner similar to that of the approving authority.

11.4.2. Prepares internal operating procedures, checklists, and related documents. Also assists and advises accountable officers, responsible officers, property custodians, financial liability officers, and the approving authority. Conducts training as required or as requested.

11.4.2. (PACAF) To ensure that equipment custodians and alternates, who must be E-4 or above, understand automatic data processing equipment inventory, accountability, and loss reporting requirements.

11.4.2.1. (Added-PACAF) ROS program managers must ensure through training equipment custodians receive and through periodic reminders to the installation populace, notice is provided that highly pilferable electronic equipment such as laptop computers, cellular telephones, pagers and personal data assistants (e.g. palm pilots), must be stored out of sight in work section desk drawers, cabinets, etc. during normal duty hours when not in use and when no person from that duty section is in the immediate area of the device. Immediate area is that area from which a person

could maintain visual surveillance and exercise immediate control of the equipment. If lockable drawers, cabinets, etc. are available in a duty section, then the highly pilferable items referred to above must be locked up during non-duty hours. Failure to take these precautions will create a rebuttable presumption of negligence for Report of Survey purposes should highly pilferable electronic equipment be discovered lost or missing. Equipment custodians may be held jointly and severally liable with the person to whom the equipment was entrusted if it is shown an equipment custodian knew or should have known these requirements were not being adhered to and failed to initiate corrective action.

11.4.2.2. (Added-PACAF) ROS program managers must ensure all installation organizations have a hand receipt or electronic receipt/tracking process to account for the whereabouts of highly pilferable electronic equipment. If such property is unaccounted for because of non-compliance with these procedures, the equipment custodians, any supervisors or other personnel directly involved in the transfer or who are responsible to ensure that proper procedures were followed, may be considered contributorially negligent when the ROS is investigated. They will have created or condoned conditions or practices that favored the loss or damage of government property. Hand receipts or electronic receipts/tracking should inform recipients of equipment of the following:

11.4.2.2.1. (Added-PACAF) When in your duty section, it is your responsibility to ensure this equipment is stored out of sight when not in use and when you, and no other person from your duty section, are able to maintain visual surveillance and immediate control over the equipment. During non-duty hours, you must secure the equipment in a lockable container if one is available in your duty section. If a lockable container is not available, at a minimum the equipment must be placed in a container, desk drawer, or cabinet out of sight. These same procedures apply if you are performing duty at a TDY location.

11.4.2.2.2. (Added-PACAF) If you are authorized to take the equipment out of the duty section (e.g. to your residence), you should ensure the equipment is placed in a drawer, cabinet, etc. out of sight and your residence must be locked when you and any others who reside there are away from it. Similarly, when TDY and you will not be taking the equipment with you whenever you leave your TDY quarters, the quarters must be locked and the equipment must be physically stored out of sight (preferably in a locked container/drawer) or entrusted to the billeting or hotel/motel desk clerk after obtaining a hand receipt or other document evidencing your right to possession of the property. Due to high incidences of theft, when traveling by air, TDY travelers must not place the equipment in checked luggage, regardless of whether the luggage can be locked.

11.4.2.2.3. (Added-PACAF) Failure to adhere to these requirements will create a rebuttable presumption of negligence on your part for Report of Survey purposes should the equipment entrusted to your care become lost or missing.

11.4.3. Provides guidance during investigations to boards and financial liability officers.

11.4.4. Prepares correspondence involved in routing ROS for investigation, staff coordination, review, approval, due process, collection, and other ROS related actions.

11.4.5. Follows up to ensure that ROS are processed expeditiously. Also ensures that persons who submit ROS are aware they must do so promptly.

11.4.6. Ensures the actual cost of repair, or if not available, an estimate, has been obtained before financial liability is assessed. Identifies any overcharges to be refunded.

11.4.7. Ensures individuals being charged as being financially liable are promptly notified and are given the opportunity to make a written statement prior to ROS being sent to the approving authority.

11.4.8. Ensures persons held financially liable by the approving authority are informed of their liability within five work days of the date in block 14h, DD Form 200, **Financial Liability Investigation of Property Loss**. If the approving authority is at a different location than the individual held liable, 12 work days are allowed for this notification.

11.4.9. Ensures persons held financially liable by the approving authority are informed of their appeal rights (and waiver rights in housing damage cases) and are given the opportunity to review the file.

11.4.10. Establishes suspense files to ensure expeditious processing of the ROS within the wing/installation as well as organizations outside of the wing, such as ROS files returned to the initiating organization for completion and certification of due process procedures or referred to higher headquarters for further action.

11.4.11. Assists program managers at other bases when a member transfers before a ROS is completed.

11.4.12. Maintains a manual or computerized ROS register. Each ROS will be serially numbered starting with number 1 at the beginning of each fiscal year. The register and copies of the ROS recorded on the register will be maintained for reference, use of auditors, and other personnel. Disposal will be as prescribed in paragraph **11.6.** below. ROS that have not been completed by the end of the year must be entered on the new form for the new year before logging in any current (new) year ROS.

11.5. ROS Register. Program manager maintains register on AF Form 453, **Report of Survey Register**. Columns A through G will be completed within 15 days from the reported date of loss (see **Chapter 5** on ROS Processing Times). A sample register is at **Figure 11.1.** An automated register may be used if local computer capability exists.

Figure 11.1. AF Form 453, Report of Survey Register.

REPORT OF SURVEY REGISTER

DOCUMENT NUMBER A	DATE ISSUED B	POINT OF CONTACT C	FORM TYPE D	$ VALUE (L) LOSS (D) DAMAGE E	PROPERTY DESCRIPTION F	RESPONSIBLE INDIVIDUAL G	SURVEYING OFFICER AND DATE APPOINTED H	$ VALUE (A) ASSESSED OR (R) RELEASED I	FINAL ACTION OFFICER AND DATE J	REMARKS K
83-1	18 Oct 82	Sgt Myer 21TFW/AD x4281	ROS	$300 (L)	Hand-Held Radio	Sgt James	N/A	$200 (A)	Col Jones 20 Dec 82	Collected 28 Dec 82
83-2	19 Oct 82		CCV	$ 50	Parka	A1C Ray	N/A	$ 50 (A)		Collected 20 Dec 82

AF FORM 453 MAY 83

PREVIOUS EDITION IS OBSOLETE.

11.5.1. Column A - Assign a number in sequence to each DD Form 200.

11.5.2. Column B - Record the date a serial number is assigned.

11.5.3. Column C - Record the name and phone number of the organizational point of contact.

11.5.4. Column D - Record the type of form (Financial Liability Investigation of Property Loss, Cash Collection Voucher, Pay Adjustment Authorization, or Statement of Charges).

11.5.5. Column E - Enter dollar value of the item and (L) for loss or (D) for damage or destruction.

11.5.6. Column F - Enter a brief, general description of the item.

11.5.7. Column G - Enter the name of the person(s) mentioned on DD Form 200 as responsible for losing or damaging the property.

11.5.8. Column H - If a financial liability officer is appointed, enter the name and date of appointment.

11.5.9. Column I - Enter the dollar amount of financial liability and insert (A) if assessed or (R) if relieved of liability.

11.5.10. Column J - Enter name of final action officer and date.

11.5.11. Column K - Explain any unusual circumstances or provide any pertinent comments (for example, appeal rendered, separation pending, etc.).

11.6. Disposition of Completed Registers and ROS.

11.6.1. Disposition of Completed Registers. Rule 6, Table 23-23, AFM 37-139 states that registers and comparable forms that provide a complete record of each ROS may be destroyed one year after final action is completed on all entries of a terminated register.

11.6.2. Disposition of Completed ROS. Rule 11, Table 23-23, AFM 37-139 states that ROS case files will be destroyed six years after final action by the appointing or approving authority.

11.6.2.1. Rule 1 also states that ROS are located in the office of the ROS Program Manager.

11.6.2.2. Table 23-23 also contains additional ROS disposition information.

11.7. Local Administrative Procedures. All installations must prepare base implementing procedures to this manual. The type of procedure is at the option of the base or MAJCOM. For example, it can be a supplement, a base implementing procedure, an operating instruction, or any other appropriate document. Delegations of authority made by the commander or approving authority may be made by position title as opposed to by name. This will eliminate the need to update them as personnel change. Further, these delegations may be made a part of the administrative instructions to ensure their permanence, that they are known to all concerned, and eliminate the need to include them in the turn-over of files when personnel change.

11.8. Scheduled Separations. The initiator of a ROS must advise the program manager if any person who may have caused the loss or damage to government property is scheduled for separation. When this situation occurs, every effort should be made to expedite both the completion of the ROS and the collection action. This requirement will be included in local administrative procedures mentioned in paragraph **11.7.** The program manager also notifies the FSO of the impending debt.

11.9. Pending Liability - Individual Transferred. If an individual transfers to another installation before being notified that financial liability is being recommended by investigating officials, the losing base program manager is primarily responsible for the notification and collection process. However, both the losing and gaining base have responsibilities in assuring the individual receives proper notification:

11.9.1. Losing Base Program Manager's Responsibilities. The losing manager will:

11.9.1.1. Obtain from the losing organization, or from any other source, the name and location of the installation to which the individual is being transferred and the name and organizational address of the gaining base ROS program manager.

11.9.1.2. Ensure that the accountable and responsible officers have signed the DD Form 200.

11.9.1.3. Send the original and one copy of the DD Form 200, and a copy of the complete file to the gaining base program manager by a transmittal letter.

11.9.1.3.1. The file consists of any documents that are material to the finding of negligence including a copy of the notification letter used locally to advise the individual of impending charges.

11.9.1.3.2. The transmittal letter accompanying the complete file will request that formal notification be given to the individual being charged, and that a copy of block 16 of DD Form 200 be completed and returned directly to the losing base program manager. The transmittal letter also will indicate the name, organizational address, and telephone number of the losing base program manager. (Samples of the notification letters are in attachments.)

11.9.1.3.3. Establish a 42-day suspense (includes 12 day mailing time) for response from the gaining base. Upon receipt of the DD Form 200 with block 16 completed, or if no response is received after 42 days, processes the ROS for final action by the losing base approving authority. The gaining base is only responsible for notifying the person(s) held liable and obtaining acknowledgment on block 16 of the DD Form 200.Collection procedures are placed in FSO channels at the losing base. See paragraph **11.9.2.** for gaining base responsibilities.

11.9.1.3.4. If the approving authority does not assess financial liability, the losing manager notifies the persons who were responsible for losing or damaging the property and closes the case.

11.9.1.3.5. If the approving authority approves the recommendations and assesses financial liability, the losing manager notifies the assessed person(s) accordingly, advising them of their rights. A locally developed notification letter will suffice. If the person held financially liable fails to respond or does not file an appeal or waiver request within 42 days, the losing manager forwards DD Form 139, **Pay Adjustment Authorization**, with attached documents to the local FSO for involuntary collection of the amount due. If an appeal or waiver request is received within 42 days of notification, process it according to procedures in **Chapter 17**, *Reconsiderations, Appeals, and Waivers*.

11.9.2. Gaining Base Program Manager Responsibilities:

11.9.2.1. Upon receipt of ROS documents contact the commander of the individual charged and arrange for pickup or delivery of the documents.

11.9.2.2. Write the losing base program manager to acknowledge receipt of the documents, including the date that the individual or their commander received the documents.

11.9.2.3. If it appears that provisions of this manual have not been complied with or there are obvious errors in the ROS, send the file back to the losing base program manager pointing out the discrepancies.

11.9.2.4. Follow-On Actions. Once the individual being assessed is notified, advise the losing base program manager. At this time the gaining base is no longer involved. Subsequent actions such as rebuttal statements, appeals, waiver requests, and collections, are conducted directly between the individual (or the individual's commander) and the losing base.

11.10. Interaction With Financial Services Officers (FSO). ROS program managers work closely with the FSO to assure actions related to payroll deductions and collections are processed promptly.

11.10.1. Once the approving authority has assessed financial liability and applicable due process procedures are completed, the program manager provides a copy of the completed DD Form 139, **Pay Adjustment Authorization** or DD Form 362, **Statement of Charges/Cash Collection Voucher**, with attachments, to the FSO so that the debt can be recorded on the member's Master Military Pay Account (MMPA), however, the FSO will be requested not to collect the debt for 42 days.

11.10.2. If an appeal or waiver request is filed within the time period specified in this manual, the FSO will be notified to suspend collection of the debt until the appeal or waiver request is ruled upon. This action does not remove the debt from the pay record, but merely suspends collection.

11.10.3. The FSO cannot unilaterally delete or delay processing of a ROS debt without proper documentation. Collection procedures are outlined in **Chapter 16**.

11.11. Requests for Assistance. If situations arise that do not appear to be covered by this manual, the base program managers should communicate with their command ROS program manager. To avoid delays, telephone or E-Mail inquiries are encouraged.

Chapter 12

ACTIONS TAKEN ON ROS ABOVE WING OR INSTALLATION LEVEL

12.1. General. This chapter describes the roles and responsibilities of the intermediate command, major command (MAJCOM), and HQ USAF/LGS in handling ROS and appeals.

12.2. Action on ROS. Commanders and directors or their designees at the intermediate command, MAJCOM, and HQ USAF/LGS are essentially approving authorities at the higher-command level. As such, they possess the same discretionary authority described in **Chapter 8**.

12.2.1. Intermediate Command Commander:

12.2.1.1. Takes action on ROS when the amount of financial liability to be assessed exceeds $10,000 but does not exceed $25,000, or when the senior host base commander is personally involved.

12.2.1.2. Forwards a ROS to the MAJCOM commander for final approval when the amount of liability to be assessed exceeds $25,000, or when the intermediate command commander is personally involved.

12.2.1.3. Approves or disapproves the recommendation of the subordinate commander or makes an additional recommendation. If the intermediate command commander's recommendation causes the amount of financial liability to be assessed to exceed $25,000, the ROS is sent to the MAJCOM commander for final approval.

12.2.2. MAJCOM Commander. Takes action on all ROS not approved at base or intermediate command level, or when the intermediate command commander is personally involved. If the MAJCOM commander is personally involved and negligence is evident, the ROS is sent to HQ USAF/LGS for approval.

12.2.3. HQ USAF/LGS. Takes action on any ROS when the MAJCOM commander is personally involved.

12.3. Action on Appeals.

12.3.1. The Intermediate Command Commander takes action on appeals related to ROS if the commander is the approving authority. If the appeal is denied, forwards it to the MAJCOM commander for final action.

12.3.2. The MAJCOM Commanders take final action "By Authority of the Secretary of the Air Force" on appeals of actions taken by lower-level organizations unless such authority has been delegated to the commanders of an intermediate command. Additionally, these commanders may delegate authority in writing to take final action on ROS appeals to a member of their immediate staffs. If the MAJCOM commander was the approving authority on the ROS and denies the appeal, it is forwarded to HQ USAF/LGS for final action.

12.3.3. HQ USAF/LGS takes final action "By Authority of the Secretary of the Air Force" on appeals not granted by the MAJCOM or when the MAJCOM commander is personally involved.

12.4. Action on Waivers of Liability (Housing Damage Cases Only).

12.4.1. Intermediate Command Commanders take action on requests for waiver of liability related to a ROS is the commander is the approving authority. If liability is not waived, the waiver request is forwarded to the MAJCOM commander for final action.

12.4.2. MAJCOM Commanders take final action "By Authority of the Secretary of the Air Force" on waiver requests when liability was not waived by lower-level organizations. If the MAJCOM commander was the approving authority on a ROS for which a waiver request was submitted, and does not waive the liability, the waiver request is forwarded to HQ USAF/LGS for final action.

12.4.3. HQ USAF/LGS. Takes final action "By Authority of the Secretary of the Air Force" on waiver requests where liability is not waived by the MAJCOM commander.

12.5. Authority To Delegate Responsibility. The intermediate command, MAJCOM, or HQ USAF/LGS can delegate in writing the authority to take action on a ROS and ROS appeals to a member of their immediate staffs.

12.6. MAJCOM and Intermediate Command ROS Program Managers.

12.6.1. Review all ROS and appeals to make sure all administrative requirements have been met.

12.6.2. Prepare correspondence pertaining to ROS and appeals.

12.6.3. Maintain receipt, and suspense registers to control documents received.

12.6.4. Provide guidance to base-level activities including the development of command administrative procedures to supplement this manual.

12.6.5. Maintain a list of ROS program managers within the command (name, mail and message address, FAX, and phone number).

12.6.6. Ensure commands of the ROS system functions in a timely and efficient manner.

12.6.7. Maintain ROS information that will show trends and information such as, but not limited to summaries of the number of ROS processed, dollar values, types of items, and a list of bases which appear to be problem areas.

12.6.8. Keep the command approving authority apprised of the status of the ROS program.

12.6.9. As appropriate, keep the next higher command program apprised of the status of their programs.

Chapter 13

FINANCIAL LIABILITY OFFICER AND BOARD RESPONSIBILITIES AND ACTIONS

13.1. General. This chapter implements the DoD Regulation cited in paragraph **1.2.2.** Paragraph 0704 of the DoDR pertaining to financial liability officers and paragraph 0705 addresses financial liability boards.

13.2. Financial Liability Officers (FLO). Generally an FLO will be a senior officer who, based on experience, can bring to the case a broad perspective of Air Force policies and procedures. The appointing or approving authority selects FLOs based on their training, experience, aptitudes, and ability to conduct intelligent and impartial investigations. The FLO will be an officer, unless the appointment of an NCO (E-7 or above) or a civilian employee (GS-7, WG-9, WL-5, WS-1 or above) is justified in writing by the approving or appointing authority.

13.2.1. A FLO's findings and recommendations are administrative, not judicial; therefore, the FLO reports are purely advisory; the opinions do not constitute final determinations or legal judgments; and the recommendations are not binding upon appointing and approving authorities.

13.2.2. An FLO is required to be appointed when:

13.2.2.1. The ROS initial investigative results are insufficient to make a determination of whether or not negligence or abuse was the proximate cause of the loss, damage, or destruction of government property and approving or appointing authority determines that a second investigation is warranted. In most cases, an FLO should not be required if the investigating officer accomplishes a proper investigation. (See paragraph **4.1.8.**)

13.2.2.2. The value of the property lost, damaged, or destroyed, or the circumstances of the case warrant further investigation such as repetitive losses, evidence of negligence or abuse or large dollar losses.

13.2.2.3. Requested by an accountable officer.

13.2.2.4. Directed by higher authority.

13.2.3. In some cases, the appointing authority may appoint himself or herself as an FLO. This is especially true when appointing authorities are also members of financial liability boards. If an FLO is to be appointed, it must be done within 10 workdays after the appointing or approving authority receives the ROS.

