

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

**Forest Service Manual 6400 – Property Management
Chapter 6440 - Real Property Management**

Amendment: 6400-2022-2

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Duration: This amendment is effective until superseded or removed.

Approved by: Antoine Dixon, Deputy Chief, Business Operations

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Last Change: 6400-2022-1 to 6470.

Superseded Document(s): 6440, Amendment 6400-2020-2, November 30, 2020

Digest: Following is an explanation of the changes throughout the directive by section.

6447: Space Utilization: Forest Service policy is removed to ensure compliance with USDA and consistency in Forest Service space planning. Refer to USDA Space Planning and Utilization policy in AgPMR Advisory 21-03 to define employee calculations due to increased use of teleworking/remote schedules and defines the amount of space allowed for the type of office and the number of employees calculated.

Updates provided to the Department Regulation references and electronic links and Forest Service workplace space and design guidelines electronic link.

6447.01-05, 6447.1-6447.2, and 6447.4: Removes obsolete direction.

6447.3: Exception Requests, updates the process for waiver approval where the utilization rate exceeds the building allowance.

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Chapter 6440 - Real Property Management

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6440.1 - Authority

Authority to acquire real property by purchase, donation, or lease is granted by Congress through specific legislation that provides the necessary funds.

6440.3 - Policy

Acquire real property only when it is needed for effective program operation. Acquire private real property or construct improvements only if suitable Government-owned facilities are not available. Fully use and adequately maintain Forest Service property. Promptly report as excess, property no longer needed subject to restrictions in the law under which it was acquired.

6440.5 - Definitions

Decontamination. Removal or destruction of explosive powders; neutralizing and cleaning out acid and corrosive materials; removal, destruction, or neutralizing of toxic or infectious substances; and removal and destruction of live ammunition from contaminated areas and buildings.

Disposal Agency. The agency designated by the General Services Administration (GSA) to dispose of surplus real property.

Holding Agency. The Federal agency accountable for the property.

Protection. Preventing and extinguishing fires; conducting special inspections to identify and eliminate fire and other hazards; and taking measures to protect property from theft, vandalism, and unauthorized entry.

Public Building. Any building, its grounds, approaches, and appurtenances that is generally suitable for office or storage space, or both, used by one or more Federal agencies. Buildings on the public domain, including those reserved for National Forest purposes, are excluded.

Public Domain. Federal lands that have never been sold, and federally owned lands that the Government obtained in exchange for public lands or for timber on such lands. Original public domain lands that have reverted to Federal ownership through public land laws are also in this category.

Real Property.

1. Any interest in land, together with the improvements, structures, and fixtures, including prefabricated movable structures such as Butler-type storage warehouses and Quonset huts, and house trailers with or without undercarriages, and appurtenances thereto, under the control of any Federal agency, except:

- a. The public domain.

- b. Lands reserved or dedicated for national forests or national parks.

c. Minerals in lands or portions of lands withdrawn or reserved from the public domain, which the Secretary of the Interior determines are suitable for disposition under the public land mining and mineral leasing laws.

d. Lands withdrawn or reserved from the public domain, but not including lands or portions of lands so withdrawn or reserved which the Secretary of the Interior, with the concurrence of the Administrator of General Services, determines are not suitable for return to the public domain for disposition under the general public land laws because they have been substantially changed in character by improvements or other actions.

e. Crops when designated by such agency for disposition by severance and removal from the land.

2. Improvements of any kind, structures, and fixtures under the control of any Federal agency when designated for disposition without the underlying land, including any located on the public domain, or lands withdrawn or reserved from the public domain, or lands reserved or dedicated for national forests or national parks, or on lands that are not owned by the United States, but excluding prefabricated movable structures, butler-type storage warehouses, Quonset huts, and house trailers.

3. Standing timber and embedded gravel, sand, or stone under the control of any Federal agency whether designated for disposition with the land, or by severance and removal from the land. Felled timber and gravel, sand, or stone excavated by or for the Government prior to disposition are excluded.

Related Personal Property. Any personal property that is:

1. An integral part of real property or related to, designed for, or specifically adapted to the function or productive capacity of the real property. Removal of this personal property would significantly diminish the economic value of the real property. Commonly used items such as general-purpose furniture, utensils, office machines, office supplies, or general-purpose vehicles are not included in this category.

2. Determined by the General Services Administration (GSA) to be related to the real property.

6441 - Space

6441.03 - Policy

Base requests for assignment or reassignment of space on established need and proper use. Periodically review use of space with the view toward efficient and full use to effectively administer Forest Service programs. Release excess real and personal property. Coordinate space needs and use in accordance with the facilities master plan (FSM 7312.1).

