

HEADQUARTERS
UNITED STATES EUROPEAN COMMAND
UNIT 30400, BOX 1000
APO AE 09128

DIRECTIVE
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REAL-ESTATE AND UTILITIES

Real-Estate Operations

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1. **Purpose.** To provide policy guidance and define responsibilities and procedures for conducting real-estate operations in support of United States Forces during peace/normal operations in the United States European Command (USEUCOM) area of responsibility (AOR).
 2. **Applicability.** The provisions of this directive apply to all Department of Defense (DoD) service component forces and DoD agencies operating within the geographic area assigned to the United States European Command by the Unified Command Plan.
 3. **Internal Control Systems.** This directive contains no internal control provisions, does not contain checklists for conducting internal reviews and is subject to the requirements of the internal management control program. For HQ USEUCOM and subordinate joint activities, the applicable internal control directive is ED 50-8, Internal Management Control Program.
 4. **Suggested Improvements.** ECJ4-EN is the proponent for this directive and suggested improvements should be forwarded to HQ USEUCOM, ATTN: ECJ4-EN, Unit 30400, Box 1000, APO AE 09128.
 5. **References.** See Appendix A.
 6. **Policy**
 - a. Procedures contained in applicable military department and DoD agency directives, supplemented by these instructions, apply to real-estate operations in the USEUCOM AOR.
 - b. Component commands will maintain close liaison and plan jointly with other DoD components to ensure efficient handling of real-estate requirements and the most effective use of real-estate holdings.
 - c. Real-estate operations are defined to encompass acquisition, administration, and disposal of facilities, land, and improvements in an effort to meet mission requirements by DoD. Transactions include (but are not limited to) lease, purchase, or grant of real property from the host country to accomplish both U. S. appropriated and authorized non-appropriated fund activities. References A-4 and A-5 govern initial contact with host nations on real-estate matters. HQ USEUCOM is

responsible for making initial contact to obtain basic rights for DoD components to establish and conduct real-estate operations in a country.

d. HQ USEUCOM will assign one component (USAREUR, USAFE, or USNAVEUR) as the real-estate executive agent (hereafter called the executive agent (EA)) with overall responsibility for real-estate operations in a specific geographic area for all DoD components and agencies. In making initial contact under paragraph 6c above, HQ USEUCOM will, insofar as the situation allows, include participation by the EA that will have primary responsibility. Once initial arrangements are agreed upon, the EA will be responsible, in coordination with other service components or DoD agencies, for establishing specific procedures and working arrangements with the host country to accomplish the real-estate program. Coordination will include the country Office of Defense Cooperation (ODC), or similar organization, in all appropriate cases. When requested by the EA, the country ODC or similar organization will provide the EA with technical and administrative support. The EA will conduct day-to-day real-estate matters directly with host government agencies, as the situation requires.

e. DoD components and agencies are responsible for timely submission of data for acquisition, use, or disposal of real-estate to the EA for the particular area. The EA is responsible for consolidation, management, and presentation of U. S. program needs to the host nation. The EA will afford the opportunity for the component(s) to participate in negotiations/discussions/meetings impacting on their programs. As an exception to the above, in certain country areas, individual components may, at the discretion of the EA and with the sanction of the host country, be permitted to deal directly with host nation agencies to fulfill real-estate requirements. Arrangements with the host nation concerning operating procedures will remain the responsibility of the EA.

f. In those countries where U.S. Forces have established operating procedures for real-estate acquisition, the components will deal with host nation agencies or with real-estate owners in such manner as the existing arrangements or procedures provide. The EA shall be kept informed on the status of all transactions.

g. Satisfaction of real property needs will take into consideration the need to minimize foreign exchange expenditures ("gold flow"). Existing land, structures, and facilities will be fully utilized before initiating actions for real property augmentation. Measures to minimize the requirement for augmentation of real property on foreign soil include joint use of real-estate by two or more services/DoD agencies, tenancy with a service of a friendly or allied country, or other prudent practices. Land and facilities no longer required will be relinquished in accordance with existing agreements, regulations, and statutes (see ref. A-6). Prior to release, real property foreseeably usable will be identified to the other components as appropriate, as well as USEUCOM, and made available for inter-service transfer. Components will function as a "clearing house" for real-estate transfers.

