



United States Department of the Interior
OFFICE OF THE ASSISTANT SECRETARY - INDIAN AFFAIRS

Washington, D.C. 20240



IN REPLY REFER TO:

National Policy Memorandum

Assistant Secretary - Indian Affairs
Deputy Assistant Secretary – Management

Effective: 01/30/14

Expires: 01/30/15

Number: NPM-SPC-01

Title: Space Management

1. Purpose

This memorandum establishes the appropriate procedures to follow when seeking to enter into new or modified direct and/or GSA leases for administrative – type space (i.e., office space, warehouse, storage).

2. Scope

This policy applies to all Indian Affairs (IA) headquarters, field and program staff under the authority of the Assistant Secretary – Indian Affairs (AS-IA), including the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education (BIE).

3. Policy

It is the policy of Indian Affairs to comply with federal regulations, and policy and direction from the Department of the Interior (DOI), the General Services Administration (GSA), and the Office of Management and Budget (OMB) to ensure adequate internal control measures and reviews are established and implemented. IA has implemented these procedures to ensure proper internal controls in compliance with OMB Circular A-23.

4. Procedures

Requests for administrative-type space (i.e., office space, warehouse, storage) for new and/or expanded space, including relocation of office sites, must be submitted in writing from the Senior Manager of the office/program through their respective Bureau Director to the Deputy Assistant Secretary – Indian Affairs (Management). Requests are to be submitted with as much advance time as possible and at least one year prior to expiration of any existing lease agreement.

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The bureau's request must include a justification which includes the purpose of the request, including why the current space is no longer sufficient (if applicable for existing space changes), space requirements (i.e., square footage, vaults, IT requirements, etc.), accounting citation for coverage of the cost until such time as such costs may be appropriated (if new space for any purpose and/or increased costs associated with new/modified lease or office relocation), if requesting additional space or relocation of an office/warehouse, and all other necessary forms as denoted below. All requests must comply with Departmental ceilings on space management square footage, shared resources, and co-location policy. Key factors to be taken into consideration are the Administration's policy and the need for the space in addition to the following:

- A.** Promoting "One Stop" consolidation of public contact operations through collocation;
- B.** Freeze the Footprint square footage ceiling for Indian Affairs;
- C.** Ensuring that space utilization and changes are consistent with the multi-year plan and that all decisions affecting space management are approved by the DAS-M prior to deployment when such changes as involving different line(s) of authority, square footage, relocation(s), renovations, and cost;
- D.** Encouraging alternative work space where practical (e.g., hoteling, semi-private {doubled} offices, and telework);
- E.** Ensuring space requirement financial considerations adhere to Interior's Federal Real Property Financial Management Policy; and
- F.** Ensuring consistent, accurate reporting of all space (owned, direct leased or otherwise managed) into the Federal Real Property Profile in accordance with the requirements of the Federal Real Property Council by providing accurate and timely reporting as requested by the Office of the DAS-M.
- G.** Conformance with GSA Bulletin FMR 2008-B5 which provides Guiding Principles case studies to help federal agencies manage and improve real property performance effectively in support of Executive Order(s.) The Guiding Principles are strategic objectives and goals designed for federal agencies to adopt into their asset management programs.
- H.** Concurrence of the Designated Federal Lead for field sites and auxiliary Headquarter sites (i.e., Reston, VA.)

All offices are required by FMR, Subpart 101-17.2 to also submit standard Form 81, Request for Space, Standard Form 81-A, Space Requirements Worksheet; and a space requirements questionnaire to the Office of the Deputy Assistant Secretary – Indian Affairs (Management) (ODASM.) ODASM will provide technical assistance and support in preparation of forms.

For field location sites which are 90 percent occupied by one bureau/office, the Designated Federal Lead is the Regional Director, BIA, the Associate Deputy Director, BIE, or University President, BIE. For the auxiliary Headquarters sites, the Federal lead is as follows: Reston, VA (Chief Financial Officer, ODASM); Albuquerque, NM (BIA II) (Director, Office of Facilities,

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Property and Safety Management); and Lakewood, CO (Director, Office of Indian Energy and Economic Development.) The Federal Lead is responsible for all office/warehouse space pursuant to his/her delegated authority as it pertains to designation/location of employees and office space assignments. Any requests for space or office space location within an existing site (with an approved and in effect lease) (i.e., office location/building) must be submitted to and approved by the Federal Lead pursuant to applicable policies and procedures. The Federal Lead will notify in writing to the ODASM of such decision(s) if it includes offices not within the Federal Lead's designated line authority so that reporting may be done for areas as co-location and consolidation. The Federal Lead has no delegated authority to change the terms of an existing GSA or Direct lease or to enter into a new or revised GSA or Direct lease, including but not limited to square footage.

All offices are expected to cover all associated costs with relocation of offices, warehouses or other sites under this authority.

At no time is any office other than that designated by the ODASM to contact or deal directly with GSA and/or a landlord. Pursuant to GSA regulations, only designated warranted leasing specialists are authorized to enter into discussions or negotiations on leases (direct or GSA) once GSA regulations, policy and procedures have been met by Indian Affairs. If GSA delegates authority for negotiation(s) and commitment on behalf of the United States in writing pursuant to all applicable GSA policies and procedures, the Direct Leasing Officer is a warranted realty contracting officer, fully meeting the experience and training requirements of the Contracting Officer Warrant Program as specified in section 501.603-1 of the General Services Administration Acquisition Manual (GSAM). Designation as a Warranted Officer meeting the GSA Criteria and any applicable IA criteria will be in writing from IA's Head of Contracting or his/her designee. **Only the designated warranted realty contracting officer can represent the United States in any GSA or Direct lease negotiations or effect a lease or any modification to a lease if delegated such authority by GSA.**

Pursuant to GSA regulations, policy and procedures, GSA must provide in writing its approval of any lease request, regardless of square footage and/or costs, to the ODASM. Any request to modify the GSA's initial written approval must be resubmitted to the GSA for approval by the ODASM prior to any change by the designated warranted realty contracting officer.