6441.1 - Space Use

The Forest Service must abide by the following general conditions when occupying General Services Administration (GSA)-assigned space:

1. Forest Service employees, other than the Leasing Officer, shall not negotiate with lessors or other sources for alterations, utilities or other services, exchanges of space, or changes of any nature without prior written approval of the GSA. The Leasing Officer negotiates any changes with the GSA.
2. The GSA officials at any time may enter any such space to inspect, conduct space surveys, or perform other duties incident to its use, protection, or disposition.

6442 - Excess Real Property

6442.1 - Reporting Excess Real Property

Consult with the unit Property Management Officer and the unit Lands Officer (if applicable) to determine if the real property can be exchanged before reporting the property as excess.

Report all real property and related personal property not being used and that has no planned use as excess (FSH 6409.31 - FSPMR 104G-47.202). Track excess property using the Asset Identification Number assigned to the property.

6442.2 - Management of Excess and Surplus Real Property

6442.21 - Management

Keep excess and surplus property productive as long as possible, but do not let temporary use or occupancy interfere with, delay, or retard its transfer or disposal.

Destroy or make harmless property that is dangerous to public health or safety (FSM 6440.5 and FSM 6442.23).

Do not abandon, destroy, or donate any real property or related personal property to public bodies without first consulting the unit Property Management Officer.

6442.22 - Maintenance

Operate utilities (including water supply and sewerage system; heating, plumbing, and air-conditioning equipment) as needed for fire protection, the needs of interim tenants and personnel employed at the site, and to preserve equipment.

Make only those repairs, including damage from natural disasters, needed to maintain the property and to prevent rapid deterioration or obsolescence. Restore property damaged by natural disasters.

6442.23 - Decontamination

See FSM 6440.5. The holding unit supervises the decontamination of any contaminated property and pays all expenses to the Government. Exercise extreme care in the decontamination, management, and disposal of the contaminated properties to prevent the property from becoming a hazard to the general public (FSM 2160).

Inform the disposal agency of all inherent hazards.

6442.24 - Interim Use and Occupancy

The agency that executes a revocable agreement placing excess or surplus real property into productive use services the agreement.

6443 - Public Buildings Management

6443.01 - Authority

The Title 41, Code of Federal Regulations, section 101-20.001, applies to all federally controlled buildings and facilities, and to all persons entering in or on such property (FSM 6443.1-6443.82).

6443.1 - Rules of Conduct for Government Property

1. Inspection. Inspect packages, briefcases, and other containers brought into, while on, or being removed from the property, if necessary. Persons may be searched if arrested (FSH 5309.11, sec. 216).
2. Admission to Property. Close the property to the public after normal working hours; however, space where the Government has approved the after-normal-working hours use of the buildings may remain open. During normal working hours, close property to the public only to ensure the orderly conduct of Government business. When property is closed to the public, admit only persons having business with the Government and require them to register and display Government identification or other credentials to security officers or when entering, leaving, or while on the property.
3. Preservation of Property. Protect Government property from willful destruction or damage, theft, and hazards to persons or things. Do not permit anyone to:
 - a. Throw articles from or at a building;
 - b. Climb upon statues, fountains, or any part of the building; or
 - c. Litter.
4. Conformity With Signs and Directions. Enforce compliance with official signs of a prohibitory, regulatory, or directory nature, and with the direction of authorized individuals.

5. Disturbances. Take action to prevent loitering, disorderly conduct, or loud or unusual noises or nuisances on Government property. Keep entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots clear. Do not permit anyone to impede or disrupt official work of Government employees or the general public from obtaining needed services.

6. Gambling. Do not permit games of chance of any kind, including lotteries, pools, or the selling or purchasing of numbers tickets, in or on Government property. However, licensed blind operators of vending facilities may sell and exchange chances for lotteries operated under State law and conducted by a State agency (20 U.S.C. 107, sec. 2(a)(5), et seq.).

7. Alcoholic Beverages and Narcotics. Employees and visitors may not operate a motor vehicle while on the property or enter the property while under the influence of or using alcoholic beverages, or possessing any narcotic drug, hallucinogen, marijuana, barbiturate, or amphetamine.

8. Soliciting, Vending, and Debt Collection. Do not permit anyone to solicit alms or commercial or political contributions, to display or distribute commercial advertising, or to collect private debts on Federal property, unless one of the following criteria applies:

a. National or local fundraising drives for welfare, health, or similar purposes which are sponsored and approved by the Forest Service. See the "Manual on Fund Raising Within the Federal Service," issued by the U.S. Office of Personnel Management under Executive Order 10927.

b. Concessions or personal notices posted by employees on authorized bulletin boards.

c. Solicitation of labor organization membership or dues as authorized by the Forest Service under the Civil Service Reform Act of 1978 (Pub. L. 95-454).

d. Information displayed or distributed by the Forest Service or its agents and employees, with respect to space leased for commercial, cultural, educational, or recreational use under the Public Buildings Cooperative Use Act of 1976 (40 U.S.C. 490(a)(16)).

