

**Real Estate**  
**ARMY NATIONAL GUARD PROGRAM**

This regulation prescribes policies, procedures and responsibilities for the acquisition, management, reporting and disposal of federally-owned/leased real estate utilized by the Army National Guard (ARNG).

	Paragraph	Page
<b>CHAPTER 1. GENERAL</b>		
Policy . . . . .	1-1	1-1
Responsibility . . . . .	1-2	1-1
Definitions . . . . .	1-3	1-1
Restrictions . . . . .	1-4	1-2
<b>2. ACQUISITION</b>		
Policy . . . . .	2-1	2-1
Armory facilities . . . . .	2-2	2-1
Non-armory facilities . . . . .	2-3	2-1
Declaration of availability . . . . .	2-4	2-2
MCARNG and O&M funded new construction . . . . .	2-5	2-2
Service/training site contracts . . . . .	2-6	2-2
Licenses . . . . .	2-7	2-2
Federal leasing of privately-owned real estate . . . . .	2-8	2-2
Subleasing of federally-owned/controlled real property . . . . .	2-9	2-3
Federal leasing of State-owned property . . . . .	2-10	2-3
Quarters and housing under license . . . . .	2-11	2-3
Public domain land . . . . .	2-12	2-3
Land exchange . . . . .	2-13	2-4
Temporary intermittent use of facilities . . . . .	2-14	2-4
Function of the Corps of Engineers . . . . .	2-15	2-4
Justification . . . . .	2-16	2-4
<b>3. REAL ESTATE ACTIONS—OTHER</b>		
Policy . . . . .	3-1	3-1
Types of actions requiring approval . . . . .	3-2	3-1
Procedures . . . . .	3-3	3-1
<b>4. MANAGEMENT AND DISPOSAL</b>		
Policy . . . . .	4-1	4-1
Responsibilities . . . . .	4-2	4-1
Reports . . . . .	4-3	4-1
Utilization survey requirements . . . . .	4-4	4-1
Termination of Federal-State (F-S) Agreements . . . . .	4-5	4-1
Excessing of real estate . . . . .	4-6	4-2
Data required for excessing actions . . . . .	4-7	4-2
Disposal of buildings and improvements without related land . . . . .	4-8	4-2
Disposal of timber, sand, clay, gravel, and stone- quarried products . . . . .	4-9	4-2
Disposing of leased property . . . . .	4-10	4-3
Transfer of leased real property . . . . .	4-11	4-3
Transfer of improvements for inventory purposes . . . . .	4-12	4-3

\*This regulation supersedes NGB Pam 405-80, 15 June 1963 and NGR 405-45, 16 May 1967.

	Paragraph	Page
Transfer of real property to another military		
department of Federal agency .....	4-13	4-3
Care and custody of excess real estate .....	4-14	4-4
Real property records .....	4-15	4-3
Inventory of military real property .....	4-16	4-4
APPENDIX A. UTILIZATION DATA AND ALTERNATIVE		
SITE CONSIDERATIONS .....		A-1
B. INVENTORY AND STATION PLAN		
(RCS ARNGB 14) .....		B-1

## CHAPTER 1

## GENERAL

**1-1. Policy.** Policies contained in this regulation apply only to Federally-owned/leased real estate. It does not apply to State-owned or State-leased real estate except for facilities covered by a Federal-State agreement.

**1-2. Responsibility.** *a.* The State Adjutant General is responsible for the management and utilization of all Federal real estate being used by the State regardless of the type of granting instrument issued to the State.

*b.* The United States Property and Fiscal Officer (USPFO) is accountable for all real estate of the Federal Government for which a DD Form 1354 (Transfer and Acceptance of Military Real Property) has been executed.

**1-3. Definitions.** As used in this regulation the following definitions apply:

*a. Armory.* A structure that houses one or more units of a Reserve Component and is used for training and administering those units. It includes adjacent or supporting structures and improvements that are used for unit training.

*b. Disposal.* Any authorized method of permanently divesting the accountable agency from control and responsibility for real property or an interest therein.

*c. District Engineer.* A field representative of the Chief of Engineers, Department of the Army, authorized to take certain actions involving real property under the jurisdiction of Secretary of the Army.

*d. Easement.* A right to use real property for the purpose or purposes specified in the granting document. The purposes and conditions upon which the Army may grant easements affecting its property generally are limited by law. These limitations, plus the fact that the grantor is not excluded from such use of the real property involved as will not interfere with the grantee's use, normally distinguishes an easement from a lease.

