



DEPARTMENT OF THE NAVY
THE ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20380-1000

7 May 1997

MEMORANDUM FOR THE CHIEF OF NAVAL OPERATIONS
COMMANDANT OF THE MARINE CORPS

Subject: OUTGRANTS OF DEPARTMENT OF THE NAVY-CONTROLLED REAL PROPERTY

Ref: (a) SECNAVNOTE 5430 of 7 Aug 95
(b) OPNAVINST 1104.47 of 20 Jun 83

As we close bases and consolidate our activities, our remaining real property should stay available for military use. We need to maintain a long term appreciation of the value of our real property as we consider whether to make it available for use by others under various forms of outgrants. Land, in particular, is one of our more valuable and irreplaceable assets.

Therefore, as authorized under reference (a) and pending revision of reference (b), any outgrant of DON-controlled land or other real property issued by any individual, whether at an appropriated or non-appropriated fund activity, that (i) has a term in excess of five years (including options) and/or (ii) results in the grantee being provided authority to construct improvements on (or under) the granted land (or other real property) shall require ASN(I&E) approval. This policy applies to all outgrants whether that outgrant is called a lease, a license, a concession agreement, an easement, a conveyance, a permit, or by some other term. Proposals for overlay wildlife refuges, or permanent resource (banking) areas must also be forwarded for approval.

The following outgrants are excepted from the policy set forth above:

1. Agricultural outleases with a term not to exceed 10 years;
2. Renewals of existing easements unless the renewal would grant a right to construct improvements to the property;
3. Leases for mobile antennas with a term up to 20 years;
4. Outgrants with a term up to five years where the lessee is permitted to construct improvements with a value under \$5,000; and
5. Use agreements and Host-Tenant agreements for use of Department of the Navy property by other DOD agencies.

All outgrants, regardless of their term or nature (except short-term leases or use agreements that do not permit modification or construction of improvements), shall be reviewed by the Naval Facilities Engineering Command for sufficiency and compliance with all applicable laws, regulations, and policies.

This policy change is effective immediately. Requests for additional exceptions should be submitted via the chain of command.


ROBERT B. PIRIE, JR.

Copy to:
SECNAV

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

1 of pages = 1

To: [redacted] From: [redacted]