13.2.4. Responsibilities and Duties of an FLO. These responsibilities and duties are basically the same as those of any investigating officer and are outlined in **Chapter 7**.

13.2.5. Additional Responsibilities and Duties of FLOs. The primary purpose of the ROS is to determine responsibility for lost, damaged, or destroyed property. To determine such responsibility, the facts contributing to the loss or damage must be developed by investigation. The FLO investigation may establish the fact that some other individual is at fault. The FLO shall not limit the investigation to verifying statements of interested parties. Rather, the FLO shall perform an investigation as thoroughly as is needed to ensure that all facts are fully developed, the interests of the government are fully served, and the rights of the involved individuals are fully protected.

13.2.5.1. An FLO investigation is required to determine where responsibility and/or liability belongs without regard to the relationship of the responsible individual to the property. As an example, actions by the accountable officer, responsible officer, or property receipt holder should be investigated as well as actions of the users of the property.

13.2.5.2. The FLO investigation is a critical phase of the ROS process. The FLO should determine the actual facts, not as alleged but as they actually occurred. The FLO's recommendations shall be evaluated in succeeding reviews; therefore, the recommendations must be supported by the findings and conclusions. The FLO:

13.2.5.3. Should be able to make a determination from the findings and conclusions as to how the loss or damage occurred, whether negligence or abuse was involved, and whether negligence or abuse was the proximate cause of the loss or damage.

13.2.5.4. Will record the findings, conclusions, and make recommendations based on findings and conclusions. The recommendation must indicate whether or financial liability should be assessed.

13.2.5.5. Must afford to any person whose conduct or performance of duty may be subject to inquiry or who has a direct interest in the inquiry an opportunity to have their position considered. They may submit written statements that will become part of the FLO's investigation.

13.2.5.6. Compiles evidence substantiating or refuting any statement prepared by the investigating officer and recorded in block 9 of the DD Form 200.

13.2.5.7. Physically examines the damaged property, when available, and then releases it for repair or disposal. If feasible, this will be done on the first day that the FLO was appointed.

13.2.5.8. Consults with or asks advice from the appointing authority, legal office, contracting office, security police, program manager, or any other individual or office whose expertise could help determine responsibility.

13.2.5.9. Determines the amount of damage, if the property has been damaged. The value may be the cost of repairs or an estimate of the repairs obtained from technical manuals or other reliable sources. The FLO also determines the value of the property immediately before its damage if the property is not economically reparable. The accountable officer may be asked to assist if he or she has not been directly involved.

13.2.5.10. Ensures that action is taken to exercise control over the property if the property is recovered during the investigation.

13.2.5.11. Ensures that the total loss to the Government is computed correctly.

13.2.6. The FLO's Findings. The FLO will have the advantage of being able to review the previously accomplished ROS. While this will provide a good starting point, the FLO must rethink any of the conclusions or recommendations made in blocks 9 and 10 of DD Form 200, and develop new findings and recommendations which may or may not agree with those of the original investigating officer. These will be titled as "FINDINGS" and "RECOMMENDATIONS" in block 15a of the ROS (DD Form 200).

13.2.6.1. The findings and conclusions reached by the FLO must be sound and based upon the evidence presented. In no case should they contain unsubstantiated opinions or phrases. The FLO will state how the loss or damage occurred, based on the evidence obtained through the investiga-

tion. The FLO's findings must substantiate or refute the statements made in block 9 and in affidavits or in additional statements that are a part of the report. Where facts are obtained by oral testimony, the individuals must be named and identified and direct statements quoted. (See **Chapter 7** regarding obtaining sworn statements.)

13.2.6.2. The FLO's findings should be complete enough so that others reviewing the report can readily determine the responsibility without referring the report back to the FLO forfurther investigation or information. The market or depreciated value of the property is notrequired in the findings unless financial liability is recommended. Where financial liability is recommended, the computation is made per **Chapter 15**.

13.2.7. The FLO's Recommendation. After recording the findings, the FLO should record the recommendations in block 15a. A recommendation of financial liability or relief from liability is made for each individual involved. If financial liability is recommended, the FLO must indicate that the individual's negligence, willful misconduct, or deliberate unauthorized use was the proximate cause of the loss or damage. A recommendation also is made for the disposition of any unserviceable property not previously disposed of. **Do not, under any circumstances, recommend disciplinary action.**

13.2.8. After completing block 15 of the ROS, the FLO returns the ROS file to the program manager for processing to the appointing or approving authority.

13.2.9. The FLO is not officially relieved from the investigative tasking until relieved by the appointing authority or the approving authority.

13.3. Financial Liability Boards (FLB).

13.3.1. Paragraph 070501, of the DoDR cited in paragraph **1.2.2.** of this manual states that, "A financial liability board may be appointed by the appointing authority for the specific purpose of conducting the investigation. The primary purpose of a financial liability board is to provide the appointing and approving authorities with adequate information upon which to assess liability or relieve the involved individual from liability for the loss, damage or destruction of government property. A board provides more resources than an officer to investigate losses that are large, complex, or unique. Financial liability boards are administrative, not judicial. Therefore, their reports are purely advisory, their opinions do no constitute final determinations or legal judgments, and their recommendations are not binding upon appointing and approving authorities."

13.3.2. The members of an FLB are selected based on training, experience, competence, and ability to conduct independent and objective investigations. The senior member normally shall be designated as the Chair or President of the FLB. The appointing authority shall not appoint an individual who was or is accountable or responsible, or has direct interest in the property, including a financial liability officer who may have previously investigated the loss of the property.

13.3.3. A financial liability board may consist of two or more persons, one of whom is the base claims officer. If an attorney, he or she acts as legal counsel for the board. With the recommendation of the organizational commander concerned, organization claims officers may be appointed by the wing/installation commander to FLBs. All FLB members are appointed on orders. A member of the board is appointed in the orders to serve as appointing authority. Whenever possible, the person authorized to serve as appointing authority will be of field grade as well as the other members of the board.

13.3.4. Commissioned officers are normally appointed to FLBs. Because of the nature of base activities or the type of personnel by which manned, there may not be enough officers available to appoint to the board. If such condition exists, the commander may appoint qualified enlisted personnel to grade E-7, E-8, or E-9 or qualified civilian employees in grade GS-7 or above. The appointing or approving authority will provide a written statement for inclusion in the ROS file as to why it was necessary to appoint NCOs or civilians to the FLB. Commanders should be extremely careful to select competent personnel to conduct investigations.

13.3.5. Functions of an FLB.

13.3.5.1. The primary function of a FLB is to research, develop, assemble, record and analyze all available information relative to the loss. The board is required to formulate and clearly express consistent findings of facts, conclusions, and recommendations.

13.3.5.2. A collateral function of the FLB, especially when requested by the appointing authority, is to afford a hearing to any person whose conduct or performance of duty may be subject to inquiry or who has direct interest in the inquiry.

13.3.5.3. Additional FLB functions are to:

13.3.5.3.1. Make a preliminary review of the ROS. This is to determine whether or not an FLO is required.

13.3.5.3.2. Perform the function of FLO on ROS when the preliminary investigation indicates this is necessary. Members of the board acting as FLOs should follow the instructions in paragraph **13.2.** The chair or president of the board can limit the scope of the investigation. This limitation must be acceptable to appointing or approving authority.

13.3.5.3.3. Act as a group of disinterested persons to inspect and witness the destruction or abandonment of unserviceable property.

13.3.6. Use of Investigative Reports. Reports of investigations of accidents or incidents may be used instead of investigations to support a ROS, depending on the circumstances. The FLB uses these investigative reports to determine the need for an FLO, determine financial liability or relief there-from, and make recommendations on the disposition of property and action to be taken by higher authority.

13.3.6.1. When an FLO is required, the investigative report is used to support findings and recommendations. The FLO is not required to duplicate any part of the investigative report unless there is an indication that the investigation was incomplete.

13.3.6.2. Investigative reports are attached to the ROS as exhibits.

13.3.7. Board Action on ROS.

13.3.7.1. The board members take action on the DD Form 200. If a board member is appointed to serve as FLO, he or she complies with the duties and responsibilities outlined in paragraph **13.2.**

13.3.7.2. When the FLB completes its action, the ROS file, with the FLB documentation attached as a exhibit, will be returned to the ROS program manager for processing to the appointing or approving authority.

Chapter 14

COMPLETING DD FORMS 139, 200, 362, AND 1131

14.1. DD Form 200, Financial Liability Investigation of Property Loss. A sample completed DD Form 200 is at **Figure 14.1.** Many blocks in the form are self explanatory, therefore, explanatory notes are provided only to further explain selected entries or to emphasize the entry. Prepare and complete the DD Form 200 as follows:

Figure 14.1. DD Form 200, Financial Liabililty Investigation of Property Loss.

FINANCIAL LIABILITY INVESTIGATION OF PROPERTY LOSS

PRIVACY ACT STATEMENT

AUTHORITY: 10 USC 136; 10 USC 2775; DoD Instruction 7200.10; EO 9397.

PRINCIPAL PURPOSE: To officially report the facts and circumstances supporting the assessment of financial charges for the loss, damage, or destruction of DoD-controlled property. The purpose of soliciting the SSN is for positive identification.

ROUTINE USES: None.

DISCLOSURE: Voluntary; however, refusal to explain the circumstances under which the property was lost, damaged, or destroyed may be considered with other factors in determining if an individual will be held financially liable.

1. DATE INITIATED (YYMMDD)	2. INQUIRY/INVESTIGATION NUMBER	3. DATE LOSS DISCOVERED (YYMMDD)
1991 JAN 10	91-07	1991 JAN 7

4. NATIONAL STOCK NO.	5. ITEM DESCRIPTION	6. QUANTITY	7. UNIT COST	8. TOTAL COST
5820-01-624-5162	RADIO, RCA, HAND-HELD, 2-WAY, MODEL NT-300	1	$2,100	$2,100

9. CIRCUMSTANCES UNDER WHICH PROPERTY WAS (X one) (Attach additional pages as necessary) [ ] LOST [ ] DAMAGED [ ] DESTROYED

SEE ATTACHED

10. ACTIONS TAKEN TO CORRECT CIRCUMSTANCES REPORTED IN BLOCK 9 AND PREVENT FUTURE OCCURRENCES (Attach additional pages as necessary)

SEE ATTACHED

11. INDIVIDUAL COMPLETING BLOCKS 1 THROUGH 10

a. ORGANIZATIONAL ADDRESS (Unit Designation, Office Symbol, Base, State/Country, Zip Code)	b. TYPED NAME (Last, First, Middle Initial)	c. AUTOVON/DSN NUMBER
602 SUPPLY SQUADRON/LGS HOUSTON AFB IL 61234	JONES, DON E., MSgt	555-2779
	d. SIGNATURE	e. DATE SIGNED 16 JAN 1991

12. (X one) [ ] RESPONSIBLE OFFICER (PROPERTY RECORD ITEMS) [ ] REVIEWING AUTHORITY (SUPPLY SYSTEM STOCKS)

a. NEGLIGENCE OR ABUSE EVIDENT/SUSPECTED (X one)	b. COMMENTS/RECOMMENDATIONS
[ ] (1) Yes [ ] (2) No	CONCUR WITH FINDINGS IN BLOCK 9.

c. ORGANIZATIONAL ADDRESS (Unit Designation, Office Symbol, Base, State/Country, Zip Code)	d. TYPED NAME (Last, First, Middle Initial)	e. AUTOVON/DSN NUMBER
602 CIVIL ENGINEERING SQUADRON/cc HOUSTON AFB IL 61234	GROSS, GEORGE P., Lt Col	555-2718
	f. SIGNATURE	g. DATE SIGNED 18 JAN 1991

13. APPOINTING AUTHORITY

a. RECOMMENDATION (X one)	b. COMMENTS/RATIONALE	c. FINANCIAL LIABILITY OFFICER APPOINTED (X one)
[ ] (1) Approve [ ] (2) Disapprove	I APPROVE THE FINDINGS AND RECOMMENDATION OF THE INVESTIGATION OFFICIAL AND RECOMMEND SSGT SMITH BE HELD FINANCIALLY LIABLE FOR $1,039.50 (ONE MONTH'S BASIC PAY)	[ ] (1) Yes [ ] (2) No

d. ORGANIZATIONAL ADDRESS (Unit Designation, Office Symbol, Base, State/Country, Zip Code)	e. TYPED NAME (Last, First, Middle Initial)	f. AUTOVON/DSN NUMBER
HTTC/RM HOUSTON AFB IL 61234	ALBRECHT, BRETT C., Col	555-2777
	g. SIGNATURE	h. DATE SIGNED 22 JAN 1991

14. APPROVING AUTHORITY

a. ACTION (X one)	b. COMMENTS/RATIONALE	c. LEGAL REVIEW COMPLETED IF REQUIRED (X one)
[ ] (1) Approve [ ] (2) Disapprove	I APPROVE THE FINDINGS AND RECOMMENDATION AND HEREBY ASSESS FINANCIAL LIABILITY IN THE AMOUNT OF $1,039.50 (ONE MONTH'S BASIC PAY)	[ ] (1) Yes [ ] (2) No

d. ORGANIZATIONAL ADDRESS (Unit Designation, Office Symbol, Base, State/Country, Zip Code)	e. TYPED NAME (Last, First, Middle Initial)	f. AUTOVON/DSN NUMBER
HTTC/CC HOUSTON AFB IL 61234	DELL, RICHARD P., Brig Gen	555-3417
	g. SIGNATURE	h. DATE SIGNED 25 JAN 1991

DD Form 200, FEB 91 *Previous editions are obsolete.* 517053

15. FINANCIAL LIABILITY OFFICER

a. FINDINGS AND RECOMMENDATIONS *(Attach additional pages as necessary)*

b. DOLLAR AMOUNT OF LOSS	c. MONTHLY BASIC PAY	d. RECOMMENDED FINANCIAL LIABILITY

e. ORGANIZATIONAL ADDRESS *(Unit Designation, Office Symbol, Base, State/Country, Zip Code)*	f. TYPED NAME *(Last, First, Middle Initial)*	g. AUTOVON/DSN NUMBER
	h. DATE REPORT SUBMITTED TO APPOINTING AUTHORITY *(YYMMDD)*	i. DATE APPOINTED *(YYMMDD)*
	j. SIGNATURE	k. DATE SIGNED

16. INDIVIDUAL CHARGED

a. I HAVE EXAMINED THE FINDINGS AND RECOMMENDATIONS OF THE FINANCIAL LIABILITY OFFICER AND *(X one)*

	(1) Submit the attached statement of objection.		(2) Do not intend to make such a statement.

b. I HAVE BEEN INFORMED OF MY RIGHT TO LEGAL ADVICE. MY SIGNATURE IS NOT AN ADMISSION OF LIABILITY.

c. ORGANIZATIONAL ADDRESS *(Unit Designation, Office Symbol, Base, State/Country, Zip Code)*	d. TYPED NAME *(Last, First, Middle Initial)*	e. SOCIAL SECURITY NUMBER
428 TFW/RME HOUSTON AFB IL 61234	SMITH, JOHN S., SSgt	000-00-0000
f. AUTOVON/DSN NUMBER 555-2199	g. SIGNATURE	h. DATE SIGNED 25 JAN 1991

17. ACCOUNTABLE OFFICER

a. DOCUMENT NUMBER(S) USED TO ADJUST PROPERTY RECORD

b. ORGANIZATIONAL ADDRESS *(Unit Designation, Office Symbol, Base, State/Country, Zip Code)*	c. TYPED NAME *(Last, First, Middle Initial)*	d. AUTOVON/DSN NUMBER
602 SUPPLY SQUADRON/LGS HOUSTON AFB IL 61234	TURNER, ROBERT	555-1567
	e. SIGNATURE	f. DATE SIGNED 28 JAN 1991

DD Form 200 (Back), FEB 91 * U.S. G.P.O.:1991-282-437:85638

9.

On 3 Jan 91, SSgt John S. Smith, SSN 000-00-0000, checked out the radio described above from his equipment custodian. He signed a hand receipt. When SSgt Smith stopped for lunch, he put the radio in his field jacket and put the jacket over a chair while he went through the serving line. After SSgt Smith finished his meal, he noticed that the radio was missing. Based on the facts and circumstances of the case, the evidence indicates that SSgt Smith's negligence was the proximate cause of the loss. Recommend SSgt Smith be held financially liable for $1,039.50 (one month's basic pay).

10.

Because of the pilferable nature of hand-held radios, the base commander issued a regulation 2 months before this loss on safeguarding hand-held radios. The regulation states that radios will be in an individual's possession, locked in a secure place, or turned in to the equipment custodian when not in use. All individuals using hand-held radios are required to read local and Air Force regulations on safeguarding Government property.

14.1.1. **THE DD FORM 200 MUST BE TYPED.** The original and one copy will be provided to the program manager. If the originating office wants a suspense file copy with the control number in block 2 returned to them, then that office will provide an original and two copies. More copies can be reproduced, if required, to fill the requirements of the base.

14.1.2. Block 2. The ROS program manager assigns a control number within the first15 days of the date the ROS is initiated (see **Chapter 5**). This provides a control or suspense for completion of the initiation phase.

14.1.3. Block 4. Enter either the national stock number or manufacturer's part number. In the event there is no stock or part number, enter "N/A." Any number of transactions can be listed, as long as they pertain to the same incident and the persons responsible for the property are the same. Use an attachment if needed for additional items.

14.1.4. Block 5. Enter the correct name of the property lost, damaged, or destroyed, including any serial numbers. If the property is not stock listed, give an accurate description sufficient for identification. If only a portion of a major item is damaged, describe the major item fully, then describe the damages. If a vehicle is damaged, describe the type of vehicle and vehicle number. If additional space is needed, use bond paper, suitably captioned, as a continuation sheet.

14.1.5. Block 6. Enter the quantity and if applicable, standard unit measure for the item.

14.1.6. Block 7. Enter actual unit cost or standard price (current replacement cost). A copy of the Custodian Authorization/Custody Receipt Listing (CA/CRL) or a copy of the Automated Data Processing Equipment (ADPE) listing that identifies the current replacement cost of the lost, damaged or stolen item(s) should be forwarded with the ROS. Questions regarding prices should be referred to the officer who is accountable for the property.

14.1.7. Block 8. Enter the result of quantity times unit cost. If a vehicle is involved include labor and material cost. If a vehicle has been damaged, include a copy of the estimate of damage (EOD) or actual cost document if the vehicle has been repaired.

