



Department of Defense

DIRECTIVE

NUMBER 4165.06

October 13, 2004

Incorporating Change 1, August 31, 2018

USD(A&S)

SUBJECT: Real Property

- References: (a) DoD Directive 4165.6, "Real Property Acquisition, Management, and Disposal," September 1, 1987 (hereby canceled)
- (b) Executive Order 13327, "Federal Real Property Asset Management," February 6, 2004
- (c) DoD Directive 4700.3, "Mineral Exploration and Extraction on DoD Lands," September 28, 1983 (hereby canceled)
- (d) DoD Directive 5160.63, "Delegation of Authority Vested in the Secretary of Defense to Take Certain Real Property Actions," June 3, 1986 (hereby canceled)
- (e) through (h), see enclosure 1

1. REISSUANCE AND PURPOSE

This Directive:

- 1.1. Renames and reissues reference (a) to provide DoD policy on the acquisition, management, and disposal of real property consistent with reference (b).
- 1.2. Cancels references (c) and (d).
- 1.3. Delegates or redelegates statutory and regulatory authorities and responsibilities relating to the acquisition, management, and disposal of real property consistent with reference (b).

2. APPLICABILITY

This Directive applies to:

- 2.1. The Office of the Secretary of Defense, the Military Departments (including their Reserve components), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the 'DoD Components').

2.2. All DoD real property holdings except:

2.2.1. Civil works projects (unless relating to mineral exploration and extraction).

2.2.2. The acquisition and management of defense industrial plants that are governed by DoD Directive 4275.5 (reference (e)).

3. DEFINITIONS

Terms used in this Directive are defined in Joint Publication 1-02 (reference (f)).

4. POLICY

It is DoD policy that:

4.1. The acquisition, management, and disposal of real property within the Department of Defense is a function of the Military Departments acting on behalf of the Department of Defense, subject to such specific exceptions as are established by law or by direction of the Secretary of Defense.

4.2. The acquisition, management, and disposal of real property shall be performed to advance the overall mission of the Department of Defense and shall not be governed solely by the individual interests of the DoD Components.

4.3. A Military Department shall meet the real property requirements of the DoD Components utilizing real property under its jurisdiction by applying Department of Defense and its own policies.

4.4. DoD real property shall be managed in the most economical manner to reduce costs to the Department without obstructing or prejudicing current or projected defense requirements.

4.5. DoD real property that is no longer required for current or projected defense requirements shall be disposed.

4.6. Utilizing the multiple-use principle, DoD real property shall be made available for mineral exploration and extraction to the maximum extent possible consistent with military operations, national defense activities, environmental conservation and protection, and Army civil works activities.

4.7. In accordance with reference (b), DoD real property shall be managed to promote the most efficient and economic use of DoD real property assets and to ensure management accountability for implementing Federal real property reforms.

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Acquisition, Technology, and Logistics

5.1.1. Shall have overall responsibility and oversight of DoD real property.

5.1.2. Shall establish overarching guidance and procedures for the acquisition, management, and disposal of DoD real property.

5.1.3. Is hereby delegated or re-delegated, as the case may be, the authorities and responsibilities:

5.1.3.1. Vested in the Secretary of Defense by Chapter 159 of title 10, United States Code (reference (g)).

5.1.3.2. Delegated from the Administrator of General Services relating to real property matters.

5.1.3.3. Vested in the Secretary of Defense by any other provision of the United States Code, a national defense authorization act, a DoD appropriations act, or a military construction appropriations act relating to the acquisition, management (including mineral exploration and extraction), or disposal of real property; or

5.1.3.4. Vested in the Secretary of Defense by Executive order or regulation and relating to the acquisition, management (including mineral exploration and extraction), or disposal of real property.

5.2. The Secretaries of the Military Departments shall:

5.2.1. Implement policies and programs to acquire, manage, and dispose of real property in accordance with this Directive. Such policies and programs shall specifically ensure that their Department:

5.2.1.1. Establishes and maintains for all DoD-owned, leased, licensed, and permitted properties and easements an accurate inventory to account for the real property under its management responsibility.

5.2.1.2. Holds or makes plans to obtain the real property it needs for its own missions and the missions of the DoD Components its real property supports.

5.2.1.3. Has comprehensive master plans that cover each installation under its jurisdiction.

5.2.2. Budget and financially manage to meet the real property requirements applicable to their Department.

5.3. The Heads of the DoD Components shall:

5.3.1. Determine the real property requirements necessary for the performance of the Component's mission.

5.3.2. Communicate those requirements to the servicing Military Department in a timely manner.

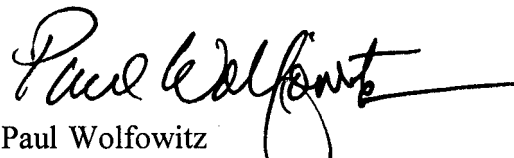
5.3.3. Budget and financially manage for the acquisition of real property needed to meet the Component's mission.

6. RELEASABILITY. UNLIMITED. This Directive is approved for public release. Copies may be obtained through the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

7. SUMMARY OF CHANGE 1. This change reassigns the office of primary responsibility for this Directive to the Under Secretary of Defense for Acquisition and Sustainment in accordance with the July 13, 2018 Deputy Secretary of Defense Memorandum (reference (h)).

8. EFFECTIVE DATE

This Directive is effective immediately.


Paul Wolfowitz
Deputy Secretary of Defense

Enclosures - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Directive 4275.5 “Acquisition and Management of Industrial Resources,” March 15, 2005
- (f) Joint Publication 1-02, “Department of Defense Dictionary of Military and Associated Terms,” as amended
- (g) Chapter 159 of title 10, United States Code
- (h) Deputy Secretary of Defense Memorandum, “Establishment of the Office of the Under Secretary of Defense for Research and Engineering and the Office of the Under Secretary of Defense for Acquisition and Sustainment,” July 13, 2018