9. Distribution of Handbills. Line Officers in charge of the facility may approve the distribution or posting of pamphlets, handbills, or flyers on bulletin boards or elsewhere.

Prohibit the distribution of free samples of tobacco products in and around Forest Service-controlled buildings.

10. Photographs for News, Advertising, or Commercial Purposes. Allow photography only with the consent of the Line Officer in charge of the facility. Except where security regulations apply or a Federal court order or rule prohibits it, permit taking of

photographs for news purposes in entrances, lobbies, foyers, corridors, or auditoriums when they are used for public meetings.

11. Dogs and Other Animals. Allow only service animals on Federal property.

12. Vehicular and Pedestrian Traffic. Ensure that drivers comply with the signals and directions of security officers or other authorized individuals and all posted traffic signs, and drive in a safe manner.

Do not block entrances, driveways, walks, loading platforms, or fire hydrants.

13. Weapons and Explosives. Except for official purposes, do not permit firearms, other dangerous or deadly weapons, explosives, or incendiary items on Federal property.

14. Nondiscrimination. Ensure that all services, privileges, accommodations, and activities provided on the property are available to all persons regardless of race, creed, sex, color, national origin, marital status, or handicap.

6443.2 - Operation and Maintenance

1. Operation of Government-Owned Buildings. Provide services and utilities necessary to make space usable for ordinary purposes (FSM 7314 and FSH 7309.11, chapter 40).

2. Operation of Leased Buildings. Use leased space according to the same standards and levels of service as Government-owned space. However, the scope of the operation and maintenance performed by the General Services Administration (GSA) depends on the terms of the lease.

3. Protection. Furnish normal safety, fire, and guard protection to visitors and occupants of the buildings, maintain order, and protect the Government's interest in the property.

4. Repairs and Initial Space Alterations. Make alterations, improvements, and repairs to buildings and facilities to protect the investment of the Government within available funds. Perform such work in leased buildings only in space the Government is responsible for in keeping with the lease.

In GSA-controlled buildings, contact GSA for alterations, utilities or other services, exchanges of space, and so forth.

5. Conservation of Services. Exercise economies in using electricity, heat, cooling, building supplies, facilities, and other services.

6. Building Directories. On building directories, use the words "U.S. Department of Agriculture" before listing the agency name; use letters of the same size.

7. Bulletin Boards. Install bulletin boards only with the approval of the building manager. Post only the following types of material:

- a. Official notices.
- b. Notices of employee activities.
- c. Officially approved fund raising campaigns.
- d. Wanted, lost, found, exchange, and sales of incidental items.
- e. Rent or sale of apartments and houses.
- f. Information concerning recognized, nonprofit, or community-wide activities, including prices when approved by the unit Line Officer.
- g. Notices of missing children or other persons.

8. Authorized and Prohibited Uses of Government-Owned and Leased Facilities.

a. Use Government-controlled facilities only for official Forest Service business. However, the unit Line Officer may determine that, when not needed for official work, the space may be used for other appropriate purposes, when properly justified; but must not allow:

(1) Meetings of a political or sectarian character.

(2) Meetings to promote commercial enterprises.

(3) Use by or for any person or organization practicing discrimination based on a person's race, color, national origin, religion, sex (including gender identity, sexual orientation, and pregnancy), age (40 or older), marital status, family/parental status, disability or genetic information and so forth.

(4) Use of Forest Service facilities as polling places unless no other suitable facilities are available. Refer such cases to the Deputy Chief for Administration, Regional Forester, Station Director, Institute Director, or Area Director for a decision.

(5) Use of Government-owned or -leased facilities for storage of, or work on non-Government vehicles and other personal property.

(6) Special-use permits to be issued to employees or permit employees to occupy facilities not available to the general public when they are not conducting official business (FSM 2710.3).

9. Display of Flag. Display the United States flag in accordance with Title 36, United States Code, sections 173-178. Weather permitting, display the flag on or near all buildings controlled or occupied solely by the Forest Service. Where the Forest Service occupies two or more buildings on a single site, or a unit is located on a military or naval reservation, display only one flag on or near the main administration building.

See Departmental Regulation 5160-006 for additional direction on displaying the United States flag and the official flag of the Department of Agriculture.

In accordance with Departmental Regulation 5160-006 Appendix A, paragraph 3j, an Agency Head may direct that the flag be displayed at half-staff pursuant to the following: (1) The flag will fly at half-staff for a period not to exceed one day, except upon the death of a Forest Service employee while fighting fire or in a law enforcement action, the Chief of the Forest Service is delegated the authority to fly the flags at half-staff for three days.

10. Display Material. Do not display commercial advertisements in Government-controlled buildings.

11. Door Lettering. Label exterior doors with "U.S. Department of Agriculture" before the name of the Forest Service unit; use letters of the same size. However, if the building is occupied exclusively by the Department, the name of the office or station should be more prominent (Engineering Management (EM) series administrative document, EM-7100-15, "Standards for Forest Service Signs and Posters").

