



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.1 MANAGEMENT OF PERSONAL PROPERTY

- A. Proponent:** Office of Property Management, Management Support Division (MSD).
Telephone: 202-307-5021, Fax: 703-603-2026.
- B. Purpose:** This policy directive implements federal and Department of Justice (DOJ) personal property management requirements, delegates authority, assigns responsibility, and sets forth policies, procedures, and forms ([Appendix A](#)) for the management of personal property that is owned, leased, or on loan to the United States Marshals Service (USMS), government property in the possession of authorized contractors, and property that is found to be abandoned or unclaimed within USMS facilities. It coordinates requirements concerning seized/forfeited property and federal excess property administered under the Detention Services Program. It excludes confiscated property, contraband, and evidence. The authorities and responsibilities set forth in this policy directive may only be re-delegated temporarily, to duly appointed, acting officials. All USMS policy directives and procedures concerning personal property conform to this policy directive.
- C. Authority:** [Federal Property and Administrative Services Act of 1949](#), as amended; [40 U.S.C. § 121\(c\)](#); [28 U.S.C. § 561\(g\)](#); [41 C.F.R. Part 102-39](#); [Title 41, Chapter 102, Subchapter B, Federal Management Regulations](#) (FMR); and [Title 41, Chapter 128, DOJ Management Regulations](#) (JPMR).
- D. Policy:**
1. **Compliance and Sanctions:** USMS employees comply with the provisions of this policy directive and the above referenced authority. Negligence resulting in the loss, theft, damage, or destruction of USMS property may result in disciplinary action up to and/or including removal. More serious offenses can result in civil and criminal penalties. Managers and supervisors are charged with the responsibility for overseeing compliance with the provisions of this policy directive within their respective organizational component and with assisting the Property Custodian in fulfilling his/her duties and responsibilities. Property Custodians are charged with the responsibility for assisting the Property Management Officer in fulfilling his/her duties and responsibilities, and for ensuring timely coordination with the Office of Property Management on property management issues and corrective actions.
 2. **Property Life Cycle:** The standard life cycle for federal property consists of acquisition, receipt, inspection, test, acceptance, marking, classification, recordation, utilization, re-utilization, and disposal. This policy directive is organized to reflect the federal property life cycle. Property Custodians ensure that the following functions are performed in accordance with their delegated property management authority, this policy directive, related USMS policy directives, FMR, and JPMR.
 - a. **Receipt:** The orderly receipt of property in a designated place and manner to ensure control, accountability, and security, and to preserve USMS rights against suppliers of defective property and carriers responsible for damages in transit.

- b. **Inspection and Test:** The timely inspection and testing of property to verify receipt of the proper item, with all accessories and component parts, in the correct quantity, and that the item is in acceptable/operating condition.
 - c. **Acceptance:** The timely determination of acceptance/rejection so as to comply with prompt payment requirements or to preserve USMS rights against suppliers and carriers. Upon acceptance, title to the property vests within the United States of America.
 - d. **Marking:** The application of an authorized mark or label to property identifying it as federal, USMS, or DOJ property. Accountable property (with the exception of firearms) is marked using approved bar code labels obtained from the Office of Property Management. **Vehicle barcodes must be placed in the glove box.**
 - e. **Classification:** The determination of the status of property as a basis for further property management determinations:
 - 1) **For management and control:** Expendable, Non-accountable, or Accountable.
 - 2) **For utilization/re-utilization and disposal:** Required or Excess.
 - f. **Recordation:** The recording of accountable property in the Property Management System within 15 calendar days of receipt and on the employee's hand receipt at the time of issuance.
 - g. **Utilization:** USMS property is properly maintained and employed for official use in the manner for which it was intended.
 - h. **Re-utilization and Disposal:** Property which is obsolete, uneconomically repairable, or in excess of need is promptly reported to the Office of Property Management for determination and direction concerning re-utilization or disposal.
3. **Property Standards:** The following program management offices provide service-wide standards (e.g., types, features, basis-of-issue quantities, serviceability, repair, and replacement criteria) for the types of property indicated and assist the Property Management Officer in rendering condition, repair, re-utilization, and excess determinations.

Property Standards

<i>Type of Property</i>	<i>Program Management Office</i>
Aircraft	Justice Prisoner Alien Transportation System (JPATS)
Automated data-processing and equipment	Information Technology Division (ITD)
Boats	Office of Fleet Management (OFM)
Copiers/reprographics equipment	Publishing and Multimedia Services (PMSO)

Firearms, ammunition, weapons, incendiary, and projectile-launching devices; and explosives	Training Division (TD)
Security file containers and safes	Tactical Operations Division (TOD)
Furniture/furnishings	Office of Courthouse Management (OCM)
Health and safety equipment	Office of Security, Safety, and Health (OSSH)
Investigative and surveillance equipment	Investigative Operations Division (IOD)
Metal detectors	Office of Security Systems (OSS)
Motor vehicles and related equipment (other than mobile communications equipment)	OFM
Personal issue uniforms and clothing	TD
Photographic and audiovisual equipment	PMSO
Physical fitness equipment	TD
Protective vests (armor vests)	TD
Radio communications equipment	TOD
Restraining devices	TD
Shredders	TOD
Special operations and tactical equipment	Special Operations Group (SOG)
Telephone & facsimile equipment	ITD
X-ray equipment	OSS
Other	Determination by the Office of Property Management

4. Safeguards and Controls:

a. **General:** Property management encompasses the maintenance, protection, accountability, proper use, and proper disposal of property. The system for managing USMS property commences for a specific item with the pre-acquisition approval/planning process and ceases only upon final disposal action. The concepts of accountability and responsibility are fundamental to the Property Management System.

- 1) Accountability is the obligation of an individual to keep accurate records. The individual having accountability for property may or may not have possession of the property.
- 2) Responsibility is the general obligation of an individual for the proper custody, care, and safekeeping of assigned property. Responsibility is divided into two specific subcategories:
 - a) Personal Responsibility: the obligation of an individual employee for the proper custody, care, and safekeeping of property which is assigned or issued to him/her for official use. Property not assigned/issued to an individual employee remains under the personal responsibility of the Property Custodian.
 - b) Supervisory Responsibility: the obligation of an individual for overseeing the proper custody, care, and safekeeping of property which has been assigned/issued to an individual employee for official use who is under his/her supervision.

b. **Property Management:**

- 1) Non-expendable property is managed consistent with its value, useful life, sensitivity, and care requirements.
- 2) Accountable property is managed using a continuous record of accountability, maintained from the point of acquisition until authorized disposal. This is accomplished by adding accountable property to the Property Management System at the time of its initial acquisition and maintaining it on inventory until final disposal action is complete. All accountable property is controlled through the use of Form [USM-325, Hand Receipt](#).
- 3) Expendable property is provided a reasonable level of care and oversight necessary to prevent excess, waste, and/or abuse.

c. **Secure Storage:**

- 1) All property not issued to individuals, or not in use, is stored by the Property Custodian in a secure storage area appropriate to the type of property being stored. All stored equipment must be listed on [USM-325](#), and annotated as "stock", in field number 3. The completed [USM-325](#) must be signed by the Property Custodian or his/her designee.
- 2) Non-expendable property issued to individuals on current hand receipts must be secured at all times when not in use. Such property is stored in locations which provide reasonable safeguards against theft or loss.

- 3) Bulky office equipment and furniture may be left individually unsecured in the areas in which they are normally used, provided that reasonable means are taken to ensure that these locations are locked during non-duty hours and that the presence of these items are verified at the beginning of each workday.
- d. **Optional Form (OF)-7, Property Pass:** This form is available for use by Property Custodians to document and control the authorized removal of property from a USMS facility.
- e. **Hand Receipt:** This form is used to record and control accountable property issued to employees and all property on loan to another organization. Accountable property is controlled by the use of the hand receipt (Form [USM-325](#)). Accountable property not issued to an employee is controlled by the use of a hand receipt and maintained by a Property Custodian and/or their designee. For example, stock and common use property can be hand receipted to a program manager (e.g., Motor Vehicle Officer, Communications Officer, and Firearms Officer) who has control over this property.

The hand receipt is also used to record the return of property to the Property Custodian. Property Custodians may at their discretion require that certain types of non-expendable property issued to employees be controlled by use of the hand receipt. This decision should be based on factors such as operational requirements, physical security conditions, and loss experience.

- 1) Separate hand receipts are created for each individual or organization to which property is assigned or loaned. Individuals acknowledging receipt of property by signing a hand receipt assume personal responsibility for all property listed on the hand receipt. The Property Custodian prints or types the individual's name next to the signature. It is important that the Property Custodian retain the original signed hand receipt form in order to document employee acknowledgment of receipt and acceptance of responsibility in case of loss. In the event property is lost, a copy of the hand receipt(s) is submitted with the report of loss.
- 2) Firearms must be hand receipted and maintained separately from other hand receipts. Weapon non-lethal devices (tasers/batons) must be placed on a hand receipt with all other accountable property. Firearms hand receipts are checked for accuracy and signed semi-annually. **After firearms hand receipts have been updated, complete the form [USM-325C, Hand Receipt Certification](#), and submit to the Office of Property Management, MSD. Retain a copy for audit purposes.**
- 3) All other hand receipts are checked for accuracy and signed annually. All hand receipts, to include firearms, may be reviewed by updating the property listed, re-signing and dating the existing hand receipt (space permitting), or completing a new hand receipt. **After hand receipts have been updated, complete the form [USM-325C](#), and submit to the Office of Property Management, MSD. Retain a copy for audit purposes.**

- 4) If a new hand receipt is generated, the old hand receipt is retained for 2 years for audit purposes. Digital signatures are also accepted on the hand receipt.
- 5) During the review, the Property Custodian determines if the employee's requirement for the property remains valid. If the requirement is no longer valid, the Property Custodian obtains the immediate return of the property.
- 6) Original hand receipts are surrendered back to the employee/organization when the property is returned to the district/division or superseded by a new version of the hand receipt.

f. **Clearance of Property Custodian:**

- 1) When a Property Custodian is about to vacate the position, a joint physical inventory is conducted with the incoming Property Custodian, of all non-expendable property. The joint physical inventory must include a physical inventory of all property contained on hand receipts and a renewal of those hand receipts (signed by the person to whom the property was issued).
- 2) Discrepancies between the accountable property record, hand receipts, and the physical inventory must be completely reconciled prior to the Property Custodian's release from accountability and responsibility requirements. Overages and unresolved shortages of accountable property is recorded or annotated on the accountable property record and documented.
- 3) The incoming and outgoing Property Custodians sign and date the Form [USM-217](#), *Certification of Inventory*, indicating that a joint physical inventory was accomplished and that the incoming Property Custodian accepts accountability and responsibility for all accountable property contained on the accountable property record except for annotated shortages.
- 4) The incoming Property Custodian assumes accountability and responsibility and signs for only the accountable property verified by the joint physical inventory.
- 5) The incoming Property Custodian must process as a loss, all accountable and non-expendable property on the accountable property record, which was not verified as being on hand by the joint physical inventory. The outgoing Property Custodian remains accountable and responsible for the missing property.
- 6) If the incoming Property Custodian has not been designated at the time the outgoing Property Custodian leaves, or if the incoming Property Custodian is not available until after the departure of the outgoing Property Custodian, the overseeing management official appoints an interim Property Custodian and notifies the Office of Property Management. The interim Property Custodian requests a physical inventory tasking package if in the position for more than 120 days to ensure the continuity of accountability. The United States Marshal

(USM) should not serve as the Property Custodian (except in cases where the Property Custodian is temporarily serving as Interim/Acting USM). The permanent Property Custodian requests a physical inventory tasking package from the Office of Property Management within 30 working days of assuming the position of Property Custodian. Failure to perform a physical inventory hinders the transfer of accountability from the interim to the permanent Property Custodian and may make the permanent Property Custodian responsible for unreported losses of property due to negligence.

g. **Clearance of Employees:**

- 1) An individual terminating employment with the USMS for any reason must turn in to the Property Custodian all USMS property in his/her possession (Form [USM-199](#), *Separation Checklist*). Once cleared by the Property Custodian, all hand receipts pertaining to that individual (if any) are cleared and the original is returned to the employee. Both regular and firearms hand receipts must be cleared prior to the employee's departure.
- 2) Individuals transferring between USMS components maintaining separate property accounts must clear it with the losing Property Custodian. The individual must turn in all property issued by the losing Property Custodian. USMS property which is to be transferred with the employee (by mutual consent of the losing and gaining Property Custodians) are retained by the individual and transferred to the gaining account by use of a Form [USM-170](#), *Property Transaction Document*, by the losing Property Custodian. This property transfer is accomplished in accordance with the Internal Transfer procedures herein. Both regular and firearms hand receipts are cleared prior to an employee being allowed to transfer from the district/division.
- 3) When a loss of property is discovered upon clearance of an employee, the loss is reported by the Property Custodian in accordance with the Lost Property procedures. A copy of the hand receipt accompanies the report.

h. **Physical Inventories:** The physical inventory of accountable property constitutes a fundamental and essential internal control. Property Custodians ensure that physical inventories are performed in accordance with required procedures and time frames, that the Property Custodian is not a member of the team actually taking the physical inventory, that the physical inventory-taking team is provided sufficient time and resources to accomplish the task, and that the Property Custodian's certification on Form [USM-217](#), represents an accurate and complete accounting of the property being inventoried. Procedures for completing the physical inventory are provided in the [Guidelines for Completing the Physical Inventory of Accountable Property](#) (refer to the USMS Intranet - Administrative/Property Management). Property Custodians complete the following types of physical inventories as indicated:

- 1) **Biennial and Change of Property Custodian:** Comprehensive physical inventory of all accountable property every 2 years or upon change of Property Custodian (whichever is sooner). The Office of Property Management initiates the request for biennial inventory, which

is tasked 2 years from the stamped date on the prior closeout memo. The overseeing management official (Assistant Director (AD) or USM) initiates the request for a change of Property Custodian inventory.

