



Department of Defense DIRECTIVE

NUMBER 5160.63

June 3, 1986

Certified Current as of November 24, 2003

ASD(A&L)

SUBJECT: Delegation of Authority Vested in the Secretary of Defense to Take Certain Real Property Actions

- References:
- (a) DoD Directive 5160.63, subject as above, August 10, 1978 (hereby canceled)
 - (b) Multiaddressee Memorandum from the Deputy Secretary of Defense, "Defense-wide Application of the Model Installation Management Approach," March 26, 1986
 - (c) Section 133(d) of Title 10, United States Code
 - (d) Sections 319-319c, 345c, 483, 484, 511, and 512 of title 40, United States Code
 - (e) Public Law 99-173, Section 105, December 10, 1985
 - (f) Section 4651 of title 42, United States Code
 - (g) Section 1714 of title 43, United States Code
 - (h) Section 352 of title 30, United States Code

1. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to delegate additional authorities to the Secretaries of the Military Departments.

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD) and the Military Departments.

3. POLICY

It is DoD policy (reference (b)) to vest authority and responsibility to lower organizational levels; allow installation commanders the freedom to obtain goods and services that best satisfy their requirements whenever they can get quality, responsiveness, and lowest cost; and allow installation commanders to retain and decide on the use of a share of money they save. In keeping with those policies, the Military Departments shall redelegate the authorities herein delegated to the lowest possible organizational level.

4. DELEGATION OF AUTHORITY

The Secretaries of the Military Departments, pursuant to the authority vested in the Secretary of Defense by reference (c), are delegated with authority to redelegate the authority as prescribed in:

4.1. Section 319-319c (reference (d)) to grant easements, to determine the conditions under which easements shall be granted, to relinquish legislative jurisdiction, and to take other actions required in connection with grants.

4.2. Section 345c (reference (d)) to convey interests in real property for street-widening purposes, to determine the conditions under which such conveyances should be made to protect the interests of the United States, and to take any other actions required in connection with such conveyances.

4.3. Public Law 99-173, Section 105 (reference (e)) and any similar authority provided by future statutes, to determine if it is in the public interest to purchase land or land easements at a cost that exceeds 100 percent of the value, as determined by the U.S. Army Corps of Engineers or the Naval Facilities Engineering Command. This authority may be used in connection with 42 U.S.C. 4651 (reference (f)).

4.4. 43 U.S.C. 1714 (reference (g)) to request withdrawal of public lands or to grant consent to the Secretary of the Interior to make, modify, or revoke withdrawals.

4.5. 30 U.S.C. 352 (reference (h)) to grant consent to the Secretary of the Interior to lease mineral deposits on lands under the jurisdiction of the cognizant Military Department subject to such conditions that will ensure the adequate use of lands for the primary purposes for which they were acquired or are being administered.

4.6. Sections 483, 484, 511, and 512 (reference (d)) and regulations of the General Services Administration with authority to redelegate, for the purpose of administering real property actions.

5. EFFECTIVE DATE

This Directive is effective immediately.

A handwritten signature in cursive script that reads "William H. Taft, IV". The signature is written in black ink and is positioned above the typed name and title.

William H. Taft, IV
Deputy Secretary of Defense