12. Decorations and Displays. The official decorations and displays shall conform to the general use of space. Keep exits or access to exits completely free and clear of all materials.

With the following exceptions, all decorations and displays in corridors, lobbies, cafeterias, auditoriums, or other places, must be of noncombustible or flame-retardant materials.

Small displays and elements in larger displays may contain limited amounts of combustible or flammable materials if such materials do not present a hazard to life or property. The unit Line Officer makes this determination in Forest Service-owned buildings, and the General Services Administration (GSA) in GSA-controlled buildings.

Comply with local ordinances relating to natural Christmas trees in non-Federal buildings or private office buildings in conjunction with these policies, even if local ordinances are more restrictive.

Do not permit lighted candles or other open flames or any high heat-producing devices in decorations or displays unless GSA or the unit Line Officer determines they are safe.

6443.3 - Safeguarding Premises

When safeguarding Government real and personal property, Homeland Security Presidential Directive-12 (HSPD-12) shall be strongly considered. At a minimum, the Forest Service must follow guidance as outlined in the Interagency Security Committee (ISC) Risk Management Process (RMP) Facility Security Level (FSL) Determination for the facility.

When electronic safety and security measures are used as the means of securing a facility, the access control systems must comply with HSPD-12 requirements and integrate with the USDA Enterprise Physical Access Control System (EPACS). Card readers must have numeric keypads for card and PIN authentication outside of normal business hours.

Where Intrusion Detection Systems are in place, the system must be set to dial out to 3 locations:

1. Federal Protective Service Mega Center.
2. Forest Service Law Enforcement.
3. Other Forest Service designated personnel.

Where mechanical locks are determined to meet the security requirements for the facility, the designated Key Control Custodian (KCC) must keep a written record of key holders, secure unassigned keys in an appropriate key lock box, and conduct a 100 percent inventory of keys on an annual basis. The loss of keys must be reported to the Property Management Officer, the employee's Supervisor, Unit Line Officer, and Forest Service Law Enforcement within 24 hours of incident.

Where mechanical locks are installed, grand master and master key systems of one manufacturer should be used at the location. Building custodians must be provided with master or duplicate keys. An extra set of keys for all locks must be provided at a given facility. When a key is determined to have been lost, the locks must be replaced within 72 hours of the loss being reported. If the loss was deemed negligent or the employee delayed reporting the loss, disciplinary action may be taken.

High security locks, with facility specific keys that cannot be commonly duplicated, must be installed on Forest Service owned and leased space to include Job Corps Civilian Conservation Centers. Universal Forest Service locks are not authorized to be installed on owned and leased space to include Job Corps Civilian Conservation Centers.

Where other means of access (garage door and gate opener fobs) are utilized, a written record of holders of devices must be kept. The loss of the device must be reported to the Property Management Officer, the employee's Supervisor, Unit Line Officer, and Forest Service Law Enforcement within 24 hours of incident.

A written facility security plan must be developed and maintained in accordance with ISC Standards, for each facility to control, limit, and safeguard access. The written facility security plan must be approved by the next level Line Officer under the chain of command. The facility security plan should be written in accordance with the ISC "Facility Security Plan: An Interagency Security Committee Guide" latest edition. At a minimum, the plan must identify the following:

1. Access control personnel.
2. How to use instructions for all users.
3. Reporting instruction for compromised security (such as loss/misuse of cards, broken equipment, and compromised network).
4. Recommendations for addressing violations.
5. How to limit unauthorized and/or unnecessary access for employees and visitors.

6443.4 - Unlawful Acts on Government-Owned or Occupied Premises

Be alert to any crime committed on Government-occupied premises. Reporting these unlawful acts to the proper authorities depends on the type of unlawful act and the type of Government occupancy (FSH 5309.11 and FSM 5300).

6443.5 - Vending Services

Obtain vending stands in accordance with direction in FSH 6409.31 - FPMR 101-20.2 and FSPMR 104G-20.206. District Rangers and Project Leaders shall consult with Forest Supervisors and Station Directors, respectively prior to obtaining vending services.

6443.6 - Fire and Accident Prevention

General Precautions. Take all reasonable precautions to prevent accidents and fires (FSH 6709.11).

6443.7 - Building Maintenance and Inspection Standards

Maintain and inspect buildings in accordance with the standards described in FSH 7309.11, Buildings and Related Facilities Handbook.

6443.8 - Smoking Regulations

See Departmental Regulation 4400-6 (DR 4400-6) for the policy on smoking at <https://www.ocio.usda.gov/document/departamental-regulation-4400-006>.

Prohibit the sale of tobacco products in vending machines in Forest Service-controlled space.