Upon written approval by the DASM, ODASM will initiate contact with GSA and be the Point of Contact (POC) for assistance as applicable in developing space requirements prior to actual funding obligations and lease negotiations.

Requests for space should not be forwarded to ODASM unless funds are available (in accordance with the administrative control of funds procedures required by 26 IAM.) Unless funds are provided in the Indian Affairs appropriation for new and/or modified space, including relocation of office(s), the requesting office will cover such costs. Therefore, it is each office's responsibility to ensure its budget request during the budget formulation phase includes any request for funds to cover GSA or Direct leasing costs.

ODASM will prepare the request package for approval/denial by the DASM with recommendation(s) within 30 work days of receiving initial request. The DASM will issue a decision within two (2) weeks for subsequent action by its office if the request is approved.

ODASM will notify the requesting office and its respective Director of the decision. If approved, as documented in writing by the DASM, the request will be processed by ODASM, which will coordinate all major activities associated with space acquisition actions and official correspondence will be channeled through the office. Activities include GSA contact(s) for GSA or Direct lease(s) to proceed with space acquisition and delegation of required authorities by GSA, when applicable.

Prior to signature on the lease by the designated warranted realty contracting officer, a legal sufficiency review will be obtained in writing from the Office of the Solicitor.

The ODASM will provide notification and updates of actions to the Senior Manager and/or his/her designee, including additional action required of the Senior Manager to effect the approved request.

5. Authorities

A. Statutes and Regulations

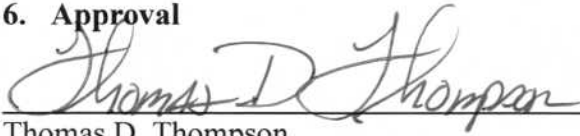
- (1) Title 41 CFR, Chapter 101-102, Federal Management Regulations
- (2) Title 48 CFR Chapter 5
- (3) 425 DM 1-6 Space Management
- (4) Economy Act (31 U.S.C. 1535)
- (5) General Services Administration Acquisition Regulation (GSAR)
- (6) Executive Order(s)
- (7) Anti-Kickback Act of 1986 (41 U.S.C. §§ 51-58)
- (8) Assignment of Claims Act of 1940 (31 U.S.C. § 3727)
- (9) Competition in Contracting Act of 1984 (41 U.S.C. § 251 *et seq.*)
- (10) Contract Disputes Act of 1978 (41 U.S.C. §§ 601-613)
- (11) Contract Work Hours and Safety Standards Act of 1962 (40 U.S.C. §§ 3701-3708)
- (12) Copeland Act of 1934 (18 U.S.C. § 874; 40 U.S.C. § 3145(a))
- (13) Covenant Against Contingent Fees (41 U.S.C. § 254(a))
- (14) Davis-Bacon Act of 1931 (40 U.S.C. §§ (40 USC 3141-3148)
- (15) Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 701-707)
- (16) Earthquake Hazards Reduction Act of 1977 (42 U.S.C. § 7701-7706)

- (17) Energy Policy Act of 1992 (42 U.S.C. § 8253)
- (18) Examination of Records (41 U.S.C. § 254d)
- (19) Leasing Authority (40 U.S.C. § 585)
- (20) Fire Administration Authorization Act of 1992 (15 U.S.C. § 2227)
- (21) Intergovernmental Cooperation Act of 1968 (40 U.S.C. §§ 901-905)
- (22) National Historic Preservation Act of 1966 (16 U.S.C. §§ 470-470w-6)
- (23) Occupational Safety and Health Act of 1970 (29 U.S.C. §§ 651-678)
- (24) Officials Not to Benefit (41 U.S.C. §22)
- (25) Prohibitions on Use of Appropriated Funds to Influence Federal Contracting (31 U.S.C. § 1352)
- (26) Prompt Payment Act (31 U.S.C. §§ 3901-3907)
- (27) Prospectus Authority (40 U.S.C. § 3307)
- (28) Randolph-Sheppard Act (20 U.S.C. § 107 *et seq.*)
- (29) Architectural Barriers Act of 1968 (42 U.S.C. §§ 4151-4157)
- (30) National Environmental Policy Act of 1969 (42 U.S.C. § 4321 *et seq.*)
- (31) Small Business Act (15 U.S.C. §§ 631 *et seq.*)
- (32) Rural Development Act of 1972 (42 U.S.C. § 3122)
- (33) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4651-4655.)
- (34) Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 690)
- (35) Comprehensive Procurement Guideline For Products Containing Recovered Materials (40 CFR Chapter I Part 247)
- (36) OMB Circular A-11 (Capital Lease Scoring)

B. Guidance.

- (1) Department of the Interior (DOI) Delegation of Space Leasing Authority, March 4, 2008 and February 21, 2008
- (2) DOI Space Management Handbook, July 31, 2007
- (3) DOI Space Management Utilization Guidance, November 28, 2003
- (4) Indian Affairs 5-Year Space Management Plan
- (5) Indian Affairs Freeze the FootPrint Plan

6. Approval



Thomas D. Thompson
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1/30/2014
Date