14.1.8. Block 9. The individual who initiates or investigates the ROS completes this block. See **Chapter 7**, **Chapter 9**, and **Chapter 10**. The recommendation of the investigating official should be included in this block or attached as an exhibit to the ROS. Further, if negligence, willful misconduct, or deliberate unauthorized use appears to be evident, the amount of financial liability recommended will be computed. **Block 9, if properly accomplished, can make the appointment of a financial liability officer unnecessary.** Further, the information in this block can assist the appointing or approving authority in making a determination of whether or not negligence, willful misconduct, or deliberate unauthorized use was the proximate cause of the loss, damage, or destruction.

14.1.8.1. At HQ AFMC depot maintenance activities the Tool Loss Report (TLR) can be submitted with the ROS instead of completing block 9. The TLR must contain a detailed explanation of the facts and circumstances of the loss as required in this block.

14.1.8.2. Include the equipment authorization inventory data (EAID) detail document number as applicable.

14.1.9. Block 10. If investigations reveal deficiencies in directives, procedures, controls, etc., a statement of corrective action is required to document the action that was taken or will be taken to prevent recurrence of the incident. The originating office or the initial investigating official prepares the corrective action statement.

14.1.10. Block 12b. The responsible officer or the reviewing authority enters his or her comments and recommendations. Use an attachment if needed.

14.1.11. Block 13b. The appointing authority enters comments or rationale for the decision. Use an attachment if needed.

14.1.12. Block 14a. The approving authority either approves or disapproves the recommendations of the investigating officer in block 9 or of block 15a if a financial liability officer was appointed.

14.1.13. Block 14b. Use this block to specify the amount of financial liability assessed, relief from liability, and to describe disapprovals and prerogatives exercised under the provisions of waiving housing damage or discretionary limitations of liability. Use an attachment if needed.

14.1.14. Block 15i. Enter the date the financial liability officer was appointed.

14.1.15. Block 16a. The individual charged places an X in the proper box. If a financial liability officer was not appointed the individual charged should respond to the findings in blocks 9 through 12.

14.1.15.1. When financial liability is recommended, the individual has the right to examine the findings and recommendations, to examine the evidence supporting the findings, and to submit evidence and statements on one's behalf which might refute any finding of negligence and which would be relevant to a determination of who should be held liable. This requirement must be accomplished before the ROS is sent to the appointing and approving authorities.

14.1.15.2. If financial liability has not been previously recommended but the appointing authority makes a recommendation of financial liability, the individual charged must be given the right to review the file and make a statement prior to a determination being made by the approving authority.

14.1.15.3. If housing damage is involved, a member must be advised that a fully substantiated waiver request may be submitted to the approving authority. Factors to be considered are in paragraph **19.7.** (The waiver request is only considered if liability is eventually assessed by the approving authority, but must be submitted upon completion of block 16.) In the absence of a specific waiver request, a member will automatically receive waiver consideration based only on the ROS findings.

14.1.15.4. If an individual does not sign a copy of the ROS in block 16g or does not respond to notification within 30 days, the original ROS is sent by the program manager to the appointing and approving authorities for assessment of or relief from financial liability. The reason for sending a copy is that the program manager must have the original on file at the completion of the case. Sending a copy precludes the loss of the original. Military members are entitled to free legal counsel. All Air Force members and employees are entitled to a copy of the completed ROS.

14.1.16. Block 16b. To be read by the individual charged.

14.1.17. Block 16c. Enter the organization address of the individual charged.

14.1.18. Block 16d. Enter the typed name and rank or grade of the individual charged.

14.1.19. Block 16e. Enter the social security number of the individual charged.

14.1.20. Block 16f. Enter the DSN number of the individual charged.

14.1.21. Block 16g. Signature of the individual charged.

14.1.22. Block 16h. Enter the date the individual charged signed the DD Form 200.

14.1.23. Block 17a. Enter the document numbers used to adjust the prepay records, if applicable. If not applicable enter "N/A". Blocks 17a through 17f should be completed following completion of block 12 in order that property records can reflect any adjustment at the earliest possible date and prior to completion of other actions on the DD Form 200.

14.2. Privacy Act Statement, DD Form 200. Preparation of a ROS does not normally require requesting personal information; however, the privacy act statement is printed at the top of the DD Form 200.

14.3. Distribution of DD Form 200. The ROS will be prepared in an original and as many copies as are required by the base.

14.3.1. The original of the ROS and one copy is forwarded to the program manager for a control number. The copy is used as a suspense copy by the manager. The originating office may also forward another copy of the ROS to the program manager who will return it to them with the assigned control number for use as a suspense file. The program manager will prescribe the ROS processing procedures for the base.

14.3.2. If the ROS results in an assessment of financial liability by the approving authority, a copy is forwarded to the FSO to establish the debt on the employee's pay account. The original of the ROS is kept with the program manager's files pending disposition in accordance with section 23, AFM 37-139, that replaces volume 20, table 177-9, AFR 4-20.

14.4. Voluntary Payments. Persons who have lost, damaged, or destroyed government property valued at $500 or less may voluntarily pay for the property. These situations are outlined in **Chapter 3**.

14.4.1. Voluntary Payment. Voluntary payments are processed on DD Form 1131, **Cash Collection Voucher**, or DD Form 362, **Statement of Charges/Cash Collection Voucher**.

14.4.2. Document Processing Requirement:

14.4.2.1. In accordance with base agreements and ROS implementing procedures, either the unit commander or the ROS program manager will initiate voluntary payment documents for the loss, damage, or destruction of government property issued to their activities or to persons under the administrative control of the organization. This applies to property on Equipment Authorization Inventory Data (EAID) records, individual clothing and equipment records, and other similar accountable records or custody receipts.

14.4.2.2. Voluntary payment documents must contain the statement, "Used instead of a ROS" if they are processed under the provisions of **Chapter 16**.

14.4.2.3. Where lost, damaged, or destroyed property is recorded on property control records, the voluntary payment document must be used to support adjustment of the property account.

14.4.2.4. The ROS program manager develops and issues procedures for preparing and processing voluntary payment documents.

14.4.2.5. Additional information regarding voluntary payments is in AFM 67-1, volume IV, part one, chapter 8, paragraph 6.

Chapter 15

COMPUTING FINANCIAL LIABILITY

15.1. General. Use the provisions of the chapter to compute and document the amount of financial loss to the government. The loss to the government is also the basis for assessing financial liability against individuals.

15.1.1. Where financial liability is limited to one month's basic pay the actual loss to the government is still computed even if it exceeds one month's pay. In such cases, the financial liability against an individual is either the actual loss or one month's basic pay, whichever is less.

15.1.2. Establishing Amount of Loss. The manner by which the government's damages are measured is determined by principles of law. Ascertaining the amount of damages is based on fact which must be proved by evidence. ROS prepared on the basis of damages to government property resulting from negligence must establish both the facts of actual loss to the government and negligence, willful misconduct, or deliberate unauthorized use of the person or agency concerned. In addition, evidence must be submitted to establish the amount of the loss according to the following principles:

15.1.2.1. Lost or Destroyed Property (**Figure 15.1.** and **Figure 15.2.**). The amount of loss is the market value of the property immediately before the loss. In absence of a fair market value, use the adjusted replacement cost (paragraph **15.2.**).

Figure 15.1. AF Form 20, Repair Cost and Reparable Value Statement (Damaged Property).

REPAIR COST AND REPARABLE VALUE STATEMENT	☐ ESTIMATE ☒ ACTUAL ☐ REPARABLE	AF NUMBER	SERIAL NUMBER
		None	GEO 79949

DEPARTMENT	DIVISION	BRANCH/SECTION	JOB ORDER NUMBER
AFB	Comptroller	Cost Accounting	0-411

IDENTIFICATION (Govt. Bill of Lading No., Service No., etc.)	NOMENCLATURE
(GB/L) AF 8 784 656	Power Plant, 1 ADK 1560-210-7924

DESCRIPTION OF DAMAGE
Ring Assembly Damaged

I. SERVICEABLE VALUE

QUANTITY	UNIT COST	VALUE
		$

II. DIRECT MATERIAL

STOCK NUMBER	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
1560-212-0142	Ring Assembly	1 Each	$968.00	$968.00
			(See attached invoice)	
			TOTAL	$968.00
			LESS SALVAGE CREDIT FOR REPLACED PARTS	$242.00
			NET TOTAL DIRECT MATERIAL COST	$726.00

III. DIRECT LABOR

WORK CENTER	DIRECT MAN-HOURS	RATE	TOTAL
Engine Overhaul	10.75	$2.25	$24.19
		TOTAL LABOR COST	$24.19

IV. OVERHEAD COSTS

WORK CENTER	DIRECT MAN-HOURS	RATE	TOTAL
		TOTAL OVERHEAD	

V. OTHER COSTS - TRANSPORTATION AND REPACKAGING

TRANSPORTATION COST	TO REPAIR FACILITY $60.00	FROM REPAIR FACILITY $60.00	$120.00
REPACKAGING COSTS	(3 hours labor @ $2.18)		$ 6.54
		TOTAL TRANSPORTATION AND REPACKAGING COSTS	$126.54
VI.		GRAND TOTAL	$876.73
VII. REPARABLE VALUE *(Used Value less Total Repair Costs)*			

I CERTIFY THAT THIS REPORT IS CORRECT.

DATE	TYPED NAME, GRADE AND TITLE OF AUTHORIZED OFFICIAL	SIGNATURE OF AUTHORIZED OFFICIAL
17 Jan 75	J. R. MCCABE, GS-12, Supvy Cost Acct	

AF FORM 20 SEP 67 PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED.

Figure 15.2. AF Form 20, Repair Cost and Reparable Value Statement (Lost Property).

REPAIR COST AND REPARABLE VALUE STATEMENT	☐ ESTIMATE ☒ ACTUAL ☐ REPARABLE	AF NUMBER	SERIAL NUMBER DC 6E-624
DEPARTMENT AFB	DIVISION Comptroller	BRANCH/SECTION Cost Accounting	JOB ORDER NUMBER
IDENTIFICATION (Govt. Bill of Lading No., Service No., etc.) C-3213000		NOMENCLATURE S/N 4310-957-5280, Air Compressor	
DESCRIPTION OF DAMAGE Lost, Shipped as Reparable, Needing Teardown, Overhaul and Reassembly			

I. SERVICEABLE VALUE		
QUANTITY 1	UNIT COST $3,431.00	VALUE $ 2,573.21

II. DIRECT MATERIAL				
STOCK NUMBER	DESCRIPTION	QUANTITY	UNIT COST	TOTAL
9905-205-2795	Reflectors	4 Each	$ .23	$ .92
9906-201-2685	Pump Assembly	1 Each	$150.00	$150.00
			TOTAL	$150.92
			LESS SALVAGE CREDIT FOR REPLACED PARTS	
			NET TOTAL DIRECT MATERIAL COST	

III. DIRECT LABOR			
WORK CENTER	DIRECT MAN-HOURS	RATE	TOTAL
46611	5.5	$3,462	$19.04
		TOTAL LABOR COST	$19.04

IV. OVERHEAD COSTS			
WORK CENTER	DIRECT MAN-HOURS	RATE	TOTAL
		TOTAL OVERHEAD	

V. OTHER COSTS - TRANSPORTATION AND REPACKAGING			
TRANSPORTATION COST	TO REPAIR FACILITY	FROM REPAIR FACILITY	
REPACKAGING COSTS			
		TOTAL TRANSPORTATION AND REPACKAGING COSTS	
VI.		GRAND TOTAL	$ 169.96
VII. REPARABLE VALUE (Used Value less Total Repair Costs)			$2,403.29

I CERTIFY THAT THIS REPORT IS CORRECT.

DATE	TYPED NAME, GRADE AND TITLE OF AUTHORIZED OFFICIAL	SIGNATURE OF AUTHORIZED OFFICIAL
12 Jan 75	F. A. GREEN, GM-13, Chief, Dir Cost Ofc	

AF FORM 20 SEP 67

PREVIOUS EDITIONS OF THIS FORM WILL BE USED UNTIL EXHAUSTED.

15.1.2.2. Irreparably Damaged Property and Property Damaged Beyond Economical Repair. The amount of loss is the market value of the property immediately before the damage less any salvage value.

15.1.2.3. Reparable Property. Where property is damaged and can be economically repaired, the measure of the damage is the difference in the market value of the property immediately before the damage and its market value immediately before the damage and its market value immediately after the damage in its injured condition.

15.1.2.3.1. While the difference in values is generally the standard measure of the government's loss, the reasonable cost of the repairs necessary to restore the property to its condition before the damage may be used as evidence of the difference in the value of the property before and immediately after the damage. Hence, the reasonable cost of repair less any established overhaul allowances as outlined in paragraph **15.3.** may be proper, provided the repairs do not increase the value of the property above its market value before the damage.

15.1.2.3.2. The government is not entitled to the full value of the repairs if they make the property more valuable than it was before the damage. Thus, the amount of the loss would be the cost of repairs less any increase in value.

15.1.2.4. Reparable Property - Military Family Housing. The cost of repair includes the following elements:

15.1.2.4.1. Labor costs, including in-house labor (paragraph **15.1.5.**) and contractor labor.

15.1.2.4.2. Cost of government-provided equipment and furnishings, (cooking stoves, couches, chairs, tables, washer, dryer, refrigerator, etc.) based on fair market value before loss of damage. In the absence of a fair market value at the time of loss or damage, use the adjusted replacement cost (paragraph **15.2.**)

15.1.2.4.3. Cost of installed equipment (furnace, hot water heater, central air conditioning, etc.) based on adjusted replacement cost.

15.1.2.4.4. Cost of fixtures, cabinets, book shelves, etc., based on adjusted replacement cost.

15.1.2.4.5. Cost of direct materials such as lumber, paint, wallboard, nails, adhesives, etc.

15.1.3. Use of Actual or Estimated Repair Charges. Where financial liability is assessed against an individual for damage to property that is reparable, the amount to be assessed in the ROS is based on actual cost of repair.

15.1.3.1. Estimated repair costs may be applied to ROS only in unusual and exceptional circumstances where actual repair costs cannot be obtained within a reasonable length of time (for example, where it is determined that the damaged property cannot be immediately restored to use, or where the repairs are unduly delayed due to lack of parts or backlog in the repair facility or requirement to ship the property to another facility for repair, or similar situations).

15.1.3.2. In such cases, the reason for using estimated repair costs must be fully documented on the ROS. An estimated cost of repair is computed by qualified technical personal on the basis of current applicable labor rates and material costs necessary to accomplish the repair. Estimated costs are converted to actual costs upon completion of the repair and the ROS is amended accordingly. If collection action is complete, see paragraph **16.2.3.**

15.1.4. Transportation Costs. Where it is necessary to transport the damaged property for repairs to a repair facility, the transportation costs to and from the facility may be included, if it is shown that repairs were not obtainable locally at less cost. If a government bill of lading (GBL) is used, the transportation cost is the amount paid the carrier. If government transportation is used, standard labor rates in AFI 65-503 are used to determine labor costs.

15.1.5. Repair Costs and Costing Methods. For the purpose of determining financial liability on ROS, only direct labor and direct material are charged when repairs are done in-house. Indirect or overhead costs are not charged. When repairs are performed by a private contractor, the amount paid to the contractor is charged. Direct labor and direct material are further defined as follows:

15.1.5.1. Direct Labor. Direct labor charges computed by the Base Engineer Automated Management System (BEAMS) or by the On-Line Vehicle Interactive Management System (OLVIMS) are acceptable for determining labor costs for in-house repairs of facilities and vehicles. Direct labor charges generated by the Real Property Industrial Fund (RPIF) cost systems are also acceptable for facilities repair. In absence of these methods, direct labor is computed by applying the standard labor rate in AFI 65-103 to the actual man-hours worked to repair the damaged property.

15.1.5.2. Direct Material. Actual cost of all direct material drawn against the reimbursable repair job (excludes bench stock materials) as identified by BEAMS, VIMS, RPIF, or other sources.

15.1.6. Repair in Non-Air Force Government Facilities. When property is repaired by a non-Air Force government facility, the amount of financial liability is the amount reimbursed to the other agency per the cross-servicing agreement plus any expense to the Air Force (transportation, etc.).

15.1.7. Repair Cost Statements. When damaged property is repaired, include one copy of AF Form 20, **Repair Cost and Reparable Value Statement** (Damaged Property) is filed with the ROS. A sample completed form is at **Figure 15.1.** A technical qualified person signs the form. Support the form with copies of invoices, payment documents, freight bills, GBLs, etc., as appropriate.

15.1.8. Market Value. In general, the market value is the price a willing buyer would pay a willing seller. This value is based on estimates of those familiar with the selling process or by open market prices such as those attainable from surplus stores. Consider the market value at the time and place of loss or irreparable damage, using the nearest available market.

15.1.9. Property Having No Market Value. Where property has no market value established, determine the value by using the adjusted replacement cost method described in paragraph **15.2.**

15.1.10. Leather Flying Jackets. An exception from the procedures of this paragraph is made for leather flying jackets. HQ USAF/LGS has determined that when a leather flying jacket is lost, damaged, or destroyed through negligence as determined by the ROS process, the member is required to pay the current stock list price for a new leather flying jacket prior to being issued another leather flying jacket.

15.2. Adjusted Replacement Cost.

15.2.1. Computation Method. In the absence of a fair market value for property at the time and place of loss, irreparable damage, or damage beyond economical repair, determine the government's loss based on the adjusted replacement cost. This method consists of determining the current replacement cost of a like item, depreciating the replacement cost by the number of years the lost or damaged item

was used (based on an estimated or published useful life of the item) and subtracting the salvage value, if any, of the damaged item.

15.2.2. Any generally accepted depreciation method may be used. The preferred method is one that most realistically represents the value of the property at the time of loss or damage. Officially published depreciation standards and factors should be considered. Other factors to be considered in arriving at a realistic measure of loss are:

15.2.2.1. The actual condition of the property before its loss or damage and the expected continued length of serviceability of the property had it not been lost or made unserviceable.

15.2.2.2. Where possible, individual major assembly maintenance or historical records should be consulted to determine the serviceability of components or subassemblies which would have required immediate replacement of overhaul, had not the major assembly been lost, irreparably damaged, or damaged beyond economical repair.

15.2.2.3. In computing allowances for any serviceable spare parts recovered, use the same depreciation method as applied to the end item.

15.2.3. Computation Statement. When allowances are made for depreciation, ROS initiators or investigating officials must include a statement indicating the factors considered and methods by which the depreciation was computed so that a proper assessment may be made by the approving authority. This statement or other documents will be attached to the file and will show:

15.2.3.1. Source of published depreciation factors.

15.2.3.2. Date of manufacture.

15.2.3.3. Original acquisition cost.

15.2.3.4. Replacement cost of a like item and source of this quotation.

15.2.3.5. Estimated life expectancy.

15.2.3.6. State of obsolescence.

15.2.4. Small Tools. Small hand tools are considered useful throughout their entire life and, therefore, are not depreciated.

