

GENERAL SERVICES ADMINISTRATION  
Washington, DC 20405

January 30, 2026

GSA ORDER

SUBJECT: External Real Property Delegations of Authority

1. Purpose. The purpose of this Order is to ensure certain real property-related delegations previously set forth in the Federal Management Regulation continue in effect following revision of that regulation.
2. Background. GSA's Federal Management Regulation previously delegated certain of the Administrator's real property authorities outside the Agency. GSA has repealed those regulations, and is retaining certain real property delegations set forth in this non-regulatory Order.
3. Delegations. Pursuant to 40 U.S.C. §§ 121(d) and 3315, the Administrator hereby delegates the authorities set forth herein. Unless otherwise specified, delegations are to the heads of agencies.
4. Limitations. Federal agencies must exercise delegated real property authority and functions in accordance with law and the parameters described herein, and are limited to the specific authority delegated.
5. Additional Delegations. This Order does not impact any prior delegation of authority still in effect. Additional authorities may be delegated on an as-needed basis.
6. Signature.



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Edward Forst  
Administrator  
U.S. General Services Administration

## EXTERNAL DELEGATION OF REAL PROPERTY AUTHORITIES

1. Executive agencies are delegated the authority to perform ancillary repair and alteration work in federally owned buildings under the jurisdiction, custody or control of GSA in accordance with the following terms, conditions and limitations:
  - a. For purposes of this delegation, ancillary repair and alteration projects are those—
    - i. Where an Executive agency has placed an order from a vendor under a GSA Multiple Award Schedule and ancillary repair and alteration services also are available from that same vendor as a Special Item Number (SIN);
    - ii. Where the ancillary repair and alteration work to be performed is associated solely with the repair, alteration, delivery, or installation of products or services also purchased under the same GSA Multiple Award Schedule;
    - iii. That are routine and non-complex in nature, such as routine painting or carpeting, simple hanging of drywall, basic electrical or plumbing work, landscaping, and similar non-complex services; and
    - iv. that are necessary to be performed to use, execute or implement successfully the products or services purchased from the GSA Multiple Award Schedule.
  - b. Ancillary repair and alteration projects do not include:
    - i. Major or new construction of buildings, roads, parking lots, and other facilities;
    - ii. Complex repair and alteration of entire facilities or significant portions of facilities; or
    - iii. Architectural and engineering services procured pursuant to 40 U.S.C. §§ 1101–1104.
  - c. The preconditions that must be satisfied before an Executive agency may perform ancillary repair and alteration work are as follows:
    - i. The ordering agency must order both the products or services and the ancillary repair and alteration services under the same GSA Multiple Award Schedule from the same vendor;
    - ii. The value of the ancillary repair and alteration work must be less than or equal to \$100,000 (for work estimated to exceed \$100,000, the Executive agency must contact the GSA to request a specific delegation);
    - iii. All terms and conditions applicable to the acquisition of ancillary repair and alteration work as required by the GSA Multiple Award Schedule ordering procedures must be satisfied;
    - iv. The ancillary repair and alteration work must not be in a facility leased by GSA or in any other leased facility acquired under a lease delegation from GSA; and
    - v. As soon as reasonably practicable, the Executive agency must provide the

building manager with a detailed scope of work, including cost estimates, and schedule for the project, and such other information as may be reasonably requested by the building manager, so the building manager can determine whether or not the proposed work is reasonably expected to have an adverse effect on the operation and management of the building, the building's structural, mechanical, electrical, plumbing, or heating and air conditioning systems, the building's aesthetic or historic features, or the space or property of any other tenant in the building. The Executive agency must obtain written approval from the building manager prior to placing an order for any ancillary repair and alteration work.

- d. Before commencing any ancillary repair and alteration work, the Executive agency shall deliver, or cause its contractor to deliver, to the building manager evidence that the contractor has obtained at least \$5,000,000 comprehensive general public liability and property damage insurance policies to cover claims arising from or relating to the contractor's operations that cause damage to persons or property; such insurance shall name the United States as an additional insured.
- e. The Executive agency shall agree that GSA has no responsibility or liability, either directly or indirectly, for any contractual claims or disputes that arise out of or relate to the performance of ancillary repair and alteration work, except to the extent such claim or dispute arises out of or relates to the wrongful acts or negligence of GSA's agents or employees.
- f. The Executive agency shall agree to administer and defend any claims and actions, and shall be responsible for the payment of any judgments rendered or settlements agreed to, in connection with contract claims or other causes of action arising out of or relating to the performance of the ancillary repair and alteration work.
- g. For buildings under GSA's custody and control, GSA shall have the right, but not the obligation, to review the work from time to time to ascertain that it is being performed in accordance with the approved project requirements, schedules, plans, drawings, specifications, and other related construction documents. The Executive agency shall promptly correct, or cause to be corrected, any non-conforming work or property damage identified by GSA, including damage to the space or property of any other tenant in the building, at no cost or expense to GSA.
- h. The Executive agency shall remain liable and financially responsible to GSA for any and all personal or property damage caused, in whole or in part, by the acts or omissions of the Executive agency, its employees, agents, and contractors.
- i. If the cost or expense to GSA to operate the facility is increased as a result of the ancillary repair and alteration project, the Executive agency shall be responsible for any such costs or expenses.
- j. Disputes between the Executive agency and GSA arising out of the ancillary repair and alteration work will, to the maximum extent practicable, be resolved informally at the working level. In the event a dispute cannot be resolved informally, the matter shall be referred to GSA's Public Buildings Service. The Executive agency agrees that, in the event GSA's Public Buildings Service and the Executive agency fail to resolve the dispute, they shall refer it for resolution to the Administrator of General Services, whose decision shall be binding.

