

Date: July 28, 2021

From: Associate Executive Director, Office of Real Property (003C7)

Subj: Office of Construction and Facilities Management Real Property Policy Memorandum 2021-05:  
Real Property Lease Actions Reporting Requirements (VIEWS 5445184)

To: All VA Leasing Professionals

1. The purpose of this memorandum is to clarify that Lease Contracting Officers (LCOs) should not report real property leasing contracts to Federal Procurement Data System (FPDS). Federal Acquisition Regulation (FAR) 4.606(a)(1) identifies which contracting actions agencies must report to FPDS. Agencies may submit actions other than those listed in FAR 4.606(a)(1) only if they are able to be segregated from FAR-based actions and are approved in writing by the FPDS Program Office. No such approval exists for real property leasing actions. FAR 4.601 specifically excludes real property leases in the definition of a contract action:

*“Contract action”* means any oral or written action that results in the purchase, rent, or lease of supplies or equipment, services, or construction using appropriated dollars over the micro-purchase threshold, or modifications to these actions regardless of dollar value. Contract action does not include grants, cooperative agreements, other transactions, real property leases, requisitions from Federal stock, training authorizations, or other non-FAR based transactions.

2. In as much as the FAR does not apply to leasehold acquisitions of real property unless specifically cross-referenced in General Services Acquisition Manual (GSAM) Part 570 and as real property leasing actions are assets reported in accordance with OMB Circular A-136, real property leases should not be reported to FPDS.

3. To be consistent with VA policies on updating directives and handbooks, CFM ORP issued policies and procedures are subject to renewal every five years. Policies and procedures will be updated whenever substantive changes are needed, even if this precedes the five-year renewal requirement. CFM ORP issued policies are located on the VA intranet at <https://vaww.cfm.va.gov/real/> along with other real property policies and guidance.

4. If you have questions, please contact Brandi Stockstill, Director, Real Property Policy and Programs, at (202) 329-6538 or [brandilyne.stockstill@va.gov](mailto:brandilyne.stockstill@va.gov).

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