

**Anderson County Board of Commissioners**  
**OPERATIONS COMMITTEE**  
**AGENDA**

**October 12, 2020**  
**6:00 p.m. Electronic**  
**Room 312**

- 1. Call to Order**
- 2. Prayer / Pledge of Allegiance**
- 3. Approval of Agenda**
- 4. Appearance of Citizens**
- 5. Request State Officials to add Meat Processing Training to TN College of Applied Technology Curriculum – requested by Commissioner Anderson**
- 6. Mayor Frank**
  - Request to partner with the U.S. Naval Sea Cadets, unit, the Smokey Mountain Anchor Division
  - Request Discussion of Animal Shelter project.
- 7. Law Director**
  - Robotics Competition
  - Background check procedures
- 8. Chairman Isbel**
  - The need of a sidewalk and crosswalk on the northbound side of 25W in front of the Lake City Middle School.
  - A document to possibly give out to graduating seniors of Anderson County.
  - Homeless programs / Homeless shelter – Co Sponsor Vice-Chairman Vowell

**New Business**

**Old Business**

**Adjournment**

**RESOLUTION NUMBER – 7.13.20A**  
**RESOLUTION REQUESTING FOR STATE OFFICIALS TO ADD MEAT**  
**PROCESSING TRAINING TO TENNESSEE COLLEGE OF APPLIED TECHNOLOGY**  
**CURRICULUM**

**WHEREAS**, Tennessee College of Applied Technology currently offers training for various types of skill development throughout the State; and

**WHEREAS**, the COVID-19 pandemic has impacted food processing plants Nationwide; and

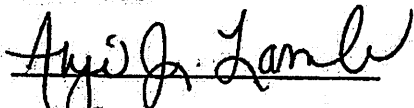
**WHEREAS**, the impact of the COVID-19 pandemic has created a need for skilled meat processing labor throughout the country; and

**WHEREAS**, States have identified a need for such skilled training.

**NOW THEREFORE BE IT RESOLVED**, that the Grainger County Legislative Body requests state officials to consider recommending and funding such training curriculum through Tennessee College of Applied Technology facilities.

**APPROVED AND ADOPTED**, by the Grainger County Legislative Body this 8th day of June, 2020.

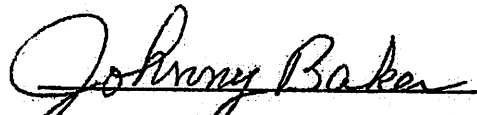
**ATTEST:**



County Clerk



County Mayor



Commission Chairman





## ANDERSON COUNTY GOVERNMENT

TERRY FRANK  
COUNTY MAYOR

October 7, 2020

Commissioner Tim Isbel  
Chairman, Anderson County Operations Committee

Dear Chairman Isbel,

I wish to add the following items to the Operations Committee Agenda:

- 1. Request to partner with the U.S. Naval Sea Cadets, unit, the Smoky Mountain Anchor Division.**

The cadets are ages 10 through 18 and drill a reservist schedule 1 weekend a month and minimum of 2 weeks a year.

Unlike the JrROTC, that is attached to a school district, part of the curriculum and considered a grade. These cadets come together voluntarily out of love of country. No strings attached. which is also the source of the host location/ building dilemma.

They will graciously accept any accommodations the county is able to provide. They are pretty flexible in adjusting to accommodations. Specifically, the unit needs a home location where they can proudly hang unit awards, post colors and guidon, and share memories. They would love to be able to conduct cadet training and drill weekends at the building.

Occupancy: 30-50 ppl

Accessibility: Their needs are as follows:

- A dedicated room and storage closet to potentially store supplies and gear
- Access after business hours
- Access to restrooms.

- Allowed to bring in food (Kitchen access not needed but a definite benefit)
- Cadets usually have a full schedule of activities and community service obligations so the ability to come and go during that time is key. They can usually leave one of our officers/ staff at the location to secure the door should keys to the facility not be available.
- Having access to the common area for meeting space

Optional but very beneficial:

- Just on drill weekends having temporary access to 2+ separate rooms

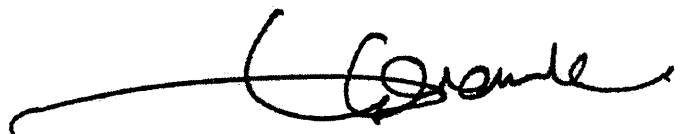
**The cadets promise to reciprocate with volunteer hours, maintenance and upkeep of the building when needed.**

**Attached are supporting documents including liability insurance.** Also, I draw your attention to Section 4-3 on document AR 405-80 (page 4) allowing real property use by local government agencies and also Section 4-20 of AR 405-80 (page 6) allowing for a lease or a license for use.

**ACTION REQUESTED: Requesting a motion to approve the partnership with the U.S. Naval Sea Cadets, unit, the Smoky Mountain Anchor Division and Anderson County for use of the Anderson County Senior Building located at 96 Mariner Point Drive, Clinton, TN for use of space that does not impair or restrict normal use of the facility by other users.**

If the motion is approved, I will initiate development of a licensing or lease agreement by working with the Law Director and bring the official agreement back for approval in November.

2. **Request discussion of Animal Shelter project.** As you know, this committee authorized me to pursue grants for the construction of an animal shelter. It is proving difficult to find grants without a dedicated commitment to construction in place. I'm requesting a discussion surrounding the idea of pursuing a USDA Loan. I have attached documentation. I continue to believe in the availability of grants and also confidence that our community—both business and private individuals—will financially support the construction of a shelter, however, without skin in the game so to speak, it is difficult to get the project off the ground. The USDA program has no pre-payment penalty. My thoughts are that if we pursue the loan and are awarded, the public, as well as granting agencies, would be assured that our project is moving forward, thus improving our ability to secure grants and donations.





# Department of Defense INSTRUCTION

NUMBER 3025.17

December 16, 2002

ASD(RA)

SUBJECT: Civil-Military Assistance for Certain Youth and Charitable Organizations

- References:
- (a) Section 508 of title 32, United States Code
  - (b) DoD Directive 5125.1, "Assistant Secretary of Defense for Reserve Affairs," March 2, 1994
  - (c) Department of Defense Joint Publication 1-02, "Dictionary of Military and Associated Terms," April 12, 2001
  - (d) DoD Directive 1100.20, "Support and Services for Eligible Organizations and Activities Outside the Department of Defense," January 30, 1997

## 1. PURPOSE

This Instruction implements policy, assigns responsibilities and prescribes procedures under references (a) and (b) for designating any other youth or charitable organization not specifically named in reference (a).

## 2. APPLICABILITY

2.1. This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of 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 within the Department of Defense (hereinafter referred to collectively as "the DoD Components").

2.2. This Instruction is in addition to and separate from support of DoDD 1100.20, Innovative Readiness Training, but provides management and policy of the National Guard civil-military assistance programs to Certain Youth and Charitable Organizations as defined or as authorized under reference (a).

### 3. DEFINITIONS

3.1. Unless otherwise specified, terms used in this Instruction are defined in Enclosure 1.

3.2. Unless otherwise specified, Dictionary of Military and Associated Terms (reference (c)) shall define military terms.

### 4. POLICY

It is DoD policy that:

4.1. National Guard members and units may assist certain youth and charitable organizations in addressing community and civic needs in the states when such assistance is incidental to military training or is otherwise authorized by law.

4.2. The authorized support and services to be provided for certain youth and charitable organizations is limited and listed in 32 U.S.C. 508 (reference (a)).

4.3. Authorized support and services may be provided only to organizations listed in reference (a) or any other youth or charitable organization the Assistant Secretary of Defense for Reserve Affairs, (ASD (RA)) designates, on a case-by-case basis.

### 5. RESPONSIBILITIES

5.1. The Assistant Secretary of Defense for Reserve Affairs, under the Under Secretary of Defense for Personnel and Readiness, shall:

5.1.1. Oversee and monitor compliance with this Instruction.

5.1.2. Develop, coordinate, and oversee implementing DoD policy for activities conducted under reference (a).

5.1.3. Serve as the Office of the Secretary of Defense point of contact for all activities conducted under reference (a).

5.1.4. Monitor activities the National Guard conducts under reference (a) to ensure compliance with guidance and policy requirements this Instruction states.

5.1.5. Coordinate with the Office of General Counsel, Department of Defense about complying with statutory and other legal requirements applicable to activities conducted under reference (a).

5.1.6. Coordinate with the Office of the Under Secretary of Defense (Comptroller) on budgetary and fiscal matters about activities conducted under 32 U.S.C. 508 (reference (a)).

5.1.7. Review and approve/disapprove all requests for support or services the National Guard Bureau submits from any organization or activity outside the Department of Defense and not listed in reference (a) as an eligible organization.

5.2. The Chief, National Guard Bureau shall:

5.2.1. Implement this Instruction's requirements.

5.2.2. Ensure the commanders of units or personnel participating in activities conducted under reference (a) determine that the type, manner, and means of assistance provided is consistent with valid unit training requirements, or related to the specific military occupational specialty of participating personnel.

5.2.3. Ensure, in the case of emergency medical assistance and services, that activities comply with all applicable local, State, Federal, and military requirements governing participating military healthcare providers qualifications and regulating the healthcare delivery in the particular locale, State, or region where medical activity is to be conducted. The most stringent requirements shall control when a conflict exists.

5.2.4. Develop and prescribe timely after-action reporting requirements to be implemented by units and personnel under the jurisdiction of the National Guard Bureau who conduct activities under reference (a). After-action reporting shall assess the degree to which completed activities have contributed to individual and unit mission readiness and training, and whether the activity addressed the intended community or civic need(s). Copies of after-action reports shall be forwarded no later than sixty days from completed activities through the Service Component to ASD(RA).

5.2.5. Forward to the ASD (RA), under the procedures established in paragraph 6, to review and approve/disapprove, all requests for support or services the National Guard Bureau receives from any organization or activity outside the Department of Defense that is not listed in reference (a) as an eligible organization.

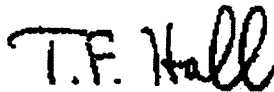
5.2.6. Ensure that National Guard units neither commit to nor commence such support or services prior to the ASD (RA)'s decision.

6. PROCEDURES

A request to provide support to entities not included in reference (a) shall include a request from a responsible official of the organization; Articles of Incorporation; Bylaws; Tax Status; the unit's recommendation and validation of training, a letter from the National Guard Bureau supporting the project and certifying compliance with paragraphs 5.2.2 and 5.2.3 as appropriate, and an explanation of the specific services to be provided. Requests shall be sent through the Service Component headquarters to the ASD (RA).

7. EFFECTIVE DATE

This Instruction is effective immediately.



**T. F. Hall**  
**Assistant Secretary of Defense**  
**for Reserve Affairs**

Enclosures - 1

E1. Definitions



## E1. ENCLOSURE 1

### DEFINITIONS

#### E1.1.1. Eligible Organizations and Activities

E1.1.1.1. Youth and charitable organizations specified in 32 U.S.C. 508.

E1.1.1.2. Any other entity as may be approved, on a case-by-case basis, by ASD (RA), after coordination with the Department of Defense Designated Agency Ethics Official.

E1.1.2. Military Training. Instructing personnel to enhance their capacity to perform specific military functions and tasks; exercising one or more military units to enhance their combat readiness; and instruct and applying exercises for acquiring and retaining skills, knowledge, and attitudes required to accomplish military tasks. Military training is accomplished as collective training, individual training, or unit training.

E1.1.2.1. Collective Training. Instructing and applying exercises that prepare an organization team (such as a squad, aircrew, battalion, or multi-Service task (force) to accomplish required military tasks as a unit).

E1.1.2.2. Individual Training. Instruction provided to an individual military member, either in a centralized training organization or in an operational unit, which prepares the member to perform specified military tasks.

E1.1.2.3. On-the-Job Training. Individual training in designated job skills provided to individual members when serving in job positions in operational units.

E1.1.2.4. Unit Training. Individual or collective training an operational unit conducts.

E1.1.3. State. Includes any state of the United States, The District of Columbia, The Commonwealth of Puerto Rico, The Virgins Islands, and Guam.

E1.1.4. Responsible Official. Any officer, director, or other official authorized to represent and conduct official business on behalf of the organization or activity.