2. GSA delegates to the Secretary of Defense the authority to determine that Federal agencies do not need Department of Defense controlled excess real property and related personal property having a total estimated fair market value, including all the component units of the property, of less than \$50,000; and to dispose of the property by means deemed most advantageous to the United States.
  - a. The Secretary must first conduct a Federal screening to determine that there is no further Federal need or requirement for the property.
  - b. The Department of Defense is not required to report excess property to GSA, although the authority in this delegation must be used following the provisions of Chapter 5 of Subtitle I of Title 40 of the United States Code and any implementing regulations and policies.
  - c. The Secretary of Defense may redelegate this authority to any officer or employee of the Department of Defense.
3. GSA delegates authority to the Secretary of Agriculture to determine that Federal agencies do not need USDA-controlled excess real property and related personal property having a total estimated fair market value, including all the component units of the property, of less than \$50,000; and to dispose of the property by means deemed most advantageous to the United States.
  - a. The Secretary must first conduct a Federal screening to determine that there is no further Federal need or requirement for the property.
  - b. USDA is not required to report excess property to GSA, although the authority in this delegation must be used following the provisions of Chapter 5 of Subtitle I of Title 40 of the United States Code and any implementing regulations and policies.
  - c. The Secretary of Agriculture may redelegate this authority to any officer or employee of the Department of Agriculture.
4. GSA delegates authority to the Secretary of the Interior to:
  - a. Maintain custody, control, and accountability for mineral resources in, on, or under Federal real property that the Administrator or his designee occasionally designates as currently utilized, excess, or surplus to the Government's needs;
  - b. Dispose of mineral resources by lease and to administer those leases that are made;
  - c. Determine that Federal agencies do not need Department of the Interior controlled excess real property and related personal property with an estimated fair market value, including all components of the property, of less than \$50,000; and
  - d. To dispose of the property by means most advantageous to the United States.
  - e. The Secretary of the Interior may redelegate this authority to any officer, official, or employee of the Department of the Interior.
  - f. Under this authority, the Secretary of the Interior is responsible for—
    - i. Maintaining proper inventory records, as head of the landholding agency;

- ii. Monitoring the minerals as necessary, as head of the landholding agency, to prevent unauthorized mining or removal of the minerals;
  - iii. Securing any appraisals deemed necessary by the Secretary;
  - iv. Coordinating with all surface landowners, Federal or otherwise, to prevent unnecessary interference with the surface use;
  - v. Restoring damaged or disturbed lands after removal of the mineral deposits;
  - vi. Notifying the Administrator of General Services when the disposal of all marketable mineral deposits is complete;
  - vii. Complying with the applicable environmental laws and regulations, including the National Environmental Policy Act of 1969, as amended (42 U.S.C. § 4321 *et seq.*); and implementing regulations and policies; section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108); and the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451 *et seq.*) and the Department of Commerce implementing regulations (15 CFR parts 923 and 930);
  - viii. Forwarding promptly to the Administrator of General Services copies of any agreements executed under this authority; and
  - ix. Providing the Administrator of General Services with an annual accounting of the proceeds received from leases executed under this authority.
5. GSA delegates authority to the Secretary of the Interior, the Secretary of Health and Human Services, and the Secretary of Education to transfer and to retransfer to each other, upon request, any of the property of each agency that is being used and will continue to be used in the administration of any functions relating to the Native Americans. The term property, as used in this delegation, includes real property and such personal property the Secretary making the transfer or retransfer determines to be related personal property. The Departments must exercise the authority conferred in this section following applicable GSA policies and procedures.
- a. This authority must be used only in connection with property that the appropriate Secretary determines:
    - i. Comprises a functional unit;
    - ii. Is located within the United States; and
    - iii. Has an acquisition cost of \$100,000 or less, provided that the transfer or retransfer does not include property situated in any area that is recognized as an urban area or place as identified by the most recent decennial census.
  - b. Screening of property is not required because it would accomplish no useful purpose, since the property subject to transfer or retransfer will continue to be used in the administration of any functions relating to Native Americans.
  - c. Transfers/retransfers under this delegation can be at no cost or without consideration, except:
    - i. Where funds programmed and appropriated for acquisition of the

property are available to the Secretary requesting the transfer or retransfer; or

- ii. Whenever reimbursement at fair market value is required by law or policy.
- d. Where funds were not programmed and appropriated for acquisition of the property, the Secretary requesting the transfer or retransfer must certify in writing that no funds are available to acquire the property. The Secretary transferring or retransferring the property may make any determination necessary that would otherwise be made by GSA to carry out the authority contained in this delegation.
- e. The Secretary of the Interior, the Secretary of Health and Human Services, and the Secretary of Education may redelegate any of the authority contained in this delegation to any officers or employees of their respective departments.