15.2.5. Depreciation of Parachutes. The value of lost or destroyed parachutes is determined by using a depreciation rate of 14 percent per year on the invoice or stock list price, not to exceed a total of 80 percent. This is a standard or norm and may be varied under exceptional circumstances.

15.2.6. Depreciation of Vehicles. Depreciation is based on the age or mileage life expectancy tables as shown in Technical Order-00-25-249, Maximum Repair Allowances and Replacement Codes for USAF Vehicles. Use straight-line depreciation, not to exceed 80 percent. Deduct the estimated cost of any repairs that were required before the loss or destruction. Deduct reclaimed (salvaged) parts at 50 percent of the Air Force cost for a like item.

15.2.7. Useful Life and Disposal Value Table. Reference also may be made to the "Useful Value and Disposal Value Table" which is attachment 2 to AFP 26-12, *Guidelines for Implementing the Air Force Commercial Activities Program*, 25 Sep 92. The AFP 26-12 will be converted to AFM 38-209 in 1996 or 1997. This table provides a listing of Federal Stock Classes (FSCs), nomenclatures, expected useful life in years, and a disposal value factor as a percent of acquisition cost. This is a Fed-

erally developed list extracted from the Supplement to Office of Management and Budget Circular A 76 (Revised), *Performance of Commercial Activities*, Aug 4, 1983.

15.3. Standard Overhaul Allowances. An allowance may be made for standard overhaul charges when they are established. The inclusion of the overhaul is a matter of judgment on the part of investigating officials. If the property is comparatively new, has not been in use long enough to require repair, or has been recently overhauled, no allowances should be granted.

15.4. Credit for Salvage. When property is damaged to the point where it must be scrapped, salvage credit is allowed for the salvage or scrap value, including the scrap value of parts recovered from the property which has been repaired.

15.4.1. In no case is the full list price of such parts allowed for salvage credit. If entire units are salvaged, credit is determined by the property disposal officer based on the scrap value of the entire unit or the value of the scrap recovered plus the current value of major serviceable subassemblies, if any.

15.4.2. In no case is credit given for each component part of entire units or subassemblies that are salvaged. If, after the total assembly is depreciated, serviceable parts are recovered by disassembly of units or subassemblies, the value of the parts recovered is not considered for the purpose of giving further credit in computation of financial liability.

15.5. Determining Costs for Lost Property. A sample completed AF Form 20 pertaining to lost property is at **Figure 15.2.**

Chapter 16

VOLUNTARY PAYMENTS, COLLECTIONS, AND REFUNDS

16.1. Voluntary Payments.

16.1.1. Paragraph 070204 of the DoD Regulation cited in paragraph **1.2.2.** prescribes DoD policy pertaining to voluntary payments and is implemented in this chapter.

16.1.2. Guidance. Air Force members and employees may voluntarily pay the government for lost, damaged, or destroyed government property. Voluntary payment may be made any time before or during the ROS process. In some cases, voluntary payments are made in lieu of a ROS. In other cases, voluntary payments are made as a result of an investigating official's recommendation or approving authority's assessment. Voluntary payment may be accepted in lieu of a ROS providing the following criteria are met:

16.1.2.1. The individual is offering the payment on his or her own volition and is not being coerced or threatened with adverse action if payment is not made. Adverse action could consist of administrative action and judicial or nonjudicial punishment.

16.1.2.2. The individual is aware that no administrative determination of a debt exists, and that there is no legal obligation to the government.

16.1.2.3. The individual is aware that voluntary payment may not be withdrawn later.

16.1.2.4. The individual is aware that the normal avenues of relief (appeal, waiver, remission, etc.) are not available if voluntary payment is made.

16.1.2.5. If the individual is offering to pay for loss or damage in excess of one month's basic pay, the person must be made aware that if a ROS were prepared, the liability might be limited to one month's basic pay.

16.1.2.6. If the loss or damage exceeds one month's basic pay, and the individual offers to voluntarily pay one month's basic pay, voluntary payment can be accepted if the loss or damage does not involve:

16.1.2.6.1. Assigned government housing damage where gross negligence or willful misconduct may be evident.

16.1.2.6.2. Loss or damage to personal arms or equipment.

16.1.2.6.3. Loss or damage where an accountable officer is involved.

16.1.3. Completing the DD Form 200. When a ROS investigating official has recommended an assessment of financial liability in block 9, DD Form 200, the individual responsible for the loss or damage may voluntarily pay the amount specified on the DD Form 200 unless the assessment is a reduced liability.

16.1.3.1. If the investigating official recommends reduced liability, the approving authority must review and sign the DD Form 200 before the individual responsible for the loss or damage may voluntarily pay the recommended amount.

16.1.3.2. In these situations, the ROS process is terminated and the register is annotated to reflect voluntary payment. By making voluntary payment at this time, the individual thereby relinquishes the right of appeal, waiver, remission, or any other relief from financial liability.

16.1.4. Payment by the Individual. An approving authority has assessed financial liability against an individual, that individual may voluntarily pay the amount assessed. In this instance, the ROS is final and further processing is not necessary.

16.1.4.1. In this case however, a legal debt was administratively determined, and the individual may later appeal the assessment of financial liability within the time limit prescribed in **Chapter 17**.

16.1.4.2. The person should be made aware that remission or waiver of claims is not available because the debt was paid.

16.1.5. Voluntary Payment Documentation. Voluntary payments are processed on DD Form 1131, **Cash Collection Voucher** or DD Form 362, **Statement of Charges/Cash Collection Voucher**.

16.1.6. Document Processing Requirement:

16.1.6.1. Unit commanders initiate voluntary payment documents for the loss, damage, or destruction of government property issued to their activities or to persons under their command or administrative control. This applies to property on Equipment Authorization Inventory Data (EAID) records, individual clothing and equipment records, and other similar accountable records or custody receipts.

16.1.6.2. Voluntary payment documents must contain the statement, "Used instead of a ROS".

16.1.6.3. Where lost, damaged, or destroyed property is recorded on property control records, the voluntary payment document must be used to support adjustment of the property account.

16.1.6.4. The ROS program manager develops and issues procedures for preparing and processing voluntary payment documents.

16.2. Collections.

16.2.1. General. This paragraph establishes collection procedures to be followed when financial liability is assessed; and when repayment of an amount collected or withheld is in excess of the amount due is required.

16.2.2. Collection From Air Force Members and Employees (Including All Air Force, Air Force Reserve, Air National Guard (ANG), Active Guard/Reserve (AGR) Personnel Including Civilian and ANG Technicians).

16.2.2.1. When an Air Force member or employee is held financially liable, the approving authority notifies the individual in writing of the type and amount of the debt. The written notification advises the individual of the following:

16.2.2.1.1. The requirement to make lump-sum remittance within 30 days from the date of the written debt notification direct to the FSO and the right to request a written agreement to repay the debt in installments. A request for installment payments must be accompanied by the debtor's financial statement submitted under penalty of perjury.

16.2.2.1.2. The right to inspect and copy records relating to the debt.

16.2.2.1.3. The right to review the decision relating to the debt.

16.2.2.1.4. Notification of an enlisted member's right to request a remission of indebtedness and an officer's right to request SAF waiver for damage to government housing.

16.2.2.1.5. The right to appeal the findings of the ROS. Appeal must be submitted within 30 days from the date an individual is notified of financial liability. (**EXCEPTION:** In cases where the amount of assessed liability exceeds 1 month's basic pay, a written intent to appeal must be submitted within 30 days and the appeal must be submitted 60 days from the date the individual is notified of financial liability.)

16.2.2.1.6. The intention of the Air Force to make involuntary deductions from the individual's pay if voluntary lump-sum payment is not made within 30 days of liability notification or completion of the appeal process if an appeal is filed and the financial liability is upheld.

16.2.2.1.7. That any portion of the debt uncollected at time of employment termination is collected from the individual's final pay and allowances.

16.2.2.2. Written notification is either hand-delivered with a receipt of notice executed or sent by certified or registered mail with return receipt requested. Because the Air Force must be able to demonstrate that individuals held financially liable have received demand letters and notices of intent to effect involuntary collection, these receipts are included in the ROS case file.

16.2.2.3. See AFR 177-102, paragraph 29-2, for additional information on collections.

16.2.3. Collections From Members:

16.2.3.1. Statutory authority for the involuntary collection of an indebtedness from a member is 37 U.S.C. Section 1007. Notification procedures prescribed in paragraph **16.2.2.** satisfy requirements to effect involuntary collections. Remission and or waiver processing is accomplished by the FSO. (paragraph **16.2.6.**)

16.2.3.2. If remittance is not received within 30 days from the date the Air Force member is notified of financial liability and the member does not submit an appeal to the ROS findings within 30 days (or indicates in writing the intent to appeal when the 60-day appeal time frame is appropriate), the approving authority sends a completed copy of the DD Form 200, Financial Liability Investigation of Property Loss, to the FSO for involuntary collection action. This includes evaluation of the member's request to make installment payments. In compliance with DoD 7000.14-R, the approving authority certifies the completion of due process procedures in paragraph **16.2.2.**

16.2.4. Collections From Civilian Employees: (Also see DoD 7000.14-R, volume 8, chapter 8.)

16.2.4.1. General statutory authority for the involuntary collection of an indebtedness from an appropriated fund civilian employee, ANG technician, or Air Force Reserve technician is 5 U.S.C. Section 5514. Notification procedures prescribed in paragraph **16.2.2.** **do not** satisfy requirements to effect involuntary collection under this statute. ROS appeal channels must be exhausted before involving involuntary salary offset under 5 U.S.C. Section 5514.

16.2.4.2. If appeal is not submitted within established time frames, ROS appeal rights are forfeited. If the appeal right is forfeited or if the appeal is denied by the appellate authority designated to take final action on the appeal, the case file is returned to the ROS approving authority (creditor organization). The creditor organization must then make sure notification and due process protections required by DoD 7000.14-R, chapter 8, paragraph 080303 are applied. Authority

to offset from retired civilian pay is in 31 U.S.C. Section 3716 and is prescribed by AFR 177-104, paragraphs 9-10 and 15-13 and DoD 7000.14-R, chapter 8, paragraph 080506.Sample letter formats for notification by creditor organizations are provided in chapter 21, AFR 177-104, figure 21-5 through figure 21-9 and DoD 7000.14-R, chapter 8, pages 247 through 254. The authority for the involuntary collection of an indebtedness from an Air Force non-appropriated fund employee is AFI 34-202.

16.2.4.3. The ROS program manager establishes a suspense file for all ROS cases referred to the creditor organization for completion of due process procedures. Initial follow-up with the creditor organization is accomplished 45 days after the case is referred and subsequently at 30-day intervals until collection action is completed or the ROS case is returned for involuntary collection action. Creditor organizations are required to certify completion of due process procedures before submission to the FSO for involuntary collections.

16.2.5. Collection From States, ANG/AGR Members, and ANG Technicians. The approving authority starts collection action on ANG ROS. That office advises the senior hose-base commander of each financial charge against an ANG/AGR member or ANG technician. The notice identifies the pertinent ROS and establishes a 60-day suspense for collection of the debt (**Chapter 22**).

16.2.5.1. State Held Liable. The state adjutant general reimburses the Air Force (**Chapter 22**).

16.2.5.2. ANG/AGR Member Held Liable. The wing/installation commander informs individuals of their rights and initiates collection action. The senior host-base commander reports the initiation and collection to the approving authority. Collection procedures are prescribed in paragraph **16.2.2.**

16.2.5.3. ANG Technician Held Liable. Procedures in paragraph **16.2.4.** apply.

16.2.6. Financial Services Officer (FSO) Actions in Collecting Debts.

16.2.6.1. Collection Procedures for Members. After the approving authority assesses financial liability, the following procedures apply:

16.2.6.1.1. Members are notified by the ROS program manager (acting on behalf of the approving authority), and are given 30 days to pay the amount due. If payment is not arranged within 30 days, the approving authority certifies completion of due process and sends DD Form 362 or DD Form 139 with attachments to the FSO for recording on the individual's pay record and initiation of involuntary collection action. Involuntary collections are processed according to AFM 177-373, Volume 1, Chapter 53, and other appropriate accounting and finance directives.

16.2.6.1.2. Members held liable may appeal the findings within 30 days of the date they were notified of the assessment of financial liability (see **Chapter 17**). Upon notification of an appeal submission (or an intent to appeal when the 60 day rule applies to the approving authority), the FSO suspends collection of the debt pending the results of the appeal. If the appeal is granted, the FSO cancels the debt. If the appeal is denied, the FSO continues involuntarily collection of the debt.

16.2.6.1.3. Members held liable for damage to government housing are allowed to request waiver of financial liability (**Chapter 17**). Upon notification of a waiver request, the FSO suspends collection of the debt pending waiver results. If the liability is partially waived, the FSO cancels the waived portion and continues involuntarily collection of the unwaived portion.

16.2.6.1.4. Occasionally, collection is made from a member whose pay record is maintained by another servicing FSO (paragraph **11.9.**). The supporting document for such a collection is a DD Form 200 signed in block 14g. The FSO processes a DD Form 139, **Pay Adjustment Authorization**, to record the debt on the member's pay record.

16.2.6.1.5. Collection Procedures for Civilian Employees. After all ROS actions, including final action on ROS appeals, and all due process protections required by AFR 170-30 and DoD 7000.14-R are completed; the ROS, with certification of completion of due process attached, is sent to the FSO for recording on the individual's pay record and initiation of involuntary collection action.

16.2.7. Collections - Joint and Several Liability. Each person held liable jointly and severally with others is liable for the entire amount of the loss or damage. The total financial liability must equal the total dollar loss to the Air Force except in cases where financial liability is limited per paragraph **2.3.13.** The approving authority determines the amount to be collected from each individual.

16.2.8. Collection for Government Property Checked as Baggage. When government property checked as personal baggage is lost in transit, send a letter explaining the loss, a copy of the DD Form 200, baggage claim check, and other related documents to DFAS for filing a claim with the carrier.

16.2.9. Reciprocal Agreement Between Army and Air Force. This agreement also is included in paragraph 14-32.f., Army Regulation (AR) 735-5. The agreement is quoted below.

"(1) In processing ROS, a situation occasionally develops where personnel of the Air Force are determined to be liable for loss, damage, or destruction of Army property and vice versa. The Army and the Air Force have agreed that the action on and routing of the ROS is governed by the regulations of the property's owning service without regard to the service assignment (parent service) of the respondent.

"(2) When a ROS results in a finding that a member, whose parent service is other than the property's owing service, should be held liable for the loss, damage, or destruction of the property involved, forward the ROS to the parent service's ROS approving authority with jurisdiction to act on ROS concerning the member involved.

"(a) The owning service's ROS will contain all evidence gathered as a result of the report, the findings and recommendations of the surveying (Air Force read as investigating instead of surveying) officer, and recommendations of the owning service's appropriate ROS approving authority.

"(b) The parent service approving authority will take action on the findings and recommendations according to the parent service's ROS regulations. Collection will be pursued under the parent service regulation.

"(c) The parent service approving authority will take action to notify the owning service approving authority of the action taken on the ROS or to reconcile any differences in the anticipated action and recommendations of the owning service."

16.2.10. Collection From Navy or Marine Corps Members. When financial liability has been assessed against Navy or Marine Corps personnel, the following procedures apply:

16.2.10.1. Notify the member in the same manner as for Air Force members. Request lump-sum payment of the amount due.

16.2.10.2. If after 90 days from initial notification, the member fails to pay, either in lump-sum or installments, and there is no indication that an appeal was filed within 60 days of notification, send

the ROS file to the FSO for referral to DFAS for collection assistance. The file must contain the appropriation to be credited (Treasury receipt account, local operation and maintenance, local family housing operation and maintenance, stock or industrial fund), SSN, and the member's last known address.

16.2.11. Collection From Separated Members. If an Air Force member separates before a ROS is completed, the following procedures apply:

16.2.11.1. If the member has not been notified of an impending financial liability before his or her separation, notification must be given in the same manner as for active duty members. The forwarding address can be obtained from the FSO. If the separated member does not respond to the initial notification within 42 days, including 12 days mailing time, send the ROS to the approving authority for final action. If the approving authority assesses financial liability, again notify the separated member of the assessment in the same manner as the active duty members. If, after 90 days from initial notification, collection is not being made or the separated member does not respond, transfer the case file to the FSO for referral to DFAS for collection assistance. Include notification letters in the transferred file.

16.2.11.2. If a member separates after signing block 16g, DD Form 200, but before the approving authority assesses financial liability, give notification of the approving authority's assessment in the same manner as for active duty members (forwarding address can be obtained from the FSO. If, after 90 days from initial notification, the debt is not being collected or the separated member fails to respond, transfer the case file to the FSO for referral to DFAS for collection assistance. Include notification letters in the transferred file. FSO notification can also be taken before 90 days if the post office returns mail indicating it cannot locate the addressee (see paragraph **1.6.2.**).

16.2.11.3. Do not send ROS files to the FSO until the procedures in this paragraph have been accomplished unless the debtor cannot be contacted. If files are transferred to the FSO, they must contain the appropriation to be credited, SSN, and the member's last known address.

16.2.12. Collection From Retired Members. If an Air Force member retires before a ROS is completed, the following procedures apply:

16.2.12.1. If a member has not been notified of an impending financial liability before his or her retirement, accomplish notification and disposition in the same manner as in paragraph **16.2.11.**

16.2.12.2. If local collection cannot be made using procedures prescribed in this chapter, the files are transferred to the FSO for referral to DFAS for offset against the member's retired pay.

16.2.12.3. If a member has acknowledged an impending assessment of financial liability by signing block 16g, DD Form 200, before retirement, notification of the approving authority's assessment is accomplished in the same manner as in paragraph **16.2.11.** If local collection cannot be made, transfer these files for collection to the FSO.

16.2.12.4. Do not send ROS files to the FSO for referral to DFAS for collection until the procedures in this paragraph have been accomplished. If files are transferred to the FSO, they must contain, as a minimum, the retiree's social security number and the amount of the debt. In the transmittal memorandum, request a treasury check be sent to the FSO maintaining the accounts receivable and cite receipt account 573019. When the check is received by the FSO, the proper account is credited (paragraph **16.2.13.**).

16.2.13. Accounting for Collections and Receivables. **NOTE:** This paragraph is included for your information. The procedures listed below are accomplished primarily by DFAS.