*e. Excess real estate.* Real estate that is no longer required by a controlling command or agency to perform its assigned mission.

*f. Host.* A unit or activity of one military department or agency that has management control of facilities and that provides services and/or facilities to a unit or activity of another military department or agency.

*g. Lease.* An agreement that grants exclusive possessions and use of a definite and certain parcel of land and/or buildings or other property, or part thereof, for a specified period of time, revocable at will or as otherwise provided in the agreement, in consideration of a return of rent.

*h. License.* Bare authority to do a specified act or acts upon the land of the licensor.

*i. Nonarmory.* Land, improvements and structures, other than armory, that are required for the logistical support, training and administration of the ARNG.

*j. Permit.* Temporary authorization conferred on one Government agency to use property under the jurisdiction of another Government agency.

*k. Family housing.* All federally-owned structures, including trailers, that may be utilized for lodging of an individual on a permanent basis.

*l. Real estate.* Includes land and interests therein, leaseholds, standing timber, buildings, improvements and appurtenances thereto. It also includes piers, docks, right-of-ways and easements, whether temporary or permanent, and improvements permanently attached to and ordinarily considered real estate. Sand, gravel and stone-quarried products in their natural state are real estate. The terms "real estate" and "real property" are synonymous and interchangeable.

*m. Real property.* See definition of real estate.

*n. Declaration of availability.* A written report stipulating that a certain kind or type of real estate that is not currently being utilized, but not excess to the needs of the controlling command or agency, is available for temporary use.

*o. State.* The various States, the District of Columbia, the Virgin Islands, and the Commonwealth of Puerto Rico.

*p. Tenant.* A unit or activity of one military agency that receives services and occupies facilities provided by another military agency through a mutually developed written or oral agreement.

*q. Utilization survey.* An on-site survey of an installation or activity to determine if Federal real property is being adequately utilized to justify retention.

**1-4. Restrictions.** Use of federally-owned/leased real property for other than National Guard activities is prohibited except as provided for within the granting instrument.

## CHAPTER 2

### ACQUISITION

---

**2-1. Policy.** *a.* It is the policy of the Department of the Army and the National Guard Bureau (NGB) to acquire only such real estate that is required for current or authorized activities. Real estate will not be acquired for potential or future needs nor to permit release of State National Guard facilities for other non-Guard uses.

*b.* As a general rule only that portion of an active installation that is required for *exclusive use or full time* co-use of the ARNG will be licensed to a State. All other uses will be by mutual agreement with an installation commander.

*c.* All requests to acquire real estate must be—

(1) Justified and documented in accordance with paragraph 2-16.

(2) Signed by the State Adjutant General.

(3) Submitted to NGB-ARI-R for approval prior to any action being taken by the Department of the Army, Office of the Chief of Engineers (DAEN) or representative thereof.

**2-2. Armory facilities.** *a.* Primary responsibility for providing armory-type facilities rests with each individual State. Subject to availability, a State can acquire federally owned real estate for construction of an armory by—

(1) Purchase at the fair market value.

(2) Lease at the fair market rental for not less than 50 years.

(3) Exchange of lands.

*b.* Licensing of federally owned improvements for armory purposes is permissible provided that—

(1) A declaration of availability has been obtained from the installation commander or accountable agency indicating that facilities are available for National Guard purposes or the facilities have been declared excess to the requirements of the controlling agency and are currently being screened for other military uses prior to disposal by that agency or military department.

(2) All operating costs plus 25 percent of maintenance and repair costs are borne by the

State concerned, if licensed prior to 10 March 1977. If licensed after that date, State must bear all operation and maintenance costs.

(3) Issuance of the license is with the understanding that it does not relieve the State from its responsibility for providing replacement facilities.

**2-3. Non-armory facilities.** Prior to submitting a request to acquire additional real estate, each State should review its current holdings to ensure that the need cannot be satisfied by either utilizing real estate already available, which may be underutilized, or modifying existing facilities to satisfy the requirement. Upon determination that present holdings cannot satisfy the need, the following should be considered in the order listed:

*a. Training sites.*

(1) Local, county, or State-owned/controlled lands.

(2) Local agreement with the commander of a military installation.

(3) Permit or license from the District engineer for use of military real estate or lands of Civil Works projects.

(4) Real property that has been declared excess to the requirements of other military departments or government agencies. (Notification of excessing Federal property screenings will be phoned to the State by NGB-ARI-R.)