6444 - Government-Sponsored Childcare Facilities

6444.01 - Authority

The authority to provide space and to incur certain expenditures for childcare is contained in Title 40, United States Code, section 490b. The Comptroller General has ruled that the General Services Administration (GSA) may lease space or construct buildings specifically for childcare facilities if there is insufficient space available for such purposes in its existing inventory (Comp.

Gen. B-239708, Jan. 31, 1991). The Forest Service has the same authority to lease space through the delegation of leasing authority from GSA; if provision of childcare facilities would require renovation or construction of Government-owned property, such requests should be made as part of the budget process (FSM 1930; FSH 1909.13).

6444.02 - Objectives

Provide space for childcare services when available and appropriate.

6444.03 - Policy

6444.03a - Space and Facilities for Childcare Services

1. Forest Service units may provide space for childcare services in Government-owned or controlled property, subject to the conditions outlined in FSM 6444-6444.2.
2. Forest Service units must analyze the need for and appropriateness of starting a Government-sponsored childcare service in Government facilities, before making arrangements to provide this space, if commercial services are already present in the community.
3. Forest Service units must consult and coordinate with the General Services Administration (GSA) in arranging for childcare services in space owned or controlled by the GSA.

6444.03b - Operation of Childcare Services

Forest Service units shall not operate a childcare service nor are individual employees authorized to run a service on official time. Such services may be operated by a commercial contractor, non-profit organization, employee association, or other types of organizations established to provide such services.

6444.03c - Children at Official Duty Station

Forest Service units may allow children at official work stations on a temporary or infrequent basis.

6444.04 - Responsibility

6444.04a - Washington Office

The Director, Human Resources Management is responsible for providing national leadership for childcare services.

6444.04b - Regional Foresters, Station Directors, and the Area Director

Regional Foresters, Station Directors, the Institute Director, and the Area Director are authorized to provide space for childcare facilities, subject to the direction in FSM 6444-6444.2. This authority may be redelegated.

6444.1 - Space for Childcare Services

6444.11 - Providers of Services

Forest Service units may provide childcare space in one of the ways described in paragraphs 1-3. These options are arranged in priority order; number one is the preferred option, which involves the least amount of administration and potential liability for the Forest Service.

The options described in paragraphs 1 and 2 are exempt from the Competition in Contracting Act (41 U.S.C. 253) and the Federal Acquisition Regulations (FSH 6309.32).

1. To employee organizations who shall in turn contract with a childcare provider,
2. To an individual employee who, acting as a private individual, shall in turn contract with a childcare provider, or
3. To a childcare provider.

6444.12 - Conditions

The Forest Service may provide space when the following conditions are met:

1. A needs assessment has been conducted to ensure that there is sufficient employee interest.
2. The space must be used to provide childcare services for a group of individuals of whom at least 50 percent are Federal employees.
3. Priority must be given to Federal employees when Government space is used.
4. The childcare service must meet State and local health and safety standards and local childcare licensing requirements.
5. The childcare provider employees shall receive and pass a criminal background and suitability check.
6. Childcare providers shall carry a comprehensive general liability insurance policy protecting them against risks associated with property damage and bodily injury to and by the children and staff. The face value of the policy must meet minimum State and local standards. In the event there are no State or local standards, the face value of the policy should be commensurate with the risk.

7. Involved employees shall not be placed in a position of conflict of interest, either real or apparent. See the USDA Employee Responsibilities and Conduct Handbook (Appendix 1, Subpart B, Part 0.735.11) for further direction.

6444.13 - Legal Instrument

The Forest Service unit must have a childcare agreement with the provider of services. See chapter 70 of FSH 1509.11 for an agreement to use as a model. The agreement and the contract must address all of the conditions outlined in FSM 6444.12.

Further, the agreement must fully describe the space, the responsibilities of the childcare provider pertaining to custodianship and maintenance of the facility, and the management of any furnished Government-owned personal property.

6444.14 - Allowable Costs

There are two categories of costs associated with childcare services: start-up/support costs and operating costs (40 U.S.C. 490(b)).

6444.14a - Start-up/Support Costs

These are the costs necessary to bring the childcare facility into a state of readiness and to provide basic support. Start-up/support costs may be paid from appropriated funds or may be provided at cost. Any revenues generated from charging for start-up/support costs must be credited to miscellaneous receipts of the U.S. Treasury. Start-up/support costs include, but are not limited to the following:

1. Rent,
2. Space design,
3. Renovations,
4. Alterations,
5. Office machines and equipment,
6. Toys/playground equipment,
7. Educational games,
8. Utilities,
9. Telephone service,
10. Security systems,
11. Accreditation fees, and
12. Annual GSA Childcare Conference (travel and per diem expenses).