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, DC 20350-2000

OPNAVINST 5760.5D  
N1/CNRC  
18 Nov 2014

OPNAV INSTRUCTION 5760.5D

Subj: NAVY SUPPORT AND ASSISTANCE TO YOUTH GROUPS

Ref: (a) 10 U.S.C. §2031  
(b) 10 U.S.C. §7541  
(c) 10 U.S.C. §2554  
(d) 10 U.S.C. §2555  
(e) DoD 5500.07-R, Joint Ethics Regulation, August 1993  
(f) OPNAVINST 4630.25D  
(g) BUPERSINST 1001.39F  
(h) OPNAVINST 5720.2M  
(i) RESPERS M-1001.5, Navy Reserve Personnel Manual (NOTAL), June 2012  
(j) COMNAVRESFORCOMINST 5760.2E (NOTAL)

1. Purpose. To issue policy and assign responsibilities for Navy support of and liaison with youth groups. Major changes include revisions throughout to reflect Commander, Navy Recruiting Command's support to the Sea Cadet Program. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. OPNAVINST 5760.5C.

3. Background. Commander, Navy Recruiting Command, is assigned primary responsibility for Navy support of and liaison with youth groups. The Naval Junior Reserve Officers' Training Corps is required by reference (a), and authorizes the use of appropriated funds to provided text, equipment, uniforms, and assistance with transportation and billeting to Naval Junior Reserve Officers' Training Corps units. The Naval Sea Cadet Corps is a federally chartered private corporation. Reference (b) permits Navy to give the Naval Sea Cadet Corps, the Boy Scouts of America, and the Young Marines obsolete Navy material, to sell other Navy material to these organizations at fair market value, and specifically permits the Navy to sell enlisted uniform items to the Naval Sea Cadet Corps at fair market value, provided the Naval Sea Cadet Corps pays the cost of transportation and delivery of the items. Reference (c) permits

support of the Boy Scouts of America National Jamboree. Reference (d) authorizes provision of transportation services to the Girl Scouts of America for international events.

4. Policy. Navy shall support and assist youth groups to the maximum extent possible but not exceed the limitations of reference (e) sections 3-200 through 3-212. Support beyond that specified in paragraph 3 shall be within the limits of available resources and to the extent that this participation does not interfere with assigned military missions. The following policies apply:

a. Nature of Navy Participation. Navy participation must contribute to the goals of the youth groups. Presentations and lectures (ashore and afloat) on sea power, Navy education and training, career opportunities, and similar subjects are encouraged; however, members of the youth groups, except for Naval Junior Reserve Officers' Training Corps, may not participate in military drills or hands-on military evolutions.

b. Recruiting. Active recruiting of members of youth groups shall not be undertaken when they are guests of the Navy. Members of youth groups who exhibit interest in joining the Navy or who desire further information should be referred to a local Navy recruiting station.

c. Surplus Department of Defense Property. Certain nationally recognized youth groups are authorized to acquire certain categories of the Department of Defense (DoD) surplus property per the Federal Property Management Regulations Guide, section 101.44. Specified youth groups may request surplus DoD property by submitting a letter of request to the General Services Administration via their appropriate Defense Reutilization and Marketing Office state coordinator.

d. Temporary Additional Duty Orders. Navy personnel may serve as adult leaders in youth groups. If travel to a specific event would be in the Navy's interest, active-duty military personnel may be issued permissive no-cost temporary additional duty orders by their commanding officer to participate in official functions of such groups.

5. Types of Navy Support. Navy support typically provided to youth groups includes, but is not limited to:

a. Cruises

(1) Daylight Cruises. Members of youth groups and their adult advisors are authorized to embark Navy ships for daylight cruises.

(2) Overnight Cruises. Members of youth groups, ages 15 and above, and their adult advisors, are authorized to participate in extended cruises on Navy ships per reference (f).

b. Orientation Flights. Per reference (g), youth group members are authorized to participate in Navy orientation flights.

c. Lodging and Meals

(1) Lodging. Navy bachelor enlisted quarters, camping facilities, and shipboard berthing are authorized as available. Appropriate charges may be made for berthing ashore. If adult leaders are lodged in bachelor officer quarters, standard rates should be charged.

(2) Meals. Costs of meals on Navy ships or shore activities must be borne by the members of youth groups.

d. Training, Orientation and Tours

(1) Facilities for training meetings and special youth events are subject to the provisions of reference (h).

(2) Unclassified lectures, training materials, and aids are authorized for use with youth groups.

(3) Presentations on Navy training, educational opportunities, and subjects designed to increase the understanding of the importance of sea power are authorized.

(4) Accommodations for overnight camping trips, including trips of several days' duration, are authorized on a space available basis. Such use must not prevent or delay accommodations for uniformed personnel and their family members, who are the primary intended beneficiaries of the Morale, Welfare and Recreation program.

6. Naval Sea Cadet Corps. The following information pertains only to the Sea Cadets:

a. Background. The Navy League of the United States established the Naval Sea Cadet Corps in 1958 in cooperation with the Department of the Navy as a volunteer, non-profit training organization for young people ages 14 through 17. On 10 September 1962, the Naval Sea Cadet Corps was federally chartered by Public Law 87-655, which states that the purpose of the Naval Sea Cadet Corps is, through organization and cooperation with the Department of the Navy, to encourage and aid American youths to develop an interest and skill in basic seamanship and in its naval adaptation; to train them in seagoing skills; and to teach them patriotism, courage, self-reliance, and kindred virtues. The Naval Sea Cadet Corps National Board of Directors is the governing body of the Naval Sea Cadet Corps and is responsible for general policies and programs and for the control of all funds. The Naval Sea Cadet Corps offers an excellent voluntary Navy training program for qualified students with no obligation for them to enlist in the Navy. The Naval Sea Cadet Corps rank and rate structure generally parallels that of the Navy, except that there is no officer rank above lieutenant commander or cadet rate chief petty officer. Cadet applicants must pass a qualifying physical examination similar to that required for Navy enlistees. A sports type physical satisfies this requirement. Commander, Navy Recruiting Command is assigned as the Navy's program manager. The Naval Sea Cadet Corps is responsible for maintaining liability insurance coverage for all activities and personnel providing program support.

b. Uniforms. The Secretary of the Navy has authorized members of the Naval Sea Cadet Corps to wear appropriately modified versions of the Navy officer, midshipman and enlisted uniforms as prescribed in the U.S. Navy Uniform Regulations. Additionally, cadets may wear previously authorized Navy uniforms that may not be currently in use. The modifications, designed to clearly identify the wearer as a member of the Sea Cadets, are issued by the Executive Director, Naval Sea Cadet Corps, and approved by Commander, Navy Recruiting Command. Navy and Navy Reserve personnel, including retired personnel, may wear their Navy uniforms when participating in the program.

c. Cost of Lodging and Meals. Support provided must be in compliance with reference (h). If Sea Cadets are lodged in bachelor officer quarters, standard rates should be charged. Cost of meals on Navy ships or shore activities must be borne by the individual.

d. Advanced Pay Grade Enlistment. Members of the Naval Sea Cadet Corps may be enlisted in the Navy in advanced pay grades. For enlistment at pay grade E-2, the member must be designated as an E-2 in the Naval Sea Cadet Corps and have not yet reached 24 years of age on the date of enlistment. For enlistment at pay grade E-3, the member must be designated as an E-3 in the Naval Sea Cadet Corps and have not reached 24 years of age on the date of enlistment. A copy of the Sea Cadet advancement documentation may be requested from Naval Sea Cadet Corps National Headquarters, 2300 Wilson Blvd, Suite 200, Arlington, VA 22201-5425 if not available locally. Course completion certificates and test results may also be used for advanced pay grades E-2 or E-3. All Naval Sea Cadet Corps are required to complete regular Navy recruiting training upon enlistment.

e. Navy Reservist Participation. Navy Reservists participating in the program may be awarded non-pay drill credit per references (i) and (j).

f. Naval Sea Cadet Corps Training. The Naval Sea Cadet Corps training program uses unclassified Navy non-resident training courses combined with classroom instruction and supplemented by advanced training aboard ships and shore activities and at Navy schools to train its members. The Cadets are trained per curriculums and disciplines approved by Commander, Navy Recruiting Command. Navy commands may invite training officers of supported units to attend command planning boards for training in preparation for training.

g. Naval Sea Cadet Corps Program Management. As Navy's program manager for the Sea Cadets, Commander, Navy Recruiting Command will:

(1) Assist the Naval Sea Cadet Corps in planning for Navywide support.

(2) Maintain close liaison with those offices in the Department of the Navy concerned with training and youth programs to ensure that the Naval Sea Cadet Corps program reflects current Navy policies.

(3) Recommend and implement appropriate changes to Department of the Navy policies concerning the Naval Sea Cadet Corps.

(4) Maintain liaison with representatives of supporting Navy commands and with National Chairman, President, and Executive Director of the Naval Sea Cadet Corps and the Navy League of the United States.

(5) Support Sea Cadet coordination efforts with Commander, United States Fleet Forces Command, for 2-week summer afloat training sea billet requirements.

(6) Support Sea Cadet coordination efforts for 2-week shore billet requirements for summer advanced training with Navy shore commands.

(7) Measure the effectiveness of the Naval Sea Cadet Corps in terms of recruiting young men and women in the Services.

(8) Provide guidance and assistance to the Naval Sea Cadet Corps on administrative procedures, uniform regulations, training programs, and Navy public affairs projects.

(9) Permit participation of active, reserve and retired Navy personnel as Naval Sea Cadet Corps officers.

(10) Enlist qualified Naval Sea Cadet Corps applicants at the appropriate pay grade.

h. Responsibilities of Supporting Commands. To assist Commander, Navy Recruiting Command in managing the program, following support by other commands as necessary:

(1) U.S. Fleet Forces Command. On a space available basis and per references (g) and (h), fleet commanders shall provide billets on fleet ships and schools to Commander, Navy

Recruiting Command for allocation to the Naval Sea Cadet Corps in support of their summer training and or foreign exchange program.

(2) Commanding Officers, Naval Shore Activities. On a space available basis per reference (h), provide billets at shore activities to Commander, Navy Recruiting Command for allocation to the Naval Sea Cadet Corps in support for their summer training and or foreign exchange program.

7. Action

a. Commander, Navy Recruiting Command shall provide program management and coordination.

b. Appropriate fleet and shore activities shall provide support to youth groups consistent with the provisions of this instruction, and exercise direct liaison appropriate with Commander, Navy Recruiting Command and supporting field organizations.

8. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per the Secretary of the Navy Manual 5210.1 of January 2012.



W. F. MORAN  
Deputy Chief of Naval Operations  
(Manpower, Personnel, Training  
and Education)

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<http://doni.documentservices.dla.mil/>





## U.S. NAVAL SEA CADET CORPS

[www.seacadets.org](http://www.seacadets.org)

### 2020 Liability Insurance Policy Information

Version 1.0 – 31 January 2020

Enclosure (1) contains the summary of terms and limits for the NSCC general liability policy. The NSCC's liability coverage includes any facility where NSCC or NLCC units meet on a regular, permanent basis. It is requested that units use enclosure (1) to inform hosts, sponsoring organizations, or other entities requesting verification of NSCC liability insurance coverage. Host sites or other entities requiring an "additional insured" certificate should contact Member Services Manager Veronica Morales at [vmorales@seacadets.org](mailto:vmorales@seacadets.org).

USNSCC Regulations prohibit units, regions, or training contingents from owning any vehicle, watercraft, automobile, or bus. Further, the NSCC's insurance policy does not include or cover any such vehicle. Privately owned boats/vehicles used to support NSCC events must secure their own insurance coverage.

The NSCC's insurance broker advises that NSCC volunteers hiring/renting vehicles for NSCC-related purposes should obtain additional insurance, as our insurance will not cover some costs associated with rental car damage (such as loss-of-use fees). When renting vehicles for NSCC use, additional coverage shall be purchased from the rental company, or from a third party.

