

Issue Date: 03/25/2003

REAL PROPERTY MANAGEMENT PROGRAM

I. Purpose

This directive establishes the Department of Homeland Security (DHS) policy regarding the real property management program.

II. Scope

This directive applies to all DHS organizational elements serviced by DHS Office of Administration. Until such time as the DHS Office of Administration establishes permanent, Department-wide policy regarding real property management, all DHS organizational elements may continue in force their existing real property management policies and procedures (including administrative support in this area from another Federal agency).

III. Authorities

This directive is governed by numerous Executive Orders (E.O.), Public Laws, and regulations, such as:

- A. E.O. 12512, "Federal Real Property Management."
- B. E.O. 12411, "Government Work Space Management Reforms."
- C. Federal Property Management and Administrative Services Act of 1949, 63 Stat. 377, as amended.
- D. FPMR Temporary Regulation D-75, "Government wide Real Property Asset Management" dated August 2, 1991.

IV. Definitions

- A. ***Acquisition***: The process by which an executive agency obtains custody of and interest in real property (by means of transfer, purchase, construction, lease, or permit) for its own use in carrying out established agency mission(s).

- B. **Delegation of Authority**: Authority delegated to the Secretary of the Department of Homeland Security from the Administrator of General Services to acquire real property by lease or construction.
- C. **Disposal**: The process by which an executive agency releases custody of or interests in real property no longer needed for its use.
- D. **Real Property**: Land and improvements constructed on or associated with that land. Improvements include buildings, other permanent structures, easements, or rights of way.
- E. **Optimum Use, Not Being Put To**: If all or a portion of real property, with or without improvements, is:
1. Found suitable for a significantly higher or better use because of its nature, value, of location.
 2. The cost of operating and maintaining such property is substantially higher than those costs for other suitable property that could be made available through transfer, purchase, lease, or permit.
- F. **Utilization**: The manner and degree of efficiency with which real property controlled by the Department is used in the accomplishment of its mission(s).
- G. **Underutilized**: Whenever all or a portion of real property, with or without improvement, is used only for irregular periods, or intermittently; or when a portion of the property can satisfy current program needs.

V. Responsibilities

- A. **The Under Secretary for Management** shall:
1. Be responsible for all aspects of this directive.
 2. Designate the Office of Administration to implement the Real Property Management program.
- B. **The Director, Office of Administration** shall:
1. Ensure that appropriate Departmental procedures, reviews, and reporting requirements are developed and maintained in accordance with applicable OMB, and GSA regulations pertaining to acquisition, utilization, and disposal of real property.

2. Provide recommendations to the Under Secretary for Management for approval or disapproval of proposals to acquire, utilize, or dispose of real property.
3. Review real property acquisition, utilization, and disposal proposals to determine technical feasibility and compliance with applicable laws, regulations, and other directives. Proposals shall be coordinated at the departmental level and comments incorporated in an overall evaluation and recommendation. Coordination and consultation shall be made with the following departmental officials, and others, as appropriate:
 - a. Organizational element's supervising officials.
 - b. Director, Office of Finance.
 - c. Director, Office of Procurement.
 - d. Director, Office of Security.
4. Submit organizational element, Departmental, and OIG proposals requiring a delegation of authority to GSA.
5. Conduct periodic utilization surveys of real property to identify underutilized real property, and provide technical guidance in the determination of real property needs.
6. Provide reports pertaining to DHS real property acquisitions, utilization, and disposals to OMB, GSA, and the Congress, as required.

C. **Organizational Element Heads** shall:

1. Ensure compliance with this directive.
2. Designate one or more officials with the responsibility for real property management.
3. Ensure that the designated official maintains a system to account for real property acquired through purchase, lease, permit, or grant.
4. Issue any internal organizational element procedures or guidelines necessary to implement this directive within their respective organizations.

VI. Policy and Procedures

A. **Policy**: It is the policy of DHS that organizational elements shall:

1. Establish internal policies and systems of accountability to ensure effective use of real property assets in support of mission-related activities.
2. Conduct periodic review and surveys of such property in accordance with standards and procedures determined by the Administrator of General Services.
3. Conduct annual surveys of all organizational element real property by using the guidelines and procedures promulgated by GSA and DHS, and maintain records of these surveys.
 - a. Establish annual real property management improvement goals and plans, in accordance with procedures promulgated by GSA.
 - b. Report promptly to the Director, Office of Administration, any real property which is found to be in excess of organizational element needs, underutilized or not put to optimum use.
 - c. Provide, upon request, the records of annual surveys, cost, and operational information to the Director, Office of Administration to assist in the efficient completion of periodic utilization reviews and evaluations of acquisition and disposal reviews.
 - d. Provide information needed by the Director, Office of Administration for making cyclical and periodic reports required by OMB, GSA, and the Congress, concerning real property acquisitions, utilization, and disposals.
 - e. Submit proposals (including those requiring a delegation of authority from GSA) to acquire or dispose of real property to the Under Secretary for Management through the Director, Office of Administration.

B. **Questions or Concerns Regarding the Process**: Any questions or concerns regarding this directive should be addressed to the Office of the Under Secretary for Management.