h. Maximum use will be made of local governmental agencies in real-estate matters. Host countries should, in principle, provide land, particularly public land, to the U.S. Forces free of charge. In the absence of an agreement with the host covering the acquisition of land and improvements required by the U.S. Forces, leasing arrangements vice purchase is the preferred acquisition method provided such arrangements:

- (1) Meet operational requirements.
- (2) Are compatible with applicable U. S. statutes, rules, and regulations.
 - i. Action will be taken to ensure minimal disruption of the local population by real-estate activities.
 - j. Measures will be taken for the protection and enhancement of environmental quality in accordance with reference A-8 in all real-estate activities.
 - k. For acquisition, transfer, and disposal of real property, activities will:
 - (1) Conform to applicable international agreements and implementation of governmental policies.
 - (2) Consider local laws, customs, and the control over real-estate exercised by local governmental agencies, as well as other factors that may impact adversely on U.S. operational and training activities.
 - (3) In time of war, conform to the recognized law of armed conflict and implementation of U.S. governmental policies.

7. **Procedures.**

- a. The following procedures will be followed:
 - (1) At the time of initial contact with the host nation, U.S. requirements concerning facilities, land and other needs, as known at that time, will be identified to the host nation by USEUCOM. Data for this purpose will be submitted by the EA to HQ USEUCOM / ECJ4-EN, with a copy to the country ODC or similar organization.
 - (2) Upon completion of the basic rights agreements for real-estate matters, the EA will be responsible for maintaining the list of U.S. facility and land requirements for each host country.
 - (3) Subsequent requirements for facilities and land by other service components and DoD agencies shall be submitted to the EA. Request should include specific information about the real-estate (i.e., location, size, use, date action required, etc.) and the relationship, if any, to a U.S. military construction or NATO infrastructure project.
 - (4) Component commanders will inform other in-theater DoD elements of plans for any release or transfer of facilities or installations. USCINCEUR will be informed of any plans for a major installation release prior to any formal decision.
- b. The disposal of non-NATO real-estate, excluding leased property, will follow the below procedures. Leased property will be disposed in accordance with applicable U.S./Host Nation

implementation arrangements and/or lease provisions. The disposal of NATO real-estate will follow the procedures in references A-3 and A-7.

(1) When a USEUCOM service component or DoD agency operating in the USCINCEUR AOR has real-estate excess to its requirements, the following information will be provided to HQ USEUCOM through the designated component:

(a) Total land area available in hectares, square meters, or acres.

(b) Total number of buildings and total building area in square meters or square feet with a short narrative describing overall condition of the facilities.

(c) Location of facility.

(d) Proximity to local town or city and state in which located.

(2) When USEUCOM determines no U.S. Government organization has a requirement for excess real-estate, USEUCOM will nominate it for return to the host nation.

(3) After interagency group coordination, tentative Secretary of Defense approval, host nation consultation, and final Secretary of Defense decision, public announcement will be made of the U.S. decision to return control of property to the host nation.

c. Components or agencies that conduct real property operations in the USCINCEUR AOR function under the management control of one of the EAs. Components and DoD agencies will maintain with their EA, a current list of all U.S. real-estate holdings under their control or use in their geographic area. This list will be verified and updated on an annual basis as directed by the EA. Components and DoD agencies will provide to their EA the records and reports required to satisfy management and customer service functions to include copies of all agreements affecting property rights.

d. Each EA command or its designated agency will record and account for the acquisition, transfer, and disposal of real property in accordance with the following requirements:

(1) When acquiring real property, prepare both an incoming inventory and condition report as well as a baseline environmental assessment of the real property at the time possession is relinquished by the host nation. Whenever feasible, this report will be coordinated with the authorized representatives of the host nation in advance of possession.

(2) Maintain a complete and accurate record of the dollar cost of U.S. improvements, developed or constructed, on each such property at the sole expense of the U.S. In the case of facilities jointly funded by NATO (infrastructure) and the U.S. or by the host nation and the U.S., records will identify the U.S. dollar portion, which represents construction or improvements necessary to attain U.S. standards.