- 2) **Annual Capitalized Property:** Focused inventory of all capitalized property. The Office of Property Management initiates the request for a capitalized property inventory. The annotated inventory and copy of the certification form [USM-217](#), are due by April 30.
- 3) **Annual Weapons:** Focused inventory of all weapons. The Office of Property Management initiates the request of the annual weapons inventory. The annotated inventory and copy of the certifications Form [USM-217](#), in accordance with USMS Policy Directive 2.3, [Firearms](#), is due by October 1. The Property Custodian checks the appropriate box on the form [USM-217](#), that says, "I certify that all firearms hand receipts have been checked for accuracy and signed"
- 4) **Special:** Comprehensive or focused inventory as requested by the Office of Property Management or the Board of Survey.
- 5) **Annual Laptops:** Focused inventory of all laptops. The Office of Property Management initiates the request of the annual laptops inventory. The annotated inventory and copy of the certification form [USM-217](#), is due by June 30.

5. **Ethics:**

- a. USMS employees or members of their household cannot purchase (directly or indirectly through an agent or proxy) or use property offered for sale or auction in any manner that was in official USMS use.
- b. USMS employees or members of their households cannot take possession of or ownership in USMS property that has been abandoned, excessed, or destroyed pursuant to relevant General Services Administration (GSA) or DOJ regulations.
- c. USMS employees take no action to acquire USMS property intended for donation, abandonment, destruction, salvage or scrap, or benefit in any manner from their position with the USMS for such purposes. Actions falling within the scope of this policy directive include the following:
 - 1) Providing advance notice to non-federal entities or unauthorized persons of property dispositions or repairs;
 - 2) Attempting to influence property donations; and
 - 3) Giving unauthorized use of such property.
- d. USMS employees ensure that USMS property is employed for official use in a safe, legal, and authorized manner and is used for its intended purpose.
- e. USMS employees are not to solicit gifts of property for personal or official use unless in accordance with DOJ regulations or policy.

- f. Questions regarding the appropriate and ethical use of personal property should be addressed to an USMS Ethics Team member, Office of General Counsel (OGC).

6. Gifts:

- a. Unsolicited gifts offered to an individual/organization for personal use, providing the value is \$20.00 or less with a limit of \$50.00 per year from one source: Refer to USMS Policy Directive 1.2, [Gifts](#).
- b. Gifts other than for personal use and those exceeding \$20.00. The offer of such gifts shall be promptly reported to the Ethics Officer, OGC, who will assist the recipient component in processing the request. Gifts exceeding \$150.00 are approved by the Assistant Attorney General for Administration. Gifts solicited by USMS employees are not to be accepted.

7. Government Property in the Possession of an Authorized Contractor:

- a. Government property in the possession of an authorized contractor consists of government-furnished property and contractor-acquired property. The contractor is authorized possession and use of government property pursuant to a formal contract/agreement, for the sole purpose of performing the contractual function. This includes federal excess property which is transferred to an authorized detention facility.
- b. Accountability for government property becomes the responsibility of the contractor at the time the property is placed in the contractor's possession.
- c. Contractors account for and report government property, pursuant to the terms and conditions of the contract/agreement.
- d. Property Custodians ensure that USMS accountable property which has been placed in the status of "government property in the possession of an authorized contractor" and for which the contractor is required to maintain accountability is not redundantly recorded in the USMS Property Management System.
- e. Government property in the possession of an authorized contractor is disposed of as provided for within the contract/agreement, applicable program laws and regulations, and/or the FMR. Government property in the possession of an authorized contractor may be transferred to the USMS, provided such transfer is accomplished in accordance with the acquisition procedures herein and is not prohibited by the contract/agreement, applicable program laws and regulations, and/or the FMR.

E. Responsibilities:

1. Director and Deputy Director:

- a. Provide executive oversight for property management;
- b. Approve the loan of weapons to or from any non-USMS individual or organization;

- c. Approve the write-off of a single item of capitalized property or multiple items of property (aggregated report(s)) having an aggregated original acquisition value of \$50,000 or more;
 - d. Approve the placement into official use of luxury and exotic motor vehicles and forfeited firearms;
 - e. Approve the acquisition of excess firearms from other federal agencies; and
 - f. Recommend the approval of placement into official use of forfeited assets valued at \$50,000 or more.
2. **AD, MSD:**
- a. Provides executive direction for property management and oversight of the Board of Survey;
 - b. Designates items of accountable property;
 - c. Approves the loan of property (other than weapons) to or from a non-USMS individual or organization;
 - d. Approves the placement into official use of forfeited assets valued less than \$50,000.
3. **Chairman/Vice Chairman, USMS Board of Survey:**
- a. Presides over sessions of the USMS Board of Survey;
 - b. Guides the USMS Board of Survey in determining employee negligence and in making findings of employee responsibility;
 - c. Approves the write-off of a single item of non-capitalized property or multiple items of non-capitalized property (aggregated report[s]) having an aggregated original acquisition value less than \$50,000; and
 - d. Recommends corrective and preventive measures to reduce/eliminate losses of property.
4. **Program Managers:**
- a. Promulgates service-wide standards (i.e., types, features, basis-of-issue quantities, serviceability, repair, and replacement criteria) for types of property applicable to their respective program areas;
 - b. Assists Property Custodians and the Office of Property Management in determining property condition, the cost-effectiveness of repairs, and in making internal re-utilization (internal transfer) and excess (disposal) determinations; and
 - c. Notifies the Office of Property Management when capitalized property (\$50,000 or more per item) is purchased. This internal control is to ensure all transactions are properly recorded in the Property Management System and accounted for.
 - d. Provide copies of the completed form [OF-347](#), *Order For Supplies or Services*,

for bulk purchases of accountable property and send to the Office of Property Management.

5. USMs, Associate Directors, and ADs:

- a. Ensures that property management is performed within his/her component in accordance with the provisions of this policy directive;
- b. Requests the establishment of property management accounts and cost-centers to reflect the organizational structure;
- c. Appoint an interim Property Custodian when a subordinate Property Custodian position becomes vacant for any reason (including temporary assignments); and
- d. Ensures that outgoing and incoming (interim) Property Custodians conduct a joint physical inventory.

6. Property Custodian:

- a. Plans and schedules property requirements to ensure that supplies and equipment are readily available to satisfy program needs while minimizing operating costs and inventory levels;
- b. Ensures care and security of property to include proper storage, handling, preservation, and preventive maintenance;
- c. Identifies property excess to the needs of the office and reports the same to the Office of Property Management;
- d. Provides day-to-day support of the property management program;
- e. Ensures that the acquisition, receipt, inspection, test, acceptance, classification, marking, recordation, utilization, re-utilization, and disposal of USMS property within the custodial area is performed in accordance with this policy directive;
- f. Maintains current records for property within the assigned custodial area;
- g. Initiates documents affecting the accountability and custody of equipment;
- h. Ensures authorized use and proper care and protection of property;
- i. Reports missing, lost, stolen, and/or damaged property;
- j. Provides accurate and complete property accountability by ensuring that physical inventories are performed in accordance with required procedures and timeframes and by certifying such on form [USM-217](#);
- k. Maintains records supporting the acquisition, exchange, internal transfer, loan, loss (i.e., loss, theft, damage, destruction), and disposal of property in accordance with the USMS Property Operations Guide, USMS Directive Property Management Program, [General Records Schedule](#), and the FAR.

- l. Ensures proper management, use, and disposal of all property within his/her organization;
- m. Maintains accountability for all accountable property on his/her accountable property record;
- n. Maintains personal responsibility for all property within the component which is not assigned/issued to an individual employee;
- o. Maintains supervisory responsibility for all property within the component which is assigned/issued to an individual employee;
- p. Satisfies the requirements for property clearance upon relief from duty as Property Custodian for all accountable property and non-expendable property within the district/division;
- q. Ensures that property is provided necessary cost-effective maintenance and repair;
- r. Ensures that departing personnel and contractors are cleared of property responsibilities prior to departure;
- s. Considers the use of excess property before acquiring new items; ~~and~~
- t. Appoints a weapons officer who is responsible for maintaining and verifying hand receipts for firearms;
- u. Signs all property transaction documents (i.e. [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*; [USM-170](#); [USM-215](#), *Inventory Adjustment Voucher*; [USM-217](#); and [SF-120](#), *Report of Excess Personal Property*); and
- v. Ensures that accountable property is entered into the property management system within 15 calendar days. District statistical information is posted on the internal USMS District Dashboard.

7. Property Management Officer (PMO):

- a. Advises managers and employees of their responsibilities with respect to government property;
- b. Issues detailed operating procedures to protect against fraud, waste, and abuse of government property;
- c. Maximizes utilization of available property for official purposes;
- d. Prepares and submits required property management reports;
- e. Conducts periodic management reviews within the activity to assure compliance with prescribed policies, regulations, and procedures, and to determine additional guidance or training needs;

- f. Supports general ledger control accounts for property by establishing subsidiary accounts and records as prescribed by the Chief Financial Officer, in accordance with financial management provisions;
- g. Coordinates and conducts the activities of the property management program;
- h. Provides the required leadership, guidance, and operating procedures for the property management function;
- i. Ensures general ledger control accounts for property are supported by property records in accordance with financial management policy directives;
- j. Ensures compliance with the FMR and JPMR;
- k. Directs the non-procurement acquisition, receipt, inspection, test, acceptance, classification, marking, recordation, utilization, re-utilization, and disposal of USMS property;
- l. Ensures records of accountable and controlled property are adequately created, maintained and supported by physical inventories;
- m. Designates accountable areas and property accounts;
- n. Develops and provides property management training for USMS officials;
- o. Administers and executes decisions of the USMS Board of Survey;
- p. Promulgates USMS property management policy directives and procedures;
- q. Approves disposals of USMS property and certain acquisition actions as specified;
- r. Makes final determination of claims from former owners of abandoned or unclaimed property which has been sold or retained for official use;
- s. Directs and audits physical inventories of property;
- t. Maintains the Property Management System (central register of USMS accountable property);
- u. Approves requests from Property Custodians for additions, deletions, and changes to his/her accountable property records;
- v. Is the USMS designated National Utilization Officer (NUO); and
- w. Approves the loan between USMS components of capitalized property, classified property, special/sensitive items, and all non-expendable property in excess of 6 months.

8. Property Management Specialist:

- a. Advises managers and employees of their responsibilities with respect to government property;

- b. Assists the PMO with the issuance of detailed operating procedures to protect against fraud, waste, and abuse of government property;
- c. Prepares and submits required property management reports;
- d. Conducts periodic management reviews within the activity to ensure compliance with prescribed policy directives, regulations and procedures, and to determine additional training needs;
- e. Ensures compliance with the FMR, and JPMR;
- f. Ensures records of accountable and controlled property are adequately created, maintained, and supported by physical inventories;
- g. Develops and conducts property management training for USMS Property Officers;
- h. Approves disposals of USMS property and certain acquisition actions as specified;
- i. Coordinates and conducts the activities of property management program;
- j. Directs the acquisition, receipt, inspection, test, acceptance, classification, marking, recordation, utilization, re-utilization, and disposal of USMS property;
- k. Maintains the Property Management System (central register of USMS accountable property); and
- l. Approves requests from Property Custodians for additions, deletions, and changes to his/her accountable property records; and
- m. Reviews the district dashboard on a quarterly basis to ensure accountable property is being entered into the property system within the 15 calendar day policy requirement.

9. **Property Officer:**

- a. Provides day-to-day support to the property management program;
- b. Identifies property excess to the needs of the office and reports the same to the Office of Property Management;
- c. Maintains current records for property within the assigned custodial area;
- d. Prepares documents affecting the accountability and custody of equipment;
- e. Ensures authorized use and proper care and protection of property;
- f. Reports property that is lost, stolen, damaged, or disposed of without authorization on form [USM-134](#);
- g. Conducts required physical inventories in conjunction with the [Guidelines for Completing the Physical Inventory of Accountable Property](#);

- h. Maintains records supporting the acquisition, exchange, internal transfer, loan, loss (i.e., loss, theft, damage, destruction), and disposal of property in accordance with the USMS Property Operations Guide, USMS directive Property Management Program, General Records Schedule, FMR, and the FAR; and
 - i. Records accountable property (with the exception of capitalized property) into the Property Management System.
- 10. **Supervisory Employees and Officers-in-Charge:** establish and enforce necessary administrative and security measures to ensure proper preservation and use of all USMS property under their jurisdiction.
- 11. **Non-supervisory Employees:**
 - a. Protect USMS property wherever located;
 - b. Use USMS property only for official duties and in the manner for which it was intended;
 - c. Report the loss of any property immediately, in writing, through the supervisor to the Property Custodian;
 - d. Report the receipt of property promptly to the Property Custodian; and
 - e. Satisfy the requirements for property clearance prior to departure from a USMS component.