(5) Permit or other land use agreement from the Department of Interior, Department of Agriculture, or representative thereof, for short term use of Federal lands.

(6) Long term requirements will be by withdrawal of land from the public domain.

(7) Exchange of lands of similar value between the State and the Federal Government.

(8) Temporary federally leasing of privately owned lands.

(9) Specific Federal legislation.

*b. Improvements.*

(1) Local, county and/or State-owned/controlled structures.

(2) Federally-owned facilities *provided a*

written declaration of availability has been obtained from the controlling command or agency.

(3) Facilities currently being screened as excess to the needs of the military departments or other Federal agencies.

(4) Temporary federally leasing for a period not to exceed 5 years except for leases that can be acquired for a nominal cost of \$1.00 per annum or term.

*c. Construction sites.*

(1) State owned/controlled lands.

(2) Land currently licensed to the State.

(3) Lands under the control of the various military departments or other Federal agencies.

**2-4. Declaration of availability.** *a.* Other than real property that may be utilized by local agreement, a State request to obtain federally-owned real property must be accompanied by a written determination from the controlling command or agency indicating that certain facilities are available for licensing to the State for ARNG use. This determination is known as a "declaration of availability." Direct written communication to obtain this determination is authorized provided—

(1) A summary justification of requirements is provided.

(2) The request is signed by the State Adjutant General.

(3) A copy of the request is provided to NGB-ARI-R.

*b.* A written declaration of availability is not required for real property currently being screened as excess to the requirements of the controlling department or agency.

**2-5. MCARNG and O&M funded new construction.** In order for a State to construct *nonarmory* facilities on federally-owned real estate, it must have—

*a.* A current license or, in cases where a license has not been issued, the USPFO must have property accountability.

*b.* Written concurrence of the host command to ensure that new construction is in conformance with the installation master plan for other than ARNG controlled installations.

*c.* Approval from the National Guard Bureau in cases where a license has not been issued to a

State (i.e., real estate was purchased with Federal funds or is held by an Executive Order).

**2-6. Service/training site contracts.** Procedures, guidance, and facilities eligible for Federal funding in support of authorized activities are contained in NGB Pamphlet 420-10.

**2-7. Licenses.** *a.* Licenses issued to a State are generally for a period of 5 years or less depending upon the requirement. Exception to the 5-year term can only be granted by the Office of the Secretary of the Army and will only be considered when the current license is being reviewed for renewal or when the site is being acquired for the first time. Other than the Department of the Army, no other service provides for an exception to the 5-year term. An exception, if granted, cannot exceed a term of 25 years.

*b.* A license will not be granted for a period in excess of 5 years for facilities that are to be used solely for armory purposes.

*c.* Prior Congressional approval is required for any license, including renewal, when the annual estimated fair market rental of the real property exceeds \$50,000.

*d.* Renewal and/or termination of an existing license will be in accordance with paragraph 3-3.

**2-8. Federal leasing of privately-owned real estate.** *a.* Leasing of privately owned real estate for *non-armory* purposes is permissible provided all alternatives mentioned in paragraph 2-3 have been explored by the State. Except for a lease that can be acquired for a nominal cost of \$1.00 per annum or term, term of a lease cannot exceed 5 years. If no other alternative is available, the State will investigate the local area to determine if suitable facilities are available and submit justification required by paragraph 2-16. If approved, the appropriate District Engineer will be requested to negotiate the lease based on the information provided. A copy of the approval will be provided to the State concerned.

*b.* Leasing of improvements will be on a temporary basis only until replacement facilities can be constructed or acquired.

*c.* Requests that require MCARNG construction of buildings or improvements will not be approved unless the lease term is for 50 years and can be acquired at a nominal cost of \$1.00 per annum or term.

d. Requests for leasing of real estate for the establishment of a range will not be approved unless the proposed site has been inspected by the appropriate Army Area Commander or representative to ensure that the site meets the requirements of AR 385-63 and there is no other existing range within a 50-mile radius of proposed using units. A copy of the range inspection report with site plan drawn to scale must accompany leasing request.

e. Leasing of facilities does not relieve the State from its responsibility for programing replacement facilities.

**2-9. Subleasing of federally-owned/controlled real property.** Under no circumstances may a State sublease federally-owned real property that is licensed to a State nor sublease any land or improvements that are federally-leased for exclusive use of the ARNG. Requests by private parties to lease Federal property for which the USPFO is accountable will be forwarded to NGB-ARI-R in accordance with Chapter 3. Requests to lease Federal real property for which the USPFO is *not* accountable will be referred to the command or agency having management responsibility with a recommendation concerning its availability.

