SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

NOV 17 2002

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
UNDER SECRETARY OF DEFENSE (ACQUISITION, TECHNOLOGY AND LOGISTICS)
UNDER SECRETARY OF DEFENSE (COMPTROLLER)
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
CHIEF, NATIONAL GUARD BUREAU

SUBJECT: Land Acquisition and Leasing of Office Space in the United States

I am concerned with the acquisition of real property throughout the United States and particularly with the concentration of Defense activities in the Washington, DC, area. I am therefore revising and expanding the existing land acquisition moratorium policy, currently reflected in memoranda from the Deputy Secretary of Defense dated September 13, 1990, and December 1, 1994. This memorandum supercedes those memoranda and any other memoranda inconsistent with the guidance reflected herein.

Effective immediately, no major land acquisition proposals within the Washington, DC, area may be made public through a request for proposals, notice of intent to perform environmental analysis, request for legislation or budget line item, press release, or other official notice without my approval or that of the Deputy Secretary. All previously approved or announced major land acquisitions within the Washington, DC, area for which binding documents have not been executed, as of the date of this memorandum, may not proceed until approved by me or the Deputy Secretary, after review by the Under Secretary of Defense (Acquisition, Technology, and Logistics) (USD(AT&L)). In addition, no major land acquisition proposals outside the Washington, DC, area may be made public, in the manner discussed above, without the approval of the USD(AT&L).

National Guard major land acquisitions which are to be funded in whole or in part by Federal funds are subject to the moratorium. Civil Works programs managed by the U.S. Army Corps of Engineers shall not be subject to the moratorium. Renewals of existing leases, withdrawals, permits, or other use agreements (other than those at bases being closed or realigned) are not subject to the moratorium.

U07802 /02

Additionally, effective immediately, no proposals for relocating into or within the Washington, DC, area that exceed $500,000 in relocation costs may be made public, in the manner discussed above, without approval by me or the Deputy Secretary. Requests for approval of such relocations shall be submitted to the Director, Washington Headquarters Services (WHS), who shall submit such requests for my approval, through USD(AT&L). All previously approved or announced relocations that have not occurred as of the date of this memorandum may not proceed until approved by me or the Deputy Secretary, after review by the USD(AT&L).

Finally, the authority of the Director, WHS to administer the DoD Administrative Space Management Program within the National Capital Region, granted by DoD Directive 5110.4 and specifically described in DoD Instruction 5305.5, is hereby expanded to the Washington, DC, area.

A major land acquisition is defined as the purchase, withdrawal from public domain, lease or permit from individuals or government entities, or any other type of use agreement involving more than 1,000 acres, or land whose estimated purchase price or annual lease price exceeds $1 million. The Washington, DC, area is defined generally as the geographic area that falls within 100 miles of the Pentagon.

The USD(AT&L) shall issue such instructions or implementing memoranda as may be necessary to implement this policy, including a specific delineation of those jurisdictions to which it applies. In implementing these policies, USD(AT&L) shall obtain the coordination of the USD(Comptroller) and the DoD General Counsel before submitting actions for approval as described herein.

cc:
Chairman of the Joint Chiefs
Under Secretary of Defense (Personnel and Readiness)
Under Secretary of Defense (Policy)
Director, Defense Research and Engineering
Assistant Secretaries of Defense
Inspector General of the Department of Defense
Director, Operational Test and Evaluation
Assistants to the Secretary of Defense
Directors of Defense Agencies
Directors of DoD Field Activities