(3) Prior to disposal, prepare both an outgoing inventory and condition report, and Environmental Summary Report. Whenever feasible, this report will be coordinated with authorized representatives of the host nation. References A-3 and A-7 contain procedures for release of NATO facilities.

e. Each component or its designated agency will maintain, or have immediately available, records and reports of U.S. expenditures as cited above to facilitate residual value negotiations by appropriate authorities.

f. Any component noting a service directive or practice that impairs the effective coordination of real-estate operations in the USEUCOM AOR will bring the matter to the attention of its service department or the component of the department concerned. When USCINCEUR missions or objectives are adversely affected or if relief is not obtained within a reasonable period of time, the discovering component will refer the matter to HQ USEUCOM/ECJ4-EN to include the comments and recommendations of interested component commanders.

g. Whenever disagreements on real-estate matters cannot be resolved among the component commanders concerned, the EA commander will refer the matter to HQ USEUCOM/ECJ4-EN, accompanied by comments from each of the component commanders concerned.

8. **Responsibilities.**

a. Each USEUCOM component and DoD agency operating in the USCINCEUR AOR has the following responsibilities in providing or arranging for the provision of real-estate activities.

- (1) Determination of requirements.
- (2) Selection of property.
- (3) Assisting the designated real-estate component with acquisition.
- (4) Management.
- (5) Assisting the designated real-estate component with disposal.
- (6) Handling claims.

b. The following area responsibilities are assigned for real-estate matters:

- (1) CG, USAREUR.

(a) Peacetime/Normal Operations. Europe: Belgium, Germany, Luxembourg, Italy (Livorno and Vicenza areas only), and The Netherlands.

(b) Real-Estate Support to Military Liaison Teams. Europe: Belarus, Bulgaria, Croatia, Czech Republic, Slovakia, Estonia, Hungary, Latvia, Lithuania, Macedonia, Poland, Romania, Slovenia, Ukraine, Georgia, Moldova.

(2) CINCUSNAVEUR: Europe: Greece (less COMUSAFE activities in Athens and Araxos areas only), Italy (less Aviano, Livorno, Vicenza, and San Vito areas only), Portugal, Spain, United Kingdom (CINCUSNAVEUR activities in London area only). USAFE will act as negotiator for residual value claims on all CINCUSNAVEUR dollar funded housing returned to the UK MOD.

(3) COMUSAFE. Europe: Denmark, Finland, France, Greece (COMUSAFE activities in Athens and Araxos areas only), Italy (Aviano and San Vito areas only), Norway, Republic of Ireland, Sweden, Turkey, United Kingdom (less CINCUSNAVEUR activities in London area). Africa/Middle East: Morocco, Israel.

(4) USCINCEUR will assign responsibility for real-estate matters in countries not listed above on a case-by-case basis.

c. Each USEUCOM component will advise HQ USEUCOM when there is a significant increase in the volume of real-estate transactions in any country not listed above.

d. None of the responsibilities listed herein limit action by any component in arranging for the discharge of real-estate responsibilities of another component service when mutually agreed by both parties.

FOR THE COMMANDER IN CHIEF:

OFFICIAL:

//signed//
MICHAEL A. CANAVAN
Lieutenant General, USA
Chief of Staff

SUSAN M. MEYER
LTC, USA
Adjutant General

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APPENDIXES:
A - References

Appendix A

References

- A-1 JCS Pub 3, Joint Logistics and Personnel Policy and Guidance, Vol. I (U) (CONFIDENTIAL).
- A-2 NATO Doc AC/4-D/2074 (revised), Revised Principles and Procedures for Joint Final Inspection and Formal Acceptance of NATO Infrastructure Works.
- A-3 NATO Doc AC/4-M/206 (revised), NATO Infrastructure Manual.
- A-4 USEUCOM Directive 56-4, Responsibilities Relating to Federal Republic of Germany.
- A-5 USEUCOM Directive 56-9, European Command Relationships and U.S. Defense Representatives.
- A-6 USEUCOM Directive 56-II, Disposition of and Negotiation for the Recovery of Residual Value of U.S. Excess Facilities Located in Foreign Countries (U).
- A-7 USEUCOM Directive 60-4, NATO Common Infrastructure Responsibilities.
- A-8 USEUCOM Directive 80-1, Protection and Enhancement of Environmental Quality