Encl: (1) NSCC Liability Insurance Policy Certificate dated 30 January 2020

ACORD™

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/30/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> McGriff Insurance Services 3975 Fair Ridge Dr Suite 110 N Fairfax, VA 22033-2924 703 352-2222	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 703 352-2222 FAX (A/C, No): 866-925-7123 E-MAIL ADDRESS:	
	<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Cincinnati Indemnity Company NAIC # 23280 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
<b>INSURED</b> US Naval Sea Cadet Corps 2300 Wilson Boulevard #200 Arlington, VA 22201		

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		ENP0059849	02/01/2020	02/01/2021	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPIOP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY		EBA0059849	02/01/2020	02/01/2021	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$0		ENP0059849	02/01/2020	02/01/2021	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y/N (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	EWC037055801	02/01/2020	02/01/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$100,000 E.L. DISEASE - EA EMPLOYEE \$100,000 E.L. DISEASE - POLICY LIMIT \$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Named Insureds: US Naval Sea Cadet Corps & affiliated councils within the USA and its territories or possessions

## INFORMATION PURPOSES ONLY

## CERTIFICATE HOLDER

## CANCELLATION

US Naval Sea Cadet Corps 2300 Wilson Boulevard #200 Arlington, VA 22201	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <i>Claudia A. Lewis</i>
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# Item 2

## Animal Shelter

**From:** Nelson, Ashley - RD, Knoxville, TN [ashley.nelson@usda.gov](mailto:ashley.nelson@usda.gov)  
**Subject:** RE: Question  
**Date:** July 31, 2019 at 3:07 PM  
**To:** Terry Frank [tfrank@andersontn.org](mailto:tfrank@andersontn.org)



Yes, that would be eligible for the CF program. Clinton is eligible for the program, but not grant fund eligible so it would be all loan funds.

Ashley R. Nelson  
Area Specialist I Community Programs I Knoxville Area Office  
Rural Development  
United States Department of Agriculture  
Phone: (865) 291-9529 direct I Fax: (855) 776-7055  
[www.rd.usda.gov/tn](http://www.rd.usda.gov/tn) I "Together, America Prospers"

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Customer Feedback

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**From:** Terry Frank <[tfrank@andersontn.org](mailto:tfrank@andersontn.org)>  
**Sent:** Wednesday, July 31, 2019 3:01 PM  
**To:** Nelson, Ashley - RD, Knoxville, TN <[ashley.nelson@usda.gov](mailto:ashley.nelson@usda.gov)>  
**Subject:** Question

Hi Ashley,

I hope all is going well. I want to thank you for working so hard for Briceville. They are such a great community and are so appreciative of your help.

I have a question. Would a county animal shelter project be eligible for the Community Facilities Program? It would be a county building and project, but the land would be inside Clinton City limits.

My best,

Terry

*Terry Frank*  
Anderson County Mayor  
100 North Main Street, Suite 208  
Clinton, Tn 37716  
[tfrank@andersontn.org](mailto:tfrank@andersontn.org)  
865-457-6200 FAX 865-457-6270

[HOME](#) › [PROGRAMS & SERVICES](#) › [COMMUNITY FACILITIES DIRECT LOAN & GRANT PROGRAM](#)

-- Select State --

## Community Facilities Direct Loan & Grant Program

[Overview](#)

[To Apply](#)

[Other Requirements](#)

[Events](#)

[Contact](#)

### PROGRAM STATUS:

Open

[Program Fact Sheet](#)

[Hoja Informativa del Programa](#)

[Direct Loan Applicant Guidance Book: PDF](#) | [Spanish](#)

### What does this program do?

This program provides affordable funding to develop essential community facilities in rural areas. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the

community in a primarily rural area, and does not include private, commercial or business undertakings.

### **Who may apply for this program?**

Eligible borrowers include:

- Public bodies
- Community-based non-profit corporations
- Federally-recognized Tribes

### **What is an eligible area?**

Rural areas including cities, villages, townships and towns including Federally Recognized Tribal Lands with no more than 20,000 residents according to the latest U.S. Census Data are eligible for this program.

### **How may funds be used?**

Funds can be used to purchase, construct, and / or improve essential community facilities, purchase equipment and pay related project expenses.

Examples of essential community facilities include:

- Health care facilities such as hospitals, medical clinics, dental clinics, nursing homes or assisted living facilities
- Public facilities such as town halls, courthouses, airport hangars or street improvements
- Community support services such as child care centers, community centers, fairgrounds or transitional housing
- Public safety services such as fire departments, police stations, prisons, police vehicles, fire trucks, public works vehicles or equipment
- Educational services such as museums, libraries or private schools
- Utility services such as telemedicine or distance learning equipment
- Local food systems such as community gardens, food pantries, community kitchens, food banks, food hubs or greenhouses

For a complete list see Code of Federal Regulations 7 CFR, Part 1942.17(d) for loans; 7 CFR, Part 3570.62 for grants.

## What kinds of funding are available?

- Low interest direct loans
- Grants
- A combination of the two above, as well as our loan guarantee program. These may be combined with commercial financing to finance one project if all eligibility and feasibility requirements are met.

## What are the funding priorities?

- Priority point system based on population, median household income
  - Small communities with a population of 5,500 or less
  - Low-income communities having a median household income below 80% of the state nonmetropolitan median household income.

## What are the terms?

Funding is provided through a competitive process.

### Direct Loan:

- Loan repayment terms may not be longer than the useful life of the facility, state statutes, the applicants authority, or a maximum of 40 years, whichever is less
- Interest rates are set by Rural Development, contact us for details and current rates
- Once the loan is approved, the interest rate is fixed for the entire term of the loan, and is determined by the median household income of the service area and population of the community
- There are no pre-payment penalties
- Contact us for details and current interest rates applicable for your project

## Grant Approval:

1. Applicant must be eligible for grant assistance, which is provided on a graduated scale with smaller communities with the lowest median household income being eligible for projects with a higher proportion of grant funds. Grant

assistance is limited to the following percentages of eligible project costs: Maximum of 75 percent when the proposed project is:

- Located in a rural community having a population of 5,000 or fewer; and
- The median household income of the proposed service area is below the higher of the poverty line or 60 percent of the State nonmetropolitan median household income.

2. Maximum of 55 percent when the proposed project is:

- Located in a rural community having a population of 12,000 or fewer; and
- The median household income of the proposed service area is below the higher of the poverty line or 70 percent of the State nonmetropolitan median household income.

3. Maximum of 35 percent when the proposed project is:

- Located in a rural community having a population of 20,000 or fewer; and
- The median household income of the proposed service area is below the higher of the poverty line or 80 percent of the State nonmetropolitan median household income.

4. Maximum of 15 percent when the proposed project is:

- Located in a rural community having a population of 20,000 or fewer; and
- The median household income of the proposed service area is below the higher of the poverty line or 90 percent of the State nonmetropolitan median household income. The proposed project must meet both percentage criteria. Grants are further limited.
- Grant funds must be available

#### **Are there additional requirements?**

- Applicants must have legal authority to borrow money, obtain security, repay loans, construct, operate, and maintain the proposed facilities
- Applicants must be unable to finance the project from their own resources and/or through commercial credit at reasonable rates and terms



- Facilities must serve rural area where they are/will be located
- Project must demonstrate substantial community support
- Environmental review must be completed/acceptable

### **How do we get started?**

- Contact your local office to discuss your specific project
- Applications for this program are accepted year round
- Program resources are available online (includes forms needed, guidance, certifications)
- Request a Data Universal Number System (DUNS) number if your organization doesn't already have one. It should not take more than a few business days to get your number.
- Register your organization with the System for Award Management (SAM) if you aren't already registered. The registration is free, but you need to complete several steps.

### **Who can answer questions?**

Contact your local RD office.

### **What governs this program?**

- Direct Loans: 7 CFR Part 1942, Subpart A
- Grants: 7 CFR Part 3570, Subpart A

NOTE: Because citations and other information may be subject to change please always consult the program Instructions listed in the section above titled "What Law Governs this Program?" You may also contact your local office for assistance.

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**Army Regulation 405–80**

**Real Estate**

# **Management of Title and Granting Use of Real Property**

**Headquarters  
Department of the Army  
Washington, DC  
10 October 1997**

**UNCLASSIFIED**

# ***SUMMARY of CHANGE***

AR 405-80

Management of Title and Granting Use of Real Property

This regulation revises policy relating to granting use of real property and adds policy on management of title. Specifically, this revision--

- o Changes the regulation title to incorporate the real property management activities performed by the Army Corps of Engineers (title page).
- o Incorporates changes in law (chaps 1-4).
- o Revises responsibilities based on organizational changes (chap 2).
- o Increases the delegations of authority to lower levels (chaps 2-4).
- o Updates and consolidates delegations of authority into this regulation (chap 3).
- o Allows delegations, subject to qualifying criteria, to named individuals below the USACE district chief of real estate level (chap 3).
- o Updates policy on granting the use of DA real property (chap 4, section I).
- o Adds section on management of title and unauthorized use. (chap 4, section II)
- o Eliminates detailed procedures from the regulation. (chap 4)
- o Adds management control review checklist. (appendix C)

Effective 11 November 1997

Real Estate

## Management of Title and Granting Use of Real Property



Togo D. West, Jr.  
Secretary of the Army

**History.** This printing publishes a complete revision of this regulation. Because the publication has been extensively revised, the changed portions have not been highlighted.

**Summary.** This regulation states the policy on management of title, unauthorized use, and granting use of Army controlled real

property. It consolidates and delegates authority to issue, execute, manage, renew, supplement or revoke outgrants authorizing the use of Army real property and to perform certain management activities.

**Applicability.** This regulation is applicable to all Army agencies responsible for Army real property, including the Active Army, the Army National Guard (ARNG), the U.S. Army Reserve (USAR), and the Army Corps of Engineers (civil works). The provisions of this regulation do not apply to real property acquired under the Homeowners Assistance Program. The Secretary of the Army, or his designee, may make specific exceptions.

**Proponent and exception authority.** The proponent of this regulation is the Chief of Engineers (COE). The COE has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. The COE may delegate the approval authority, in writing, to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

**Army management control process.**

This regulation contains management control provisions in accordance with AR 11-2 and contains checklist for conducting management control reviews.

**Supplementation.** Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the COE, Washington, DC 20314-1000.

**Suggested Improvements.** Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the COE (Attn: CERE-Z), Washington, DC 20314-1000.

**Distribution.** Distribution of this regulation is made in accordance with initial distribution number (IDN) 093458, intended for commanded levels A, B, C, D, and E for Active Army, D and E for Army National Guard, and E for U.S. Army Reserve.

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\*This regulation supersedes AR 405-80, dated 17 February 1979.

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## **Chapter 1 General**

### **1-1. Purpose**

This regulation sets forth the authority and prescribes policies for management of the United States of America title to real property under the jurisdiction or control of the Department of the Army (DA), granting the use of that real property to non-Army users, and oversight of unauthorized uses of that real property.

### **1-2. References**

Required publications and prescribed form are listed in appendix A.

### **1-3. Explanation of abbreviations and terms**

Abbreviations and terms used in this regulation are explained in the glossary.

### **1-4. Authority to grant use of real property**

a. The United States (US) Constitution (article IV, sec 3, clause 2) gives Congress the power to dispose of and make all needful rules and regulations respecting the territory or other property of the US.

b. Congress has enacted specific legislation giving the Secretary of the Army (SA) authority to grant the use of real property under his administrative control. Statutory authorities are listed in appendix B.

c. The SA also has the general administrative authority to grant uses of real property which do not adversely affect title, ownership, or control.

d. The SA may grant the right to use real property under authority implied from other powers granted by Congress.

## **Chapter 2 Responsibilities**

### **2-1. The Secretary of the Army (SA)**

The SA will—

a. Serve as trustee for the real property under the jurisdiction and control of the Army.

b. Delegate responsibility for the real estate programs.

### **2-2. The Assistant Secretary of the Army (Installations, Logistics and Environment) (ASA(I,L&E))**

The ASA(I,L&E) will—

a. Act for the SA on real estate issues.

b. Have primary responsibility for the Army's real estate programs.