F. Procedures:

- 1. **ARGIS (USMS Property Management System):** ARGIS is the automated Property Management System in use by the USMS.
 - a. **Accounts:**
 - 1) Types of Accounts:
 - a) Property Officer: Upon successful completion of ARGIS training provided by the Office of Property Management, TD, and with the concurrence of the Property Custodian, a Property Officer may be granted direct access to the ARGIS system to add, run reports, and modify selected information for their respective cost center.
 - b) Read-Only: Upon the application of the Property Custodian, a read-only account may be established for anyone, which allows their respective cost center information to be viewed, but not changed, and reports to be run and read only accounts for visibility of all USMS cost centers can be provided to program offices for specific commodity types, such as radios, firearms, vehicles, computers, upon request. All other requests for read only accounts for visibility of all USMS cost centers are prohibited.

- 2) **Obtaining Accounts:** To obtain an account, the Property Custodian must complete Form [USM-169](#), *ITD User Account Request*, and forward it electronically to USMS Helpdesk via [ITS Helpdesk Mailbox](#). Further details are available on the USMS Intranet - Administrative/Information Technology.
- b. **Change of Property Officer:** During the transition period before a new Property Officer receives ARGIS training, acquisition documentation for new accountable property should be forwarded to the Office of Property Management for entry into ARGIS within 15 calendar days of receipt.
- c. **Request new property cost center:** At times, a division may request a new property cost center (project code) to more efficiently manage their accountable property. When a new property cost center is established in the property management system by the Systems Administrator, the Office of Property Management submits a physical inventory tasking package for the new cost center in 6 months.

G. Definitions:

1. **Direct Exchange:** The exchange of property on an item-for-item basis, with the original supplier, normally for the purpose of replacing damaged or defective equipment pursuant to the manufacturer's warranty and/or supplier's liability.
2. **Losing Property Custodian:** A Property Custodian who is engaged in the authorized transfer of property from his/her custody, to that of another USMS Property Custodian (gaining Property Custodian). The term does not refer to lost property or the loss of property which is defined below.
3. **Lost Property:** Property for which the availability and use of property is temporarily or permanently denied the USMS because of loss (unaccounted for), theft, damage, or unauthorized destruction, cannibalization or disposal. The terms lost property and loss of property are used synonymously herein.
4. **National Utilization Officer (NUO):** The Chief, Office of Property Management, is designated as the USMS NUO. The NUO is assisted in fulfilling his/her property management duties and responsibilities by a staff of Property Management Specialists.
5. **Personal Property:** Tangible assets other than federal records, real property such as lands and structures and items which are permanently attached to lands or structures, badges, credentials, identification cards, and government-furnished purchase cards. Throughout this policy directive, the terms *personal property* and *property* are used synonymously.
 - a. **Non-expendable Property:** Property which is complete within itself (does not lose its identity or become a component part of another item) and has an expected useful life of 1 year or longer. Non-expendable property may be accountable or non-accountable.
 - 1) **Accountable Property:** Non-expendable property which, regardless of source appropriation, has an original acquisition value of **\$2,500 or more**, and/or has been specially designated as accountable by the AD, MSD. Regardless of original acquisition value and status, all firearms (operational, training, display, historic, etc.) and all automated data

processing equipment having data storage capability (memory) are accountable property. Accountable property is recorded in the Property Management System (central register of accountable property). Detailed information concerning this definition of accountable property and lists of exceptions and exemptions to the definition is provided in [Appendix B](#).

- 2) **Capitalized Property:** Accountable property which has an original acquisition value of **\$50,000 or more**. In addition to being recorded in the Property Management System, capitalized property is reported for posting to the general ledger.
 - 3) **Non-accountable Property:** Non-expendable property which, regardless of source appropriation, either:
 - a) Has an original acquisition value less than **\$2,500** and has not been specially designated as accountable by the AD, MSD; and/or
 - b) Has an original acquisition value of **\$2,500 or more**, but has been exempted from the definition of accountable property.
 - 4) **Sensitive Property:** All items, regardless of value that require special control and accountability due to unusual rates of loss, theft, misuse, or due to national security (refer to [List 1](#)).
- b. **Expendable Property:** Property which is consumed with use or lose its identity in use, becomes a component part of another item, has a useful life of less than 1 year, or is an item of supply properly chargeable to financial Object Class 26 (expendable supplies).
6. **Property Custodian:** Chief Deputy United States Marshal (CDUSM) within a district office or head of office within a Headquarters component.
 7. **PMO:** The Chief, Office of Property Management is designated as the USMS PMO. The PMO is assisted in fulfilling his/her property management duties and responsibilities by a staff of Property Management Specialists.
 8. **Property Management Specialist (PMS):** The PMS assists the PMO in fulfilling his/her property management duties and responsibilities.
 9. **Property Officer:** Operational, administrative, or contract employee who is formally appointed by the Property Custodian to assist the Property Custodian in fulfilling his/her property management duties and responsibilities. The Property Officer shall be formally appointed by the Property Custodian using Form [USM-222](#), *Additional Duty Designation*, for an intended period of 18 months or longer.
 - a. Property Custodians can appoint a contract employee to be the Property Officer, but the contract employee cannot sign the necessary property accountability forms.
 - b. A contract employee can help with inventories, complete documentation, and keep track of property location. Contract employees are responsible/accountable for any property for which they have signed a Form [USM-325](#). All other property forms are signed by a USMS operational or administrative employee.

FORMS:

- [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*
- [USM-157](#), *Requisition for Procurement of Supplies, Services and Equipment*
- [USM-169](#), *ITS User Account Request (UAR)*
- [USM-170](#), *Property Transaction Document*
- [USM-214](#), *Report of Survey*
- [USM-215](#), *Inventory Adjustment Voucher*
- [USM-217](#), *Certification of Property Inventory*
- [USM-222](#), *Additional Duty Designation*
- [USM-325](#), *Hand Receipt*
- [USM-325c](#), *Hand Receipt Certification*
- [USM-459](#), *Vehicle Receiving Report*
- [USM-520](#), *Request to Retain Property for Official Use*
- [SF-120](#), *Report of Excess Personal Property*
- [SF-122](#), *Transfer Order, Excess Personal Property*
- [SF-123](#), *Transfer Order Surplus Personal Property*
- [SF-126](#), *Report of Personal Property for Sale*
- [OBD-239](#), *Equipment/Safe Inspection Certificate*
- [OF-347](#), *Order for Supplies and Services*

Appendix B

Accountable Property:

1. Accountable property is personal property that is non-consumable and, nonexpendable with a useful life expectancy of more than 2 years, regardless of source appropriation, and has an original acquisition value of \$2,500 or more, and/or has been specially designated as accountable property by the AD, MSD.
2. Accountable property is recorded in the property management system (central register of accountable property) and controlled by an identification (marking) system and supporting records from the time of acquisition through authorized disposal. Accountable property is marked using approved bar code labels (unless the particular category of accountable property has been exempted from marking). Refer to the *USMS Property Operations Guide*.
3. In accordance with applicable regulations and in consultation with program managers, AD, MSD, determine exceptions to this policy. Exceptions consist of:
 - a. Specially Designated Accountable Property: Regardless of original acquisition value, is specially designated as accounted property.
 - b. Exempted Property: Property which otherwise meets, but is exempted from the definition of accountable property.
4. Property Custodians are responsible for consulting the lists of exceptions.
5. The accountability of property not listed herein is determined using the basic definition of accountable property provided above. Questions should be addressed to the Office of Property Management.

Specially Designated Accountable Property:

All items, regardless of original acquisition value that require special control and accountability due to unusual rates of loss, theft, or misuse, are specially designated as accountable property (sensitive) and are recorded in the accountable property inventory.

1. Automated data processing equipment with data storage capability (memory):
 - a. Computers (laptop, desktop, servers)
 - b. Computer Tablets (Ipads)
 - c. Removable (high security) hard disk drives
 - d. Justice Automated Booking Systems (JABS)
2. Conveyances (all types of motor vehicles and trailers, boats, aircraft) operated over public roads, waterways, and airspace.
3. Firearms (excludes personally-owned firearms that are authorized for official use):
4. Weapons:
 - a. Less-than-lethal electronic control devices (stun guns, stun belts, shields, tasers, etc).
 - b. Training weapons
 - c. Firearms Training System (FATS)
5. Radio communication equipment:
 - a. Portables
 - b. Base stations
 - c. Repeaters
 - d. Mobile units
6. X-Ray Security Machines
7. Metal Detector, Walk Thru Machines
8. Explosive Detectors
9. Historic artifacts other than records
10. Live animals

11. Equipment with memory capability:
 - a. Blackberry devices
 - b. Global Positioning Systems (GPS)
 - c. Digital cameras
12. Classified Property/Components: Items currently classified or containing components currently classified under national security directives, if not otherwise recorded and actively maintained in a national security accountability system.
13. Leased property in which the lease meets the definition of a capital lease, as established in the USMS Policy on Capital Assets.
14. Projectile-launching devices that use primed munitions to fire, including but not limited to gas, chemical, incendiary, explosive, and pyrotechnic munitions. Excludes secondary weapons and gas control devices (e.g. batons, OC aerosols, pepperballs, etc.).
15. Special/sensitive items (e.g. special/sensitive detection, surveillance, security communications equipment, and weapons where the loss or destruction of which would place the interests of law enforcement and/or public safety in significant jeopardy).
16. Capitalized Property.
17. Storage media such as CDs, DVDs, USB flash drives (thumb drives), and external hard drives, are not included in the definition of accountable property. These items can be maintained through local control.

LIST 2

Exempted Property:

Regardless of its original acquisition value, the following property whether owned, leased, or on loan to the USMS, is exempted from the definition of accountable property:

1. Closed circuit monitoring equipment (accountability maintained by service provider).
2. Consolidated Assets Tracking System (CATS) equipment for which accountability is maintained by DOJ.
3. Federal excess property in the custody of authorized detention facilities for which accountability is maintained under the Federal Excess Program.
4. Furniture and furnishings.
5. Government property in the possession of an authorized contractor, pursuant to a formal contract (i.e., government-furnished property and contractor-acquired property). Accountability is maintained pursuant to the contract.
6. Leased property having an annual lease value less than \$25,000, unless included in a category appearing on [List 1](#).
7. Seized and forfeited property (accountability maintained within CATS).
8. STU equipment registered within National Security Administration (NSA).



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.1.1 LOST PROPERTY AND BOARD OF SURVEY

- A. Proponent:** Office of Property Management, Management Support Division (MSD).
Telephone: 202-307-5021, Fax: 703-603-2026.
- B. Purpose:** This policy directive implements federal and Department of Justice (DOJ) personal property management requirements, delegates authority, assigns responsibility, and sets forth policies, procedures, and forms for the management of personal property that is owned, leased, or on loan to the United States Marshals Service (USMS), government property in the possession of authorized contractors, and property that is found to be abandoned or unclaimed within USMS facilities. It coordinates requirements concerning seized/forfeited property, and federal excess property administered under the Detention Services Program. It excludes confiscated property, contraband, and evidence. The authorities and responsibilities set forth in this policy directive may only be re-delegated temporarily, to duly appointed, acting officials. All USMS policy directives and procedures concerning personal property conform to this policy directive.
- C. Authority:** [Federal Property and Administrative Services Act of 1949](#), as amended; [40 U.S.C. § 121\(c\)](#); [28 U.S.C. § 561\(g\)](#); [41 C.F.R. Part 102-39](#) and the [Code of Federal Regulations: Title 41, Subtitle C, Chapter 101, Federal Property Management Regulations](#) (FPMR); [Title 41, Chapter 102, Subchapter B, Federal Management Regulations](#) (FMR); and [Title 41, Chapter 128, DOJ Management Regulations](#) (JPMR).
- D. Policy:**
- 1. Compliance and Sanctions:** USMS employees must comply with the provisions of this policy directive and the above referenced authority. Negligence resulting in the loss, theft, damage, and/or destruction of USMS property may result in liability for the value of an item of property and/or disciplinary action up to and/or including removal. More serious offenses can result in civil and/or criminal penalties. Managers and supervisors are charged with the responsibility for overseeing compliance with the provisions of this policy directive within their respective organizational component and with assisting the Property Custodian in fulfilling his/her duties and responsibilities. Property Custodians are charged with the responsibility for assisting the Property Management Officer in fulfilling his/her duties and responsibilities, and for ensuring timely coordination with the Office of Property Management on property management issues and corrective actions.
 - 2. General:** A loss of property occurs when the availability and use of property is temporarily or permanently denied the USMS because of loss, theft, damage, or unauthorized destruction, cannibalization, or disposal. Property Custodians ensure that all non-expendable property and any large quantity of expendable property which is lost are reported immediately to the Office of Property Management. The Property Management Officer shall refer cases of missing property to the USMS Board of Survey, and to other USMS officials as appropriate.
- E. Responsibilities:**
- 1. Employee Responsibility:** An employee who has responsibility (either personal or supervisory) for property which is lost, or who has knowledge that a loss of property has

occurred, is obligated to make the loss known immediately through his/her supervisor to the Property Custodian.