**2-10. Federal leasing of State-owned property.** The National Guard Bureau prohibits the leasing of State owned real property for National Guard purposes if more than a nominal rental of \$1.00 is charged.

**2-11. Quarters and housing under license.** As stipulated in "Condition 7" of a standard license (ENG Form 1671/1671a), quarters or housing that have been included in a license to the State are to be utilized only as provided for within the license. Permanent quartering of any individual is considered to be a violation of this condition except as provided for below.

a. Vacant quarters or housing for which no military requirement can be foreseen may be made available for leasing by the District Engineer to Federal technicians within the meaning of 32 U.S.C. 709. If the occupant is a training site, service contract, or State employee employed at the site, the District Engineer will lease the quarters

to the State. It will be the State's responsibility to sublease to the individual.

b. Upon determination that the structure is available, the State will—

(1) Verify that the USPFO has accountability for the property involved and is reporting it in accordance with AR 405-45. If the USPFO has accountability and the occupant is a Federal technician, a letter to the appropriate District Engineer requesting that a lease be prepared based on information such as name and address of individual, building number, age, current condition, number of floors, number of rooms and square footage of each, equipment installed, kinds of utilities and if metered separately, service to be provided, and any other information that will have a bearing on establishing the fair market rental by the District Engineer. A point of contact should be provided in the event that additional information is required by the District Engineer. If the occupant is not a Federal technician, the request should so state, and the name and address may be omitted since the lease will be to the State.

(2) Should the USPFO not be accountable, refer the individual to the appropriate command having management responsibility, and provide whatever assistance is required.

**2-12. Public domain land.** a. Use of public domain lands by a State is at the discretion of the State concerned since Federal laws/regulations provide for such use by a State. Therefore, applications for a Special Land Use Permit (SLUP) need not be referred to the National Guard bureau for approval.

b. All requests for the withdrawal of public domain land for military purposes must be approved by the Department of the Army. In addition, requests for land in excess of 500 acres but not more than 5,000 acres must be approved by the Assistant Secretary of Defense (Installation and Logistics); Congressional approval is required for requests for more than 5,000 acres.

c. A state contemplating withdrawal of public domain lands for military purposes will submit a summary justification in sufficient detail for NGB-ARI-R to validate the requirement prior to submitting a formal request for withdrawal. If approved, precedural information and documentation requirements will be provided to the State.

**2-13. Land exchange.** Prior to a State expending time, effort, and expense in justifying and documenting a request for exchanging State-owned lands for federally-owned lands currently licensed to a State, NGB-ARI-R should be provided an opportunity to review and validate the military requirement and take whatever action is necessary to determine if the real estate desired is available for exchange purposes based on applicable laws and regulations. NGB-ARI-R will validate the requirement and provide procedural information and documentation requirements to the State.

**2-14. Temporary intermittent use of facilities.** Except as specifically prohibited by other portions of this regulation or other conditions which may be contained in the granting document held by the State, utilization of federally-owned/controlled facilities for other than ARNG purposes without prior approval from NGB-ARI-R is permissible *provided* such use will not interfere with the operational/training mission of the ARNG and other conditions mentioned below. In the event a license has not been issued to a State, all such uses must be subject to the same provisions and/or conditions that are applicable to the State, or that are normally contained in a standard license (ENG Form 1671, 1671a).

a. With approval of the Adjutant General, a State may grant temporary (less than 30 days) or intermittent use of licensed facilities to other military departments or Department of Defense activities and agencies. Host-Tenant or Interservice Support Agreements (ISSA) will be instituted when reimbursement for such use is required.

b. With approval of the Adjutant General, intermittent use of lands permitted to a State can be authorized provided written consent of the permittee has been obtained in advance of such use. If granted, such use will be under the same terms and conditions stipulated in the permit issued to the State.

c. With approval of the Adjutant General, issuance of a one-time license or other similar document for nonprofit community service type activities can be authorized provided such written consent includes the same terms and conditions as those contained in the current license held by the State.

**2-15. Function of the Corps of Engineers.** Upon approval of real property actions by NGB-ARI-R and/or higher authority when required, the appropriate District Engineer will provide all necessary real estate actions involving federally-owned real estate including any action necessary to federally lease privately owned real estate. A State requiring technical assistance should contact the appropriate District Engineer.