16.2.13.1. Credit collections, whether cash or by voucher deduction, to General Fund (Miscellaneous) Receipts, Recoveries for Government Property Lost Or Damaged (573019). Collections for government property lost, damaged, or destroyed of other DoD components must also cite this receipt account. Collections for damage to family housing are credited to the Family Housing Management Account. Collections for damage to unaccompanied personnel housing are credited to the local O&M appropriation. Collections for loss or damage to Air Force stock or industrial fund property is credited to the appropriate division of the fund involved. Collections for loss or damage to property of a vendor, contractor, or another government that the United States Government has an obligation to return are credited according to the provisions of the contractor the regulations of the theater of operations implementing the international agreement.

16.2.13.2. Refund receivable records are established by DFAS upon notification from the ROS program manager for ROS debts that are credited to accounts other than 573019 when collected. Receivables for uncollectible accounts may be transferred to the DFAS Debt Collection Office only after notification and follow-up requirements in paragraph **16.2.11.** have been met by the creditor organization. The FSO notifies the ROS program manager when the case file is transferred. Once transferred, no further follow-up action is required by either the FSO or the ROS program manager. For debts, where offset is available against a member's retired pay, the DFAS retains accountability for related refunds receivable. DFAS makes offsets and transfers funds collected to the DFAS office at the originating base (paragraph **16.2.12.**) to liquidate the refunds receivable. Close coordination with the ROS program manager is required.

16.2.14. Cases Not Covered By Paragraph **16.2.** In these cases, the program manager should query the FSO regarding how to address the problem.

16.3. Refunds.

16.3.1. Refund of Erroneous Collections. If voluntary payment has been made and the missing item is later located or when the financial liability on a ROS is reduced or canceled and collection has been made:

16.3.1.1. The approving authority informs the individual concerned of the adjustment, authorizes refund of the amount collected, and advises the FSO in writing to process the refund. The refund voucher must be supported by references to the collection voucher or military pay order (MPO) number used for the initial collection and a copy of the document containing the reason for the refund.

16.3.1.2. If final action on the ROS was by the intermediate command or major command approving authority, correspondence authorizing repayment is sent to the base of origin. Attach the correspondence to a copy of DD Form 200.

16.3.1.3. In accordance with AFR 177-101, chapter 25, refunds cannot be disbursed directly out of receipt account 573019. To refund charges collected into receipt account 573019, process an SF 1081, **Voucher and Schedule of Withdrawals and Credits**, debiting (taking the money out of) 573019 and crediting (putting the money into) 57X6875. Then process an SF 1049, **Public Voucher for Refunds**, to refund the money to the member citing 57X6875.

16.4. Members Reassigned. If a member from whom a collection was made has been transferred from the organization originating the charge, all concerned should refer to AFM 177-373, volume I.

16.5. Members Retired. The approving authority notifies the FSO to prepare the refund documentation if the member's address is known. The refund voucher must be properly supported by the document authorizing the refund. If the member's address is not known, obtain a current mailing address from the FSO at or from DFAS and notify the FSO accordingly. Do not transfer the file to DFAS for refund action.

16.6. Losses Discovered After Personnel Leave the Air Force. While this type of situation should not occur if property records were properly cleared prior to a an officer, NCO, or civilian separating from the Air Force, on occasion, they do. This paragraph applies to persons who separated from the Air Force and are not receiving any pay from the Air Force. In these situations, an after the fact ROS should be processed and an attempt made to obtain reimbursement for the lost, damaged, or destroyed property in the same manner that a ROS would be processed if the person was still on an Air Force payroll. In processing this type of ROS, unit commanders, appointing, and approving authorities should consider taking action against supervisors who might have been negligent in performing their duties. See paragraph **21.4.**

Chapter 17

RECONSIDERATIONS, APPEALS, AND WAIVERS

17.1. General. After action has been taken by the approving authority on a determination of liability under the provisions of this manual, a ROS is not reopened, corrected, or altered in any manner except as provided in this chapter.

17.2. Requests for Reconsideration. The approving authority who took action on the ROS may consider requests for reconsideration. Such action may consist of:

17.2.1. Minor Corrections. Minor corrections, which do not involve important changes in findings or recommendations of investigating officials or in the action of appointing or approving authorities, can usually be made by the program manager who has the original ROS on file. Corresponding corrections should be made on all other copies.

17.2.2. Cancellation. Cancellation of a finalized ROS that was used to adjust property control records is seldom necessary or desirable; however, the approving authority who took action may cancel the original ROS if circumstances warrant, such as duplicate ROS; discovery of items previously reported as lost; and a ROS erroneously initiated to cover property belonging to activities other than the Air Force. The approving authority canceling a ROS notifies each activity on distribution and ensures that any adjustment action taken is reversed. Canceled and regular ROS are kept for six years as prescribed in paragraph **11.6.**

17.2.3. New Evidence. If new evidence or information becomes available, the approving authority or higher headquarters may reopen a ROS. Amending action may be taken with or without reinvestigation; however, the approving authority may direct the investigating officer or may appoint a financial liability officer to make whatever additional investigation has been directed or is appropriate. Upon completion of the additional investigation, the ROS is resubmitted through original channels to the approving authority taking previous action. If the approving authority taking the previous action determines that further investigation by an investigating or financial liability officer is not necessary, additional corrective action may be indicated on the ROS immediately or, if desired, after additional information or evidence has been evaluated. Notice of corrective action on a ROS must be communicated through proper channels to all offices having copies.

17.2.4. Property Recovered Is Damaged. When property believed to be lost and dropped from property records by an approved ROS is later found but is damaged, the original ROS will be canceled and a new ROS initiated to:

17.2.4.1. Establish responsibility for the damage.

17.2.4.2. Establish financial liability, if warranted.

17.2.4.3. Establish monetary loss or cost of repair.

17.2.4.4. Dispose of unserviceable property.

17.3. Appeals. A person held financially liable may appeal the findings of a ROS.

17.3.1. The appeal must be submitted in writing, and specifically state the alleged errors or injustices occurring during the survey process. A member may seek legal assistance in preparing an appeal. (A request for reconsideration based on new evidence is processed in accordance with paragraph **17.2.3.** and is not considered an appeal.)

17.3.2. Appeals must be submitted to the approving authority within 30 days of the date the individual charged is originally notified of the assessed liability; however, in cases where assessed financial liability exceeds one month's basic pay, the written intent to appeal must be submitted to the approving authority within 30 days and the appeal must be submitted within 60 days.

17.4. Debt Collection Actions.

17.4.1. If an individual submits an appeal, the ROS program manager notifies the individual's servicing FSO to suspend collection of the debt.

17.4.2. If an individual is scheduled for impending separation or resignation before an appeal can be ruled on, collection of the debt will be made; however, if the appeal is approved, the person(s) will be reimbursed.

17.5. ROS Appeal Procedures When the Approving Authority is in an Organization Below MAJCOM Level.

17.5.1. If the wing/installation approving authority grants the appeal, it is returned to the ROS program manager who annotates the survey register, notifies the individual, and the individual's servicing FSO of the successful appeal. The FSO cancels the indebtedness on the individual's pay account. If collection was already made, the amount collected is refunded to the individual in the same manner as for erroneous collections. No further action is required on the appeal.

17.5.2. If the wing/installation approving authority denies the appeal, either in whole or in part, the program manager notifies the individual and sends the complete file to the next higher commander who takes action as outlined in **Chapter 12**.

17.5.3. If the next higher commander approves the appeal, it is returned to originating wing/installation for closure action; however, if the appeal is denied, the next higher commander forwards it to the MAJCOM commander who takes final action "By Authority of the Secretary of the Air Force." This paragraph assumes that there is only one "next higher commander" between the wing and the MAJCOM.

If there are more than one, then the ROS is forwarded through command channels. All intermediate commands must be advised of actions taken by higher headquarters so that their suspense files may be cleared.

17.5.4. Any commander acting on a ROS appeal may exercise the discretionary options addressed in paragraph **8.6.**

17.6. Preparation of ROS Files for Forwarding.

17.6.1. The appeal file sent by the wing/installation approving authority will contain the following papers in duplicate:

17.6.1.1. A transmittal letter with the following attachments:

17.6.1.1.1. The appeal.

17.6.1.1.2. DD Form 200, **Financial Liability Investigation of Property Loss**, and supporting documents, if any.

17.6.1.1.3. A statement indicating the reasons for denying the appeal.

17.6.1.1.4. A STATEMENT WHICH RESPONDS TO EACH CONTENTION OR ALLEGATION RAISED BY THE APPELLANT.

17.6.1.1.5. A statement of whether or not damaged property will be repaired. (This is needed only when liability is based on estimated repair costs and the damaged property has not been repaired.)

17.6.1.1.6. Appellant's mailing address.

17.6.1.1.7. Any additional information that would assist the next higher commander in ruling on the appeal.

17.6.1.1.8. A statement of whether or not an amount was already collected from an appellant and collection and, or payroll deduction voucher number, if applicable.

17.7. MAJCOM Actions and Appeals From Subordinate Headquarters.

17.7.1. If the MAJCOM commander grants the appeal, the file is returned directly to the originating wing/installation commander for processing action by the program manger; however, the MAJCOM will advise the intermediate headquarters of this action so that their suspense files can be closed.

17.7.2. If the MAJCOM denies the appeal, either in whole or in part, the file is returned directly to the originating wing/installation commander, who notifies the individual and pursues collection via the individual's FSO. The MAJCOM's appeal action is final and no further appeal may be considered. It is taken "By Authority of The Secretary of the Air Force."

17.7.3. Actions on ROS Appeals Originating at MAJCOM level. If the MAJCOM commander is the approving authority and the appeal is denied, the MAJCOM commander sends the appeal to HQ USAF/LGS, who takes final action "By Authority of the Secretary of the Air Force". The transmittal consists of the same documents as prescribed in paragraph **17.6.** above.

17.8. Housing Damage Waivers. Approving authorities may waive all or part of the assessed liability for damage to government accommodations based on the circumstances in the case. Details are outlined in **Chapter 19**.

Chapter 18

ROS PERTAINING TO VEHICLES

18.1. General. This chapter provides guidance relating to damage to private conveyances, rental vehicles, and government owned vehicles. For the purposes of this manual, a vehicle is considered to be any piece of equipment that moves on a solid surface either under its own power, towed, or pushed and is used to move people or things. A vehicle can be mounted on wheels, tracked treads, or runners and be of commercial or military design. The following are examples of vehicles; however, it is not an all inclusive list: sedans; pick-up and cargo trucks; prime movers; trailers; motorcycles; tracked vehicles; manual or motor operated cranes; snow mobiles; aircraft cargo loaders; hand operated or mechanized warehouse material handling equipment, such as warehouse tractors and trailers, forklift trucks, cranes, stackers which may be manually or computer controlled, and any other type of mechanized materials handling item. This list compliments the definitions of a vehicle in Joint Publication 1-02, *DOD Dictionary of Military and Associated Terms*, and Webster's Dictionary.

18.2. Damage Involving Private Conveyances. Damage to Air Force property resulting from operation of privately owned vehicles, boats, airplanes, or other conveyances is not generally subject to the ROS process. Claims, or administrative action against responsible individuals are usually pursued under AFI 51-501 (Tort Claims) and other regulations. If Air Force members or employees are involved, a ROS may be processed instead of asserting a tort claim for the damage to Air Force property. These actions must be coordinated with the legal office.

18.3. Damage to Rental Vehicles.

18.3.1. A ROS is initiated in accordance with paragraph **18.4.** for damage to General Services Administration (GSA) vehicles and commercial rental vehicles under Air Force control. (Commercial rental vehicles are under Air Force control when an Air Force contracting officer enters into a written agreement with a commercial rental vehicle company to make vehicles available for government use.)

18.3.2. Damage to vehicles rented by members and employees directly from commercial companies is not subject to the provisions of this manual, regardless of whether or not the rental was authorized on government orders.

18.4. ROS Guidance and Procedures for Government Vehicles.

18.4.1. General.

18.4.1.1. When to Process a Vehicle ROS. Paragraph **18.4.** provides guidance on when a ROS is processed and when financial liability can be imposed on Air Force members and employees in cases involving the loss, damage or destruction of government vehicles. More significantly, in cases involving government vehicles, the standard used for processing ROS and imposing financial liability is gross negligence, willful misconduct, or deliberate unauthorized use.

18.4.1.2. Rationale for the "Gross Negligence" Guidance. The "gross negligence" criterion has been adopted to eliminate the significant expenditure of resources to process reports of survey for little monetary return to the Government, and to more equitably distribute the risk of liability associated with government vehicle damage. Past practices had resulted in unfairly charging the vehi-

cle operators (normally the most junior airmen and civilian employees) for motor vehicle damage, which is commonly recognized as a normal cost of doing business. However, the gross negligence standard does not preclude a commander from taking other administrative or disciplinary actions against individuals who damage government vehicles. See paragraph **18.4.2.3.**

18.4.2. Overall Guidance.

18.4.2.1. When a Vehicle ROS Is Required. A ROS must be processed in all loss, damage, or destruction cases if there is evidence of gross negligence, willful misconduct, deliberate unauthorized use, or if property records must be adjusted.

18.4.2.2. Assigning Financial Liability. Air Force members and employees can be held financially liable only in those cases in which the loss or damage to government motor vehicles was proximately caused by the member's or employee's gross negligence, willful misconduct, or deliberate unauthorized use.

18.4.2.3. Punishments and Administrative Actions. The fact that a ROS was not processed or financial liability was not imposed on the person responsible for the vehicle damage does not prevent the commander from taking other action against the responsible person. These actions include, but are not limited to, punitive action under the UCMJ, disciplinary action under AFI 36-704, (Discipline and Adverse Actions), verbal or written reprimands, verbal or written counseling, remarks in performance evaluations, non-judicial punishment under Article 15 of the UCMJ, or other appropriate administrative action.

18.4.3. Implementing Instructions.

18.4.3.1. Appointing Investigating Officers. When a vehicle is lost, damaged, or destroyed, the "approving or appointing authority" or the commander of the organization that has possession of the vehicle will appoint an investigating officer who will ascertain the facts in the case and make a recommendation to the "approving or appointing authority" on whether or not processing a ROS is required. This also applies to vehicles that may be deployed or issued on hand receipt to individuals outside of the owning organization. General procedures for processing a ROS are contained in **Chapter 4**. Investigating officer duties are described in **Chapter 7**. Time frames for processing a ROS are addressed in **Chapter 5**.

18.4.3.2. **Requirement for Impartial Investigating Officers. Generally, the squadron vehicle control officer or vehicle control NCO cannot be appointed as investigating officers because, in most cases involving damaged vehicles, these individuals do not meet the "disinterested" or "impartial" requirement necessary for investigating officers. See paragraph 7.1.2.**

18.4.3.3. Vehicle Accident Reports. A motor vehicle accident investigation report prepared by security police personnel, civilian law enforcement authorities, or transportation/vehicle control officers may be used by the investigating officer to determine whether there is evidence of gross negligence, willful misconduct, or deliberate unauthorized use. The accident investigation report can be used for this purpose only if it thoroughly documents the facts and circumstances of the damage.

18.4.3.4. Other Accident Investigations. If an accident investigation report was not accomplished, has insufficient information, or leaves doubt that all facts have been presented, then the investigating officer must conduct an investigation to determine all facts and circumstances of the damage.

18.4.3.5. Investigating Officer's Recommendations. After reviewing the facts and circumstances of the damage, the investigating officer must make a written recommendation to the "approving or the appointing authority" as to whether or not a ROS is required. The investigating officer will provide a copy to the ROS program manager. After considering the investigating officer's recommendation, the "approving or the appointing authority" makes the final decision on whether or not a ROS will be processed. The ROS program manager will be advised of this decision.

18.4.3.5.1. Recommendation Not to Process a ROS. If the facts and circumstances clearly indicate the absence of gross negligence, willful misconduct or deliberate unauthorized use, the investigating officer makes a written recommendation to the "approving or the appointing authority" that a ROS is not required and no financial liability should be imposed; however, if property records must be adjusted, a ROS must be processed. The investigating officer provides a copy of the recommendation to the ROS program manager.

18.4.3.5.2. Recommendation that a ROS Be Processed. If the facts and circumstances indicate the presence of gross negligence, willful misconduct or deliberate unauthorized use, or if property records must be adjusted, the investigating officer makes a recommendation to the "approving or the appointing authority" that a ROS is required and should be processed. The investigating officer provides a copy of this recommendation to the ROS program manager.

18.4.3.6. Withdrawing O&M Funds. Whether or not a ROS is processed under the procedures set forth in **Chapter 4**, wing or installation commanders should consider withdrawing operation and maintenance (O&M) funds from the unit to which the responsible individual is assigned and transferring these funds to the organization that must repair the damage. See paragraph **2.3.5.**, *Penalizing Units Whose Members Abuse Property*.

18.4.3.7. Unit Reviews of Accident Records and Program Managers' Trend Data. This sub-paragraph requires action by commanders or approving authorities, organizations which have accidents, and program managers. It has two purposes.

18.4.3.7.1. The first is to ensure that commanders of units involved in accidents review their loss, damage, or destruction data so that corrective action may be taken to prevent recurrences, to ensure a ROS is processed when required, and cases are reviewed to determine if disciplinary or administrative action should be taken against the individuals involved in the accidents.

18.4.3.7.2. The second is to enable the ROS program manager to develop trend data which can be presented to the commander or the approving authority. To gather this information, the program manager will make an entry on the AF Form 453 indicating that an accident occurred. It also will provide a reason why a ROS was not processed. It is a base or MAJCOM responsibility to prescribe the type of information that will satisfy the trend data requirement.

Chapter 19

ROS PERTAINING TO GOVERNMENT HOUSING

19.1. General. Paragraph 0707 of the DoDR cited in paragraph **1.2.2.** of this manual outlines DoD policy pertaining to government housing liability. Some portions of paragraph 0707 are included in this chapter that prescribes the liability of military personnel for the loss, damage, or destruction of government housing (family housing or unaccompanied personnel housing). It also describes minimum requirements for assessing financial liability when government housing, including equipment or furnishings therein, is lost, damaged or destroyed. Government housing within the scope of this chapter includes both permanent and temporary quarters either owned by, or controlled by, the U.S. Government.

19.2. Determination of Proximate Cause. A member of a Military Service shall be held liable to the United States for the loss, damage or destruction of family housing or an unaccompanied personnel housing unit assigned to a member, including equipment and furnishings therein, when a determination is made that the loss, damage or destruction was proximately caused by the abuse or negligence of the member, a dependent of the member, or a guest either of the member or the member's dependent.

19.3. Financial Liability of Occupants. Financial liability against personnel for loss, damage or destruction of government housing, including equipment and furnishings is assessed for the full amount of the loss if the loss, damage or destruction was proximately caused by gross negligence or abuse. Liability of occupants for damage to government housing and related equipment and furnishings is prescribed in 10 U.S.C. Section 2775 and DoD 4165.63-M.