- a. **Report of Loss:** The Property Custodian reports lost property immediately to the Office of Property Management and the Office of Inspections (OI) using Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*. The Property Custodian attaches copies of Form [USM-325](#), *Hand Receipt*, accident report, police report, and/or other documentation to substantiate the loss. The Property Custodian includes a statement explaining efforts to investigate the circumstances of the loss and the actions taken to find/recover the missing property. The Property Custodian reports lost sensitive property to the National Crime Information Center (NCIC) and records the "NIC" number on the Form [USM-134](#). Sensitive property includes (but is not limited to) weapons, law enforcement equipment, radio communications equipment, motor vehicles, and automated data processing equipment which possibly contains classified or investigative/case sensitive information (e.g., desktop and laptop computers and computer tablets). If the above items are stolen, a theft report is attached to be recorded into NCIC. Incidents involving the known loss of sensitive data and personally identifiable information are reported as an Unauthorized Access incident within 1 hour of discovery/detection of loss to the Information Technology Division.
- b. **Damaged Property:** In the case of damaged property, the Property Custodian must secure the damaged property without change to its physical condition and make it available to investigators during their investigation, if requested. Damaged property must be reported on Form [USM-134](#) to the Office of Property Management, MSD, and OI. Damaged property which is repairable may be repaired after an investigation, if any, is completed. Property which is damaged and not repairable is reported as excess property in accordance with the disposal provisions unless a determination is made by the USMS Board of Survey for further action(s).

Vehicles damaged in an accident are reported on Form [USM-134](#) to the Office of Property Management, MSD; OI; and Human Resources Division (HRD) if the fault value is \$1,500.00 or greater, or if the accident is below \$1,500.00 and questionable. Additionally, regardless of the extent of damage, any motor vehicle accident occurring under suspicious circumstances is reported to OI.

F. Procedures:

1. USMS Board of Survey:

- a. **General:** The USMS Board of Survey, appointed by the Director, reviews reports of lost property which are referred to it by the Office of Property Management. The Office of Property Management provides administrative support for and executes the decision of the USMS Board of Survey. If the Board determines that an employee is negligent, e.g., responsible for loss of property, he/she may be subject to disciplinary action up to and/or including removal. More serious offenses can result in referral for consideration of civil and criminal penalties.
- b. **Referral of Reports of Loss by the Office of Property Management:** The Office of Property Management refers reports of loss to the USMS Board of Survey using Form [USM-214](#), *Report of Survey*, which:

- 1) Are likely the result of willful intent, gross negligence, neglect, misuse, theft, or misconduct;
- 2) Involve the loss of sensitive property; e.g., weapons, law enforcement equipment, radio communications equipment, motor vehicles, and automated data processing equipment which possibly contains classified or investigative/case sensitive information (e.g., desktop and laptop computers and computer tablets);
- 3) Involve losses by the Office of Property Management, MSD, Assistant Director (AD), or the Office of the Director; and/or
- 4) Are requested by the Director, Deputy Director; AD, MSD; or the Chairman or Vice Chairman of the Board.

c. **Membership:**

- 1) The Director appoints a Chairman, Vice Chairman (who acts in the absence of the Chairman), and members from both the operational and administrative employee communities. The Property Management Officer presents reports of loss to the Board and serves as the non-voting Secretary of the Board. An Associate General Counsel serves as a non-voting Legal Advisor.
- 2) Members are supervisors or management officials, GS-13 or above, who have several years of USMS experience.
- 3) The USMS Board of Survey convenes with no less than the Chairman or Vice Chairman and three members in attendance.

d. **Findings and Determinations:**

- 1) The USMS Board of Survey reviews the written documentation provided and may require additional information including the appearance of witnesses, experts, and written testimony to determine employee responsibility.
- 2) Non-cooperation or interference with the functions of the USMS Board of Survey can result in disciplinary action up to and including removal.
- 3) The USMS Board of Survey determines if an employee(s) was negligent in the loss and makes a finding(s) of responsibility. The USMS Board of Survey may, at its discretion, request an internal investigation and/or internal audit. The USMS Board of Survey also exercises broad discretion in requesting corrective and remedial actions, and in recommending changes to USMS policies and procedures.
- 4) All relevant material and such others as the USMS Board of Survey may be upon request and/or shall be provided to the USMS Board of Survey in a timely manner.
- 5) If warranted, the USMS Board of Survey may recommend disciplinary action, up to and/or including removal.
- 6) Recommendations for disciplinary action are referred to Discipline Management, OI.

Management and Disposal of Abandoned and Unclaimed Property:

A. Abandoned or Unclaimed Property: Property found abandoned or unclaimed within a United States Marshals Service (USMS) facility.

1. Property found in a seized vehicle or building, property confiscated or otherwise held by the USMS incident to an arrest or during the federal courthouse screening process, evidence, and contraband are not eligible for treatment in accordance with these procedures. Instructions regarding the handling and disposition of these assets are contained in USMS in-custody property, evidence, and asset forfeiture policy directives.
2. Upon finding abandoned or unclaimed property within a USMS facility, the Property Custodian notifies the Office of Property Management in writing and takes timely actions, as prescribed by the Office of Property Management, in accordance with the procedures here. In addition, Property Custodians stationed within the Arlington, Virginia, Headquarters facility reports the discovery of abandoned and/or unclaimed property immediately to the Office of Emergency Management (OEM), Tactical Operations Division (TOD).
3. Abandoned or other unclaimed property remains in the custody (and becomes the responsibility) of the Property Custodian of the finding USMS component.

B. Notification:

1. If the owner of such property is known, the owner is notified within 20 days of finding such property by certified mail at the owner's address of record. The property may be claimed by the owner or his/her designee. If the property is not claimed within 30 days from of the postmarked date on the notification letter, then the title of the property vests in the United States.
2. If the owner of such property is not known and the estimated value of the property exceeds \$100.00, the Property Custodian shall post notice within 20 days of finding such property, containing the following information:
 - a. A description of the property including model or serial numbers, if known;
 - b. A statement of the location where the property was found and the office that has custody of it;
 - c. A statement that any person desiring to claim the property must file with the Property Custodian within 30 days from the date of first publication a claim for said property; and
 - d. The Property Custodian's mailing address as well as a point of contact for any person to obtain additional information concerning the property or the procedures involved in filing a claim.
3. A notice is published once a week for at least 3 successive weeks. Sound judgment and discretion must be used in selecting the publication medium. Advertisements are to be placed in a publication of general circulation within the judicial district where the property was found.

4. Abandoned and/or Unclaimed Property, except seized property, shall be held for a period of 30 days from the date of the first publication of notice. Upon the expiration of this 30 day period, title to such property vests in the United States, except that title reverts to the owner where a proper claim is filed within 3 years from the date of vesting of title in the United States. If the property has been in official use, transferred for official use, or sold at the time the proper claim is approved, the title shall not revert back to the former owner.
5. If the owner of such property is unknown and the estimated value of the property is \$100.00 or less, no notice is required, and the property shall be held for a period of 30 days from the date of finding the property. Upon expiration of this 30 day period the title to such property then vests in the United States.

C. Proceeds:

1. Records of abandoned or other unclaimed property is maintained by the Property Custodian in such a manner as to permit identification of the property by the original owner, if known, when such property is put into official use or transferred for official use by the finding Property Custodian. Records are maintained until the 3 year period for filing claims has elapsed to enable a determination of the amount of reimbursement due to a former owner who has filed a proper claim for abandoned or other unclaimed property.
2. Reimbursement for official use by the USMS or transfer for official use of abandoned or other unclaimed property which has been placed in a special fund by the USMS for more than 3 years shall be deposited in the Treasury of the United States as miscellaneous receipts, or in such other accounts as provided by law.

D. Determination of Type of Property: If a Property Custodian is unable to determine whether the personal property in his/her custody is abandoned and/or voluntarily abandoned, the Property Custodian contacts the Office of Property Management for such a determination.

E. Proceeds from Sale: Proceeds from the sale of abandoned or other unclaimed property that has been placed in a special fund by the USMS for more than 3 years, is deposited in the Treasury of the United States as miscellaneous receipts or in such other accounts as provided by law.

F. Proper Claims for Abandoned or Other Unclaimed Personal Property:

1. **Definitions:**

- a. **Determining Official:** The official who has the authority to grant or deny the claim for the abandoned or other unclaimed property. The USMS determining official is the Chief, Office of Property Management.
- b. **Claimant:** The person who submitted the claim for the abandoned or other unclaimed property.
- c. **Owner:** The person who has primary and direct title to property (Refer to [28 CFR 9.2\(e\)](#)).
- d. **Person:** An individual, partnership, corporation, joint venture, or other entity capable of owning property (Refer to [28 C.F.R. § 9.2\(m\)](#)).

2. **Procedures Relating to Claims:**

- a. Upon receipt of a claim an investigation is conducted to determine the merits of the claim, and the investigation's report is submitted to the determining official. Normally, the Property Custodian assists the determining official in accomplishing such investigations.
- b. Upon receipt of a claim and the report thereof by the determining official, he/she makes a ruling based upon the claim and the investigative report.
- c. Notice of the granting or denial of a claim for abandoned or other unclaimed property is mailed to the claimant or his/her attorney. If the claim is granted, the conditions of relief and the procedures to be followed to obtain the relief are set forth. If the claim is denied, the claimant is advised of the reason for such denial.
- d. A request for reconsideration of the claim may be submitted within 10 days from the date of the letter denying the claim. Such requests are addressed to the Director, USMS, and are to be based on evidence recently developed or not previously considered.
- e. Claims are sworn and include the following information in clear and concise terms:
 - 1) A complete description of the property including serial numbers, if any;
 - 2) The interest of the claimant in the property, as owner, mortgagee, or otherwise, to be supported by bills of sale, contracts, mortgages, or other satisfactory documentary evidence; and
 - 3) The facts and circumstances, to be established by satisfactory proof, relied upon by the claimant to justify the granting of the claim.
- f. If the claim is filed before title has vested in the United States, the determining official does not grant the claim for the abandoned or other unclaimed property unless the claimant establishes a valid, good faith interest in the property.
- g. If the claim is filed after title has vested in the United States, the determining official does not grant the claim for abandoned or other unclaimed property unless the claimant:
 - 1) Establishes that he/she would have a valid, good faith interest in the property if title had not vested in the United States; and
 - 2) Establishes that he had no actual or constructive notice, prior to the vesting of title in the United States, that the property was in the custody of a bureau and that title, after the appropriate time period, would vest in the United States. A Claimant is presumed to have constructive notice upon publication in a suitable medium concerning the property unless he/she was in such circumstances as to prevent him from knowing of the status of the property or having the opportunity to see the notice.



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.1.2 Property Acquisition and Disposal

- A. Proponent:** Office of Property Management, Management Support Division (MSD).
Telephone: 202-307-5021, Fax: 703-603-2026.
- B. Purpose:** This policy directive implements federal and Department of Justice (DOJ) personal property management requirements, delegates authority, assigns responsibility, and sets forth policies, procedures, and forms for the management of personal property that is owned, leased, or on loan to the United States Marshals Service (USMS), government property in the possession of authorized contractors, and property that is found to be abandoned or unclaimed within USMS facilities. It coordinates requirements concerning seized/forfeited property, and federal excess property administered under the Detention Services Program. It excludes confiscated property, contraband, and evidence. The authorities and responsibilities set forth in this policy directive may only be re-delegated temporarily, to duly appointed, acting officials. All USMS policy directives and procedures concerning personal property conform to this policy directive.
- C. Authority:** [Federal Property and Administrative Services Act of 1949](#), as amended; [40 U.S.C. § 121\(c\)](#); [28 U.S.C. § 561\(g\)](#); [41 C.F.R. Part 102-39](#) and the [Code of Federal Regulations: Title 41, Subtitle C, Chapter 101, Federal Property Management Regulations \(FPMR\)](#); [Title 41, Chapter 102, Subchapter B, Federal Management Regulations \(FMR\)](#); and [Title 41, Chapter 128, DOJ Management Regulations \(JPMR\)](#).
- D. Policy:**
- Compliance and Sanctions:** USMS employees comply with the provisions of this policy directive and the above referenced authority. Negligence resulting in the loss, theft, damage, or destruction of USMS property may result in liability for the value of an item of property and/or disciplinary action up to and including removal. More serious offenses can result in civil and criminal penalties. Managers and supervisors are charged with the responsibility for overseeing compliance with the provisions of this policy directive within their respective organizational component and with assisting the Property Custodian in fulfilling his/her duties and responsibilities. Property Custodians are charged with the responsibility for assisting the Property Management Officer in fulfilling his/her duties and responsibilities, and for ensuring timely coordination with the Office of Property Management on property management issues and corrective actions.
- E. Responsibilities:**
- Acquisition:** The authorized methods for acquiring federal property are purchase, direct exchange, transfer from another federal agency, placement into official use of abandoned and forfeited property, and acceptance of a gift. Each method is governed by specific laws and regulations (Procurement, Finance, Property Management, etc.) which mandate strict compliance. When acquiring property, USMS employees take no action which exceeds their delegated procurement/property acquisition authority and shall ensure compliance with the applicable laws and regulations to include the procedures herein.