**2-16. Justification.** A request to acquire real estate will be submitted in triplicate and contain the following documentation:

a. *Forwarding letter.*

(1) Overall summary of the requirement(s) and the justification.

(2) If appropriate, statement required by b(8) below.

(3) Any other pertinent information that may not be otherwise included in the inclosures.

b. *Inclosures.* Contain the documentation necessary to justify the acquisition as follows:

(1) If the Federal property desired is other than excess real estate, a report of availability from the proposed host command or agency is required prior to forwarding the request to NGB-ARI-R.

(2) The designation(s), location, and authorized strength of all units who will utilize the site being requested.

(3) A road map depicting the location of the site requested in *red*, location and identification of all units mentioned in (2) above in *green*, and location and identification of all comparable Federal and/or State-owned property within a 100-mile radius of the site requested in a different color.

(4) When requesting training sites, a mileage chart to reflect distance and travel time from home station to the current training site and to the requested site is required. To avoid duplication, information required by (2) above may be included in this chart.

(5) If the site requested is federally owned and includes improvements, provide building numbers, total net square footage, and the proposed use of each building.

(6) A plot plan of the site depicting the area being requested will be in *red* and should indicate the number of acres being requested. If the site

requested is only part of the total area being excessed, outline the entire excessed area in green and only that part being requested in red. In the case of privately owned land and/or buildings, a single line drawing is acceptable if no other drawing can be obtained.

(7) When requesting training sites, the proposed utilization data for all units listed in (2) above in the format contained in part A of appendix A must be provided. Prior use, if any, should also be included.

(8) Provide a summary of advantages and disadvantages (part B of app A) for each alternate site mentioned in (3) above that is within a 100-mile radius of the site. If no sites are within the 100-mile radius, a statement to that effect will be included in the letter.

(9) Include a cost summary (part C of app A) of moving to each alternate site mentioned in (8) above.

(10) Include a listing by unit and type of all

mobile equipment that will be permanently relocated to the site.

(11) If buildings are to be federally leased, include the name and address of the prospective lessor, actual location of the property and number of acres, anticipated annual rental exclusive of any utilities and/or other services except for GSA controlled office space, and dimensions in square feet for all building space and/or space adjacent to the building required for military purposes.

(12) If requested area is unimproved, only that portion of (11) above that is applicable need be provided. In the event land is to be used for firing range purposes, prior inspection of the site will be made by the appropriate Army Area Commander or representative to ensure compliance with AR 385-63.

(13) Environmental assessment will be provided for all real estate actions in accordance with NGR 200-1.



## CHAPTER 3

## REAL ESTATE ACTIONS—OTHER

**3-1. Policy.** Actions involving real property for which the USPFO is accountable under AR 405-45 will be submitted to NGB-ARI-R for review and approval prior to any action being taken by a District Engineer. Such actions are defined as actions that grant temporary or permanent interest or use not otherwise provided for within the granting instrument.

**3-2. Types of actions requiring approval.** *a.* Renewal or termination of an existing license, lease or permit previously issued or negotiated by a District Engineer.

*b.* All request for use of real estate from other than ARNG sources for which the USPFO is accountable except as provided for in paragraph 2-14.

*c.* Disposal of real property except as provided for in paragraph 4-8.

**3-3. Procedures.** *a.* Requests for renewal of an existing license, lease or permit should be submitted 90 days prior to termination date. Each request will identify current instrument, facility name, and location, and contain a declaration of availability from the host command if the ARNG is only a tenant, an environmental as-

essment, a summary justification of why the real estate is still required, and any other pertinent information that may not otherwise be known at reviewing levels, such as designations, home station, and authorized strength of using units and tenants, if any.

*b.* Termination requests will include only that portion of *a* above that is applicable and reason for termination. A copy of the request will be provided the host, the command or agency if applicable.

*c.* Requests initiated from other than ARNG sources will be reviewed at the State level to ensure that sufficient information has been provided and that all accompanying maps are color-coded depicting the action being requested. Forwarding transmittal will contain the State's recommendations, a statement as to the impact the action will have on training and/or mission of the facility, and any special stipulations or conditions that should be included in the out-grant.

*d.* Since all requests mentioned in above must be accompanied by an environmental assessment, primary responsibility for preparation of the environmental assessment rests with the requestor, unless action is minor in nature and the State is willing to assume that responsibility.



## CHAPTER 4

## MANAGEMENT AND DISPOSAL

**4-1. Policy.** Effective management, utilization and any action required to excess real property for which the USPFO is accountable or in which the Federal Government has a vested interest, rests with the State Adjutant General.

