

Department of the Interior

Departmental Manual

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Series: Delegation

Part 205: General Delegations

Chapter 10: Real Property Management

Originating Office: Office of Acquisition and Property Management

205 DM 10

10.1 Government Furnished Quarters (GFQ) and Facilities Management.

A. Delegation. The Assistant Secretaries are authorized to exercise the authority of the Secretary of the Interior in performing the GFQ and facilities management functions as authorized in P.L. 89-554 (5 U.S.C. 5911) and implemented by the following OMB Circulars and IPMRs.

- (1) OMB Circular No. A-18, Revised, Policies on Construction of Family Housing
IPMR 114-51.1 - Provision of Quarters
IPMR 114-51.3 - Assignment of Quarters

OMB Circular No. A-45, Revised, Policies Governing Charges for Rental Quarters and Related Facilities
IPMR 114-52 - Establishment of Quarters Rental Rates

- (2) IPMR 114-51.2 Furnishings in Personnel Quarters

- (3) OMB Circular No. A-25, Revised, User Charges
IPMR 114-52.7 Non-Federal (Private Party) Quarters Rentals

- (4) Regulation System, 41 CFR 101-1.1

B. Limitations.

(1) Acquisition and utilization of new or additional housing (including housetrailer and mobile homes) as GFQ will be reviewed and approved by the appropriate program Assistant Secretary prior to use. Continued use of obsolete or energy inefficient housing as GFQs will also require approval.

(2) Required occupancy by Departmental employees of GFQ as defined in IPMR 114-51.302 will be reviewed and approved by the appropriate program Assistant Secretary.

- (3) Instructions or directives that may be necessary to implement, clarify, or

supplement GFQ and facilities management policies and procedures prescribed in the IPMR system must be reviewed and approved by the Assistant Secretary - Policy, Budget, and Administration prior to issuance.

C. Redelegation. Authority delegated in 205 DM 10.1A may be redelegated in accordance with 200 DM 2 and 200 DM 3, except that the limitations in 205 DM 10.1B(1) and (2) may not be redelegated below the regional director level.

10.2 Real Property Management Authority.

A. Delegation. The Assistant Secretaries are authorized to exercise the authority of the Secretary of the Interior in performing the real property management functions in the following Federal Property Management Regulations as supplemented by Interior Property Management Regulations and other Departmental issuances.

(1) Subchapter A - General
41 CFR 101-1.1 - Regulation System
41 CFR 101-3.2 - Annual Report - Real Property Owned by the United States
41 CFR 101-3.3 - Annual Report - Real Property Leased by the United States

(2) Subchapter D - Public Buildings and Space
41 CFR 101-19.6 Accommodations for the Physically Handicapped

(3) Subchapter H - Utilization and Disposal
41 CFR 101-47 - Utilization and Disposal of Real Property

B. Limitations.

(1) Instructions or directives that may be necessary to implement, clarify, or supplement real property management policies and procedures prescribed in the IPMR system must be reviewed and approved by the Assistant Secretary - Policy, Budget, and Administration prior to issuance.

(2) The Annual Reports - "Real property owned by the United States" as required in IPMR 114-3.2, "Real property leased by the United States" as required in IPMR 114-3.3, and "Identification of Unneeded Federal Real Property" as required in IPMR 114-47.8 must be submitted by the bureau or office which has basic accountability for the property through the appropriate Assistant Secretary for review and approval prior to submission to Assistant Secretary - Policy, Budget, and Administration.

10.3 Uniform Relocation Assistance Authority.

A. Delegation. The Assistant Secretaries are authorized to exercise the authority of the Secretary of the Interior in performing the Relocation Assistance functions as authorized in P.L. 91-646 Title II (84 Stat. 1895; 42 U.S.C. 4621 et. seq.) as implemented by 41 CFR 101-6.1 and the Interior Property Management Regulations in 41 CFR 114-50 (except 41 CFR 114-50.3).

- B. Limitations. Issuance of instructions or directives on a bureau-wide basis implementing, clarifying, or supplementing appraisal and land acquisition policies and procedures prescribed in the IPMR system must be reviewed and approved by the Assistant Secretary - Policy, Budget, and Administration prior to issuance.

10.4 **Appraisal and Land Acquisition Policy.**

- A. Delegation. The Assistant Secretaries are authorized to exercise the authority of the Secretary of the Interior in performing the appraisal and land acquisition functions as established in P.L. 91-646, Title III (84 Stat. 1904; 42 U.S.C. 4651 et. seq.) and implemented by 41 CFR 101-6.111 and the Interior Property Management Regulations in 41 CFR 114-50.3.
- B. Limitations. Issuance of instructions or directives on a bureau-wide basis implementing, clarifying, or supplementing appraisal and land acquisition policies and procedures prescribed in the IPMR system must be reviewed and approved by the Assistant Secretary - Policy, Budget, and Administration prior to issuance.

10.5 **Easements.** Assistant Secretaries are authorized to grant easements in, over, or upon real property under their jurisdiction in accordance with 40 U.S.C. 319-319c. This authority shall include the right and responsibility for:

- A. Making the necessary determination in each instance that granting the easements will not be adverse to the interests of the United States,
- B. Ensuring that the instrument granting an easement contains such reservations, exceptions, limitations, benefits, burdens, terms, considerations, or conditions as are deemed necessary to protect the interest of the United States,
- C. Determining the extent to which, if at all, legislative jurisdiction should be relinquished to the State in which the land is located,
- D. Ensuring that the granting of the easement is for a consideration not less than the amount by which the fair market value of the land is decreased and,
- E. Determining, except in the case of easements of a temporary nature or of short duration, that there is a present or future need for the land.

10.6 **Amendment Authority.** This chapter does not limit the authority delegated to the Assistant Secretary - Policy, Budget, and Administration by 209 DM 4. The Assistant Secretary - Policy, Budget, and Administration is authorized to amend, limit, suspend, or revoke any authority granted by or pursuant to this chapter. This authority may not be redelegated.

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