F. Procedures:

1. Purchase and Transfer of Other Federal Agency Excess Property:

- a. Property Custodians and procurement officials should consider federal excess property (USMS and other Federal agencies) prior to acquisition via purchase.
- b. Property Custodians may acquire property (other than weapons, conveyances, non-personal use gifts, and capitalized, abandoned, and forfeited property) consistent with mission requirements, the availability of funds, their delegated procurement authority, and applicable USMS property standards.
- c. The acquisition of weapons and conveyances require prior approval by the program office and the acquisition of non-personal use gifts, capitalized, abandoned, and forfeited property requires prior approval by the Office of Property Management and program office.
- d. Federal excess property, which is acquired pursuant to authority under the Detention Facility, Federal Excess Program (FEP), for transfer to an authorized detention facility, is not to be diverted for use within the USMS. Special exceptions must be approved in advance by the Office of Property Management and the FEP manager (Prisoner Operations Division (POD)), and meet all applicable requirements. Requests for special exception are submitted to the Office of Property Management.
- e. Property Custodians must avoid the accumulation of excessive quantities of property.

2. Direct Exchange:

- a. Property Custodians may directly exchange (swap) with the original supplying vendor, property of the same type (other than weapons, conveyances, and capitalized property) provided the transaction is executed pursuant to a contract or purchase under the Federal Acquisition Regulation (FAR), and is consistent with their delegated procurement authority, USMS property standards, and mission requirements. Direct exchanges of capitalized property, weapons, and conveyances are approved by the Office of Property Management, prior to the exchange. Exchanges of accountable property are recorded, or reported to the Office of Property Management within 15 calendar days. The direct exchange of property is not to be confused with the exchange-sale provisions of the FPMR/FMR which require prior approval by the Office of Property Management and General Services Administration (GSA).

3. Abandoned and Unclaimed Property:

- a. Abandoned or unclaimed property is property which is abandoned or unclaimed on federal property or in federal leased space.
- b. Property found in a seized vehicle or building, property confiscated or otherwise held by the USMS incident to an arrest or during the federal courthouse screening process, evidence, and contraband are not eligible for treatment in accordance with these procedures. Instructions regarding the handling and disposition of these assets are contained in USMS in-custody property, evidence, and asset forfeiture policy directives.

- c. Abandoned or other unclaimed property remains in the custody (and becomes the responsibility of) the finding USMS component. Property found in the main headquarters facility shall be reported to Headquarters Security, (TOD).
- d. Procedures concerning notification to owners and claimants, vesting of title in the United States, handling of proceeds, and claims are provided in the [Federal Management Regulation, 102-41, Subpart D](#).
- e. Once title to abandoned/unclaimed property vests in the United States, the Property Custodian may request suitable items for placement into official use. Requests are made to the Office of Property Management using Form [USM-520, Request to Place Property into Official Use](#).
- f. Abandoned/unclaimed weapons sought for official use require the prior written approval of the Training Division (TD).
- g. The suitability of abandoned/unclaimed property for acquisition by the USMS is dependent upon the property's conformance to USMS property standards, its condition, and its age. Only property in new or like-new condition that does not require immediate expenditure for repair is considered for acquisition.
- h. Requests include a complete, detailed justification for acquiring the property, the location, a complete description of the property, the quantity requested, a statement indicating that property was inspected and meets criteria, that title to the property has vested in the United States, the estimated cost of transportation from its present location to the place where it will be used, and that transportation costs are paid by the acquiring USMS component.

4. Forfeited Property:

- a. The eligibility of forfeited property for placement into official use is governed by the United States Attorney General's Guidelines for Seized and Forfeited Property and applicable USMS Asset Forfeiture policy directives.
- b. Eligible items of forfeited property which are not sought by the office having custody but are suitable for placement into official use should be reported to the respective program management office for possible use in another USMS component.
- c. The Property Custodian may request eligible, suitable items of forfeited property for placement into official use. Requests shall be made to the Office of Property Management using Form [USM-520](#).
- d. Forfeited assets sought for official use valued at \$50,000 or more require the prior, written approval of the Director, Asset Forfeiture Management staff (DOJ). Forfeited luxury/exotic motor vehicles sought for official use require prior, written approval of the Director/Deputy Director or their designee. Forfeited weapons sought for official use require the prior, written approval of the TD and the Director/Deputy Director or their designee.
- e. The suitability of forfeited property for acquisition by the USMS is dependent upon the property's conformance to USMS property standards, its condition, and its age. Only property in new or like-new condition that does not require immediate expenditure for repair will be considered for acquisition.

- f. Requests include Form [USM-170](#), *Property Transaction Document*, a copy of the Declaration of Administrative Forfeiture or Judicial Order of Forfeiture, a net equity worksheet (for vehicles only), a complete detailed justification for acquiring the property, the location, a complete description of the property, the quantity requested, a statement indicating that property was inspected and meets criteria, that title to the property has vested in the United States, the estimated cost of transportation from its present location to the place where it is used, that transportation costs are paid by the acquiring USMS component, and a statement that there is an intention to retain the item into official use for at least 2 years.

5. **Recordation of Accountable Property:**

- a. **Recordation:** If the Property Officer is authorized to enter the property in the Property Management System, it is classified and recorded within 15 calendar days of receipt. If the Property Officer is not authorized or otherwise unable to enter the property, for example, motor vehicles, capitalized property or lack of system access, it is reported to the Office of Property Management for classification and recordation, within 15 calendar days of receipt. Accountable property is classified and recorded/reported in accordance with procedures provided in the USMS Property Operations Guide.
- b. **Documentation:** Property Officers retain copies of all documents related to the acquisition, adjustment, internal transfer, and disposal of accountable property in accordance with the *National Archives and Records Administration (NARA) General Records Schedule* (refer to the USMS Intranet - Policy/Guidance).
- c. **Marking:** In the event of missing or illegible barcodes on accountable property, add or replace with a new barcode, prepare Form [USM-215](#), *Inventory Adjustment Voucher*, and add the barcode number into the property management system accurately. If there was a previous barcode in the property management system, ensure that a [USM-215](#) is submitted to the Office of Property Management for deletion so that the property in existence matches what is recorded in the property management system. If the Property Officer does not have access to the property management system, forward the necessary documentation to the Office of Property Management for entry. Requests for additional barcodes are sent to the Office of Property Management.

6. **Internal Transfer:**

- a. Property Custodians may transfer property, between USMS components, subject to the mutual agreement of the losing and gaining Property Custodians and applicable program management directives.
- b. For accountable property, the losing Property Custodian notifies the gaining Property Custodian in advance of the shipment/delivery. The losing Property Custodian shall ship the property with Form [USM-170](#), using a carrier which provides tracking services. The package is addressed to the gaining Property Custodian. After receipt of the property, the gaining Property Custodian verifies serial numbers and bar codes for correctness and then forward signed Form [USM-170](#) to the losing Property Custodian within 5 business days of receipt.
- c. Transfers of accountable property are reported to the Office of Property Management by the losing Property Custodian, within 15 calendar days of the transfer in accordance with procedures provided in the USMS Property

Operations Guide. Property Management Specialists transfers the property to the gaining Property Custodian's cost center within 15 calendar days of receipt.

- d. In an effort to minimize accountable property being placed on the gaining Property Custodian's cost center in an untimely manner, Form [USM-170](#) received in the Office of Property Management over 90 days old are returned back to the losing Property Custodian.

7. Maintenance and Repair:

- a. Property is maintained in accordance with the manufacturer's recommendations and USMS property standards.
- b. Property in need of repair is repaired within a reasonable period of time, to place it back into service. Property not repaired within a reasonable period of time and/or that which is determined to be uneconomically repairable, is considered excess and is reported to the Office of Property Management in accordance with procedures provided in the *USMS Property Operations Guide*.
- c. USMS employees promptly report property which is in need of repair to the Property Custodian and ensures that the property being removed by a maintenance/repair service-provider is promptly reported to the Property Custodian.
- d. Property Custodians ensure that receipts and records are maintained for property which is removed by and/or placed with a maintenance/repair service-provider and that such property is returned within a reasonable time.
- e. Accountable property to be shipped to a maintenance/repair service-provider is shipped using a carrier which provides tracking services.
- f. Property which is damaged (other than normal wear-and-tear) and property which becomes lost, damaged, stolen or destroyed without authorization while in a maintenance/repair service-provider's care, is reported in accordance with the Lost Property procedures.
- g. Property Custodians may accept substitute property from a maintenance/repair service-provider on a temporary basis while USMS property is undergoing repair. Property Custodians ensure that substitute property is controlled, safeguarded, and returned to the service-provider in a timely manner.

8. Disposal:

- a. **General:** The authorized methods for disposing of federal property are transfer to another federal agency/authorized contractor, sale/exchange sale, trade-in (incident to an authorized procurement action), cannibalization, donation, and abandonment/destruction. Each method is governed by specific laws and regulations (and in some cases executive orders) which mandate strict compliance. Most items of excess non-expendable property are required to be reported to the GSA and most types of disposal transactions require the advance approval of and/or are directed by GSA.
- b. When disposing of property, USMS employees take no action for which they have not been delegated disposal authority or issued disposition instructions from the Office of Property Management, and ensure compliance with the

applicable laws and regulations to include the procedures within this policy directive.

- c. Property which is improperly disposed (e.g., sold, traded, donated, transferred), destroyed, and/or cannibalized without authorization, is reported to the Office of Property Management immediately.
- d. The transfer of USMS-owned property to an authorized detention facility (pursuant to authority provided under the Detention Facility, FEP) must be approved in advance by the Office of Property Management and the FEP manager POD.
- e. Property Custodians promptly report all non-expendable property and large quantities of expendable property which are obsolete, uneconomically repairable, in excess of need, abandoned/unclaimed (with title vested in the United States but not suitable for placement into official use), intended for trade-in, or intended for transfer to an authorized contractor (including FEP), to the Office of Property Management, for disposition instructions, following procedures provided in the *USMS Property Operations Guide*.
- f. Prior to processing property for disposal (outside the USMS), the Office of Property Management, in coordination with program managers, considers the feasibility of internal re-utilization (transfer between USMS components).
- g. Property which is determined to be in excess of USMS need is processed for disposal by the Office of Property Management.
- h. Property which is determined to be in excess of USMS Headquarters and districts need is forwarded on Form [SF-120](#), *Report of Excess Personal Property*, (and Form [OBD-239](#), *Equipment/Safe Inspection Certificate*, as appropriate) to the Office of Property Management, MSD. Property Custodians hold excess property pending receipt of disposition instructions from the Office of Property Management before taking any disposal action.
 - 1) When reporting and selling excess/surplus property to GSA, digital photographs are submitted. The use of photographs during the utilization and donation screening process greatly improves the continued use of these assets within the federal government or at the state and local government level, avoiding much unnecessary procurement. For sales, many more citizens are using public auction websites in which they expect to see the item being offered for sale. The use of photographs greatly enhances the value of the item as prospective users/buyers have a much greater understanding of the item being offered.
 - 2) Property reported for re-utilization, donation, or sale meeting the following criteria should be accompanied by informative and good quality photographs.
 - a) Property at or above the USMS financial capitalization threshold;
or
 - b) Property exceeding \$500.00 with specified classifications (Federal Stock Class (FSC) Group):

- FSC Group 23 - Ground Effect Vehicles, Motor Vehicles, Trailers, and Cycles
- FSC Group 24 – Tractors

3) The photographs or images are the actual item being reported, unless there are more than five identical items reported at the same time, then an image of one of the items would suffice, and a note included in the report indicating that the photograph is a representative of each of items in the lot.

- i. Cannibalization is the removal of parts from an item of property to be used in the repair of a like item. The cannibalization must be cost-effective in terms of the value (fair market and trade-in) of the equipment to be cannibalized, the labor time to be expended in performing the cannibalization and repair, and the projected reliability and useful life extension of the equipment being repaired versus the cost/benefit of obtaining replacement equipment. Property Custodians shall obtain authorization to cannibalize property from the Office of Property Management, in writing, prior to the cannibalization. Procedures are contained in the *USMS Property Operations Guide*.

9. Environmental Requirements:

- a. Property Custodians are responsible for identifying laws in their state and local jurisdiction which could alter disposal methods. The USMS has established an Environmental Management System (EMS), a program which defines procedures to identify activities that have significant environmental requirements. These requirements are for recycling computers, electronics, batteries, paper, refrigerators and cell phones. Additional information is provided in USMS Policy Directive 7.5, [Environmental Management Program](#).

10. Recovery of Precious Metals:

- a. Precious metals are uncommon and highly valuable metals characterized by their superior resistance to corrosion and oxidation. Included are gold, silver, and the platinum group of metals.
- b. As applicable, Property Custodians are responsible for conserving silver-bearing scrap and waste for processing to extract its silver content. Examples of silver bearing scrap and waste include used photographic fixing (hypo) solution, photographic and x-ray film, silver alloys, dental scrap, and used bullet shell casings.
- c. Silver is recovered regardless of the quantity of used hypo solution or scrap film generated. If an activity generates small quantities of hypo solution and tests show that there is a minimal amount of silver per gallon of solution, arrangements are made to the extent feasible with another activity in the area which is using a recovery unit to receive and process the hypo solution.
- d. When recovery is not economically feasible and consolidation with other activities is not practical, the regional GSA Federal Supply Service Bureau serving the area or the Defense Logistics Agency (DLA) is contacted for assistance. If it is determined that silver recovery cannot be accomplished economically by Government-owned equipment or by a commercial recovery contractor, the hypo solution, scrap film or other silver-bearing materials are disposed of in

accordance with the USMS Property Management disposal procedures in an environmentally acceptable manner.