**4-2. Responsibilities.** *a.* The State Adjutant General's responsibilities include, but are not limited to, the following:

(1) Operating, maintaining, and effectively utilizing all federally-owned/controlled real property under his jurisdiction and facilities situated on State-owned/leased lands for which ARNG funding support is being provided.

(2) Ensuring that an annual utilization survey is conducted in accordance with chapter 1, AR 405-70.

(3) Initiating action to excess real property that is no longer required for training of the ARNG.

(4) Submitting reports required by paragraph 4-3.

*b.* USPFO's responsibilities include, but are not limited to, the following:

(1) Accounting for all real property for which a DD Form 1354 has been executed.

(2) Maintaining records referred to in paragraph 4-15.

**4-3. Reports.** *a.* Inventory and Stationing Plan will be prepared annually as of 30 June in accordance with instructions in appendix C.

*b.* Inventory of military real property will be prepared and submitted in accordance with AR 405-45 for all federally-owned/controlled real property for which the USPFO is accountable.

*c.* Results of the annual utilization survey conducted in accordance with AR 405-70 will be submitted for all federally-owned/controlled real property contained in the inventory mentioned in *b.* above. The original report will be retained at State level for use in conjunction with an Executive Order (EO) 11954 survey. A copy of the report will be furnished NGB-

ARI-R. The only exception to this are those reports for federally-owned/controlled sites that have a mobilization requirement; special reports will be requested on a case-by-case basis.

*d.* Upon notification of an impending EO 11954 survey, update the report required by *c* above or prepare a report required by AR 405-70.

*e.* When required or directed, disposal reports will be submitted in accordance with paragraph 4-7.

*f.* Upon occurrence, submit a letter report on damage and/or destruction of real property caused by fire, explosion, or any natural disaster.

**4-4. Utilization survey requirements.** Chapter 1, AR 405-70 is applicable to the Army National Guard. It sets forth the policies, criteria, responsibilities, and procedures for use and survey of Army-controlled real estate.

**4-5. Termination of Federal-State (F-S) agreements.** Disposal of real estate for which an F-S agreement is still in existence is not authorized without prior approval from the Secretary of Defense or his designee. Early termination of this agreement can be accomplished if the State agrees—

*a.* To reimburse the Federal Government for its equity in the assets, which shall be computed as that proportion of the Federal contribution or grant as the unexpired term of the agreement bears to the full term of the agreement, or provide adequate replacement facilities at no cost to the Government and execute a new F-S agreement for the remainder of the unexpired term of the existing agreement.

*b.* If an existing facility still under F-S agreement is to be disposed of, and construction of a similar facility with Federal funds is required, the State will normally be required to reimburse the Federal Government the full amount received from the sale of such facility or the remaining proportion of the Federal contribution, whichever is greater.

**4-6. Excessing of real estate.** Recommendations to excess real property for which the USPFO is accountable and for which a State no longer has a military requirement must be submitted to NGB-ARI-R containing information required by paragraph 4-7. Excessing actions directed by higher authority will also contain the same information. A copy of all such actions will be furnished to the District Engineer in whose area of responsibility the real estate is located. Disposal of individual building and/or improvements without related land will be in accordance with paragraph 4-8.

**4-7. Data required for excessing actions.** Requests for approval of excessing actions must be submitted in triplicate and contain the following information as appropriate on separate inclosures:

a. Installation map, color coded, depicting area to be disposed of in red and areas to be retained in green, if applicable.

b. General description, location, size, acquisition cost, nature of real property interest proposed for disposal, brief history, effects upon severance, mineral and other rights, existence of facilities of cultural or historical significance that are listed in the National Register of Historic Places, estimate of one-time closing cost or other costs such as estimated costs for care and custody if facility is to be vacated, and any other relevant information including adverse factors.

c. Statement of any economic impact upon the local community.

d. Disposition of and impact upon any tenants.

e. An assessment of any environmental consequences of the proposed action.

f. Date to be vacated.

g. Numbers and types of any family housing units.

h. State if the area involved includes a private cemetery. If so, depict it on the map in a color not previously used, and provide all available information known or contained in the real property records.

i. State whether or not any portion of the real estate is located in a flood plain or is subject to periodic flooding. Indicate it on the map in a color not previously used.