### **2-3. The Deputy Assistant Secretary of the Army (Installation and Housing) (DASA(I&H))**

The DASA(I&H) will—

a. Execute the real estate responsibilities.

b. Formulate policies and programs for the management, requirements and availability of Army-controlled military real property.

c. Formulate policies and programs for the procedural and technical aspects of the outgranting of both military and civil works real properties, including delegations.

d. Formulate policies and programs for the management of title and unauthorized uses of both military and civil works real properties, including delegations.

e. Ensure and oversee the implementation of those policies and programs.

f. Review and process both military and civil works outgrant documents for signature at the Secretariat level.

g. Delegate, as appropriate, authority to issue, execute, manage, renew, supplement or revoke outgrants.

h. Make Determinations of Availability and execute outgrants, as appropriate.

i. Serve as the primary point of contact with the Office of the

Secretary of Defense (OSD) and other agencies for Army real estate programs.

### **2-4. The Assistant Secretary of the Army (Civil Works) (ASA(CW))**

The ASA(CW) will—

a. Have primary responsibility for the supervision of the functions of the DA relating to all aspects of the civil works program and for the Army components of the National Cemetery Program, such as the Arlington National Cemetery and the Soldiers' and Airmen's Home National Cemetery.

b. Formulate policies and programs for the management, requirements and availability for outgranting of Army-controlled civil works real property, the Arlington National Cemetery and the Soldiers' and Airmen's Home National Cemetery.

c. Ensure and oversee the implementation of those policies and programs.

d. Make Determinations of Availability, as appropriate

### **2-5. The Assistant Chief of Staff for Installation Management (ACSIM))**

The ACSIM will—

a. Review Reports of Availability (ROA) for consistency with DA requirements for those outgrants on Army-controlled military real property requiring approval by higher authority, except for property under the jurisdiction of the Chief, National Guard Bureau or the Chief, Army Reserve.

b. Make Determinations of Availability, as delegated.

c. Oversee installation management activities.

### **2-6. The Chief, National Guard Bureau (NGB) or the Chief, Army Reserve (OCAR)**

a. The NGB or OCAR, with regard to real property under their jurisdiction, will—

(1) Review Reports of Availability (ROA) for consistency with DA requirements for those outgrants requiring approval by higher authority.

(2) Make Determinations of Availability, as delegated.

(3) Oversee real property management activities.

b. The NGB will—

(1) Make Determinations of Availability (DOA) by approval of the Report of Availability (ROA) prepared by their subordinate offices, except those requiring approval by higher authority or those authorized for redelegation.

(2) Specify authorized uses of real property compatible with mission requirements and policies in this regulation.

(3) Ensure programming and budgeting for real property actions covered by this regulation.

### **2-7. The Chief of Engineers (COE)**

The COE will—

a. Serve as the DA staff official responsible for the Army real property programs.

b. Determine and issue appropriate DA regulations.

c. Provide technical advice and support to ASA(I,L&E), ASA(CW) and to the Army Staff on real estate matters.

d. Administer the programs covered by this regulation for Army-controlled real property.

e. Issue guidance on procedural and technical implementation of the policies and general procedures in this regulation.

f. Perform staff liaison and coordination, as required.

### **2-8. The Commanding General, U.S. Army Corps of Engineers (CG, USACE)**

The CG, USACE will—

a. Manage and execute the real property programs for the Army, military and civil.

b. Oversee delegations to USACE divisions and districts and establish qualifying standards for any redelegation of authority.

c. Issue guidance on procedural and technical implementation of the policies and general procedures in this regulation.

d. Establish appropriate formats for outgrants and other outgrant documents.

e. Provide training in procedures, policies, authorities and documents covered by this regulation.

f. Process Reports of Availability (ROA) for those outgrants on Army-controlled real property requiring approval by higher authority.

g. Make Determinations of Availability, as delegated.

## **2-9. Commanders of Major Army Commands (MACOMs)**

a. The MACOMs Commanders will—

(1) Designate a MACOM chief real property officer responsible for staff support of its real property matters.

(2) Make Determinations of Availability (DOA) by approval of the Report of Availability (ROA) prepared by their subordinate installation, except those requiring approval by higher authority or those authorized for redelegation.

(3) Specify authorized uses of real property compatible with mission requirements and policies in this regulation.

(4) Ensure programming and budgeting for installation real property actions covered by this regulation.

(5) Authorize the use of real property outside the continental United States (OCONUS) areas for non-Army use in accordance with the Status of Forces Agreements, treaties or other agreements under which the Army controls such real property.

b. The Arlington National Cemetery and the Soldiers' and Airmen's Home National Cemetery are assigned to the Commander, Military District of Washington.

## **2-10. Commander, U.S. Army Reserve Command (USARC)**

The USARC Commander, with regard to real property for which they are accountable, will—

a. Designate a chief real property officer responsible for staff support of its real property matters.

b. Make Determinations of Availability (DOA) by approval of the Report of Availability (ROA) prepared by their subordinate regional commands, except those requiring approval by higher authority or those authorized for redelegation.

c. Specify authorized uses of real property compatible with mission requirements and policies in this regulation.

d. Ensure programming and budgeting for real property requirements covered by this regulation.

## **2-11. Commanders, U.S. Army Corps of Engineer (USACE) Division**

a. The USACE Division Commanders will—

(1) Manage, plan, and oversee the real property programs within their geographic area.

(2) Review appraisals for outgrant actions.

(3) Issue, execute, manage, renew, supplement or revoke outgrants of real property in accordance with this regulation, implementing regulations, the outgrant document, or separate delegations of authority.

(4) Oversee and manage the integrity of the government's title and unauthorized use by non-Army parties.

(5) Provide technical real estate services, guidance, and assistance.

b. The USACE Division Commanders, with regard to civil works real property for which they are accountable, will—

(1) Designate a chief real property officer responsible for staff support of its real property matters.

(2) Make Determinations of Availability (DOA) by approval of the Report of Availability (ROA) prepared by their subordinate commands, except those requiring approval by higher authority or those authorized for redelegation.

(3) Specify authorized uses of real property compatible with mission requirements and policies in this regulation.

(4) Ensure programming and budgeting for real property actions covered by this regulation.

## **2-12. Commanders, U.S. Army Corps of Engineers (USACE) Districts**

a. The USACE District Commanders will—

(1) Manage, plan, and oversee the real property programs within their geographic area.

(2) Provide appraisals of fair market value or otherwise determine consideration for outgrant actions.

(3) Issue, execute, manage, renew, supplement or revoke outgrants of real property in accordance with this regulation, implementing regulations, the outgrant document, or separate delegations of authority.

(4) Oversee and manage the integrity of the government's title and unauthorized use by non-Army parties in accordance with this regulation, implementing regulations, the outgrant document, or separate delegations of authority.

(5) Provide technical real estate services, guidance, and assistance and coordinate actions with the appropriate using DA element.

b. The USACE District Commanders, with regard to civil works real property for which they are accountable, will—

(1) Designate a chief real property officer responsible for staff support of all real property matters.

(2) Review Army controlled real property to identify any such property which may be made available for use by others.

(3) Review requests from non-Army entities for outgrant of Army controlled real property.

(4) Prepare and process ROA for outgrants of land or facilities under project control.

(5) Account for all outgrants in a real property inventory.

(6) Program and budget resources for real property actions covered by this regulation.

## **2-13. Installation Commanders (IC)**

a. The IC will—

(1) Designate a chief real property officer responsible for staff support of all real property matters.

(2) Review Army controlled real property to identify any such property which may be made available for use by others.

(3) Review requests from non-Army entities for outgrant of Army controlled real property.

(4) Notify the appropriate USACE district commander of any possible title disputes, encroachments, real estate claims, or boundary questions.

(5) Prepare and process ROA for outgrants of land or facilities under installation control.

(6) Account for all outgrants in the installation real property inventory automated system.

(7) Program and budget resources for real property actions covered by this regulation, to include reimbursement of USACE administrative costs.

b. The IC will—

(1) Grant short-term, revocable licenses for the use of property incidental to installation administration, in accordance with this regulation.

(2) Grant a revocable license to document property provided in accordance with a Federal Acquisition Regulation (FAR) contract, except for certain uses under a construction contract, for the same term as the contract, in accordance with this regulation.

(3) Grant short-term, revocable licenses of land, facilities or space for the regular, occasional or non-recurring use to state or local governments, youth, civic, community or non-profit organizations, in accordance with this regulation.

(4) Grant leases to military personnel for trailer sites.

## **2-14. Commanders, U.S. Army Reserve Regional Support Commands (USAR RSC) and U.S. Property and Fiscal Officers (USP&FO)**

a. The Commander, USAR RSC for Army reserve facilities or

the USP&FO for ARNG facilities for which they are accountable will—

(1) Designate a chief real property officer responsible for staff support of all real property matters.

(2) Review real property to identify any such property which may be made available for use by others.

(3) Review requests from non-Army entities for outgrant of real property under their control.

(4) Notify the appropriate USACE district commander of any possible title disputes, encroachments, real estate claims, or boundary questions.

(5) Prepare and process ROA for outgrants of land or facilities under their control.

(6) Account for all outgrants in a real property inventory.

(7) Program and budget resources for real property actions covered by this regulation, to include reimbursement of USACE administrative costs.

b. The Commander, USAR RSC or the USP&FO will—

(1) Grant short-term, revocable licenses for the use of property incidental to installation administration, in accordance with this regulation.

(2) Grant a revocable license to document property provided in accordance with a Federal Acquisition Regulation (FAR) contract, except for certain uses under a construction contract, for the same term as the contract, in accordance with this regulation.

(3) Grant short-term, revocable licenses of land, facilities or space for the regular, occasional or non-recurring use to state or local governments, youth, civic, community or non-profit organizations, in accordance with this regulation.

## **2-15. Commander, Tenant Activity**

The commander of a tenant activity will—

a. Provide the IC, the USAR RSC, or the USP&FO, or their real property officer, an annual report of property no longer required by the tenant, coordinated with the appropriate MACOM, NGB or USARC.

b. Approval of the MEDCOM will be obtained prior to making any major changes in the functional arrangement or layout of any part or portion of hospitals, health clinics, troop clinics, laboratories, dental or other clinics, and quarters specifically constructed for AMEDD personnel, including civilian personnel.

## **Chapter 3 Delegations of Authority**

### **3-1. Delegation**

The CG, USACE and the USACE Director of Real Estate are delegated the authority to issue, execute, manage, renew, supplement or revoke outgrants authorizing the use of Army real property, and are authorized, as appropriate, to redelegate this authority to USACE Division or District Commanders, or the USACE division or district Chiefs of Real Estate.

### **3-2. Required Approvals of Availability**

a. The Determination of Availability (DOA) for military outgrant actions will be made by the MACOM Commander, Chief, NGB, or USARC Commander, having jurisdiction or accountability for the property, except for the following:

(1) DASA(I&H) will make the DOA for leases or licenses issued under the authority of 10 USC 2667 which exceed a five year term, except for the following which have been determined by SA to promote the national defense or be in the public interest and do not require approval for the terms stated:

(a) For the construction of public schools by state or political subdivisions, for a term of 25 years with an option to renew for another 25 years.

(b) For agricultural, grazing or haying purposes for a 5 year term with an option to renew for another 5 years;

(c) For the construction of a bank or credit union for a term of 25 years; and

(d) For industrial facilities for a term of 25 years with an option to renew for another 25 years.

(2) The ASCIM, NGB, or OCAR, after coordination with other appropriate DA elements, will make the DOA for:

(a) An outgrant, regardless of value, that significantly reduces, redirects, adds to or affects an installation mission, including an outgrant to another military department, a state National Guard or Federal agency for large or significant areas.

(b) An outgrant, except an easement, to Federal, state or local governmental agencies which involves new construction of facilities which exceeds the construction approval authority of the MACOM.

b. The Determination of Availability (DOA) for civil works outgrant actions will be made by the USACE Division Commander, or the USACE District Commander if so delegated, having jurisdiction or accountability for the property, except for the following:

(1) The ASA(CW) will make the DOA for:

(a) Leases or licenses issued under the authority of 16 USC 460d which exceed a 25 year term, except for the following which have been determined by SA to be in the public interest for the terms stated. Leases or licenses to a state or political subdivision for a term of 50 years and leases for commercial concession purposes for a term of 25 years, with an option to renew for another 25 years.

(b) Leases or licenses issued under the authority of 10 USC 2667 which exceed a five year term, except for agricultural, grazing or haying purposes for a 5 year term with an option to renew for another 5 years.