- e. Situations occur where, in terms of economy, efficiency, and environmental quality, it is in the best interest of the Government to recover precious metals from articles of excess and surplus personal property instead of using other methods of disposal. GSA determines when Government-wide recovery is appropriate on the basis of an evaluation of the supply-demand factor, the price of the commodity, the cost of recovering the precious metal, and applicable guidelines or regulations on pollution control.
- f. Spent brass ammunition casings can be excessed to GSA as scrap or donated to the local/state police in lieu of payment of rent for use of their range.

11. **Loans:**

- a. **Loans are temporary in nature:** Property Custodians may loan out and borrow property for official use, as provided herein. These provisions apply regardless of the reason for the loan, i.e., operational mission, task force, training, display, historic/museum, educational, public affairs, etc.
- b. Property Custodians may, at their discretion, loan non-expendable property to or from another USMS component, for a period not to exceed 6 months, subject to applicable program management directives. Loaned accountable property remains on the accountable property record of the loaning Property Custodian.
- c. Loans between USMS components of capitalized property, classified property, and special/sensitive items, and loans exceeding 6 months, require the prior, written approval of the Chief, Office of Property Management.
- d. The loan of non-expendable property (other than weapons) to or from a non-USMS individual or organization is prohibited without the prior written approval of the Assistant Director (AD), MSD.
- e. The loan of weapons to or from any non-USMS individual or organization is prohibited without the prior written approval of the Deputy Director.
- f. Loans are documented using Form [USM-325](#), *Hand Receipt*. Additional documentation such as a Memorandum of Understanding (MOU) may also be required.
- g. The subsequent loaning of loaned property, beyond that which was originally authorized, is prohibited.

G. Definitions: None.

H. References: None.

I. Cancellation: This is a new policy directive and remains in effect until superseded or canceled.

J. Authorization and Date of Approval:

By Order of:

Effective Date:

 /S/

 July 31, 2012

Stacia A. Hylton
Director
U.S. Marshals Service



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.2 Employee Transit Program (ETP)

- A. Proponent:** Management Support Division (MSD). Telephone: 202-616-1229, Fax: 202-307-9396.
- B. Purpose:** This policy directive provides guidance to the United States Marshals Service (USMS) components relative to the administration of ETP benefits to eligible employees and is applicable to USMS federal employees, federal employees detailed to the USMS, and Stay-In-School students.
- C. Authority:** [5 U.S.C. § 7905\(b\)](#), *Federal Employees Clean Air Incentive Act*, provides for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles; [Executive Order No.13150](#) requires federal agencies to implement a Transportation Fringe Benefit Program providing qualified employees the option of excluding from gross income certain commuting costs as further defined in Internal Revenue Code (IRC), [26 U.S.C. § 132](#); Office of Management and Budget (OMB) Memorandum, [M-07-15](#), dated May 14, 2007, requires agencies to implement at a minimum certain internal controls for the administration of the ETP.
- D. Policy:** This directive is intended to govern eligibility for USMS employees in the ETP.
1. **Program/Eligibility Requirements:**
 - a. Eligible employees must use public transportation for their daily commute to and from work. ETP participants must only receive benefits for their primary mode of transportation.
 - b. Only the mass transit portion of an employee's commuting cost is subsidized up to \$125.00 per month. Commuting costs are based on employees' core work hours. Transportation costs incurred outside of core work hours are not covered under ETP (i.e., unscheduled overtime, personal emergency). See [Ride Share Program](#).
 - c. Federal employees who are passengers in a Washington Metropolitan Area Transit Authority (WMATA) registered vanpool, including the alternate driver, are eligible to collect the transit benefit.
 - d. Transit benefits must only be used for home-to-work transportation and must not be transferred to anyone else.
 - e. All transit benefit recipients are required to self-certify the amount spent each month and recertify annually in order to receive benefits.
 2. **Program/Eligibility Restrictions:**
 - a. USMS employees who travel to work in a single occupancy vehicle, carpool, or any vehicle other than mass transit are not eligible for the transit benefit.

- b. Employees named on a federally subsidized workplace motor vehicle parking permit, a temporary parking permit, a visitor's parking pass, or a parking voucher are not eligible to participate in this program.
- c. The primary operator of a vanpool may not apply for the transit benefit.
- d. Employees who are assigned a Government-Owned Vehicle (GOV) for which an Official Vehicle parking space is provided are not eligible to receive ETP benefits.

3. **Employee Responsibilities:**

- a. The employee is responsible for any subsequent transit cost over the maximum subsidy authorized.
- b. Overestimating transit cost, giving or selling the transit benefit to others, or purchasing fare media from another employee is prohibited. It is a violation of law to provide false or fraudulent information to obtain the transit benefit.
- c. Participants are not permitted to accumulate fare media in excess of their actual monthly commuting cost. ETP benefits may be issued in advance of the time period they will be used, with the stipulation that unused benefits are deducted from those required for the following month.

1) An ETP participant may not carry over unused fare media to the following month.

2) When an ETP participant has a surplus of fare media due to:

- a) a change in commuting method;
- b) a change of address; and / or
- c) a change in work schedule (annual leave, sick leave, training, telecommuting, or travel),

the surplus fare media must be deducted from the following month's ETP benefits. ETP participants with a monthly Virginia Railway Express (VRE) pass or a monthly Transit Link Card (TLC) are exempt from this requirement.

- d. Lost, stolen, or damaged fare media will not be replaced. Once the fare media is issued, the employee is responsible for its safekeeping.
- e. Within the National Capital Region (NCR), all employees receiving the transit benefit and using Metrorail, Metrobus, or a registered vanpool are required to have their transit benefit downloaded to a registered SmarTrip® Card.
- f. When an employee separates, transfers, or retires from the USMS, he / she must return or repay excess / unused fare media in the form of a money order or a certified check made payable to the USMS at least twenty-four (24) hours prior to departure date.
- g. ETP participants must understand that ETP is subject to audit by both internal and external audit entities.

- h. USMS employees who misuse transit benefits are subject to appropriate disciplinary action up to and including dismissal, along with civil and criminal penalties, and other criminal action. Instances of fraud or possible fraud will be referred to the Office of Inspection (OI), Office of Internal Investigations (OII), USMS.

E. Procedures:

1. Headquarters Components:

- a. Approving Officials, Supervisors, and / or the USMS Transit Benefit Program Coordinator must verify the employee *Mass Transit Expense Worksheet* (page 2 of Form [USM-431](#), *USMS Application for Transit Benefit*) for each ETP participant. The mode of transportation most cost effective to the government must be selected.
- b. A completed Form [USM-431](#) is submitted to the Headquarters (HQ) Transit Office Official, Management Support Division (MSD). Form [USM-431](#) may be submitted electronically via MSD-Employee.Transit@usdoj.gov.
- c. Employees will be notified via email when and where to pick-up fare media.

2. District Offices:

- a. Approving Officials, Supervisors, and / or the USMS Transit Benefit Program Coordinator must verify the employee *Mass Transit Expense Worksheet* (page 2 of Form [USM-431](#), *USMS Application for Transit Benefit*) for each ETP participant. The mode of transportation most cost effective to the government must be selected
- b. USMS district transit Point of Contact (POC) must send a completed Form [USM-432](#), *Employee Transit Program Disbursement Record*, to the HQ Transit Office Official, MSD, for each transit participant requesting funding at the beginning of each quarter (October 1, January 1, April 1, and July 1) and verifying receipt of benefits at the end of each quarter (December 30, March 30, June 30, and September 30) with appropriate signatures.
- c. Form [SF-1164](#), *Claim for Reimbursement for Expenditures on Official Business*, and Form [OF-347](#), *Order for Supplies and Services*, must be entered into the Standardized Tracking, Accounting, and Reporting System (STARS) or into the Purchase Card Information System (PCIS) referencing Sub-Object Class 1261 and Appropriation 0324A. In order to view reimbursements in STARS Web, Payroll Objects must be included.

- 3. Purchasing Media:** The authorizing official must follow the [Federal Acquisition Regulations](#) (FAR), [Simplified Acquisitions Guidelines](#), when purchasing fare media for transit participants. When using the Government Purchase Card which permits the purchase of metro fare cards and subway tokens, refer to <http://www.fss.gsa.gov/webtraining/trainingdocs/smartpaytraining/part4.cfm> .

4. ETP participants must:

- a. Submit a complete and accurate application Form [USM-431](#), and provide any other information related to program participation;

- b. Personally pick up and certify receipt of fare media. If fare media cannot be picked up during regularly scheduled distribution dates, prior arrangements must be made with employee's POC by completing Form USM-431A, *Employee Transit Program Third Party Pick-Up Authorization*;
 - c. Notify their POC of any changes in participation or eligibility (e.g., when they leave the program, transfer to another office, change mode of transportation, etc.);
 - d. Adjust their monthly allocation for the following month to reflect change in commuting method, change in work schedule (such as training, travel, extended leave, or telecommuting), or change of address occurring in the current month as per Section D.3.c. of this policy;
 - e. Not be named on a worksite parking permit at any federal agency, nor otherwise participating in a carpool;
 - f. Not request or use parking vouchers or permits of any kind during active enrollment in the ETP program;
 - g. Verify that the amount of the transit benefit received does not exceed the amount of the actual monthly commuting cost via public transportation; and
 - h. Remove themselves from the program when on extended leave of 90 days or more. Eligible employees are required to reapply when they return.
5. **Annual Recertification Requirement:** All USMS ETP participants are required to recertify annually by completing a new Form [USM-431](#). Failure to recertify during the specified time will result in the employee's termination from the ETP.

F. Definitions: The following definitions are applicable to ETP.

- 1. **Approving Official:** Supervisor, or person of authority, required to review application for completion and reasonableness.
- 2. **Fare Media:** Passes, tokens, fare cards, tickets, vouchers, or similar items used by an employee for public transportation. This includes Electronic Fare Media (EFM), i.e., SmarTrip® Card.
- 3. **"Named on a federally subsidized workplace permit"** is defined as an individual who drives a privately owned or leased vehicle, or is a passenger in such a vehicle, and who parks in a federally subsidized parking area. Any government-provided, owned, or leased parking area is considered federally subsidized.
- 4. **National Capital Region (NCR):** The District of Columbia, Montgomery, Prince George's and Frederick Counties in Maryland; Arlington, Fairfax, Loudoun and Prince William Counties in Virginia; and all cities now or hereafter existing in Maryland and Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties.
- 5. **Public Transportation:** Transportation that is provided in a mass transit or commuter highway vehicle. Public transportation vehicles include privately owned vehicles (POVs) and vanpools registered with DOT.

6. **Qualified Vanpool:** A highway vehicle with seating capacity for at least six adults excluding the driver. Vanpools may be made up of government and non-government employees and must be registered with DOT.
7. **SmarTrip® Card:** A permanent, rechargeable fare card, with a computer chip that keeps track of the value of the card. Simply touch the SmarTrip® card to the circular targets on top of or inside station fare gates. Likewise, you can tap the SmarTrip® fare box on Metro bus to pay your fare with a SmarTrip® card.

G. References:

[Frequently Asked Questions](#) (USMS Employee Transit Program)

www.wmata.com – Washington Metropolitan Area Transit Authority – Bus/Subway/Vanpool

www.commuterpage.com – Commuter Page

www.mtmaryland.com – Maryland Transit Administration – Bus/MARC Train

www.vre.org – Virginia Railway Express (VRE) – Rail

<http://www.mwcog.org/commuter2/commuter/grh/index.html> – Guaranteed Ride Home Program (GRH)

H. Cancellation Clause: This is a new policy directive.

I. Authorization and Date of Approval:

By Order of:

Effective Date:

_____/S/_____
John F. Clark

8/23/10

Director
U.S. Marshals Service



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.2 VEHICLE USE AND MAINTENANCE

- A. Proponent:** Office of Fleet Management (OFM), Management Support Division (MSD), Telephone: 202-307-9269, Fax: 703-603-2026.
- B. Purpose:** This policy directive provides guidance for the management of the United States Marshals Service (USMS) fleet program, as well as the appropriate use of government-owned vehicles (GOVs) and commercial rental vehicles by USMS employees.
- C. Authority:** The policy's authority is set forth in:
1. [31 U.S.C. § 1344](#), *Passenger Carrier Use*;
 2. [41 C.F.R. § 101-26.501](#), *Purchase of New Motor Vehicles*;
 3. [41 C.F.R. § 102-34.5 – 102-34.350](#), *Motor Vehicle Management*;
 4. [28 U.S.C. § 561\(g\)](#), *USMS*;
 5. [31 U.S.C. § 1349\(b\)](#), *Adverse Personal Actions, Misuse of a Government Vehicle*; and
 6. [41 C.F.R. §§ 102-5.5 - 102.5.120](#), *Federal Management Regulation, Home-to-Work Transportation*.
- D. Policy:** All facets of this policy are conducted according to the USMS and/or General Services Administration (GSA) standards and requirements. This policy directive provides the allocation formula for the USMS to ensure maximum usage of all vehicles, and specifies expectations regarding scheduled maintenance and industry standards.
1. **GOV Identification:**
 - a. **GOV:** Any motor vehicle that the government owns or leases. This includes motor vehicles obtained through purchase, excess, forfeiture, commercial lease, GSA Fleet lease, or otherwise, for which the government holds title.
 - b. **Markings:** GOVs used for investigative, law enforcement, protective services, or intelligence duties are not required to display official United States Government license plates, shields, or other identification ([41 C.F.R. § 102-34.175](#)). No external markings or equipment should be placed on vehicles that would identify them as law enforcement vehicles.
 - c. **Identification:** The last six digits of the Vehicle Identification Number (VIN) should be used on all accountability documents, reports, requests for service, or correspondence. The GSA unit number is used to identify GSA vehicles assigned to the USMS (i.e., G43-123456).