j. State whether or not any portion of the real estate is contaminated due to prior or cur-

rent use. Review of real property records and/or visual on-site inspection is recommended for all areas that were used as a range, maneuver and impact area, or other areas exposed to contamination by explosives, chemical, or other dangerous materials. If contamination does exist, the State will provide a site plan indicating location of explosives identifying the hazard classification and the net explosive quantity involved if known, boundary of the land areas, quantity of safety distance required, and boundary of land held under a restrictive easement. Since decontamination is the responsibility of the holder, the State will ask the Army Area Commander to provide an Explosive Ordinance Demolition (EOD) team to decontaminate the area and/or provide an estimated cost of decontamination based on available information if an EOD team is not available. A copy of this correspondence will be provided to the District Engineer and NGB-ARI-R to document the contamination and the State's attempt to decontaminate prior to submitting a recommendation to excess the real estate that is no longer required for ARNG use.

**4-8. Disposal of buildings and improvements without related land.** Requests for approval to dispose of buildings and improvements which are licensed to a State will be submitted on a DA Form 337 (Request for Approval of Disposal of Buildings and Improvements) as follows:

a. To host command if ARNG is only a tenant activity. Copy to NGB-ARI-R.

b. To the mobilization base installation commander for all installations with an Active Army mobilization requirement. In the event a State approves a Department of the Army request to designate a State-owned camp as a mobilization base installation, a State is obligated to keep HQ, FORSCOM, ATTN: AFOP-MP, Fort McPherson, Georgia, 30330 advised of any disposals which may impact on mobilization planning requirements. Copy to be furnished NGB-ARI-R and NGB-ARO-R.

c. To appropriate District Engineer through NGB-ARI-R for any other disposals not otherwise covered above.

**4-9. Disposal of timber, sand clay, gravel and stone-quarried products.** Disposal of standing

timber with an estimated value of more than \$300, or any disposal of sand, clay, gravel and stone-quarried products not required for military use at an installation, can only be accomplished by the appropriate District Engineer. State requests will be forwarded to the appropriate District Engineer for action with copy NGB-ARI-R.

**4-10. Disposing of leased property.** Upon termination or expiration of a lease, a final joint inventory will be taken and compared with the initial inventory and adjusted by the appropriate District Engineer with the lessor in accordance with the terms of the lease if necessary. The District Engineer will furnish an authenticated copy of the approved final joint inventory to the USPFO. Upon receipt, the USPFO will close out the real property records and retain them for not more than 1 year after date of termination. The District Engineer will take action to remove the leased facility from the AR 405-45 reporting system.

**4-11. Transfer of leased real property.** Real property acquired by Federal lease will be transferred to the State for acceptance of accountability by the USPFO. To accomplish this, the appropriate District Engineer will forward to the USPFO a DD Form 1354 with copies of the lease and joint inventory made by representatives of the lessor, the USPFO, and the District Engineer. The USPFO will maintain documents provided by the District Engineer during the term of the lease and any renewals. The District Engineer will take the action required by AR 405-45.

**4-12. Transfer of improvements for inventory purposes.** *a.* For construction completed on licensed land for which the USPFO does *not* have accountability, the USPFO will, upon acceptance, prepare a DD Form 1354 and forward the original and two copies to the accountable officer of the host command for acceptance and ultimate entry into the installation real property inventory. Item 26 (Remarks) will reflect "Issuance of this document is for the sole purpose of real property inventory reporting only." Issuance of this document does not transfer or relieve a State of its responsibility for the operation and maintenance of the structure nor permit any other use thereof without prior approval of the State and the NGB.

Submission of changes to the basic real property data previously provided to a host command remains the responsibility of the USPFO. A copy of the correspondence and DD Form 1354 will be provided NGB-ARI-R.

*b.* For construction completed on real property for which the USPFO has real property accountability, a DD Form 1354 will be prepared for insertion into the real property records. This form will be prepared by the Office of the State Adjutant General (item 1) and contain his signature and title in item 27. Item 9 will contain the USPFO's address and the USPFO will complete items 28 and 29 and take necessary action required by AR 405-45. A copy of this form will be provided to NGB-ARI-R after acceptance by the USPFO. Forwarding transmittal is not required.

**4-13. Transfer of real property to another military department or Federal agency.** Upon notification of authority to transfer real property, a joint inventory will be conducted by the accountable property officers of the real property to be transferred. Upon completing the inventory, the USPFO will prepare a DD Form 1354 listing the real property and a detailed list of the real property records to be transferred and designating all accounts involved including the number of the last voucher in each account. Upon completing the transfer, the USPFO will provide copies of the signed DD Form 1354 to the appropriate District Engineer and NGB-ARI-R and take action to delete or correct information contained in the real property inventory.