19.4. Determination of Negligence. Determinations must be made on whether the loss or damage to government housing was proximately caused by simple or gross negligence or abuse of the member, the member's dependents, or guests of either.

19.4.1. When the proximate cause of the loss or damage is determined to be gross negligence or abuse, the financial liability of the member is for the total amount of the loss to the government. Where a member's dependent or guest causes a loss or damage through gross negligence or abuse, the member is fully liable for the loss or damage if the member was "on notice" of the particular risk involved and failed to exercise reasonable, available opportunities to prevent or limit the loss or damage.In the absence of evidence to the contrary, the member is presumed to have been "on notice" of any risks attending the activities of family members and guest(s) on the premises.

19.4.2. Where simple negligence is determined to be the proximate cause of the loss or damage, the financial liability of the member is limited to an amount equal to basic pay for one month at the rate in effect at the time of the loss, or the amount of the loss, whichever is less.

19.4.3. A member is liable for damages to or failure to satisfactorily clean any assigned family housing or unaccompanied personnel housing unit (including loss or damage to equipment and furnishings therein) if a ROS determines that the loss or damage was caused by the member's negligence or deliberate unauthorized use of such unit.

19.4.4. ROS on members who damage nonassigned quarters are subject to the guidance contained in paragraphs **19.1.** through **19.3.** If both assigned and nonassigned quarters are damaged in the same

incident, a member may be held liable for damage to assigned quarters, and may also be held liable for damage to nonassigned quarters up to one month's basic pay. Under these circumstances, total liability for all quarters damaged in a single incident may not exceed one month's basic pay, unless gross negligence or willful misconduct is involved.

19.4.5. If assigned quarters and personal or organizational equipment are damaged in the same incident, a member may be held liable for quarters damage and may also be held liable for damage to the personal or organizational equipment.

19.5. Responsibility for Submitting a ROS. The civil engineer (CE) is responsible for preparing a ROS applicable to housing damage because the CE is both the custodian and the accountable officer for the housing and the contents. This is different from the normal equipment item that is on the accountable records of one person but another organization or person in that organization has custodial responsibility for the item. For these items the unit commander (custodian) prepares the ROS.

19.6. Waiver Provisions - Housing Damage. 10 U.S.C. Section 2775 provides for waiver of liability arising under conditions in paragraphs **19.1.** through **19.3.** The waiver applies to both family housing and unaccompanied personnel housing. The Secretary of the Air Force may waive an uncollected claim of the United States if he or his designee, based upon the unique circumstances of an individual case, determines that the waiver of the claim is in the best interests of the United States. This authority is delegated to the ROS approving and appellate authorities. Detailed procedures follow.

19.7. Waiver Consideration for Housing Damage. Liability resulting from damage to assigned family housing or unaccompanied housing (including equipment and furnishings therein) is subject to waiver by the ROS approving authority. Liability may be waived, in whole or in part, by the approving authority if, based upon the unique circumstances of an individual case, it is determined that the waiver is in the best interest of the Untied States.

19.7.1. Factors To Be Considered. In determining whether or not liability should be waived by the approving authority, factors to be considered may include, but are not limited to the following:

19.7.1.1. Degree of abuse or negligence involved.

19.7.1.2. Where damage was caused by a dependent or guest, whether or not the member or the member's spouse was on notice of the activities in question and exercised available opportunities for preventing or limiting the damage, or otherwise exercised proper control over dependents or guests.

19.7.1.3. The extent, if any, to which involuntary collection would cause substantial financial hardship, constitute a clear injustice, or adversely impact unit morale and discipline.

19.7.1.4. Available government remedies against other culpable persons, and the relative culpability of all persons whose actions or omissions contributed to the damage or loss.

19.7.1.5. Any prior instances of abusive or negligent conduct toward government property.

19.7.1.6. In overseas areas, the unavailability of private insurance to cover the liability of individuals who would normally be insurable in the United States.

19.7.2. Waiver Procedures. A member may specifically request a waiver and provide support for the request in writing. In the absence of such a request, the approving authority still considers the appropriateness of granting a waiver based on the information in the ROS.

19.7.2.1. Individual Charged. Once a member has been notified that charges are being considered for damage to government housing, he or she is advised of certain options available. One of these options is to submit a fully substantiated waiver request to the approving authority. If the member elects to request waiver, it is submitted to the ROS program manager at the same time the DD Form 200 (with block 16 completed) is returned to the program manager.

19.7.2.2. If waiver request is received along with the DD Form 200 (with block 16 completed), the program manager sends the waiver and the DD Form 200 through the appointing authority to the approving authority.

19.7.2.3. The appointing authority takes no action on the waiver, sending the waiver request to the approving authority with the DD Form 200 (after completing block 13). While the appointing authority has no active role in waiver determinations, he or she may direct that corrections be made if policies and procedures relating to waivershave not been adhered to.

19.7.2.4. Approving Authority. If the approving authority has assessed financial liability, he or she immediately decides whether or not to waiver that liability by considering the factors in **Chapter 17**. A wavier is considered regardless of whether or not a member specifically requests a waiver. If the approving authority waives the liability in full, disposition is the same as for relief of liability. The program manager advises member and the FSO that the debt is canceled. If the approving authority does not waive the liability in full, the member is so notified and is advised of what further options for relief are available.

19.7.2.5. Upon receipt of an adverse waiver determination, a member may appeal the determination of liability under procedures in paragraph **17.3.**, or request further waiver consideration by the MAJCOM commander. These options must be exercised within 30 days of the date the member is notified of the assessment of liability. The options must be elected concurrently, and not sequentially, within 30 days, and the election may not be changed except to withdraw an option. If either or both options are elected, the following procedures apply:

19.7.2.5.1. If a member appeals a determination of liability under procedures in paragraph **17.3.**, and also requests further waiver consideration by the MAJCOM commander, the two actions are considered concurrently. The approving authority considers the appeal of the assessment of liability. If the appeal is denied, the entire appeal and waiver package is sent to the MAJCOM commander for final action on the appeal and the waiver. The MAJCOM commander first considers the appeal, and, if denied, immediately considers the waiver.

19.7.2.5.2. If a member elects to submit an appeal only, procedures in paragraph **17.3.** apply.

19.7.2.5.3. If a member elects to only request a waiver, the approving authority reviews the ROS file. If the waiver request is disapproved, the case is sent to the next higher headquarters for action on the waiver. The waiver package consists of the same documentation as in paragraph **17.3.** substituting "waiver" for "appeal."

19.7.2.6. If the MAJCOM commander waives the liability in full, the file is returned to the wing approving authority for action by the ROS program manager who annotates the survey register and notifies the individual and the individual's servicing FSO of the waiver. The FSO cancels the

outstanding indebtedness on the individual's pay account. Because the waiver authority only relates to outstanding claims of the United States, any amount of a housing damage debt collected before the waiver is requested may not be refunded.

19.7.2.7. If the MAJCOM commander does not waive the liability in full, the file is returned to the base for action by the ROS program manager, who notifies the individual and pursues collection via the individual's servicing FSO. If part of the liability is waived, the FSO reduces the debt and collects the remaining amount.

19.7.2.8. Waiver determinations made by the MAJCOM commander are final.

19.7.2.8.1. If liability is not waived in full by the MAJCOM commander, an enlisted member may request remission by HQ USAF/LGS, using the Air Force procedures and criteria established under 10 U.S.C. Section 9837.

19.7.2.8.2. Officers may request waiver consideration by the Secretary of the Air Force under the authority of 10 U.S.C. Section 2775, but the procedures and criteria used in considering such a waiver are those established by the Air Force under 10 U.S.C. Section 9837. That is, enlisted and officers both use remission channels rather than ROS channels to obtain consideration by the Secretary of the Air Force. AFM 177-373, volume I, applies.

19.7.2.9. In cases where the MAJCOM commander is the approving authority on the ROS and the waiver is denied, the MAJCOM commander sends the waiver request to HQ USAF/LGS for consideration. HQ USAF/LGS follows procedures that are similar to those for the MAJCOM commander.

19.8. Action and Processing of Housing Liability Waivers.

19.8.1. Waiver requests can be processed through channels from the wing/installation commander to the next higher commander. In these cases the next higher commander takes one of two actions.

19.8.1.1. Takes final action disapproving the waiver request "By Authority of the Secretary of the Air Force," if the MAJCOM has authorized this by written delegation of authority.

19.8.1.2. Forwards the waiver request to the next higher commander, probably the MAJCOM, for action if the commander above wing level has not been given disapproval authority.

19.8.2. MAJCOM Actions.

19.8.2.1. The MAJCOM commander takes final disapproval action "By Authority of the Secretary of the Air Force" on waiver requests where liability was not waived by lower-level organizations.

19.8.2.2. If the MAJCOM commander was the approving authority on the ROS for which a waiver request was submitted, and does not waive the liability, sends the waiver request to HQ USAF/LGS for final action.

19.8.2.3. USAF/LGS takes final action "By Authority of the Secretary of the Air Force" on waiver requests where liability is not waived by the MAJCOM commander.

Chapter 20

SUPPLY SYSTEM AND PETROLEUM STOCKS

20.1. General. This chapter applies to Air Force property defined as "supply system stocks" and contains procedures to be followed when discrepancies are discovered. Retail bulk petroleum stocks also are addressed. Supply system stocks are those inventories where a stock record account is required to be maintained, showing by item the receipt, issue, and disposal of property, the balances on hand, and such other identifying or stock control data as may be required. This includes in-stores wholesale and retail inventories financed by stock funds and other appropriations for issue to end-use customers. Wholesale stocks are the responsibility of Defense Logistics Agency (DLA).

20.2. Guidance. Accountable officers for supply system stocks are liable for the full amount of the loss, damage, or destruction of property for which they are accountable when the loss, damage, or destruction is proximately caused by their negligence, willful misconduct, or deliberate unauthorized use. Liability for the full amount is addressed in paragraph C.4.6. of the DoD directive cited in paragraph **1.2.**

20.3. DoD Supply System Stocks Procedures. The following is an extract of the DoD Regulation cited in paragraph **1.2.2.** as it pertains to supply system stocks and is provided for guidance.

"0708 SUPPLY SYSTEM MATERIEL

"070801. Purpose. This section applies to personal property defined as "supply system materiel" and contains procedures to be followed when inventory losses are discovered. The provisions of this chapter are applicable to all activities accountable for supply system materiel including stock fund and other inventories (e.g., appropriated fund, industrial fund, etc.).

"070802. Inventory. Physical inventories shall be taken in accordance with the provisions contained in this Regulation and DoD Instruction 4140.35 "Physical Inventory Control for DoD Supply System Material."

"A. Discrepancies. Despite the safeguards established by DoD Components in the care and maintenance of supply system stocks, discrepancies may occur between stock record balances and materiel in storage. These discrepancies are subject to postcount validation, preadjustment research, and causative research, as prescribed in chapter 7 of DoD 4000.25-2-M, "Military Standard Transaction Reporting and Accounting Procedures (MILSTRAP)."

"B. Adjustments. An adjustment shall be made to the inventory and financial records to bring those records into balance after appropriate research. Care should be taken to process the transactions correctly (e.g., an issue posted twice should be corrected by a reversal (credit transaction), not as a loss of inventory). These types of corrected discrepancies are referred to as resolved discrepancies. For unresolved inventory losses, an inventory adjustment document or a DD Form 200 shall be used to substantiate adjusting the inventory and accounting records to the stock on hand and to provide relief from property accountability or responsibility.

"C. Causative Research

"1. Causative research shall be conducted for all inventory discrepancies that meet any of the criteria specified in DoD 4000.25-2-M, "Military Standard Transaction Report-

ing and Accounting Procedures (MILSTRAP)." For inventory discrepancies which do not meet the criteria for performing causative research, a justification for adjusting the inventory and accounting records and relief from property accountability shall be provided by means of an inventory adjustment document in accordance with section D. below.

"2. One of the purposes of this research is to either establish liability or provide relief from accountability for the accountable and/or responsible officer(s) for the loss, damage or destruction of supply system materiel.

"3. Another purpose of the research is to determine if the loss to the government was proximately caused by the negligence or abuse of individuals. If an individual accepts responsibility for the loss, damage or destruction of supply system materiel and voluntarily reimburses the government, a DD Form 200 is not required. The collection voucher may be used to adjust the financial and property records.

"D. DD Form 200 Used in Substantiating Inventory Loss Adjustments. When authorized, the reviewing authority may approve physical inventory adjustments equal to or less than $50,000, when negligence or abuse is not evident or suspected. When negligence or abuse is evident or suspected, the reviewing authority initiates and forwards the DD Form 200 to the appointing authority for action. The financial liability investigation shall be used to substantiate adjusting the stock record, and providing relief from property accountability.

"070803. Resolved Inventory Losses

"A. Accountability. The data developed by postcount validation, preadjustment research, and causative research shall be utilized to prepare correcting documentation so that the inventory accounting systems may be updated. These adjustments shall be processed in accordance with this Regulation and DoD 4000.25-2-M.

"B. Statistics. This type of data shall be classified in accordance with chapter 7 of DoD 4000.25-2-M and the data accumulated to identify trends and problem areas.

"070804. Unresolved Inventory Losses that Do Not Meet the Criteria for an Investigation

"A. Accountability. Relief from property accountability and justification for the adjustment of the inventory and accounting records to the inventory on hand shall be provided by means of an inventory adjustment document. The detail data requirements and procedures for preparing and processing the inventory adjustment document shall be as prescribed in appropriate DoD Component implementing documents.

"B. Authority for Adjustment. If the cause or probable cause of the discrepancy has not been determined, and the discrepancy does not qualify for causative research, this paragraph shall be cited as authority for relieving the accountable officer of accountability.

"C. Statistics. See paragraph 070803.B, above.

"070805. Unresolved Inventory Losses - Causative Research Indicates No Personal Responsibility

"A. Accountability. See paragraph 070804.A, above.

"B. Statistics. The type of inventory losses shall be categorized and accumulated by category to identify trends and/or problem areas in accounting or supply system procedures in accordance with chapter 7 of DoD 4000-25.2.M.

"070806. Unresolved Inventory Losses - Causative Research Indicates Evidence of Personal Responsibility

"A. Method of Adjustment. A financial liability investigation shall be used to support adjustment of the inventory and accounting records to the actual inventory on hand and to relieve the accountable officer of accountability.

"B. Statistics. See paragraph 070805.B, above.

"070807. Criteria for an Investigation. A financial liability investigation shall be initiated on all unresolved inventory discrepancies for each stock number that meets any of the following criteria:

"A. Gains and losses of sensitive items (e.g., drugs, precious metals, hazardous materiel, small arms, ammunition, explosives), regardless of dollar value.

"B. Gains and losses of classified items, regardless of dollar value.

"C. Gains and losses of pilferable items when the unit price times the quantity is equal to or greater than $2,500.00 for each stock number.

"D. Any inventory loss when there is an indication or suspicion of fraud, theft or negligence.

"E. Repetitive losses when the cumulative dollar value of the inventory losses equals or exceeds the projected cost of the financial liability investigation.

"F. Bulk petroleum when the loss exceeds the stated allowance.

"070808. Procedures for an Investigation

"A. Accountability and Responsibility. For unresolved inventory losses which meet the criteria set forth in paragraphs 070806 and 070807, above, a DD Form 200 is required to relieve accountable or responsible officers from responsibility, to substantiate adjustment of the inventory and accounting records to the inventory on hand, and to identify problem areas or trends for corrective actions. A financial liability investigation should be conducted by a person who is not directly supervised by the accountable or responsible officer. It shall include, as a minimum, the following actions:

"1. Review and evaluate existing procedures for their adequacy in protecting property.

"2. Determine compliance with prescribed regulations and procedures.

"3. Determine who is involved and what responsibilities they have been assigned.

"4. Determine whether negligence or abuse is evident.

"5. Review of causative research conducted.

"6. Determine the cause or the probable cause of the inventory loss.

"7. Recommend actions to minimize recurrence of the inventory loss.

"B. Review the Adequacy of Procedures in Protecting Property.

"1. Physical Security Review. Determine if storage facilities are adequate to ensure proper safeguarding of all items, especially those items that are sensitive, classified, or subject to pilferage. The review should include an evaluation of compliance with regulatory requirements, procedures to determine degree of susceptibility of items to theft or pilferage, and lessons to be learned from losses that have been experienced.

"2. Receipt, Storage, and Shipment Procedures Review. Determine if adequate procedures exist to prevent loss from theft or pilferage during receipt, storage, or shipment. The degree of protection should be commensurate with statutory and regulatory requirements, the degree of susceptibility to theft or pilferage, and experienced losses.

"C. Determine Procedural Compliance. Determine if the responsible persons have complied with existing procedures to protect Government property. If they have not complied with the procedures, determine if they failed to comply or were instructed not to comply."

20.4. Air Force Procedures Implementing DoD Policy.

20.4.1. Discrepancies in supply system stocks may occur between stock record account balances and materiel in storage. DLA will investigate these discrepancies to determine the reason for the out-of-balance condition. If the initial investigation reveals that the discrepancy is the result of a paperwork or posting error, make an accounting adjustment to bring the appropriate records into balance. Accounting adjustments are prescribed in AFI 33-112.

20.4.2. If the initial investigation does not identify the cause of the discrepancy and if the discrepancy does not meet the requirements for a mandatory ROS (**Chapter 3**), use an inventory adjustment document to adjust the stock record account.

20.4.3. If the initial investigation does not identify the cause of the discrepancy and the discrepancy meets the requirement for a ROS, a further investigation must be conducted by disinterested person addressed in **Chapter 7**. Document the results of the investigation on DD Form 200, **Financial Liability Investigation of Property Loss**. Use the ROS to substantiate adjustment of the stock record account, to recommend corrective action, and to determine the financial responsibility of the accountable officer or any other person involved in the discrepancy. The suspense copy of DD Form 200 can be used to adjust the inventory control record pending receipt of the approved DD Form 200.

20.4.4. As a minimum, the investigation will cover the requirements listed in the DoD paragraph 070808 contained in paragraph **20.3.**

20.5. Corrective Action Statement. In cases where the investigation determines any type of deficiency in the control of or accounting for property, a statement must be made in block 10, DD Form 200, on the action taken to prevent recurrence of the discrepancy.

20.6. Accountable Officer Signature. DD Form 200, block 17e, Accountable Officer, must be signed by the local inventory manager having accountability for supply system stocks (for example, chief of supply, base fuels management officer, medical supply officer, etc.).

20.7. Reviewing Authority Signature. For supply system stocks, DD Form 200, block 12f, must be signed by the reviewing authority.