2. **GOV Use:** The use of a GOV is authorized only for official purposes that are in direct furtherance of the USMS mission, operations, and programs, in accordance with Policy Directive 1.2, [Code of Professional Responsibility](#).
 - a. **The use of a GOV is permitted:**
 - 1) In the performance of USMS law enforcement duties.
 - 2) In the performance of administrative support responsibilities.
 - 3) For transportation to activities sponsored by the USMS or other agencies, such as meetings, conferences, speaking engagements, public affairs functions, and employee recognition functions that are in furtherance of the USMS mission.
 - 4) For transportation to approved Fitness in Total (FIT) activities within a reasonable distance from the worksite and for a reasonable period of time.
 - 5) While on official overnight travel away from the employee's duty station to conduct "essential personal activity."
 - b. **Home-to-Work:** Consistent with the USMS [Home-to-Work \(HTW\) Transportation Plan](#), as approved by the United States Attorney General, a United States Marshal (USM) and GS-1811 Criminal Investigator may be authorized to use a GOV to travel from home to work in order to allow for 24-hour immediate response on either a routine basis or for a temporary period, as appropriate.
 - 1) A GOV will not be issued for the sole purpose of commuting to and from the place of residence. A GOV is issued to provide timely response to law enforcement demands.
 - 2) Written approval must be granted by an appropriate authorizing official and indicated on a completed Form [USM-90, Home-To-Work Transportation Certification](#).
 - a) For district employees, the USM is the appropriate authorizing official.
 - b) For division employees, the Associate Director of Administration (ADA), Associate Director of Operations (ADO), or Assistant Director (AD) for their division may serve as the appropriate authorizing official.
 - 3) The authorizing official will consider the following when making a determination to authorize HTW transportation:
 - a) The location of the employee's home in proximity to his/her work and to the locations where non-TDY travel is required.
 - b) That the use of HTW transportation for field work should be authorized only to the extent that such transportation will substantially increase the efficiency and economy of the government.

- 4) Authorization must be certified in writing via Form [USM-90, Home-To-Work Transportation Certification](#).
 - 5) The maximum duration of an HTW certification is 1 year.
 - 6) Administrative employees, GS-0082 Deputy United States Marshals, GS-1802 Detention Enforcement Officers, and GS-1801 Aviation Enforcement Officers (AEO) are not authorized to be assigned a GOV for travel from home to work unless they need to use the vehicle for a particular assignment at the start or end of the workday. In the event of such temporary authorization, the same written authorization as for GS-1811s must be provided.
 - 7) Ridesharing is allowed for those 1802 and 0082 employees, and those employees approved for HTW travel. The USM, AD, or Chief Deputy United States Marshal (CDUSM) may authorize those operational employees to be a passenger in a GOV during HTW travel to meet a specific mission requirement. If a passenger is an 1802 or 0082, he/she must receive the authorization in writing and maintain a copy until he/she is no longer sharing the ride. An employee who is approved for HTW travel may be a passenger based on a verbal approval from the USM, AD, or CDUSM.
- c. **Deviation from route of travel:** An employee who is assigned a GOV for official purposes may go no more than 5 miles beyond the direct route of travel between home and work, and for no more than 1 hour, to conduct personal business. The use of the vehicle during that period must conform to this policy.
 - d. **Limitations:** Mileage for HTW travel must be no greater than the mileage of the commute as indicated by the address on the employee's Form [USM-90, Home-To-Work Transportation Certification](#), and official employee locator file. Any change in permanent home address must be updated immediately on a Form [USM-90, Home-To-Work Transportation Certification](#), in the [Employee Personal Page](#) of the [National Finance Center](#) website, and on the USMS M-Wise system.
 - e. **Vehicle at home:** Once the employee arrives at his/her residence, the employee may not use the GOV to conduct any personal activities.
 - f. **Willful use or authorization for a GOV for other than official purposes:** If an employee willfully uses, or authorizes the use of, a GOV for other than official purposes, the employee is subject to suspension of at least 1 month or, up to and including, removal by the agency, based on [31 U.S.C. § 1349](#).
3. **Official Overnight Travel:** Personal activity must be limited to no more than a 25-mile radius from the site of business travel. The time limit for conducting the personal activity while on official travel must be objectively reasonable. If the employee is on an extended duty assignment, exceptions to the 25-mile limitation must be requested by the employee and approved in advance by a management official at the Deputy Assistant Director (DAD) or CDUSM level or higher.
 4. **Limitations for use of GOVs:**
 - a. **USMS Contractors:** USMS contractors may be approved to operate a GOV if the use is in furtherance of the contract and the use is otherwise consistent with this policy. Authorization must be obtained through the Contracting Officer.

b. **Passenger Transport:**

- 1) **Security Operations:** Judges, court personnel, federal officials, and other persons may be transported in a GOV only for security purposes or to attend an activity that the USMS may otherwise be attending.
- 2) **Official Functions:** USMS personnel may transport their spouses, family members, and personal guests in a GOV if the passenger is accompanying the USMS employee to an official or quasi-official function, such as a USMS conference, and the passenger's attendance at the function is in the interest of the government. The USM or AD must give prior authorization to permit personnel to use the GOV for passengers in these circumstances. Decisions are made on a case-by-case basis. USMs and ADs must obtain authorization from the Deputy Director regarding the transportation of passengers under these circumstances.
- 3) **Emergency Situations:** Passengers may be transported in a GOV in extremely limited circumstances where the personal safety of the individual is at stake. Examples include life threatening situations, severe weather conditions, severe health problems, and/or where other dangerous conditions are present.
- 4) **Child Care:** Transporting children in a GOV for other than official or quasi-official purposes is prohibited.

5. **Use of GOVs is prohibited under the following circumstances:**

- a) While the driver is under the influence of alcohol, medication, drugs, or any combination thereof, which adversely affect(s) driving abilities. The possession or use of illegal substances is strictly prohibited.
- b) While either the driver or a passenger is using tobacco products.
- c) While engaging in personal business or activity not allowed under this directive.
- d) For any purpose that would otherwise violate law, regulation, or policy.
- e) While on a non-duty status.
- f) For transporting any person not engaged in official government business or not otherwise being transported in the interest of the government.

6. **Violations:** Any employee who uses a GOV for purposes other than those authorized in this policy directive may be subject to administrative or disciplinary action. Disciplinary action for inappropriate use of a GOV carries a penalty based on determination whether the offense was a violation of statute or policy. The penalty may range from a letter of reprimand to removal.

7. **Rental Vehicles:**

- a. A rental vehicle obtained by an individual employee using his/her government-issued travel credit card while on travel status is authorized for official travel at government expense in the following instances:

- 1) Between places of official business.
 - 2) Between places of official business and places of temporary lodging.
 - 3) To conduct essential personal activity within a 25-mile radius of the site of business travel. If the employee is on an extended duty assignment, exceptions to the 25-mile limitation may be granted by a management official at the DAD or CDUSM level or higher.
 - 4) As otherwise authorized by the supervising USM, AD, or CDUSM.
- b. When a vehicle is rented for official travel, only the expenses incurred for official use of the vehicle may be reimbursed. If the employee uses the vehicle for other than official use, the cost of the additional use may not be claimed for travel reimbursement. If the employee takes a trip away from the temporary duty point on at any other off-duty time for personal reasons, that use is not official and the expenses incurred may not be claimed. The employee must discuss such personal use of the vehicle with the renting agency, as the necessity for insurance and the rental rates that are charged may be affected.
- c. If the employee arrives at the temporary duty point early or remains there after duty is completed and wishes to use a rental vehicle for that additional personal time, the employee must inform the rental agency of the portion of the time for which the vehicle is rented for personal use.
- d. If the employee uses the rental vehicle for other than official use as described above, the use is not considered to be within the scope of employment for liability purposes under the Federal Tort Claims Act ([28 U.S.C. § 1346\(b\)](#), [28 U.S.C. §§ 2671 - 2680](#)).
- e. An employee may transport passengers in a rental vehicle, regardless of the employee's eligibility for travel reimbursement, unless it would interfere with the employee's assignment and/or the USM or AD issues specific guidance to the contrary.

8. USMS-Issued Fleet Credit Cards:

- a. Fleet credit cards are exclusively assigned for use on a specific vehicle, indicated by the last six digits of the VIN printed on the card.
- b. Fleet credit cards are for vehicle-related purchases only. Operators must follow required authorization and notification procedures before an expense is incurred. Use is limited to the following:
 - 1) Fuel;
 - 2) Oil changes and service;
 - 3) Tire repairs and purchase;
 - 4) Washing and cleaning services;
 - 5) Vehicle supplies and services (battery, etc.);
 - 6) Minor repairs and general non-accident repairs not exceeding \$2,500;

- 7) Emergency towing services; and
 - 8) Toll passes.
- c. **Restrictions of Use:** Fleet credit cards may not be used for accident repairs or single transactions exceeding \$2,500. If the purchase exceeds \$2,500 then the fleet credit card shall not be used as the method of payment.
- d. **Sales Receipts:** All sales receipts should be kept per the Financial Services Division (FSD) [Fleet Credit Card Guidance](#), and include the last six digits of the VIN and a legible signature of the operator.
- e. **Lost, Stolen or Damaged Cards:** Lost, stolen, or damaged credit cards must be reported to the OFM.
- 1) In the case of loss or theft, the circumstances surrounding the incident must be detailed on a Form [USM-134, Affidavit Regarding Loss or Damage to Government Property](#).
 - 2) OFM will notify the Agency/Organization Program Coordinator in FSD, who is responsible for obtaining the necessary replacement cards. Care must be exercised in reviewing and approving invoices and sales slips to ensure that purchases made prior to the loss or theft are validated by an authorized USMS employee.
 - 3) Do not report lost, stolen, or damaged cards directly to the issuing bank.
- f. If a fleet credit card has had no activity in 365 days then the fleet credit card will be closed. OFM will contact Motor Vehicle Officers (MVOs) prior to the fleet credit card being closed.
9. **GSA Fleet Credit Cards:**
- a. GSA provides credit cards for leased vehicles. These cards are specific to the vehicle assigned.
 - 1) GSA Fleet credit card users must input the vehicle's mileage at the time of fuel purchase into the operating pump. This mileage is required to calculate cost.
 - 2) In cases where the ability to input the mileage does not work, the MVO should use the [GSA Fleet Drive-Thru](#). Contact your GSA regional Fleet Service Representative for assistance.
 - 3) If the GSA Fleet credit card is lost or stolen, the vehicle operator should notify GSA if the card is for a GSA-leased vehicle.
10. **Cash Purchases:** Cash purchases should only be made in emergency situations or in those instances where no major service stations or approved contractors are within a reasonable distance. Cash purchases preclude the USMS from receiving refunds of local, state, and federal gasoline taxes. Reimbursement for emergency cash purchases may be obtained through local voucher procedures. Local authorization and notification procedures must be followed before incurring the expense.

11. **Use of Privately Owned Vehicles (POV):** Vehicles privately owned or controlled by USMS employees may be used for official government travel, but may not be used in the conduct of official investigative operations, unless authorized in writing.

E. Responsibilities:

1. **ADO, ADA, ADs, USMs, DADs, and CDUSMs:** District/division leadership is responsible for their assigned vehicle fleet, the employees operating district/division fleet vehicles, and the actions taken by their assigned MVO. District/division leadership will:
- a. Comply with established USMS policies and OFM procedures, and hold employees accountable for doing the same;
 - b. Maintain responsibility for their assigned vehicle fleet;
 - c. Review and approve all actions taken by the MVO, and all actions described in this section;
 - d. Appoint a district/division MVO to manage the day-to-day administration of their government vehicle fleet; and
 - c. When required, appropriate, and in accordance with [31 U.S.C. § 1344](#), authorize operational employees HTW use of GOVs consistent with the USMS [HTW Transportation Plan](#).
 - 1) Complete a Form [USM-90, Home-To-Work Transportation Certification](#), for each authorized employee;
 - 2) Ensure the district/division MVO maintains all completed Form [USM-90, Home-To-Work Transportation Certification](#), and a consolidated district/division list of employees authorized for HTW use of GOVs. Confirm that the list is matched with the VIN and the name of the employee using the GOV (or other identification, if confidential); and
 - 3) Review the district/divisions HTW authorization list and the completed individual Forms [USM-90, Home-To-Work Transportation Certification](#), annually.
 - d. Submit a written request to the AD, MSD, to add or reduce district/division vehicle allocation limits when operational assignments or mission requirements warrant an exception.
 - e. Establish controls for government vehicle credit cards to avoid loss and unauthorized charges.
 - f. Comply with FSD [Fleet Credit Card Guidance](#).
 - g. Implement a vehicle inspection program.
 - 1) Ensure the MVO conducts quarterly visual inspections of every motor vehicle assigned;
 - 2) Follow manufacturer's recommendations for vehicle maintenance; and
 - 3) Submit quarterly mileage in the [Fleet Management Database](#) by the last business day of December, March, June, and September.