**4-14. Care and custody of excess real estate.** Until such time as a State is informed by the responsible District Engineer that the real estate has been disposed of by GSA, responsibility for the physical care and custody remains with the State. If vacated prior to disposal by GSA, a State will request from and justify to NGB-ARI any additional funds required to perform the physical care and custody mission that is beyond the scope of Federal support currently being provided in accordance with NGB Pamphlet 420-10.

**4-15. Real property records.** The records listed below that are required to be established, maintained, and/or utilized for recording and account-

ing for real property assets will be maintained or retained by the USPFO:

- a. DD Form 1354 (Transfer and Acceptance of Military Real property).
- b. DA Form 2877 (Real Property Records).
- c. DA Form 272 (Register of Vouchers).
- d. DA Form 337 (Request for Approval of Disposal of Buildings and Improvements).
- e. DA Form 3640 (Real Property Assets—Facility Data Update).
- f. Miscellaneous data file consisting of maps, plans, drawings and specifications of the real property transferred to the State.
- g. Copy of the joint inventory of the real property transferred to the State.
- h. Any other document that affects the real property assets.

4-16. Inventory of military real property. Reporting of all federally owned or controlled

Department of the Army real property for which a USPFO has accepted accountability on behalf of the State must be prepared and submitted by the USPFO in accordance with AR 405-45. Except for the Commonwealth of Puerto Rico, all States will use DA Form 3640 for submitting changes to the real property inventory as follows:

a. Other than the USPFO for Puerto Rico, quarterly and/or negative reports required by AR 405-45 will be forwarded directly to HQDA (DAEN-REP-I), Washington, D.C. 20314. A copy of the report will be furnished NGB-ARI-R.

b. USPFO for Puerto Rico will submit reports to HQ, FORSCOM, ATTN: AFEN-CDR, Fort McPherson, Georgia 30330 in accordance with directives issued by that headquarters. A copy of the report will be furnished NGB-ARI-R.

**APPENDIX A**

**UTILIZATION DATA AND ALTERNATIVE SITE CONSIDERATIONS**

*PART A—Summary of Military Use of Site.*

*PRIOR YEAR*

<i>Dates</i>	<i>Unit Description &amp; Identification</i>	<i>Type of Training</i>	<i>Number Of Men</i>	<i>Acres Required</i>
15 Jan	105th Engr Co (Const)		175	25
22 Jan	Troop A 225th Armored Cavalry Regiment	Tank & Mech Arty	275	1000
22 Jan	82d Engr Co (Combt)	Dozer Operation	200	900

- NOTES: 1. Complete by month for a full year use for all using units. Other users will also be included.  
 2. Format and data for last two columns to be adapted as necessary for flying units.  
 3. Prior year data must be submitted if site was previously used.

*CURRENT YEAR*

(As above. If schedule has not been finalized, use proposed schedule.)

*FUTURE YEAR*

(As above or provide statement such as "Anticipate same usage as 1974.")

*PART B—Summary of advantages and disadvantages of each alternative site.*

List all Federal and/or State owned property within a 100-mile radius of site requested and reasons why they cannot be utilized.

*PART C—Cost Summary.*

1. Additional costs, if any, of moving to each alternative site mentioned in part B, if any.
2. Facility cost, itemized by project, including maintenance and all other costs.



**APPENDIX B**

**INVENTORY AND STATIONING PLAN (RCS ARNGB 14)**

TO BE PUBLISHED AT A LATER DATE. ANNUAL SUBMISSION WILL BE IN ACCORDANCE WITH NGB "ALL STATES LETTER" NGB-ARI-R, DATED 21 JUNE 1974, SUBJECT: INVENTORY AND STATION PLAN (RCS ARNGB 14) UNTIL SUCH TIME AS CONVERSION TO ADP HAS BEEN ACCOMPLISHED AND FIELD TESTED.



**Users of this regulation are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to NGB-ARI-R, Washington, D.C. 20310**

**By Order of the Secretary of the Army:**

**Official:**

**ROBERT H. NEITZ**  
*Colonel, USAF*  
*Executive, National Guard Bureau*

**LA VERN E. WEBER**  
*Major General, USA*  
*Chief, National Guard Bureau*

**Distribution: D**

**State AG-5**  
**USPFO-2**