(2) The CG, USACE will make the DOA for an outgrant, regardless of value, that significantly reduces, redirects, adds to or affects a project mission, including an outgrant to another military department or Federal agency for large or significant areas.

c. The DASA(I&H) will approve modifications of public domain land withdrawals for military purposes which require Secretary of Interior review or approval.

d. The ASA(CW) will approve modifications of public domain land withdrawals for civil works purposes which require Secretary of Interior review or approval.

e. See chapter 4, paragraph 4-4 for outgrant actions which require a DOA/ROA.

### **3-3. Additional Redlegation**

a. The Director of Real Estate will establish qualifying standards for redelegation of execution authority below the division or the district Chief of Real Estate.

b. The Director of Real Estate may authorize division or district Chiefs of Real Estate to redelegate authority to execute, manage, renew, supplement, or revoke licenses or permits, which do not require an appraisal or formal estimate of value and which are for a term of 5 years or less, to individuals who meet the applicable standards, as follows:

(1) To individuals under their supervision.

(2) To individuals at civil works projects.

(3) To individuals recommended by the appropriate MACOM, NGB, or USARC.

c. The Director of Real Estate may authorize division or district Chiefs of Real Estate to redelegate authority to execute, manage, renew, supplement, or revoke outgrants to their Chiefs, Management and Disposal, who meet the applicable standards.

d. Any redelegations will include appropriate oversight and control procedures to ensure that documents are signed only by competent persons in compliance with Army policy and applicable laws.

e. The MACOM Commander, Chief, NGB, Chief, or USARC Commander, as appropriate, for military outgrant actions, or USACE Division Commander, for civil works outgrant actions, may redelegate the authority to make the DOA when authority to execute has been redelegated below the USACE division level.

f. No further redelegation is needed to authorize execution of short-term, revocable licenses delegated to Installation Commanders, USAR RSC Commanders, or the USP&FO by this regulation.



### 3-4. Revocation of prior delegations

Prior to this regulation, general delegations of authority have been given within Army both in regulations and in separate delegations. In an effort to simplify, this regulation hereby supersedes, replaces, and revokes all previous general outgrant delegations of authority. Installation or project specific delegations remain in effect.

## Chapter 4 Policy

### Section I General Outgranting

#### 4-1. General

a. The written document setting out the terms and conditions of non-Army use of real property is called an outgrant. The outgrant program involves the Government as landowner managing its real property holdings and authorizing the use of that property by others. Realty outgrant instruments consist of leases, licenses, easements and permits. (Definitions are in the Glossary.) Consents, Memorandums, and Interservice, Interdepartmental and Interagency Support Agreements (ISAs) are not outgrants.

b. DA goals are to ensure proper management and use of real property authorized for mission purposes; to promote multiple use of DA lands, if authorized; to minimize additional real property acquisition; to reduce maintenance and custody costs and to dispose of real property interests no longer required for DA needs or to discharge DA responsibilities, including environmental.

c. Use of Army-controlled real property is granted for non-Army use only when authorized by law or administrative authority. The use granted must be of direct benefit to the US, promote the national defense or an Army mission, or be in the public interest. The use must also be compatible with the installation/ project mission. All such non-Army use must be authorized by an appropriate realty instrument, except for OCONUS where use must be authorized in accordance with the Status of Forces Agreements, treaties or other agreements under which the Army controls such real property.

d. All outgrants will be for a stated consideration to the United States, in accordance with the applicable authority. Fair market value, if applicable, will be determined by the USACE district using qualified personnel, in accordance with appraisal standards.

e. Authority to enter into outgrants is set out in paragraph 1-4. Specific statutory authorities are described in Appendix A, Section I.

#### 4-2. Identification of potentially available real property

a. DA real property is surveyed and periodically reviewed to determine the current use of property, the degree of utilization, interim or collateral use which could improve management, and properties excess to Army needs. See AR 405-70 and AR 420-70 for military real property and applicable engineer regulations for civil works real property. Property identified as excess will be disposed of in accordance with AR 405-90.

b. Property may also be identified as available for non-Army use during the master planning process or other management reviews. See AR 200-3 and AR 210-20.

c. Property identified above, even if a future use is planned, should be made available for other interim or collateral use by outgrant.

d. Occasionally, non-Army parties will propose outgrants or outgrants will be authorized by special legislation.

e. Pursuant to the Stewart B. McKinney Homeless Assistance Act (Section 501 of Title V, 42 USC 11411, as amended by Public Law 101-645, 29 Nov 90), certain properties are required to be reported to the Department of Housing and Urban Development for determination of availability for use of facilities to assist the homeless.

### 4-3. Non-Army users of real property

Except where a preference is required by law, Army-controlled real property that is available for use for non-Army purposes will be granted in the following order of preference to:

- a. Non-Army entities which support an Army, installation/project, or national defense mission.
- b. Other military departments or DOD activities or agencies.
- c. Other Federal agencies or activities.
- d. Contractors who support b and c above.
- e. State or local government agencies or entities.
- f. Private parties.

#### 4-4. Availability

a. Army controlled real property will be authorized for use by a non-Army party after it has been determined available by an appropriate official who approves a Determination of Availability (DOA) with supporting Report of Availability (ROA). A DOA/ROA is not required for an easements to support a utility contract, a lease for trailer sites or a license under the IC's, USAR RSC's or the USP&FO's authority as set out in paragraphs 2-13b and 2-14b. The availability for these will be documented by memorandum.

b. A ROA for proposed outgrants is initiated and prepared at the installation/project level. This document provides the information necessary for review and approval of availability and preparation of the real property instrument which will authorize the approved use. A conceptual ROA may be used to obtain approval of higher authority prior to completion of all supporting reports and documentation. See AR 140-483 for additional USAR and AFRC procedures.

c. A supplement to the original ROA may be used for renewals of outgrants, provided the purpose, grantee and length of term remains the same.

d. On those installations where the Army National Guard has jurisdiction over the property to be outgranted (the US Property and Fiscal Officer has accountability), the ROA will be prepared by the state National Guard representatives and submitted to the Chief, National Guard Bureau for approval.

e. ROAs will be submitted through command channels to the NGB, MACOM, or USARC, having accountability of the real property for a DOA, except those requiring approval by higher authority as set forth in chapter 3. The authority to determine availability may be redelegated for actions redelegated in accordance with paragraph 3-3.

f. When real property under outgrant is needed for Army purposes, the revocation/termination of availability will be approved at the same level of command that was needed for the original DOA.

#### 4-5. Installation disposition-inactive or closed

When an installation, or a part thereof, is inactivated or closed but is intended to remain in inventory, it may be made available for other military or Federal use or for leasing, unless there are cogent reasons why this should not be done. Interim operation and maintenance by a non-Army party can benefit the US. This property is not excess to DA until it is not required for DA needs and DA has discharged its responsibilities, including environmental restoration. Property is not excess based upon MACOM, NGB, or USAR requirements alone. The requirements and policy in AR 405-90 must be applied.

#### 4-6. Required Congressional report

DA must report to the Armed Services Committees proposed leases or licenses of military real property located in the US, its territories or its possessions, when the estimated annual fair market rental value exceeds the threshold set forth in 10 USC 2662. The threshold is based on rental value, regardless of the actual cash rental collected. This requirement is not applicable to permits, easements or to leases for agricultural purposes. This report is prepared by the appropriate USACE district commander and forwarded to HQUSACE (CERE-L) for submission to the committees. DASA(I&H) will review the Title 10 report for actions that are subject to reporting requirements of Congress contained in 10 USC 2662.

#### **4-7. Lands containing dangerous materials, ammunition, explosives or chemicals or hazardous, toxic or radioactive waste (HTRW)**

For non-Army use, it is Army policy to decontaminate real property using the most appropriate technology consistent with the proposed use of the property. The level of contamination may preclude making the property available. Refer to AR 200-1 for required assessments and notices.

#### **4-8. Environmental, cultural and historical factors**

DA will not authorize the use of real property, water or other natural resources when the use conflicts with the goals and intent of overall Federal policy on environmental quality and historical preservation. All actions will comply with applicable Federal or state environmental, historical, and cultural protection requirements as well as any applicable coastal zone management plans, floodplain and wetland management. See AR 200-2.

#### **4-9. Storage of toxic and hazardous materials**

Title 10, USC 2692 prohibits the storage or disposal of non-DOD owned toxic or hazardous materials on DA installations or projects with certain exceptions. The temporary storage or disposal of explosives in order to protect the public or to assist Federal law enforcement agencies and materials required for use in, or produced as a result of, an approved outgrant for industrial purposes are excepted from this prohibition (see AR 75-15).

### **Section II**

#### **Management of Title and Unauthorized Uses**

#### **4-10. Abandonment of railroad, road or other rights-of-way**

a. When a non-Army railroad or road is abandoned or ceases to be used, the property underlying the easement or right-of-way may, in some instances, revert to the adjoining property owner or may involve other issues of title and use. The fenced and marked boundary may not be dispositive of the government's rights and title. Any notice of a proposed abandonment should be referred immediately to the appropriate USACE district commander.

b. Disposal of a Federal railroad or road easement should be in accordance with AR 405-90.

#### **4-11. Encroachment and Trespass**

a. Encroachment or trespass may occur both on land over which the United States holds an easement interest and on land owned in fee by the United States. Encroachment involves construction or placement of improvements and structures and trespass pertains to unauthorized transient use and occupancy. Trespass is usually handled at the local level.

b. The general DA policy is to require removal of encroachments, restoration of the premises and collection of appropriate administrative costs and fair market value for the term of the unauthorized use. Exceptions to this general policy may be considered for unintentional encroachments after a determination that the area involved is no longer required, either temporarily or permanently, for mission or operational purposes. When an exception to removal is approved, the encroachment may be cured by disposal, exchange, and outgrant or consent (for easement). Litigation may be required to enforce the Government's rights and interests. The appropriate USACE district commander will be consulted immediately upon discovery of a suspected encroachment.

c. Property near airfields shall be managed to account for potential obstructions encroaching on the use of the airfield and airspace. Encroachment through use of property near an airfield can render the airfield unusable or degrade its ability to conduct various types of operations. See 14 CFR 77.27 and 77.28.

#### **4-12. Claims involving damage to real property or arising under outgrants**

a. Claims involving takings of private property by the Army or damages to real property arising from an inlease, right-of-entry,

maneuver permits or other contracts are covered by AR 405-15 or applicable engineer regulations.

b. Claims are also defined by the disputes clause in the outlease document.

c. Unauthorized use by others of DA property are discussed above.

#### **4-13. Boundary line or title disputes**

The specific case must be evaluated as to whether or not it is an encroachment, a boundary line issue or a disputed title action. Close review of the acquisition files and surveys is necessary. The appropriate USACE district commander will be consulted immediately upon notice of any suspected title issues.

#### **4-14. Withdrawal Review Program.**

The Withdrawal Review Program under the Federal Land Policy and Management Act of 1976 (FLPMA), Title 43, United States Code, Section 1714(1), directs the Secretary of the Interior to review certain classes of public domain land withdrawals. When the USACE District Commander, the IC, USAR RSC, or USP&FO, and the District BLM reach agreement on the terms of the proposed modification, the District Commander will execute appropriate documents or, if the action requires approval by the Secretary of Interior, will submit a withdrawal review transmittal assembly through USACE command channels to HQUSACE (CERE-M) for review and approval by the Secretary of the Army.

### **Section III**

#### **Special Outgrants or Uses**

#### **4-15. Requests to search for treasure trove**

a. Notice of any request to search for treasure will be sent to HQUSACE (CERE-M) with the names and addresses of all parties to the proposed contract or license and with a local map showing the general search area. These actions require care because of the complexity of the overlapping laws.

b. A ROA will be processed through command channels with recommendations as to whether the search should be authorized and any terms, limitations, and conditions as necessary.

c. GSA issues contracts to protect the interest of the Government in searches for and sales of treasure trove, which has been wrecked, abandoned, or become derelict, and which should be returned to the Government, under Section 3755 of the Revised Statutes (40 U.S.C. 310). These contracts allow for just and reasonable compensation to be paid to the persons who salvage the property. This statute has been determined to cover salvage of shipwrecks. GSA should not issue the contract until the Army consent is obtained. The GSA contract will state the terms, limitations and conditions of the land availability. By law, the requested search may not cause any costs or claims to the Government. These contracts may be subject to other laws, see 4-15e below.

d. Request to search for treasure trove may also be authorized under a license, especially if the Government claims no right to the treasure.

e. The distinction between treasure trove and archaeological and other artifacts may be difficult, so that other laws governing these sites or items must be considered, i.e., the Archaeological and Historical Preservation Act, Archaeological Resources Protection Act, the Abandoned Shipwreck Act of 1987 and the Antiquities Act of 1906. Occasionally, various mining laws have been used as a guide for other searches.

f. Metal detectors may not be used by individuals on a military installation unless the individual is in search of a lost personal item or unless a license or contract as discussed above has been granted.

