

**CHAPTER ONE**

**INTRODUCTION**

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## CHAPTER 1

### INTRODUCTION

#### SECTION I - GENERAL

##### 1. PURPOSE AND SCOPE

a. This manual was prepared by the Commander, Naval Facilities Engineering Command (COMNAVFACENGCOM), pursuant to [SECNAVINST 11011.47](#) (reference (a)). It is for use by the Facilities Engineering Command's (FEC's) personnel and others involved in acquiring, managing and disposing of real property. It provides procedural guidance and requirements for accomplishing various real estate actions to which it applies. This manual also covers the management of Department of the Navy (DON) real estate records for which NAVFACENGCOM is responsible.

b. The scope of this publication covers the authorities, responsibilities, policies and procedures of the DON regarding acquiring, managing and disposing of real property, and the maintenance of naval real estate records.

##### 2. REFERENCES

- (a) [SECNAVINST 11011.47 of 20 June 83](#)
- (b) [United States Navy Regulations, 1990](#)
- (c) [SECNAVINST 5430.7M of 21 Dec 98](#)
- (d) Administrator of General Services Letter of 25 Sep 96, re: "Can't Beat GSA Leasing", Standing Delegation of Space Leasing Authority to Federal Agencies

##### 3. DEFINITION OF FACILITIES ENGINEERING COMMAND (FEC)

As used in this publication, the FEC refers to the Commander or Commanding Officer of the appropriate geographic FEC, or their designee serving the area in which the real property is located.

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## Section II - GENERAL POLICIES, AUTHORITY, RESPONSIBILITIES

### 4. GENERAL POLICIES

The following broad policies of the DON and NAVFACENGCOCOM govern the conduct of real estate transactions:

- (1) Acquire only that real property that is necessary to meet approved military missions;
- (2) Acquire title or lesser interests in required real property by negotiation and direct purchase whenever practicable;
- (3) Base estimates of value for real property upon appraisals made by qualified, disinterested local contract or staff appraisers;
- (4) Take prompt action to dispose of real property that is excess to military requirements;
- (5) Advertise and outgrant, on a competitive bid basis, any real property that is not required for the time being to meet military requirements;
- (6) Require the payment of fair market value for easements granted and fair market value (in cash or in-kind) for property which is made available for private use under leases, licenses or other forms of outgrants; and
- (7) Construct buildings or other permanent improvements only on land in which the acquired interest in the land is sufficient for the purposes of the project.

### 5. GENERAL AUTHORITY

[Chapter 3](#), Section 1, paragraph 0302.1 of United States Navy Regulations, (reference (b)), provides the Secretary of the Navy (SECNAV) with authority and responsibility for, "the construction, maintenance and repair of buildings, and interests in real property". That authority has been delegated to the Assistant Secretary of

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the Navy (Installations and Environment) (ASN)(I&E) by [SECNAVINST 5430.7M](#) (reference (c)). Various SECNAV Instructions, including [SECNAVINST 11011.47](#) (reference (a)), delegated authority to the COMNAVFACENGCOM to accomplish real estate actions. The authority delegated to the COMNAVFACENGCOM is exercised under the direction and control of the Chief of Naval Operations (CNO).

## **6. GENERAL RESPONSIBILITIES**

a. The responsibilities for real estate matters assigned to NAVFACENGCOM with appropriate authority to accomplish all necessary actions, include the following:

(1) Acquisition of title to all lands and improvements and lesser interests for Naval purposes, except certain leases for the Marine Corps and acquisition of general purpose space in the National Capital Region (NCR). Pursuant to the conditions stated in the General Services Administration's (GSA's) Standing Delegation of Space Leasing Authority (reference (d)), DON is authorized to lease space without regards to geographical location, size, cost, or type of space;

(2) Granting of easements, leases, licenses and similar interests in real property under the control of the DON, when such use by others will not interfere with assigned military missions;

(3) Disposition of excess DON real property by: Report of Excess Real Property to the GSA, transfer, sale of improvements, termination of leaseholds or other temporary interests, or by other means as appropriate;

(4) Processing of claims arising from the use and/or occupancy of real property;

(5) Procuring and relinquishing of Federal legislative jurisdiction over lands acquired for DON purposes;

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(6) Maintaining and protecting all muniments (documentary evidence) of title to real estate acquired for DON uses, together with appropriate records thereof;

(7) Preparing leases, deeds, easements, licenses, transfers, and other instruments necessary for completing real estate transactions; and,

(8) Liaison with all other Departments and Agencies of the Government in connection with real estate matters.

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