6444.14b - Operating Costs

These are the costs necessary to run the childcare facility. Appropriated funds may not be used to pay for operating costs. Operating costs should be paid from tuition and/or other outside funding. Operating costs include, but are not limited to the following:

1. Staff salaries,
2. Food,
3. Expendable supplies,
4. Liability insurance and bonding,
5. Training of staff, and
6. Communications (long distance calls).

6444.2 - Liability Considerations for Childcare Space

Forest Service units involved in establishing childcare centers must consult with the local USDA Office of the General Counsel in order to take appropriate steps to minimize liability risks to the Government.

6445 - Government-Furnished Quarters

6445.01 - Authority

Office of Management and Budget (OMB) Circular A-45, Policy Governing Charges for Rental Quarters and Related Facilities, establishes policies and administrative guidance by which Federal agencies set and administer rent for quarters and charges for related facilities. See FSH 6409.11, Quarters Rental Handbook, for additional clarification on OMB Circular A-45 (FSM 6445.01).

6445.02 - Objective

To standardize procedures by which the Forest Service alone or in cooperation with other Federal agencies shall manage and set rates for rental quarters and related facilities.

6445.03 - Policy

The Regional rental survey method must be used for determining rental rates.

Employees on leave or travel shall continue to pay for quarters and related facilities unless they vacate the quarters and make them available for reassignment.

1. Permissive Occupancy. Only employees who have been assigned quarters in writing, their spouses, immediate families, blood relatives, legal guardianships of either the employee or the spouse, and legal permit holders may occupy Government quarters. Employees and legal permit holders shall not sublet or rent quarters.

Managers may provide leased quarters for barracks type use to employees at headquarters locations if property owners agree to leasing to the Forest Service but not to its employees.

2. Required Occupancy. Require employees to occupy Government quarters only when it is necessary for the protection of Government property or for providing necessary service to the public (5 U.S.C. 5911(e)).

Designate required occupancy for specific positions and document this requirement in vacancy announcements and the employee's position description.

3. Occupancy of Unsuitable Quarters. Do not assign quarters that are physically obsolete and do not meet Forest Service criteria for suitable Government housing (FSH 7309.11) and safety and health criteria (FSH 6709.11, sec. 16-19).

Schedule such quarters for rehabilitation, modernization, renovation, replacement, or disposal within 30 days of their being classified as unsuitable or obsolete.

4. Establishing Base Rental Rates. Use Regional rental surveys as the basis for determining base rental rates for all Forest Service quarters (FSH 6409.11, Ch. 10).

6445.04 - Responsibility

6445.04a - Deputy Chief for Business Operations

It is the responsibility of the Deputy Chief for Business Operations to provide Service-wide direction for management of Government-furnished quarters and related facilities.

6445.04b - Washington Office, Director of Procurement and Property Services

It is the responsibility of the Washington Office, Director of Procurement and Property Services, to:

1. Manage the Service-wide quarters rental program.
2. Provide liaison with the Department of the Interior.
3. Coordinate the surveys with the Department of Interior, Office of Acquisition and Property Management.
4. Inform Regions, Stations, and the Institute, of regional rental surveys to be conducted during the coming fiscal year.

5. Budget funds from Quarters Management (QMOM) for the Forest Service share of planned cooperative rental surveys.
6. Provide base rental rates to Regions, Stations, and the Institute.
7. Distribute Consumer Price Index (CPI) information prepared by the Department of Labor, Bureau of Labor Statistics, and a revised isolation adjustment factor on an annual basis.
8. Resolve grievances concerning establishment of base rental rates.
9. Act on requests to extend the implementation of revised rates.

6445.04c - Regional Foresters, Station Directors, and the Institute Director

It is the responsibility of Regional Foresters, Station Directors, and the Institute Director to:

1. Manage the quarters rental program and issue necessary instructions to implement prescribed policy for rental quarters in their respective Regions, Stations, or Institute.
2. Delegate authority and responsibility to appropriate staff officers to implement the program and carry out day-to-day operations (FSH 6409.11).
3. Participate in the appropriate Regional Quarters Survey Training.
4. Budget time and funds for the quarters program.
5. Resolve grievances that involve adjustments to base rates or the data in the inventory of Government quarters.
6. Exercise review and approval control of all adjustments described in Office of Management and Budget (OMB) Circular A-45, section 7c (FSM 6445.01).
7. Approve positions for which the incumbents are required to occupy Government-furnished quarters and make proper notification (FSM 6445.03). This authority may be delegated to Forest Supervisors.
8. Collect rent and utility costs from benefiting function and deposit same into quarters account when quarters are provided to volunteers and others when there is no payroll deduction. Ensure that the amount subsidized (FSH 6109.12, chapter 50) is deposited into the quarters account.
9. Conduct condition surveys, fire, safety, and health inspections, and other required inspections of quarters at recommended intervals. Arrange these inspections in advance with the occupants (FSH 7309.11, chapter 40).
10. Dispose of quarters that cannot be justified per OMB Circular A-11.