#### **4-16. Mineral leasing**

a. Policy on mineral leasing is set out in AR 405-30. Mineral interests on acquired lands and public domain lands are leased by the Bureau of Land Management, Department of Interior.

b. Geothermal energy. Under 10 USC 2689, the SA may develop, or authorize development of, any geothermal energy resource within

lands under SA control, including public lands, for use or benefit of DOD.

#### **4-17. Non Department of Defense Federal agencies**

a. Fair market value will be charged for land and building space granted to non Department of Defense (non-DOD) Federal agencies, in their official capacity, except as follows:

(1) Real property and related services provided to an organization that solely supports or substantially benefits a project or installation mission. The Coast Guard is an Armed Service (see Title 10 U.S.C. 101) and will not be charged.

(2) Land held under existing permits. Agencies should only be charged when entering into new outgrants or renewal of existing outgrants.

(3) The activity being conducted on the real property benefits or enhances the national defense.

(4) Cases in which the income produced by a charge is less than the expense of administering the charge.

(5) Permits in the nature of easements granting a right-of-way for roads, pipelines, cables, or similar purposes.

b. Requests to waive consideration based solely on the basis that the non-DOD activity being conducted on the property benefits or enhances the national defense must be submitted through command channels to ASCIM for approval of the national defense basis for the waiver.

c. Collection of charges may be authorized under an Interservice Support Agreement (ISA), in accordance with applicable DOD regulations.

#### **4-18. Sanitary landfills**

It is Army policy that Army-controlled real property will not be leased, licensed or permitted for landfill purposes, unless the landfill is solely to be used by DA.

#### **4-19. Use of space and buildings by Army exchange activities**

See policies and procedures in AR 60-10.

#### **4-20. Private organizations on Army installations**

AR 210-1 defines and classifies private organizations operating on Army installations and prescribes the support and services that can be provided. The use of space or facilities will be provided through either a lease or a license:

a. *License.* Use may be granted by means of a revocable-at-will license where the use will be occasional, nonregular, regular part-time, or full-time use of space. The license may permit storage of equipment and supplies provided that such storage does not interfere with, nor restrict, the normal use of the facility by other users.

b. *Lease.* Use may be granted by lease where the use will be the guaranteed sole use of space or a facility on a full-time basis; guaranteed use of space for a specific period of time; or storage of in-place equipment or supplies that impairs or restricts normal use of the facility by other users. Rent in CONUS will be established by the USACE district engineer.

c. *Use of real property outside the continental United States (OCONUS).* Areas will be in accordance with the Status of Forces Agreements, treaties or other agreements under which the Army controls such real property.

#### **4-21. Hunting, trapping, and fishing on Army installations**

See instructions and procedures in AR 200-3.

#### **4-22. Post Offices**

Space may be provided under the authority of 39 USC 406 and 411. Postmasters will arrange for use of space with the appropriate accountable officer. An appropriate support agreement will be established and the use of space documented by a permit.

#### **4-23. Rental quarters and trailer sites**

a. Civilian employees and other non-military personnel will be assigned and rented quarters in accordance with AR 210-50. Rental

rates for civilian and military personnel will be established as detailed in AR 210-12.

b. Trailer sites to military personnel will be leased using DA Form 373-R-E (DA Lease of Trailer Site). DA Form 373-R will be locally reproduced on 8 1/2- by 11- inch paper. A copy of the form for reproduction purposes is located at the back of this regulation. An electronically generated DA Form 373-R must contain all data elements and follow the exact format of the existing reproduced form. The form number of the electronically generated form must be shown as DA Form 373-R-E and the data must be the same as shown on the current edition of the form.

#### **4-24. Motion pictures, TV and video productions**

Use of real property for non-government, entertainment-oriented, motion pictures, TV or video productions requires coordination and approval by DOD. Refer to AR 360-5 for military real property and appropriate engineer regulations for civil works real property. Actions require appropriate real estate outgrants for the use proposed.

#### **4-25. Airfields**

a. Use of DA airfields by others will require a lease, license, or permit as appropriate for the proposed use, except in emergency situations where loss of life is at stake. Use of airfields outside the continental United States must be in accordance with the appropriate Status of Forces Agreements, treaties or other agreements under which the Army controls such real property. Refer to AR 95-2.

b. In order to ensure conformity to plans and policies for allocation of airspace by the Federal Aviation Administration (FAA) Administrator under the Federal Aviation Act of 1958, as amended, no military airport or landing area, or missile or rocket site, shall be acquired, established, or constructed, or any runway layout substantially altered, unless reasonable notice thereof is given the FAA Administrator so that he/she may advise the appropriate Congressional committees and other interested parties as to the effect of such action on the use of airspace by aircraft. (49 USC App 1349)

c. Abandonment of the airfield or closing of runways or taxiways are considered a change in use which requires notification.

d. Airspace shall be considered in real estate transactions.

e. In accordance with 10 USC 9513, the Secretary of the Air Force, with the consent of the Secretary of Army for installations under their jurisdiction, may contract with the Civil Reserve Air Fleet (CRAF) carriers for use of military airfields to include such terms and conditions appropriate to promote the national defense or to protect the interests of the United States.

#### **4-26. Utility contracts and easements**

Real property may be authorized for use in support of a utility purchase contract providing utilities to the DA installation or project. No separate easement is required. However, if the utility company provides services to others, even if through the same facilities, an easement will be required. Cable television or other cable-type systems provided to the DA installation or project under a service or purchase contract will be treated as a utility.

#### **4-27. Consent to Easement or to Structure within Easement**

A consent is not an outgrant. A consent merely approves or consents to a use where the estate held by the United States is less than fee. Reference the Glossary. A consent does not require preparation of a Report of Availability (ROA).

#### **4-28. Industrial facilities**

Industrial facilities that are retained in the Army inventory until DA discharges its responsibilities for remediation of environmental conditions or for future mobilization or national defense purposes should be leased under 10 USC 2667, if not required to support current mission, to avoid maintenance costs. HQ, IOC has been delegated authority to provide real property under a Facility Use Contract in those situations authorized by law or where leasing is

not the best alternative. This use will be documented as set out in subsection 4-29 below. Rental offsets are authorized.

#### **4-29. Property provided under a Federal Acquisition Regulation (FAR) Contract**

Property provided in accordance with a FAR contract must be documented by a real estate instrument, usually a license, so as to reflect the use in the real property inventory.

#### **4-30. Construction Contract - Permission to erect structures**

Contractors may be authorized to use property and to erect temporary structures in connection with a Government construction contract. The permission will be for the contract period and will provide for removal and restoration of the premises when the contract expires. Any such structure suitable for Army use may be relinquished to and become the property of the United States. Use of structures or facilities for any purpose other than fulfillment of the construction contract will be authorized only by a real property instrument.

#### **4-31. Memorandums of Agreement, Memorandums of Understanding, or Interservice Support Agreements**

Memorandums of Agreement (MOA), Memorandums of Understanding (MOU), or Interservice, Interdepartmental and Interagency Support Agreements (ISAs) are not outgrants. MOAs and MOUs document areas of responsibility or mutual understanding. The installation provider/host and customer/tenant will document requirements for recurring support on an ISA to define the support services and the basis for calculating reimbursement for the services using the most recent DOD/DA guidance on reimbursement. If use of DA real property is contemplated under these agreements, that use must be supported by the appropriate realty outgrant instrument. The ISA reimbursable charges are not considered rent, however the ISA may collect a charge for use of space. The greater of fair market rental or calculated reimbursable cost for facility and real property support should be collected, but not both. Reimbursement may be provided in the ISA or the outgrant.

#### **4-32. Special purpose licenses**

Special use licenses may be issued for ARNG and USAR purposes and certain civic and public uses. Reference Appendix B.

#### **4-33. Short-term Installation Licenses**

a. The IC, USAR RSC or the USP&FO may grant revocable licenses for the regular, occasional or non-recurring use of available land, facilities or space to state or local governments; youth, civic, community, private or non-profit organizations; or off-post individuals as set out in 2-13b and 2-14b. These grants may be without charge and may include utilities, in-place equipment, and janitorial services without charge, when the use granted is incidental to other users of the facility. The licenses may be for up to 7 consecutive days or not to exceed 30 non-consecutive days in any 12 month period.

b. The IC, USAR RSC or the USP&FO may grant revocable licenses for the use of property incidental to installation administration, for example, a license to make deliveries. Such licenses may be granted for terms up to 5 years and without charge.

#### **4-34. Foreign Countries**

Use of real estate on CONUS installations by foreign countries is generally covered by treaty or other agreement with the United States which controls the type of support and facilities to be provided.

#### **4-35. Educational Use**

a. Leases, or licenses, may be granted to states or political subdivisions thereof, and the Commonwealth of Puerto Rico for public school purposes specifically limited to school facilities, classroom and closely related academic uses at the high school level or below. Where bare land is leased for school construction, the acreage will

not exceed criteria established by the appropriate state authority or the Department of Education for the particular type of school.

b. Existing facilities may also be leased or licensed to public educational institutions for other educational purposes. Rooms or buildings may be provided to support the DA Continuing Education Program under 10 USC 4302.

c. Permits may also be issued to the Department of Education for school purposes.

## **Appendix A References**

### **Section I Required Publications**

#### **AR 60-10**

Army and Air Force Exchange Service General Policies (Cited in para 4-19.)

#### **AR 75-15**

Responsibilities and Procedures for Explosive Ordnance Disposal (Cited in para 4-9.)

#### **AR 95-2**

Air Traffic Control, Airspace, Airfields, Flight Activities and Navigation Aids (Cited in para 4-25.)

#### **AR 140-483**

Army Reserve Land and Facilities Management (Cited in para 4-4.)

#### **AR 200-1**

Environmental Protection and Enhancement (Cited in para 4-7.)

#### **AR 200-2**

Environmental Effects of Army Actions (Cited in para 4-8.)

#### **AR 200-3**

Natural Resources: Land, Forest, and Wildlife Management (Cited in para 4-2, 4-21.)

#### **AR 210-1**

Private Organizations on Department of the Army Installations and Official Participation in Private Organizations (Cited in para 4-20.)

#### **AR 210-12**

Establishment of Rental Rates for Quarters Furnished Federal Employees (Cited in para 4-23.)

#### **AR 210-20**

Master Planning for Army Installations (Cited in para 4-2.)

#### **AR 210-50**

Housing Management (Cited in para 4-23.)

#### **AR 360-5**

Army Public Affairs, Public Information (Cited in para 4-24.)

#### **AR 405-15**

Real Estate Claims Founded Upon Contract (Cited in para 4-12.)

#### **AR 405-30**

Mineral Exploration and Extraction (Cited in para 4-16.)

#### **AR 405-70**

Utilization of Real Property (Cited in para 4-2.)

#### **AR 405-90**

Disposal of Real Estate (Cited in para 4-2, 4-5, 4-10, and 4-31.)

#### **AR 420-70**

Facilities Engineering: Building and Structures (Cited in para 4-2.)

### **Section II Related Publications**

This section contains no entries.

### **Section III Prescribed Forms**

DA Form 373-R

DA Lease of Trailer Site (Prescribed in para 4-23.)

### **Section IV Referenced Forms**

This section contains no entries.