20.8. Retail Bulk Petroleum Losses.

20.8.1. Except for minor changes, the following is extracted from paragraph 0709, "Petroleum Product/Losses" contained in DoD Reference cited in paragraph **1.2.2.**

20.8.1.1. Loss Expectancy. Some losses are unavoidable in the handling and storage of volatile products. These losses can be controlled by management actions to limit the rates of loss for such products so that standards are not exceeded. For this reason, volume II, chapter 10, of DoD 4140.25-M, *Management of Bulk Petroleum Products, Storage and Distribution Facilities*, provides authorized loss allowances to accommodate product losses normally expected. Categories of losses are defined in volume II, chapter 11, of DoD 4140.25-M.

20.8.1.2. Any trends, such as a pattern of losses within the allowable percentage, require further research and investigation. These losses shall be researched and reported in accordance with section 0708 of the DoD procedure.

Chapter 21

ROS PERTAINING TO PROPERTY RECORD ITEMS

21.1. General. This chapter applies to Air Force property defined as "property record items" and contains procedures to be followed when discrepancies are found.Property record items includes all Air Force accountable property other than supply system stocks, which are addressed in **Chapter 20**. Definitions of property record items are in paragraph **21.3.** Property record items are not mentioned by DoD in the references cited in paragraph **1.2.**

21.2. Guidance. A ROS is normally required for property record items lost, damaged, or destroyed. There are situations when a ROS is mandatory and other situations when one is not prepared. See **Chapter 3** that outlines when a ROS is or is not required.

21.3. Definition of Property Record Items. This category of property includes the following DoD definitions:

21.3.1. Military Real Property. Lands, buildings, structures, utilities systems, and improvements and appurtenances thereto. It includes equipment attached to and made part of buildings and structures (such as plant equipment). Also, it includes installed equipment, such as fixed overhead crane runways, elevators, lavatories, plumbing, and electrical systems. Machine tools and production equipment are not included under this category.

21.3.2. Military Personal Property. Accountable property of any kind except real property as defined above, supply system stocks, and tools used or capable of use in the manufacture of supplies or in the performance of services or for any administrative or general plant purposed.

21.3.3. Inventories Held in Industrial Funds. Property of the Department of Defense consisting of raw materials, supplies, and work in process held in all industrial funds.

21.3.4. Weapons and Other Military Equipment in Use. Equipment that generally comprises items of materiel assigned to using units and includes all major weapons and supporting equipment. Examples of equipment are aircraft, missiles, tanks, combat vehicles, communications, and electronics systems, heavy support equipment, ships, service draft boats, floating derricks, harbor tugs, and ammunition.

21.3.5. Plant Equipment. Property of a capital nature (consisting of machinery, equipment, furniture, vehicles, machine tools, accessory and auxiliary items, but excluding special tooling), and used or capable of use in the manufacture of supplies, or in the performance of services, or for any administrative, or general plant purposes.

21.3.6. Excess, Surplus, and Foreign Excess Personal Property. Personal property on which disposal action has been initiated by the DoD component. It may have come from supply system inventories or from equipment in use. In either case, accountability is dropped at the time of transfer from the owning agency to the property disposal agency.

21.3.7. Government Furnished Property (GFM). GFM is described in the Federal Acquisition Regulation (FAR), part 45. Examples of such equipment are aircraft engines, electronic systems, and other parts that are furnished to a contractor by contracting offices for incorporation into an airplane, ship,

or other weapon system. The contracting officer to whom the contractor is assigned is responsible for complying with the applicable provisions of the FAR.

21.4. Losses Resulting From Non-Compliance With Account Transfer Procedures Upon Change of Custodians.

21.4.1. AFMAN 67-1 (AFMAN 23-110), Volume II, prescribes procedures to follow when property custodians are changed. They require that a joint inventory be conducted by the old and the new custodian, that any missing items be recorded, that a copy of the property record balance signed by the new custodian be provided to the old custodian, and that in cases of a PCS, the clearance record of the outgoing custodian be initialed to indicate the custodian's account is clear and that the custodian can comply with the PCS orders.

21.4.2. If the custodial records are not in compliance with existing procedures, the clearance record will not be signed and, unless the wing/installation commander directs otherwise, the PCS will be held up until the custodial records are properly processed.

21.4.3. If the custodial records are incorrect and property is unaccounted for because of non-compliance with custodial transfer procedures, the custodians, any supervisors, or other personnel directly involved in the transfer or who are responsible to see that proper procedures were followed will be considered contributorially negligent when the ROS is investigated because they created or condoned conditions or practices which favored the loss or damage of property.

21.4.4. These procedures are not applicable to transfer of custodianship in theaters of operations or in combat situations unless implemented by the wing/installation commander.

Chapter 22

AIR NATIONAL GUARD

22.1. General. This chapter prescribes ROS guidance and procedures unique to the Air National Guard (ANG). The preceding chapters govern guidance and procedures not covered in this chapter.

22.2. Guidance.

22.2.1. All ANG personnel, including civilian employees, active guard and reserve (AGR), and military technicians are responsible at all times for the proper care and safekeeping of United States property. All commanders are responsible for government real and personal property under their control.

22.2.2. Financial liability for the loss, damage, or destruction of United States property issued to the ANG is assessed as follows:

22.2.2.1. Against an ANG member when the loss, damage, or destruction is caused by the member's negligence or willful misconduct in performing ANG military duties or as a result of deliberate unauthorized use of the property.

22.2.2.2. Against the state when the loss, damage, or destruction is incident to duty or activity under the laws of, and in direct support of, the authorities of the state, regardless of who was actually using the property at the time.

22.2.2.3. Against the full-time employee (civilian, AGR, or military technician) incident to employment as an ANG employee when the loss, damage, or destruction was caused by negligence, willful misconduct, or deliberate unauthorized use of the property.

22.3. ANG ROS Guidance.

22.3.1. The following are ANG exceptions to requirements in other parts of this manual:

22.3.1.1. The monthly basic pay in the ANG is defined as:

22.3.1.1.1. For ANG members and AGR employees - 30 days of basic pay at the grade and years of service of the member.

22.3.1.1.2. For civilian employees and military technicians - one twelfth of the annual salary at the grade and step of the employee or technician. Annual salary is determined by multiplying the current hourly rate by 2,087 hours.

22.3.1.1.3. Unless other arrangements have been made with the MAJCOM of a tenant activity, the ANG approving authority will not process any ROS for non-ANG tenant activities on, or attached for logistic support to, an ANG installation. If the non-ANG tenant is a detachment of the Air National Guard Readiness Center (ANGRC) Andrews AFB, Maryland, the approving authority is the ANGRC commander or designee; however, the host chief of Supply requires a suspense copy of a non-ANG tenant's ROS on property accounted for on Equipment Authorization Inventory Data (EAID) records, individual clothing and equipment records, and other similar types of accountable records or custody receipts for the ANG chief of Supply.

22.4. ANG Approving and Appointing Authorities.

22.4.1. The Assistant Deputy Adjutant General--Air is the approving and appointing authority except where possible state liability is involved or in those cases where there is no Assistant Deputy Adjutant General--Air, in which case the Director, Air National Guard is the approving and appointing authority. The Assistant/Deputy Adjutant General--Air or the Director Air National Guard may delegate this authority to the United States Property and Fiscal Officer (USPFO).

22.4.2. The ANG approving and appointing authority:

22.4.2.1. Takes action on all ROS for United States property issued to the ANG that is lost, damaged, or destroyed.

22.4.2.2. Designates in writing the officer or individual responsible for administering the ROS program. See **Chapter 11** for duties and responsibilities of the ROS program manager.

22.4.2.3. A person directly responsible or having custodial responsibility for property listed on a ROS is not authorized to act as approving authority on that ROS. In such cases, the next higher level of authority acts as the approving authority for that ROS.

22.4.2.4. ROS involving state liability are forwarded through the Adjutant General or designee, for comments, to the appropriate air directorate division for property (NGB/LG), real property (NGB/DE), or fiscal (NGB/FM). The appropriate air directorate division provides comments and, or recommendations and forwards through the legal office (NGB/JA) to the Director, Air National Guard (NGB/CF), who has final approval and disapproval authority.

22.5. ANG Senior Host-Base Commander.

22.5.1. Complies with all guidance and procedures in this manual.

22.5.2. Reviews each ROS involving an ANG unit within his or her command. After making a review and recommendation, the host-base commander forwards the complete report to the approving and appointing authority.

22.6. Supply System Stocks - ANG Exceptions. The following are ANG exceptions to these procedures.

22.6.1. The USPFO has appointed an Assistant USPFO for Air (Property) at each ANG flying base who is accountable for all United States property in the possession of all ANG units supported by the base.

22.6.2. DD Form 200, **Financial Liability Investigation of Property Loss**, block 17e, Accountable Officer, must be signed by the Assistant USPFO for Air (Property).

22.6.3. DD Form 200, block 12f, Responsible Officer, must be signed by the Chief of Supply.

22.7. Property Record Items - ANG Implementation. The ANG accountable officers for these items are:

22.7.1. Assistant USPFO for Air (Property) for military personal property, weapons and other military equipment in-use, and plant equipment.

22.7.2. Assistant USPFO for Air (Real Property) for military real property as defined in paragraph **21.3.**

22.7.3. The Assistant USPFO for Air (Fiscal) for all ANG funds.

22.8. Preparing ROS and Voluntary Payment Documents.

22.8.1. Procedures are in **Chapter 14**.

22.8.2. Initiate adjustment documents, a ROS, or statement of charges within 45 calendar days after discovery of loss, damage, or destruction of property.

22.9. Additional Actions Required for ANG ROS.

22.9.1. The financial liability officer must be a commissioned officer, NCO (E-7 or above), or a civilian employee (GS-7 or above, or WG/WL/WS-15 or above).

22.9.2. After recording his or her findings, the financial liability officer should continue with his or her recommendation in block 15. A recommendation of pecuniary liability of relief from liability and/or responsibility is made for each individual involved.

22.9.3. Where the financial liability officer finds that the loss, damage, or destruction of the property was the result of negligence, willful misconduct, or deliberate unauthorized use, he or she enters one of the following recommendations in block 15:

22.9.3.1. The state be held liable.

22.9.3.2. The military member of the ANG be held liable and the state exonerated.

22.9.3.3. The state and the ANG member or employee be held jointly and severely liable.

22.9.3.4. The ANG employee (AGR, military technician, or civilian) be held liable.

22.9.4. After the financial liability officer completes his or her action, all copies of the report and attachments are returned to the approving and/or appointing authority through the senior host-base commander. The financial liability officer is not relieved from this detail until the ANG approving authority takes action on the ROS.

22.10. Collection From States, ANG Members, and ANG Technicians.

22.10.1. Where the state is held liable, the approving authority (Director, Air National Guard) directs the appropriate adjutant general to initiate collection action for the entire loss to the United States Government. Liability charged to a state is paid from state funds, or from any other non-federal funds.

22.10.2. When the state is found jointly and severally liable with one or more ANG member or technician, the state's liability is equal to that of the ANG member or technician.

22.10.3. Collections from ANG members and ANG technicians are accomplished as prescribed in **Chapter 16**.

22.11. ROS Appeal - ANG Implementation.

22.11.1. ANG members or employees and states may appeal ROS that assess financial liability.

22.11.2. A ROS that assesses financial liability and is appealed by an ANG member or employee is forwarded to the Assistant/Deputy Adjutant General -Air or designee, who either:

22.11.2.1. Approves the appeal and directs relief of the financial liability.

22.11.2.2. Disapproves the appeal and forwards it to the legal officer for review and recommendation to the State Adjutant General who has final approval and disapproval authority.

22.11.3. A ROS that assesses financial liability and is appealed by a state, either solely or jointly with an ANG member or employee, is forwarded to the National Guard Bureau legal office, (NGB/JA) for review and recommendation to the Director, Air National Guard, (NGB/CF) who either:

22.11.3.1. Approves the appeal and directs relief of the pecuniary liability.

22.11.3.2. Disapproves the appeal and forwards to the Chief, National Guard (NGB/CC) who has final approval and disapproval authority.

22.11.4. All approvals and disapprovals are "By Authority of the Secretary of the Air Force."

22.12. Forms Prescribed. AF Form 20, AF Form 453, and DD Form 200.

22.12.1. Local forms will not be developed to support this operation.

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Attachment 1

GLOSSARY OF ABBREVIATIONS, ACRONYMS, AND TERMS

Abbreviations and Acronyms

AF—Air Force

AFMC—Air Force Materiel Command

AFMCM—Air Force Materiel Command Manual

AFRE—Air Force Reserve

AFM—Air Force Manual

AGR—Active Guard/Reserve

ALC—Air Logistics Center

ANG—Air National Guard

BEAMS—Base Engineer Automated Management System

BEMO—Base Equipment Management Office

CA/CRL—Custodian Authorization/Custody Receipt Listing

CBPO—Consolidated Base Personnel Office

DFAS—Defense Finance and Accounting Service

DLA—Defense Logistics Agency

DoD—Department of Defense

DoDM—Department of Defense Manual

DoDPM Manual—Department of Defense Military Pay and Allowances Entitlements

DRU—Direct Reporting Unit

EAID—Equipment Authorization Inventory Data

FAR—Federal Acquisition Regulation

FLB—Financial Liability Board

FLO—Financial Liability Officer

FSO—Financial Services Officer

GBL—Government Bill of Lading

GSA—General Services Administration

HQ USAF—Headquarters United States Air Force

IPC—Information Processing Center

MAJCOM—Major Command

MPO—Military Pay Order

NCO—Noncommissioned Officer

NGB—National Guard Bureau

O&M—Operation and Maintenance

OSI—Office of Special Investigations

ROS—Report of Survey

SAF—Secretary of the Air Force

SMA—Subject Matter Area

SNUD—Stock Number Users Directory

SOA—Separate Operating Agency

SRAN—Stock Record Account Number

SSN—Social Security Number

TDY—Temporary Duty

TLR—Tool Loss Report

UCMJ—Uniform Code of Military Justice

U.S.C.—United States Code

USPFO—United States Property and Fiscal Officer

VCO—Vehicle Control Officer

VIMS—Vehicle Integrated Management System

Terms

Abuse—Deliberate unauthorized use of government property or willful misconduct.

Accountability—The obligation imposed by law or lawful order or regulation, or an officer or person for the keeping accurate record of property, documents, or funds. The person having this obligation may or may not have actual possession of the property, documents, or funds. Accountability is concerned primarily with records, while responsibility is concerned primarily with custody care, and safekeeping.

Accountable Officer—An individual appointed by proper authority who maintains item and, or financial records in connection with government property, irrespective of whether the property is in his or her possession for use or storage, or is in the possession of others to whom it has been officially entrusted for use or care and safekeeping. In all cases, the accountable officer is responsible for establishing and maintaining financial property control records, controlling the processing of supporting documentation, and maintaining supporting document files. The primary accountable officers under the Air Force ROS System include the following: chief of supply, medical supply officer, munitions officer, fuels officer, chief of information processing center, civil engineer, etc.

Air Force Members and Employees—Active duty members, Air Force Reserve members, ANG/AGR members, Air Force civilian employees, and ANG civilian technicians.

Appointing Authority—An individual designated in writing by the approving authority. The approving authority may act as the appointing authority. The appointing authority appoints financial liability officers, if required; approves or disapproves the recommendations of the responsible officer or financial liability officer; and recommends actions to the approving authority. The appointing authority is normally senior to the responsible officer, accountable officer, and financial liability officer.

Approving Authority—The approving authority makes determinations to either relieve involved individuals from responsibility and, or accountability or approve assessment of financial liability. The approving authority may act as the appointing authority or designate an appointing authority in writing. The approving authority is normally senior to the appointing authority.

Collective Liability—When more than one individual may be liable for a debt, both collectively or individually.

Commander—An individual vested with command authority in the Air Force. Command includes the authority and responsibility for effectively using available resources and for planning the employment of, organizing, directing, coordinating, and controlling Air Force personnel for the accomplishment of assigned missions. It also includes responsibility for health, welfare, morale, and discipline of assigned personnel.

Controlled Inventory Items—Those items designated as having characteristics which require that they be identified, accounted for, secured, segregated, or handled in a special manner to ensure safekeeping and integrity. Controlled inventory items in descending order of the degree of control normally exercised are:

a. Classified Items. Material that requires protection in the interest of national security.

b. Sensitive Items. Material which requires a high degree of protection and control due to statutory requirements or regulations, such as narcotics and drug abuse items, precious metals, items which are of a high value, highly technical, or a hazardous nature; and small arms, ammunition, explosives, and demolition material.

c. Pilferable Items. Materials having a ready resale value or application to personal possession and which are, therefore, especially subject to theft.

Creditor Organization—The Air Force organization, DoD component, or other federal agency, owed money, or property. For reports of survey, the creditor or organization is the organization to which the approving authority is assigned.

Culpability—Blameworthy, usually associated with error or negligence.

Deliberate Unauthorized Use—Willful or intentional use without right, permit, or authority.

Discrepancies—For purposes of this manual, discrepancies are defined as any government property lost, damaged, or destroyed.

Financial Liability—The statutory obligation of an individual to reimburse the government for loss, damage, or destruction of government property arising from his or her negligence.

Financial Liability Board—A team of investigators consisting of officers, enlisted members, or civilian employees who are qualified to investigate an accident, incident, or occurrence within their area of expertise.

Financial Liability Officer—An individual who is appointed in writing by the appointing authority to

conduct an investigation to determine responsibility for loss, damage, or destruction of government property. Individuals so appointed shall not be the accountable or responsible officer or have any direct interest in the property being investigated. The financial liability officer is normally senior to the persons directly involved with the discrepancy. The appointing authority may act as the financial liability officer.

Gross Negligence—An extreme departure from the course of action to be expected of a reasonably prudent person, all circumstances being considered, and is accompanied by a reckless, deliberate, or wanton disregard for the foreseeable consequence of that act.

Intermediate Commander—Commander of a subdivision of a major command having administrative jurisdiction over two or more installations within that command.

Investigation—A duly authorized, systematized, detailed examination or inquiry to uncover facts and determine the truth of a matter. This may include collecting, processing, reporting, storing, recording, analyzing, evaluating, producing and dissemination of the authorized information.

Liability—The state of being responsible or answerable for the loss, damage, or destruction of government property.

Negligence—The failure to act as a reasonably prudent person would have acted under similar circumstances. Failure to comply with existing laws or regulations may be considered as evidence of negligence.