11. Establish a maintenance schedule for quarters and pay for maintenance activities with rent collected from occupants.

6445.05 - Definitions

In addition to the definitions in section 6440.5 of this manual, the following definitions apply to this section only.

Housing Assignment Agreement. A written agreement between the Forest Service where the Forest Service serves as landlord and the employee serves as tenant for use of a Quarters unit, for a specific period of time, according to specific terms and conditions, in exchange for rental payment.

Quarters. Housing units owned or leased by the Forest Service where the Forest Service serves as landlord and the employee serves as tenant. Also referred to as “Government-Furnished Housing”. “Government-Furnished Quarters” or “Government Quarters”.

Required Tenant. An employee required to live in Quarters as a condition of employment. See section FSM 6445.03, paragraph 2.

Shared Quarters. Housing units shared by unrelated employees who are issued a separate Housing Assignment Agreement.

6445.1 - Adjustments to Base Rental Rates

Additions to, or deductions from, the base rental rate are allowable for the specific situations described in OMB Circular A-45 and FSH 6409.11, chapter 20. Document information to support adjustments to the base rental rate. Apply adjustments to all quarters except bunkhouses, dormitories, barracks, and trailer pads.

Adjust rental rates on a timely basis whenever rate-determining changes are made.

6445.2 - Employee Grievances

Use the Administrative Grievance System (AGS) or, for bargaining unit employees, the Negotiated Grievance Procedure (NGP) as the method for addressing employee complaints over rental rates. Encourage employees, prior to initiating a grievance, to informally present their issues within the local line unit (for example: Forest, Station, Job Corps Center, and so forth) and attempt to resolve them informally (FSM 6170).

6445.3 - Maintenance and Occupancy Requirements

Describe and document the generally accepted and recognized landlord-tenant relationships that apply to a specific geographic area within the following guidelines:

1. Occupant Maintenance Responsibility. The occupant shall perform minor maintenance of the quarters and grounds such as yard upkeep, cleaning, light bulb replacement, and snow removal in accordance with accepted rental practices.

2. Damage Beyond Normal Wear and Tear. The Forest Service is responsible for wear and tear that results from normal use. The occupant of Government quarters shall pay for damage beyond normal wear and tear.

3. Conduct in Quarters. The definition of public buildings does not include Government-owned buildings used for residential purposes (FSH 6409.31 - FPMR 101-19.003-6(a)(b)). Establish standards of conduct for occupants of quarters in compliance with local ordinances, regulations, and laws. Occupants, their families, or guests shall not interfere with Government operations.

4. Alterations and Improvements. All alterations and improvements to the quarters shall be performed by the Government. Unauthorized alterations and improvements made by the occupant shall become the property of the Government. The Government may require the tenant to remove tenant alterations and improvements and restore the quarters to their original condition.

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6445.4 - Alcohol in Government-Furnished Quarters

To maintain a safe environment for our employees the Forest Service shall:

1. Prohibit the possession and/or use of alcohol in all shared Quarters units and associated common areas (section 6445.05).

2. Exceptions:

- a. An employee (their spouse, immediate family, blood relatives, or legal guardians) who occupies a non-shared Quarters unit (section 6445.05) is excluded from this policy.
 - b. A bargaining unit employee who qualifies as a “required tenant” (section 6445.05) should adhere to their respective collective bargaining agreement requirement.
3. Violation of this policy may result in administrative action, including termination of the Housing Assignment Agreement.

6445.5 - Refunds to Employees for Possessory-Interest Tax Payments

See FSH 6509.11k, chapter 40, for direction on possessory-interest tax and refund procedures. There are no adjustments to the base rental rate for these payments.

6446 - Accountability and Control

See FSM 6446.1-6446.4 for the principles, standards, and requirements applicable to quantitative accountability of real property.

6446.1 - Capitalization and Recording

Maintain records of real property when:

1. The Government has invested in the property through purchase, construction, or improvement.
2. The property was acquired by foreclosure, default, or condemnation.
3. The transferred or donated real property is not public domain (FSM 6442 and FSH 6509.11k, sec. 57.2).

Maintain descriptive property records for public domain and lands withdrawn or reserved from public domain for National Forest or other conservation purposes. Do not record the land value unless specifically required to by law or regulation.

6446.2 - Inventories and Reconciliations

6446.21 - Inventories

1. Periodic Inventories. Inventory all buildings, structures, and other physical facilities every 5 years. The Custodial Officer certifies the list on form AD-112, Physical Inventory Report for Period Ending--(Property).

The sub-functional account number shown in FSH 6509.11k, section 55.62, identifies the type of property to be reported. Show all acreage, regardless of type or how acquired, under "Land," even though it does not meet the definition of sub-function 51.

2. Special Inventories. Take a certified inventory when there is any change in designated custodians and document such on form AD-112.