## **Appendix B Statutory Authorities**

**B-1. Leases for Non-Excess or BRAC property (10 USC 2667).**

**B-2. Easements for Transportation of Oil, Natural Gas, Synthetic Liquid or Gaseous Fuel (30 USC 185, as amended).**

**B-3. Easements for Electric Power and Communication Lines and Structures and Facilities for Various Communication Services (43 USC 961)**

**B-4. Easements for Gas, Water and Sewer Pipelines (10 USC 2669).**

**B-5. Easements for Various Rights-of-Ways (10 USC 2668).**

**B-6. Easements for Ferry Landings, Bridges and Livestock Crossings (10 USC 4777).**

**B-7. Easements for other purposes (40 USC 319).**

**B-8. Leases or Licenses at Water Resource Development Project (16 USC 460d).**

**B-9. Licenses for Fish and Wildlife Conservation (16 USC 663).**

#### **B-10. Licenses issued under statutory authority**

The SA may issue a license under the leasing or easement authorities and is also authorized under several miscellaneous statutes to issue special purpose licenses:

- a. National Guard (32 USC 503);
- b. American Red Cross (10 USC 2670, 2602);
- c. Young Men's Christian Association (YMCA) (10 USC 4778);
- d. Short-term civic use of Army Reserve Centers (10 USC 2233, 2235)

**B-11. Post Offices (39 USC 406 and 411).**

**B-12. Geothermal energy (10 USC 2689).**

**B-13. Civil Reserve Air Fleet (CRAF) Commercial Use of Military Airfields (10 USC 9513).**

**B-14. Facilities for Reserve Components (10 USC 18235)**

**B-15. Enlisted members of Army: schools (10 USC 4302)**

## **Appendix C Management Control Review Checklist**

### **C-1. Function**

The function covered by this checklist is granting of use of real property.

### **C-2. Purpose**

The purpose of this checklist is to assist the USACE Division and



District chiefs of real estate, the MACOM real property officer, the installation real property officer, or other real property officer accountable for DA real property in evaluating the key management controls listed below. It is not intended to cover all controls.

### **C-3. Instructions**

Answers must be based on the actual testing of key management control (for example, document analysis, direct observation, sampling, simulation, other). Answers which indicate deficiencies must be explained and corrective action indicated in supporting documentation. These management controls must be evaluated at least once every five years. Certification that this evaluation has been conducted must be accomplished on DA Form 11-2-R (Management Control Evaluation Certification Statement).

### **C-4. Test Questions**

a. Is property that has been identified as not currently utilized, but for which a future use is planned, being made available for other interim or collateral use by outgrant? YES /NO/NA

b. Is property identified as available for non-Army use during the master planning process or other management reviews being made available for other use by outgrant? YES/NO/NA

c. Was Army controlled real property authorized for use by a non-Army party only after it was determined available by a duly authorized official who approved a Determination of Availability (DOA) with supporting Report of Availability (ROA), for all actions not covered by an exception to the DOA requirement? YES/NO/NA

d. Was a report made to the Armed Services Committees on all proposed leases or licenses of military real property located in the US, its territories or its possessions, where the estimated annual fair market rental value exceeded the threshold set forth in 10 USC 2662, except for leases for agricultural purposes? YES/NO/NA

e. Were all identified encroachments removed, the premises restored and appropriate administrative costs and fair market value for the term of the unauthorized use collected, except for those authorized to be resolved by other methods? YES/NO/NA

f. Is the use of DA real property under Memorandums of Agreement (MOA), Memorandums of Understanding (MOU), or Interservice, Interdepartmental and Interagency Support Agreements (ISAs), FAR contracts, except for construction contracts, supported by the appropriate realty outgrant instrument? YES/NO/NA

g. Was the revocation/termination of the availability of real property held under a current outgrant approved at the same level as the original Determination of Availability? YES/NO/NA

h. Is outgranted property periodically inspected for compliance with the terms of the outgrant document? YES/NO/NA

i. Are procedures in place to insure that cash rents collected from grantees will be deposited into special accounts identified as such for the appropriate Finance and Accounting Office? YES/NO/NA

### **C-5. Supervision**

This checklist replaces the checklists for Real Estate Administration, Outgranting, previously published in DA Circular 11-93-2.

### **C-6. Comments**

Help make this a better tool for evaluating management controls. Submit comments to the Chief of Engineers.

## Glossary

### Section I Abbreviations

#### ACSIM

The Assistant Chief of Staff of the Army (Installation Management)

#### AMC

Army Materiel Command

#### AR

Army Regulation

#### ARNG

Army National Guard

#### ASA(CW)

The Assistant Secretary of the Army (Civil Works)

#### ASA(I,L&E)

The Assistant Secretary of the Army (Installations, Logistics, and Environment)

#### CFR

Code of Federal Regulations

#### DA

Department of the Army

#### DOA

Determination of Availability

#### DOD

Department of Defense

#### FORSCOM

US Army Forces Command

#### FPMR

Federal Property Management Regulation

#### GSA

General Services Administration

#### HQDA

Headquarters, Department of the Army

#### HTRW

Hazardous, Toxic or Radioactive Waste

#### HUD

The Department of Housing and Urban Development

#### ISA

Interservice, Interdepartmental, and Inter-agency Support Agreement

#### MACOM

Major Army Command

#### MDW

Military District of Washington

#### OCAR

Office of the Chief, Army Reserve

#### OSD

Office of the Secretary of Defense

#### ROA

Reports of Availability

#### SA

Secretary of the Army

#### SI

Secretary of the Interior

#### TM

Technical Manuals

#### US

United States

#### USC

United States Code

#### USACE

United States Army Chief of Engineers

#### USAR

United States Army Reserve

#### USAR RSC

United States Army Reserve, Regional Support Command

#### USARC

United States Army Reserve Command

### Section II Terms

#### Active Installation

A facility in use by active organizations.

#### Consent

A consent is not an outgrant. The need for a consent arises from the ownership of servient and dominant estates. A consent agreement allows the owner of the underlying fee estate to use his land in a manner that the Government has determined will not interfere with the estate it acquired (usually an easement), in the nature of a license. Another type of consent is an approval of restrictions that were specifically reserved in an easement, such as structures.

#### Contamination

See hazards.

#### Determination of Availability

The decision document which approves the real property as being available for the non-Army use proposed. Based upon a Report of Availability.

#### District and Division Commanders

Heads of local and intermediate Army Corps of Engineers (USACE) offices, respectively.

#### Easement

An easement grants the right to use property for a specific purpose. It may be temporary or permanent. Easements are granted under several authorities.

#### Excess real property

Any real property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the head thereof. DA property that has been determined excess to DA must be screened with other DOD elements before it is excess to DOD agency requirements.

#### Exclusive use

The right of the occupant to maintain full-time control and prohibit the use of the premises by any other party. A lease grants exclusive use but a license does not.

#### Fair market value

Fair market value is defined in the Uniform Appraisal Standards for Federal Land Acquisition, Interagency Land Acquisition Conference 1992, as the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would be sold by a knowledgeable purchaser who desired but is not obligated to sell to a knowledgeable purchaser who desired but is not obligated to buy. Also called simply market value. In ascertaining that figure, consideration should be given to all matters that might be brought forward and reasonably be given substantial weight in bargaining by persons of ordinary prudence, but no consideration whatever should be given to matters not affecting market value. Fair market rental value would be what a knowledgeable tenant would pay as rent from a knowledgeable landlord. Determined by an appraisal or other approved method for the type of transaction.

#### Fee owned

Real property for which the US has all right, title, and interest rather than a partial interest.

#### Fee simple

See fee owned. May also be referred to as fee.

#### Hazards

Presence of conventional unexploded ordnance; presence of biological, radioactive, toxic-chemical, or hazardous substances (as defined in the Comprehensive Environmental Response Compensation and Liability Act of 1980) at levels that may present a hazard to public health or the environment or exceed applicable regulatory standards.

#### Holding agency

The Federal agency with accountability for the property.

#### Improvements

An addition or betterment to land amounting to more than repair or replacement and costing labor or capital (for example, buildings, pavements, roads, fences, pipelines, landscaping, and other structures more or less permanently attached to the land).

#### Industrial installation

Industrial facility held by DA in active or

inactive status as a reserve of departmental-controlled production capacity and potential. Installations retained and used in their entirety or in part or maintained in idle status for production of military weapons, systems, munitions, components, and supplies.

#### **Inlease**

Property acquired for Army use by a lease; to distinguish it from an outlease.

#### **Installed building equipment**

Equipment and furnishings required to make the facility useable which are attached as a permanent part of the structure.

#### **Installation Commander**

Senior officer responsible for an installation.

#### **Interservice, Interdepartmental, and Interagency Support Agreement**

A formal agreement that defines recurring services to be provided by one supplier to one or more receivers, and defines the basis for calculating reimbursement charges for the services.

#### **Inventory value**

The value as shown on property records. May be acquisition value, updated value or actual value.

#### **Lease**

A lease is a written agreement which conveys a possessory interest in real property, usually exclusive, for a period of time for a specified consideration. A lease carries a present interest and estate in the land for the period specified. The estate of the lessee, or tenant, is called the term and the estate of the lessor, or landlord, is the reversion. Generally, the lessee may occupy and use the premises for any lawful purpose not injurious to the reversion. However, the lease may contain express provisions or conditions restricting the use of the property

#### **License**

A license is a bare authority to an individual, an organization, a corporation, a state or local governmental entity, or another federal agency, to do a specified act or series of acts on the licensor's property without acquiring any estate therein, and authorizes an act which would otherwise constitute a trespass. Use is not exclusive and there is no alienation of title, ownership, or control of Government property. The license instrument provides written evidence of the permission granted and of the obligations, responsibilities, and liabilities imposed on the licensee. A license may be issued pursuant to specific authority, as a lesser right under lease or easement authorities, or pursuant to the general administrative powers of the Secretary of the Army.

#### **Memorandum of Agreement (MOA)**

A document that defines general areas of responsibility and agreement between two or more parties, normally headquarters or major

command level components. MOAs that establish responsibilities for providing recurring support should be supplemented with an Interservice Support Agreements that specify the services and define the basis for reimbursement.

#### **Memorandum of Understanding (MOU)**

A document that defines areas of mutual understanding between two or more parties, normally headquarters or major command level components. MOUs that identify expectations of recurring support should be supplemented with ISAs that specify the services and define the basis for reimbursement.

#### **Nonexcess property.**

Not excess real property.

#### **Non-exclusive Use**

Owner retains the right to authorize concurrent or joint occupancy of the premises. This term includes the intermittent, recurring use of the premises.

#### **Outgrant**

A legal document which conveys or grants the right to use Army-controlled real property.

#### **Overseas command**

All commands outside the continental US, except Alaska, Hawaii, the Commonwealth of Puerto Rico, the Virgin Islands and the Canal Zone.

#### **Permit**

See License. For real estate purposes, the terms permit and license are considered identical and interchangeable. Wherever a permit is used, a license could properly be used. A real estate permit is generally used to authorize use of DA real property by another Federal agency.

#### **Personal property**

Any property not considered real property.

#### **Public domain**

Land owned by the US and administered by the Secretary of the Interior, through the Bureau of Land Management (BLM), which has never been conveyed out of Federal ownership (that is, land acquired by treaty, conquest, or session).

#### **Real estate**

See real property. Interests in real property are referred to as estates.

#### **Real property**

Refer to 41 CFR 101-47.103.12; generally real property is:

a. Any interest in land, together with the improvements, structures and fixtures, for example, installed equipment, located thereon and appurtenances thereto, under the control of the Army, (interest include leaseholds, easements, rights-of-way, water rights, air

rights, and rights of lateral and subjacent support) or

b. Improvements of any kind, structures and fixtures, for example, installed equipment, under the control of the Army when designated for disposition with the underlying land, or

c. Standing timber and embedded gravel, sand, stone, or underground water under the control of the Army whether designated for disposition by the Army or by severance and removal from the land, excluding timber felled, water stored and gravel, sand or stone excavated by or for the Government prior to disposition. Also see real estate.

#### **Report of Availability**

A document which provides the appropriate command authority the information necessary to determine whether real property can be considered for use by a non-Army entity. The detailed report contains environmental, cultural, historical reviews; site specific restrictions and other information needed to prepare an outgrant.

#### **Reserved public lands**

See withdrawn public lands.

#### **Right-of-entry**

A right to go upon the real property of another for a short duration for a specified purposes. Rights-of-entry are not technically an outgrant, but are merely a short-term permission to enter the property. They are similar to licenses. Examples include a right-of-entry for construction (pending obtaining permanent rights), or for drilling or other testing purposes.

#### **Right-of-way**

An easement.