Personal Arms and Equipment—Individual equipment and clothing issued to individuals for their sole use and care, such as weapons, personal retention items, mobility kit bags, flight jackets, parkas, and similar items. In defining personal arms and equipment determine how the property is used by the member, and whether it is turned in at the end of a work shift. This is especially true when dealing with portable radios and hand tools. A portable radio is personal equipment when the individual uses it consistently, carries it wherever he or she goes, and has it for an indefinite period of time; however, it is not personal equipment when the individual has it for a specified period of time while on duty, and then turns it in to be used by others at the end of his or her shift.

Property—1. Anything that may be owned. 2. As used in the military establishment, this term is usually confined to tangible property, including real estate and materiel. 3. For special purposes and as used in certain statutes, this term may include such items as the public domain, certain lands, certain categories of naval vessels and records of the Federal Government. (Joint Pub 1-02, MAR 94)

Property Record Items—All accountable government property other than supply system stocks.

Property Custodian—An individual appointed by proper authority who is responsible for the custody, care, and safekeeping of Air Force property. Failure to exercise this obligation may result in the assessment of financial liability. The custodian normally issues this equipment to authorized users.

Proximate Cause—The cause which, in a natural and continuous sequence, unbroken by a new cause, produces the loss or damage, and without which the loss or damage would not have occurred. It is further defined as the primary moving cause, or the predominant cause, from which the injury follows as a natural, direct, and immediate consequence, and without which it would not have occurred.

Report of Survey—An official report of the facts and circumstances supporting the assessment of financial liability for the loss, damage, or destruction of Air Force controlled property. It serves as the basis for the government's claim for restitution for the loss or damage against a person, state, territory, or activity.

Responsibility—1. The obligation to carry forward an assigned task to a successful conclusion. With responsibility goes authority to direct and take the necessary action to ensure success. 2. The obligation for the proper custody, care, and safekeeping of property or funds entrusted to the possession or supervision of an individual.

Responsible Officer—An individual appointed by proper authority to exercise custody, care, and safekeeping over property entrusted to his or her possession or under his or her supervision. The loss or damage to Air Force property because of failure to exercise this obligation may result in the assessment of financial liability. Depending on the type of organizational structure, the responsible officer may be one of the following: Wing/installation commander, a group or squadron commander, or other officers in command positions.

Reviewing Authority—An individual designated in writing by the approving authority to review and analyze the results of supply system stock research.

Supply System Stocks—Wholesale and retail stocks in the distribution system under control of DoD components for ultimate sale or issue to user.

Willful Misconduct—Intentional damage, destruction, or loss of government property.

Wrongful Disposition—A sale or disposition without proper authority of government property and, or unwarranted use of that property.

Attachment 2

SAMPLE NOTIFICATION OF INTENT BY THE INVESTIGATING OFFICIAL TO ASSESS FINANCIAL LIABILITY (NON-GOVERNMENT HOUSING DAMAGE)

(Appropriate Letterhead)

The following is a sample memorandum notifying an individual that a ROS investigating official has recommended that he or she be held liable for loss or damage to government property (other than government housing damage). Also see paragraph **1.5.**

Attached is a DD Form 200, **Financial Liability Investigation of Property Loss**, which recommends that you be assessed $ ------ for (loss, damage, or destruction) of government property. (Property may be described here.) This ROS is being processed according to guidance and procedures in AFMAN 23-220.

The recommendation to hold you financially liable was rendered by the investigating official after examination of the facts and circumstances of this case. Before the ROS is sent to the appointing and approving authorities, you are entitled to exercise the certain options. You may:

a. Voluntarily pay the amount of the loss in block 8, DD Form 200 unless the recommendation is a reduced liability. If the recommendation is a reduced liability, the approving authority must review and sign the form before you may voluntarily pay the recommended amount. Payment may be made in cash using DD Form 1131, **Cash Collection Voucher**, or by payroll deduction using DD Form 362, **Statement of Charges/Cash Collection Voucher**.

b. Examine the findings and recommendations on the attached DD Form 200 and the evidence supporting them.

c. Present any additional evidence and submit a statement which refutes a finding of negligence or abuse and which you believe is relevant to a determination of who should be held liable.

d. Request that the approving authority allow you to satisfy this liability by replacing or repairing the property. Replacement property or repair to Air Force property must meet minimum Air Force standards. If there is any doubt as to whether the replacement property or repair meet Air Force Standards, the property or repair will not be accepted.

Your acknowledgment of this ROS is neither an admission of liability nor an acknowledgment of admission of liability nor an acknowledgment of a debt. If you seek legal or other counsel in preparation of a written statement, it must be submitted over your signature, or it must contain your signed endorsement that the statement prepared by counsel is submitted with your full concurrence and consent.

Specific instructions:

a. Place an "X" in the proper area of block 16a on the attached DD Form 200, and complete blocks 16b through 16h.

b. If you intend to make a statement, attach it to the DD Form 200.

c. Return the DD Form 200 (Atch 1), with your statement, if one is submitted, to the ROS program manager as soon as possible but not later than 30 days from the date you were notified of this ROS. Include the following program manager information: name, organization, and, office symbol.

d. Retain the copy of the ROS file (Atch 2) for your records.

When the ROS program manager receives your signed DD Form 200, the entire file will be sent to the appointing and approving authorities for determination of financial liability. If you are relieved from liability, you will be notified accordingly. If you are held liable, you will be notified of your options regarding payment or appeal.

If you do not respond to this memorandum within 30 days, we will process a copy of the ROS to the appointing or approving authority for action. If you returned the DD Form 200 with the block checked indicating you were attaching a statement but failed to submit a statement, we will process the ROS for action if a statement is not received within 30 days of the date you were notified of the ROS by this memorandum.

If you have any questions, please contact (name, organization, office symbol, telephone number of the ROS program manager).

2 Atch

1. DD Form 200
2. Copy of ROS File

Attachment 3

SAMPLE NOTIFICATION OF INTENT BY THE INVESTIGATING OFFICIAL TO ASSESS FINANCIAL LIABILITY (GOVERNMENT HOUSING DAMAGE)

(Appropriate Letterhead)

The following is a sample memorandum notifying an individual that a ROS investigating official has recommended that he or she be held liable for damage to family or unaccompanied personnel housing (including loss, damage, or destruction of furnishings and equipment therein). Also see paragraph **1.5.** of this manual.

Attached is a DD Form 200, **Financial Liability Investigation of Property Loss**, which recommends that you be assessed $----- for (loss, damage, or destruction) of government housing (housing, furnishings, equipment, or list the specific description of lost, damaged, or destroyed property). This ROS is being processed according to guidance and procedures in AFMAN 23-220.

The recommendation to hold you financially liable was rendered by the investigating official after examination of the facts and circumstances of this case. Before the ROS is sent to the appointing and approving authorities, you are entitled to certain options. You may:

a. Examine the findings and recommendations on the DD Form 200 and you may examine the evidence supporting them.

b. Present any additional evidence and submit a statement which refutes the findings and which you believe is relevant to a determination of who should be held liable. Your acknowledgment of this ROS is neither an admission of liability nor an acknowledgment of a debt.

c. Seek legal or other counsel in preparation of a written statement; however, it must be submitted over your signature, or it must contain your signed endorsement that the statement prepared by counsel is submitted with your full concurrence and consent.

d. Request waiver of any financial liability which may arise as a result of this ROS under the provisions of 10 U.S.C. Section 2775. Specific instructions are outlined below.

e. Request that the approving authority allow you to satisfy this liability by replacing or repairing the property. This repair or replacement must meet minimum Air Force standards. If there is any doubt about meeting these standards, the property or repair will not be accepted.

f. Voluntarily pay the amount of the loss in Block 8, DD Form 200, unless the recommendation is reduced liability. If the recommendation is reduced liability, the approving authority must review and sign the form before you may voluntarily pay the recommended amount. Payment may be made in

cash using DD Form 1131, **Cash Collection Voucher**, or by payroll deduction using DD Form 362, **Statement of Charges/Cash Collection Voucher**.

Specific instructions:

a. Place an "X" in the proper area of block 16a on the attached DD Form 200, and complete blocks 16b through 16h.

b. If you checked block 16a(l), attach your statement to the DD Form 200.

c. If you elect to submit a written request for waiver of any financial liability which may arise from this ROS, you must submit a fully-substantiated waiver request when you return the signed DD Form 200 as instructed in paragraph f below.

(1) Your waiver request only will be used if the approving authority assesses financial liability. However, it must be submitted now so it will be immediately available to the approving authority if and when liability is assessed.

(2) A waiver request is not an appeal. It is a request for the approving authority to consider, in the best interest of the government, financial liability assessed against you for housing damage. Factors that may be considered for waiving the financial liability are in AFMAN 23-220, **Chapter 8**.

d. If you elect not to submit a written request for waiver of any financial liability which may arise from this ROS, the approving authority automatically considers a waiver based solely on the merits of the ROS file. In other words, waiver consideration is automatic, regardless of whether or not you specifically request it.

e. Any written waiver request submitted based on paragraph c above, must be separate from any statement submitted per paragraph b pertaining to additional evidence. They are submitted at the same time, but they must be separate statements.

f. Return the DD Form 200 (Atch 1) and any rebuttal statement and/or waiver request to the ROS program manager (indicate name, organization, and office symbol) as soon as possible, but not later than 30 days from the date you were notified of this ROS by this memorandum.

g. Retain the copy of the ROS file (Atch 2) for your records.

When the ROS program manager receives your signed DD Form 200, the entire ROS file, including your statement and/or waiver request, if submitted, will be sent to the appointing and approving authorities for determination of financial liability.

a. If you are relieved from liability, you will be notified.

b. If you are held liable, the approving authority immediately considers whether or not to waive that liability in the best interest of the government. If any liability remains after waiver consideration, you will be notified of your options regarding payment, appeal, or further waiver consideration by the next higher commander.

If you do not respond to this memorandum within 30 days, we will process a copy of the ROS as stated above. If you returned DD Form 200 with block 16a(l) checked but failed to submit a statement, we will process the ROS without it, if a statement is not received within 30 days of the date you were notified of this ROS by this memorandum. If you have any questions, please contact (name, organizations, office symbol, telephone number of the ROS program manager).

2 Atch

1. DD Form 200
2. Copy of ROS File

Attachment 4

SAMPLE NOTIFICATION OF ASSESSMENT OF FINANCIAL LIABILITY BY THE APPROVING AUTHORITY (NON-GOVERNMENT HOUSING DAMAGE)

(Appropriate Letterhead)

The following is a sample notifying an individual that the approving authority s assessed financial liability against that individual for loss or damage to government property (other than government housing). Also see paragraph **1.5.** of this manual.

After considering the facts and circumstances documented in ROS (number), the approving authority has assessed financial liability against you in the amount of $ -- for (loss of/damage to) government property (may be specifically described here). A copy of the completed DD Form 200, **Financial Liability Investigation of Property Loss**, is provided for your records (Atch 1). This ROS was conducted under the provisions of AFMAN 23-220.

The approving authority arrived at the assessment of financial liability based on the (value of the lost property/repair cost of the damaged property) or one months basic pay, whichever was less. Consideration was also given to the existence of factors listed in AFMAN 23-220, **Chapter 8** in arriving at the amount of financial liability assessed.

A copy of this ROS will be sent to the Financial Services Officer (FSO) for collection of the amount specified on DD Form 200. You have 30 days to decide what action you would like to take in response to this notification. The following options are available to you. You may:

a. Pay the amount due in cash to the FSO, using DD Form 1131, **Cash Collection Voucher**.

b. Pay the amount due by authorizing a payroll deduction, using DD Form 362, **Statement of Charges for Government Property Lost, Damaged, or Destroyed**, under the policies and procedures established in accounting and finance directives.

c. Request a written agreement to repay the debt in installments. A request for installment payments must be accompanied by your financial statement submitted under penalty of perjury.

d. Include comments regarding what adverse impact the assessment of financial liability will have upon you. Submission of supporting documentation is optional.

e. Appeal the findings of negligence or abuse and assessment of financial liability. The appeal must be in writing and submitted to the approving authority within 30 days of this notification or it cannot be considered unless the amount of the assessed liability exceeds one months base pay. In this case, writ-

ten intent to submit an appeal must be provided to the approving authority within 30 days of the date of this notification and the appeal must be submitted within 60 days.

(1) If you seek legal or other counsel in preparing a written appeal, it must be submitted over your signature, or it must contain your signed endorsement that the appeal is submitted with your full concurrence and consent.

(2) If your appeal is denied by the approving authority, it will automatically be sent to the next higher commander for final action by authority of the Secretary of the Air Force.

f. Retain legal counsel.

g. Inspect and copy records relating to the debt.

h. Review the decision relating to the debt.

i. Request a remission of indebtedness if you are an enlisted member. This request is processed by the FSO.

If you do not exercise any of the options within 30 days of this notification, the Air Force will initiate involuntary collection action under policies and procedures in accounting and finance directives. The statutory authorities for involuntary collection are 37 U.S.C. Section 1007c for members and 5 U.S.C. Section 5514 for civilian employees. Any portion of the debt uncollected at the time of your employment termination will be collected from your final pay and allowances.

If you elect to appeal, collection action will be suspended until the appeal is ruled upon. You will be further notified when the results of the appeal are available.

The foregoing notification is given to allow you every opportunity to respond to actions taken on the attached ROS. We encourage you to respond promptly. If you need administrative assistance, contact (name, organization, office symbol, and phone number of ROS program manager).

1 Atch

Report of Survey # ----

Attachment 5

SAMPLE NOTIFICATION OF ASSESSMENT OF FINANCIAL LIABILITY BY THE APPROVING AUTHORITY (GOVERNMENT HOUSING DAMAGE)

(Appropriate Letterhead)

The following is a sample memorandum to notify Air Force personnel that the approving authority has assessed financial liability against that member for damage, loss, or destruction of government property or housing. Also see paragraph **1.5.**

After considering the facts and circumstances documented in ROS (indicate number) the approving authority has assessed financial liability against you in the amount of $_____ for (loss, damage, or destruction) of government (housing, furnishings, or equipment, or provide a specific description of lost, damaged, or destroyed property). A copy of the completed DD Form 200, **Financial Liability Investigation of Property Loss**, is provided for your records (Atch 1). This ROS was conducted under the provisions of AFMAN 23-220.

The approving authority considered the following factors in arriving at the amount of financial liability: (appointing or approving authority or program manager checks appropriate blocks).

a. Gross negligence or willful misconduct was evident. Financial liability was assessed for the full amount of the loss.

b. Simple negligence or deliberate unauthorized use was evident. Financial liability was assessed for the full amount of the loss or one month's basic pay, whichever is less.

c. After determination of financial liability, the approving authority considered waiving the liability in the best interest of the government. The waiver was considered regardless of whether or not you specifically requested it. After determining the amount of financial liability as $_____, it was partially waived, resulting in a debt of $_____.

d. After determination of financial liability, the approving authority considered waiving the liability in the best interest of the government. The waiver was considered regardless of whether or not you specifically requested it; however, no part of the financial liability was waived.

A copy of this ROS will be sent to the Financial Services Officer (FSO) for collection of the amount specified on DD Form 200. You have 30 days to decide what action you would like to take in response to this notification. Numerous options are available to you. You may:

a. Pay the amount due in cash to the FSO, using DD Form 1131, **Cash Collection Voucher**.

b. Pay the amount due by authorizing a payroll deduction, using DD Form 362, **Statement of Charges/Cash Collection Voucher**, under the policies and procedures established in accounting and finance directives.

c. Request a written agreement to repay the debt in installments. A request for installment payments must be accompanied by your financial statement submitted under penalty of perjury.

d. Appeal the assessment of financial liability. The appeal must be in writing and submitted to the approving authority within 30 days of this notification memorandum or it cannot be considered unless the amount of the assessed liability exceeds one month's base pay. In this case, written intent to submit an appeal must be provided to the approving authority within 30 days of the date of this memorandum. The appeal must be submitted within 60 days of the date of this memorandum.

e. Seek legal or other counsel in preparing a written appeal; however, it must be submitted over your signature, or it must contain your signed endorsement that the appeal is submitted with your full concurrence and consent. If your appeal is denied by the approving authority, it will automatically be sent to the next higher commander for final action by authority of the Secretary of the Air Force.

f. Request further waiver consideration by the commander. If you elect this option, the only action required is to notify the ROS program manager, appointing authority or the approving authority, in writing, of your request. No additional justification may be considered at this time. The next higher commander takes final action on waivers by the authority of the Secretary of the Air Force.

g. Retain legal counsel.

h. Inspect and copy records relating to the debt.

i. Review the decision relating to the debt.

j. Request a remission of indebtedness if you are an enlisted member. Officers have the right to request a Secretary of Air Force (SAF) waiver. These requests are processed by the FSO.

k. Include comments regarding what adverse financial impact the assessment of financial liability will have on you. Providing supporting documentation is optional.

If you elect both options in sub-paragraphs c and d, both must be done concurrently. You may not later change your election except to withdraw an option.

If you do not exercise any of the options within 30 days of this notification, the Air Force will initiate involuntarily collection action under policies and procedures in accounting and finance directives. The statutory authority for involuntary collection is 37 U.S.C. Section 1007c for members and 5 U.S.C. Section 5514 for civilian employees. Any portion of this debt uncollected at the time of your employment termination will be collected from your final pay and allowances.

If you elect to appeal and/or request further waiver consideration, the debt will be recorded on your military pay record, but collection will be suspended until the appeal and/or waiver request is ruled upon. You will be further notified when the results of the appeal are available.

The foregoing notification is given to allow you every opportunity to respond to the actions taken on the attached ROS. We encourage you to respond promptly. If you need administrative assistance, contact (name, organization, office symbol, and phone number of ROS program manager).

1 Atch

Report of Survey #_____

Attachment 6

MAJOR AND OTHER COMMAND/AGENCIES ROS PROGRAM MANAGERS

OFFICE SYMBOLS	DSN NUMBERS
HQ USAF/LGSP-ROS OPR	227-2431
HQ USAF/JAG-Legal Opinions	224-4075
HQ USAF/CEO-Housing Damage	225-1428
HQ USAF/SV-MWR Activities	664-0010
Air Force Materiel Command/FMP	787-5355
Air Force Reserve/FMF	497-1433/1434
Air Mobility Command/FMF	576-2924/5643
Air Force Space Command/JAC	692-3916
Air Combat Command/FMC	574-5545
United States Air Forces in Europe/FMC	314-480-6850
Pacific Air Forces/FMF	315-449-1603
Air Education and Training Command/LGS	487-5697
Air Force Special Operations Command/FMP	597-4668
11th Wing, Bolling AFB/FMP	225-3848
Office of Special Investigations/FM	297-7277
US Air Force Academy/LGS	259-2614
Air Force C4 Agency/RMA	576-5096
Air National Guard Readiness Center/FMP	278-8052
Air Force Medical Support Agency/SGSL	240-3946