6446.22 - Reconciliation

Reconciliation Between Property Records and Inventories. Verify these property records promptly after each inventory. Refer any differences that cannot be accounted for by rechecking to the unit Property Management Officer (PMO).

6446.3 - Transfers

Transfer documents must show:

1. Exact description of property.
2. Cost of property.
3. Date of acquisition (month, day, year).
4. Land is transferred by a written document that provides for acceptance by the receiving agency. Attach title papers or identify the location where they are filed. Describe any improvements either in the document or on an attached form AD-107, Report of Transfer or Other Disposition or Construction of Property.
5. Where only improvements are involved, use form AD-107 to record transfers, sales, abandonment, destruction, or construction.

6446.4 - Loss or Damage

See FSM 6411 for direction and procedures on reporting lost or damaged real property.

6447 - Space Utilization

When planning office space for all Forest Service owned, leased, and General Service Administration (GSA)-assigned office space, units shall abide by:

1. Department Regulation (DR) 1620-003, U. S. Department of Agriculture (USDA) Facility and Space Management dated March 31, 2021, DR 5100-004 Real Property Management Dated April 1, 2021, AGPMR Advisory 21-03 Space Planning and Utilization Due to Increased Telework Dated September 1, 2021, revised March 31, 2022, and any subsequent guidance from USDA regarding owned and leased space. An electronic version of these DRs can be accessed at: [Directives by Category | USDA](https://usdagcc.sharepoint.com/sites/oppm-pmd/main/pmd/SitePages/Home.aspx) and access the OPEM SharePoint Site for Advisories <https://usdagcc.sharepoint.com/sites/oppm-pmd/main/pmd/SitePages/Home.aspx>

2. Forest Service National Workplace Space and Design Guidelines continue to be a valuable resource until it can be updated. An electronic version of this 2016 guide can be accessed at: <https://fsweb.wo.fs.fed.us/pps/pages/property-management/real-property/?tab=policy>

6447.3 - Exception Requests

Units shall submit a written Exception Request, signed by the Regional Forester/Station Director, to the Washington Office, Director of Procurement and Property Services (PPS) if the office agency utilization rate (AUR) exceeds the building utilization rate (BUR) per USDA AGPMR Advisory 21-03 dated 9/1/2021 revised 3/21/2022.

To request an Exception, the Real Property Leasing Officer (RPLO) shall:

1. Submit an Exception Request to the Washington Office, Director of PPS with the following information:
 - a. Situation: Describe whether the space is a direct lease, Forest Service-owned property, or GSA-space assignment.
 - b. Activity: Describe the space-related action that is prompting the review.
 - c. Identification #: Provide the applicable identification number for the lease or occupancy agreement (OA), and the real property unique identification number (RPUID) from USDA's Corporate Property Automated Information System (CPAIS).
 - d. Current Utilization Rate: Provide the current utilization rate.
 - e. Proposed Utilization Rate: Provide the proposed utilization rate.
 - f. Justification: If the proposed space action will not meet the criteria described by USDA space utilization guidelines, please explain why. Include details and supporting information such as:
 - (a) Floor plan - existing and proposed conceptual space layouts, if available.
 - (b) Reasons the utilization rate cannot be met. For example:
 - (1) Uneconomical; costs more to make physical changes (that is, relocate walls and/or install new furniture) than to continue occupying additional space. Include a cost benefit analysis.
 - (2) Negative impact on ability to provide customer service (that is, large counter space/reception area required due to high traffic office).
 - (3) Conflicts with other Departmental requirements (that is, information technology space specifications or on-site file storage). Provide a copy of the requirements.

(4) Structural limitations of the building, such as shape or column spacing, that preclude downsizing.

(5) Reducing space would leave a portion of the building unmarketable to the owner or Lessor, or Lessor is unwilling to negotiate a reduction.

(6) Other unique requirements, such as a mission requirement for a specific location.

g. Future Implementation Plan: Describe how the unit plans to fully implement Department criteria and when this is expected to be achieved. For example, the 150 square feet per person requirement will be met when a new lease is solicited and it is cost effective for the office to relocate and downsize, or space becomes available that better accommodates a more efficient, open concept layout.

h. Signature: Regional Forester/Station Director.

2. The Washington Office, Director of PPS will coordinate with the Deputy Chief Operating Officer or equivalent and if approved the Exception Request will be signed and provided via a cover letter to the Chief, Property Management Division, Office of Property and Environmental Management (USDA OPEM).

In collocated situations, each agency's Director or Chief Operating Officer, or equivalent, shall sign the Exception Request for their respective space. This can be accomplished by using a single Exception Request signed by all, or a separate Exception Request for each agency, combined before submittal to USDA OPEM. Shared space is pro-rated to each agency based on the percentage of dedicated space occupied by each organization. The lead agency is responsible for submitting the Exception Request to USDA OPEM.