#### **Service contract**

A Federal Acquisition Regulation (FAR) procurement contract to perform work for the government for payment to the Government under which space may be provided if essential to the execution of the contract.

#### **Transfer**

Change of jurisdiction over real property from one Federal agency or department to another, including military departments and defense agencies.

#### **Withdrawn public lands**

Public domain lands held back for the use of benefit of an agency by reservation, withdrawal, or other restriction for a special governmental purpose.

#### **Section III**

#### **Special Abbreviations and Terms**

This section contains no entries.



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DEPARTMENT OF THE ARMY

# LEASE OF TRAILER SITE

For use of this form, see AR 405-80; the proponent agency is Office of The Chief of Engineers

THIS LEASE, made between the Secretary of the Army, of the first part and

of the second part, WITNESSETH:

That the Secretary of the Army, by virtue of the authority contained in Title 10, United States Code, Section 2667, and for the consideration hereinafter set forth, hereby leases to the party of the second part, hereinafter designated as the lessee, for a term of \_\_\_\_\_, beginning \_\_\_\_\_, 19\_\_\_\_\_, and ending \_\_\_\_\_, 19\_\_\_\_\_, but revocable at will by the Secretary of the Army, the following described property:

A certain plot of land, approximately 30 feet in width and 50 feet in depth, designated Site No. \_\_\_\_\_ of the trailer-camp area within the \_\_\_\_\_ Military Reservation \_\_\_\_\_.

THIS LEASE is granted subject to the following provisions and conditions:

1. CONSIDERATION. That the lessee shall pay to the United States rental in the amount of \_\_\_\_\_ (\$ \_\_\_\_\_) per annum, payable in equal monthly installments in advance, and the lessee shall also pay to the United States on demand any sum which may be expended after the expiration, revocation, or termination of this lease in restoring the premises to the condition required by provision No. 11 hereof. Compensation shall be made payable to the Finance and Accounting Officer and forwarded by the lessee direct to \_\_\_\_\_.

2. IMPROVEMENTS. That the lessee shall place no improvements upon the property leased hereby other than a trailer and such temporary additions thereto as may be approved by the Commanding Officer.

3. USE OF COMMON AREAS. That the lessee shall have the right to use, in common with others, such facilities within the trailer camp area as may be designated by said officer.

4. TRANSFERS AND ASSIGNMENTS. That the lessee shall neither transfer nor assign this lease or any property on the demised premises, not sublet the demised premises or any part thereof or any property thereon, nor grant any interest, privilege, or license whatsoever in connection with this lease without permission in writing from the said officer.

5. INDEMNITY. That the United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, or for damages to the property of the lessee, or for injuries to the person of the lessee, or for damages to the property or injuries to the person of the lessee's family, servants, or others who may be on said premises at their invitation or the invitation of any one of them, arising from governmental activities, and the lessee shall hold the United States harmless from any and all such claims.

6. PROTECTION OF PROPERTY. That the lessee shall keep the premises in good order and in a clean, safe condition by and at the expense of the lessee. That any property of the United States damaged or destroyed by the lessee incident to the lessee's use and occupation of the said property,

lessee's use and occupation of the said property, shall be promptly repaired or replaced by the lessee to the satisfaction of the said officer, or in lieu of such repair or replacement the lessee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

7. TAXES. That the lessee shall pay to the proper authority, when and as the same becomes due and payable, all taxes, assessments, and similar charges which, at any time during the term of this lease, may be taxed, assessed, or imposed upon the Government or upon the lessee with respect to or upon the leased premises. In the event any taxes, assessments, or similar charges are imposed with the consent of the Congress upon property owned by the Government and included in this lease (as opposed to the leasehold interest of the lessee therein), this lease shall be renegotiated so as to accomplish an equitable reduction in the rental provided above, which shall not be greater than the difference between the amount of such taxes, assessments, or similar charges and the amount of any taxes, assessments, or similar charges which were imposed upon such lessee with respect to his leasehold interest in the premises prior to the granting of such consent by the Congress; provided that in the event that the parties thereto are unable to agree within 90 days from the date of the imposition of such taxes, assessments, or similar charges, on a rental which in the opinion of the said officer, constitutes a reasonable return to the Government on the leased property, then, in such event, the said officer shall have the right to determine the amount of the rental, which determination shall be binding on the lessee.

8. **TERMINATION.** That this lease may be terminated by the lessee at any time by giving to the said officer at least ten (10) days notice in writing; provided that, in case of such termination or in case of termination by the Government for causes other than breach of the lease terms by the tenant, refund of rental paid in advance shall be made on a pro-rata basis for the days of the monthly rental period subsequent to the actual vacation of the premises by the tenant.

9. **SUPERVISION BY THE INSTALLATION COMMANDER.** That the use and occupation of the premises leased hereby and the use of designated common facilities shall be subject to the general supervision and approval of the said officer and to such rules and regulations as may be prescribed by him from time to time.

10. **COST OF UTILITIES.** That the lessee shall pay the cost, as determined by the said officer, of producing and/or supplying any utilities and other services furnished by the Government or through Government-owned facilities for the use of the lessee. The Government shall be under no obligation to furnish utilities or services. Payment shall be made in the method prescribed by the said officer upon bills rendered monthly.

11. **RESTORATION.** That, on or before the date of expiration of this lease, or its termination by the lessee, the lessee shall vacate the demised premises, remove the property of the lessee therefrom, and restore the premises to as good order and condition as that existing upon the date of commencement of the term of this lease, damages beyond the control of the lessee and due

to fair wear and tear excepted. If, however, this lease is revoked, the lessee shall vacate the premises, remove said property therefrom, and restore the premises to the condition aforesaid within such time as the said officer may designate. In either event, if the lessee shall fail or neglect to remove said property and so restore the premises, then, at the option of the Secretary of the Army said property shall either become the property of the United States without compensation therefor, or the Secretary of the Army may cause it to be removed and the premises to be restored at the expense of the lessee, and no claim for damages against the United States or its officers or agents shall be created by or made on account of such removal and restoration work.

12. **OFFICIALS NOT TO BENEFIT.** That no Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the lease be for the general benefit of such corporation or company.

13. **APPLICABLE LAWS AND REGULATIONS.** The lessee shall comply with all applicable Federal, state, county and municipal laws, ordinances and regulations wherein the premises are located.

14. **SEVERAL LESSEES.** If more than one lessee is named in this lease the obligations of said lessees herein contained shall be joint and several obligations.

THIS LEASE is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_

THIS LEASE is also executed by the lessee this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_ (SEAL)

\_\_\_\_\_

<b>MANAGEMENT CONTROL EVALUATION CERTIFICATION STATEMENT</b>		<b>1. REGULATION NUMBER</b>
For use of this form, see AR 11-2; the proponent agency is ASA(FM).		<b>2. DATE OF REGULATION</b>
<b>3. ASSESSABLE UNIT</b>		
<b>4. FUNCTION</b>		
<b>5. METHOD OF EVALUATION (Check one)</b>		
<b>a. CHECKLIST</b>		<b>b. ALTERNATIVE METHOD (Indicate method)</b>
<b>APPENDIX (Enter appropriate letter)</b>		
<b>6. EVALUATION CONDUCTED BY</b>		
<b>a. NAME (Last, First, MI)</b>	<b>b. DATE OF EVALUATION</b>	
<b>7. REMARKS (Continue on reverse or use additional sheets of plain paper)</b>		
<b>8. CERTIFICATION</b>		
I certify that the key management controls in this function have been evaluated in accordance with provisions of AR 11-2, Management Control . I also certify that corrective action has been initiated to resolve any deficiencies detected. These deficiencies and corrective actions (if any) are described above or in attached documentation. This certification statement and any supporting documentation will be retained on file subject to audit/inspection until superseded by a subsequent management control evaluation.		
<b>a. ASSESSABLE UNIT MANAGER</b>		
<b>(1) TYPED NAME AND TITLE</b>	<b>b. DATE CERTIFIED</b>	
<b>(2) SIGNATURE</b>		



**Anderson County Schools**  
Every Student, Every Day

Annette Prewitt <aprewitt@acs.ac>

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## Robotics Competition

1 message

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**Jay Yeager** <jyeager@aclawdirector.com>  
To: Annette Prewitt <aprewitt@acs.ac>

Tue, Oct 6, 2020 at 4:32 PM

Can you add this to the Operations Agenda?

Thanks

NOTE: This email may contain PRIVILEGED and CONFIDENTIAL INFORMATION and is intended only for the use of the specific individual(s) to which it is addressed. You are hereby notified that any unauthorized use, dissemination or copying of this email or the information contained in it or attached to it is strictly prohibited. If you received this email in error, please immediately notify the person named above by reply mail and delete this email message immediately.

### Mayor

20. Commissioner Wandell made a motion to appoint Scott Burton to the Anderson County Conservation Board expiring 12/20. Seconded by Commissioner Meredith. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

21. Commissioner Denenberg made a motion to appoint Nathan Sweet EMS and Jeremy Huddleston ORPD to the E-911 Board term expiring 1/24. Seconded by Commissioner Yager. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

22. Commissioner Meredith made a motion to approve to appoint Charles "Dusty" Irwin to the Anderson County Water Authority term expiring 9/2024. Seconded by Commissioner Isbel. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isel, McKamey, White, Denenberg, Creasey, Scott, Yager and Smallridge. Voting no: Mead. Absent: none. Motion passed.

23. Commissioner Meredith made a motion to approve resolution 20-09-824 authorizing Anderson County to apply for and match the 2020-2021 TDOT Multimodal Access Grant. (Exhibit C) Seconded by Commissioner Isbel. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

### Law Director

24. Commissioner Scott made a motion to give permission for the Law Director to assist the Claxton Optimist Club with a rental agreement review and possible amendments on his own time and at no fee. Seconded by Commissioner Mead. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

25. Commissioner Denenberg made a motion that the Law Director do some more research on holding on-line delinquent tax auctions. Seconded by Commissioner Isbel.

Commissioner Denenberg amended the previous motion to move forward with a one month contract for on-line delinquent tax auctions contingent on approving the contract at the October County Commission meeting. Seconded by Commissioner Isbel. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none.

26. Commissioner Denenberg made a motion to move to Operations Committee for October the discussion of possibility of a robotic competition. Seconded by Commissioner Jameson. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White,

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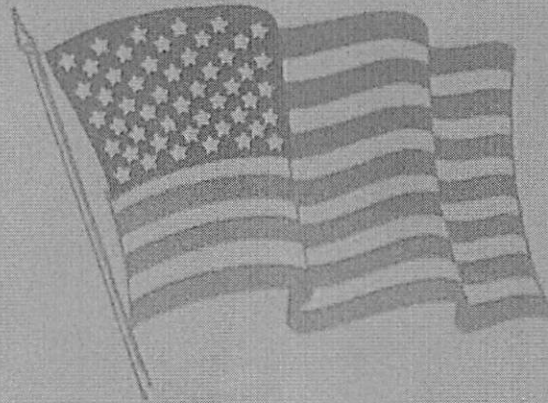
**operations agenda**

1 message

Timothy Isbel <isbelt@ymail.com>  
Reply-To: Timothy Isbel <isbelt@ymail.com>  
To: Annette Prewitt <aprewitt@acs.ac>

Wed, Oct 7, 2020 at 12:40 PM

Annette please add for discussion the need of a side walk on the northbound side of 25w in front of the Lake City middle school. next a document to possibly give out to our graduating seniors of. Anderson County. Last I would like to discuss " Homeless programs/ Homeless shelter "



## The American's Creed

By William Tyler Page

*I* believe in the United States of America as a government of the people, by the people, for the people; whose powers are derived from the consent of the governed.

*A* Republic; a sovereign Nation of many sovereign states, united as one perfect Union, one and inseparable; established upon principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

*I* therefore believe it is my duty to my Country to support its constitution; to obey its laws; to



its flag; and to defend it against all enemies.

TIM H. ISBEL

Presented to  
congratulations upon High School graduation.  
future bring you success, happiness, and achievement  
highest ideals of American citizenship..

*John J. Duncan*

JOHN J. DUNCAN  
Member of Congress, 2nd District of Tennessee

Tim Isbel  
Anderson County Commissioner  
District 4  
Rocky Top, TN