- h. Transfer or dispose of vehicles only after obtaining approval from the OFM. Transfers and disposals must follow OFM and Office of Property Management (OPM) policy.
- 1) All proceeds checks for sold vehicles must be sent to:

*Management Support Division
Attn: Chief of Fleet Management
2604 Jefferson Davis Hwy
Alexandria, VA 22301*
 - 2) Per Federal Management Regulations, sales proceeds from the disposition of personal property under sale/exchange authority may only be used to offset the cost of the same or similar replacement property, not for services ([41 C.F.R. § 102-39.65](#)). Further guidance on sale/exchange authority and replacement is available in [41 C.F.R. §§ 102-39.5 - 102-39-85](#). Accounting requirements are specifically addressed in [41 C.F.R. § 102-39.80](#).
- i. Maintain an individual motor vehicle record folder on every GOV in his/her district/division. When a vehicle is transferred, the vehicle record folder is forwarded to the receiving USMS office. A vehicle release file should be held for 4 years after a vehicle leaves agency custody based on [General Records Schedule \(GRS\) 10](#), Item 6. The following documents are filed in the record folder:
- 1) Form [USM-90](#), *Home-To-Work Transportation Certification*;
 - 2) Form [USM-90A](#), *Motor Vehicle Log*;
 - 3) Form [USM-76](#), *Vehicle Expense Record*, or equivalent electronic expense tracking spreadsheet;
 - 4) GSA Vehicles, *Motor Vehicle Assignment or Termination Record*. This is prepared by GSA during the initial assignment or termination of a GSA-leased vehicle. A copy of the GSA assignment or termination must be sent to OFM when GSA-leased vehicles are assigned, exchanged, or terminated;
 - 5) Copy of the vehicle receipt document for commercially-leased vehicles. The original must be sent to OFM;
 - 6) Copy of Vehicle Title or Certificate of Vehicle (COV). The original must be sent to OFM; and
 - 7) Accident Reports. Copies of all accident reports submitted to Headquarters. Accident reports may be destroyed 6 years from the case closure ([GRS 10](#), Item 5).
2. **MVOs:** MVOs are appointed by district/division leadership with the responsibility for the day-to-day management, administration, and control of the government vehicle fleet. This appointment must be documented on Form [USM-222](#), *Additional Duty Designation*. MVOs will:

- a. Monitor vehicle operations within their district/division and ensure compliance with all applicable provisions of the law, USMS policy, and OFM.
 - 1) On a quarterly basis, inspect each vehicle to ensure required vehicle equipment works correctly. If repairs are necessary, they will be handled according to USMS procurement regulations. Submit a status report on the quarterly inspection to district/division leadership.
 - 2) Submit quarterly mileage reports by the last business day of December, March, June, and September for each vehicle in the [Fleet Management Database](#).
 - 3) Inform their immediate supervisor of OFM operational and reporting guidance.
- b. Manage and store the documentation associated with district/division vehicles:
 - 1) Maintain a list of all VINs and match them to employees who are approved for HTW GOV use or motor pools (or other identification if confidential).
 - 2) Ensure all operational employees who are authorized a HTW vehicle have a completed, signed Form [USM-90](#), *Home-To-Work Transportation Certification*, on file.
 - 3) Prepare and maintain records and reports, and submit them to OFM and/or GSA as appropriate.
- c. Comply with the FSD [Fleet Credit Card Guidance](#).
- d. Verify payment of invoices for vehicle expenses and document those costs on Form [USM-76](#), *Vehicle Expense Record*, or an equivalent electronic expense tracking spreadsheet.
- e. Ensure proper vehicle registration. USMS-owned and -leased vehicles are normally registered according to the laws of the states in which they are operated.
 - 1) Most states allow the Federal Government to register vehicles and obtain license plates for free or at a nominal fee, without payment of property or sales tax.
 - 2) The MVO must request that the Department of Motor Vehicles in his/her district/division's state keep registration records of USMS-owned vehicles strictly confidential and never reveal the listing of these vehicles in response to telephone, email, or written inquiries from the public or law enforcement agencies.
 - 3) OFM maintains a register of all license plates issued to the USMS as entered by MVOs in the [Fleet Management Database](#). All original documents pertaining to registration/titling should be sent to OFM.
 - 4) The registration card should remain with the vehicle.
- f. Ensure all GOVs are marked with a DOJ property tracking barcode on the rear left interior of the vehicle's glove compartment.

- g. Utilize the [Fleet Management Database](#) to keep an account of the use of all GOVs, including GSA leases, and to enter quarterly mileage reports, vehicle tag numbers, key numbers, or license renewals. Districts/divisions are responsible for entering the mileage for each vehicle in their inventory, including GSA leases, for the following periods:
 - 1) October 1 to December 31;
 - 2) January 1 to March 31;
 - 3) April 1 to June 30; and
 - 4) July 1 to September 30.
- h. Maintain a Vehicle Operator Packet. An operator packet must be retained for each GOV to provide the operator with guidelines for maintenance and use of vehicle. The operator packets are provided by the GSA for GSA-leased vehicles and by USMS districts for USMS-owned or commercially-leased vehicles.
 - 1) GSA Vehicles: The GSA operator packets contain:
 - a) Form [SF91](#), *Motor Vehicle Accident Report*;
 - b) Form [SF94](#), *Statement of Witness*; and
 - c) Service and inspection records.
 - 2) USMS-Owned or Commercially-Leased Vehicles: The USMS operator packets contain:
 - a) Vehicle owners' manual;
 - b) Maintenance schedules;
 - c) Warranty information and ID;
 - d) Accident pamphlet; and
 - e) Form [USM-74](#), *Notice of Self-Insurance Card*.
- i. Obtain proper approval for the disposal of vehicles.

3. Vehicle Operators:

- a. All vehicle operators must obey all traffic laws unless they are compelled to deviate during emergency situations. The operator bears the burden of justifying why he or she violated traffic laws. If the vehicle is operated in an emergency situation, the operator should use the vehicle's emergency equipment (i.e., lights and siren). When operationally feasible, the operator should communicate with state and/or local law enforcement authorities and advise them of the emergency situation. Even in an emergency, priority must be given to the safety of passengers and general public, and the preservation of private and government property. Compliance with traffic laws includes:

- 1) Executive Order No. 13513, 74 Fed. Reg. 51225 (October 1, 2009), [Federal Leadership on Reducing Text Messaging While Driving](#): Federal employees shall not engage in text messaging when driving GOVs, when driving POVs while on official government business, or when using electronic equipment supplied by the government while driving.
 - 2) Executive Order No. 13043, 62 Fed. Reg. 19217 (April 16, 1997), [Increasing Seat Belt Use in the United States](#): "Each federal employee occupying any seating position in a motor vehicle on official business, whose seat is equipped with a seat belt, shall have the seat belt properly fastened at all times when the vehicle is in motion."
- b. Comply with all applicable laws, policies and procedures related to motor vehicles to include all instructions in the operator's packet.
 - c. Complete the required Form [USM-90](#), *Home-To-Work Transportation Certification*, when authorized to use HTW vehicles, and provide a copy to the district/division MVO.
 - d. Possess a valid state driver's license for the particular class of vehicle.
 - e. Inform his or her immediate supervisor of any suspension, restriction, or revocation of his or her driver's license.
 - f. Use the vehicle only to conduct official Federal Government business in accordance with [31 U.S.C. § 1344](#).
 - g. Safeguard and prevent theft and misuse of credit cards. Comply with FSD [Fleet Credit Card Guidance](#).
 - h. Enter the current mileage when using an assigned credit card to refuel a GSA leased vehicle.
 - i. Routinely examine assigned vehicle for body damage and unsafe, defective, and/or missing equipment, including accessories such as spare tire, jack, and lug wrench. Immediately report damage, missing, and/or inoperative equipment to the MVO.
 - j. Maintain and protect USMS-owned and -leased vehicles. Vehicles must be serviced according to the manufacturer's scheduled maintenance. Proper tire pressure must be maintained.
4. **OFM Transportation Specialist:**
- a. Formulate and implement new or revised policies and procedures, and communicate with district/division leadership to enforce compliance with all applicable laws, policies, and procedures related to OFM.
 - b. Establish and monitor USMS vehicle allocations for districts/division offices and track vehicle mileage and condition.
 - 1) Issue guidance for purchasing, transferring, or disposing of GOVs.
 - 2) Process requests to place forfeited vehicles into official use.

- 3) Process requests to acquire excess vehicles from other government agencies.
 - 4) Process requests to dispose of excess USMS vehicles.
 - 5) Process Form [USM-61](#), *Vehicle Funding Request*, from districts for accidents, major repairs, installation of emergency equipment, and windshield repair.
- c. Serve as the USMS's central contact point for motor vehicle accidents and major repairs.
 - d. Compile and disseminate information to comply with USMS, DOJ, and federal reporting requirements.

F. Procedures:

1. **Headquarters Motor Pool:** OFM, MSD, has an available motor pool of vehicles for official use.
 - a. Employees must be a federal employee to sign out a vehicle.
 - b. Contractors authorized by contract to drive a GOV may sign out a vehicle with their supervisor's approval. This approval must be sent to the OFM Assistant Chief.
 - c. Steps to acquire/reserve a Headquarters motor pool vehicle:
 - 1) Contact OFM to determine if a vehicle is available. Provide the dates when the vehicle is needed.
 - 2) Set up a time with OFM to sign out the vehicle and pick up the keys.
 - 3) If the vehicle is needed for more than 1 day and a credit card for fuel purchase is required, Form [USM-325](#), *Hand Receipt*, must be filled out in addition to Form USM-460, *MSD Motor Pool Government Owned Vehicle Sign Out Sheet*.
2. **Vehicle Maintenance:** Preventive maintenance for USMS-owned, commercially-leased, or GSA-leased vehicles is permitted as follows:
 - a. GSA is responsible for scheduling preventive maintenance on all GSA vehicles.
 - b. The manufacturer's recommended maintenance schedule for maintenance inspections and related work should be followed for all vehicles.
 - c. All repairs and services must be documented and included in the vehicle folder.
 - 1) **Under Warranty:** It is imperative that repairs covered by the vehicle's manufacturer warranty be undertaken as soon as possible after the applicable malfunction is detected. Prompt action is required to prevent voiding the warranty and avoid repair costs. This work must be performed at an authorized dealership (i.e., Ford dealership for Ford products).

- 2) Not Under Warranty: Services may be authorized by the USM or AD. Repairs and services should follow existing procurement policies, practices, and regulations.
 - 3) Accident repairs must be pre-approved by the OFM Transportation Specialist.
 - 4) Use licensed repair facilities. Caution must be used in selecting vendors to ensure that a reasonable performance guarantee is provided.
 - 5) Duplicate Repair and Service Payments: Proper vehicle repair records and authorization must be maintained to avoid duplicate payments for a repair.
 - 6) Unauthorized Repair: The USMS will not be liable for any repair costs incurred by an employee who does not have written authorization to complete the repairs.
 - 7) Unsatisfactory Repairs: Vehicles must be returned to the vendor within the repair warranty period to correct deficiencies for unsatisfactory repairs.
- d. Tires: Tires must be purchased using [Schedule 23V](#) of the Federal Supply Schedule.
- e. Gasoline and Oil: GOVs are operated in compliance with Federal Management Regulation ([41 C.F.R. § 102-34.325](#)).
- 1) Government fleet credit cards should be used for the purchase of fuel and oil.
 - 2) Self-service pumps must be used for refueling government vehicles. Full service pumps may only be used when it is impractical or impossible to use self service. GOVs will be filled with the manufacturer's recommended type and grade of oil and gasoline.
 - 3) Operators are to request the use of re-refined motor vehicle lubricating oils when maintenance service is performed.
5. **Parking and Storage of Vehicle:** The day-to-day storage of a GOV is at a central location in the vicinity of the respective office.
- a. Acquisition of all parking spaces either from GSA or commercial sources may be arranged through the [Office of Construction Management](#), MSD.
 - b. Storage and parking facilities should provide protection from pilferage or damage of GOVs. Vehicle operators must close the windows, lock the doors and trunk, and remove the keys whenever storing or parking GOVs.
6. **Disposal of Vehicle:** All vehicle disposals, except GSA-leases, require pre-approval from the OFM Transportation Specialist and OPM Property Management Specialist. Disposal of non-leased, non-armored vehicles must be recorded on Form [SF126](#), *Report of Personal Property for Sale*. Disposal of armored vehicles must be recorded on Form [SF120](#), *Report of Excess Personal Property*.

G. Definitions:

1. **GOV:** Those vehicles acquired through the GSA Interagency Fleet, commercial sources, and forfeitures. GOVs do not include a rental vehicle obtained by an individual employee through his/her government travel credit card while on a temporary duty assignment, unless a procurement action is taken using a purchase order.
2. **Essential Personal Activity:** Personal activity that is incidental to the use of the government official vehicle, including meals, shopping, personal errands, and entertainment that conforms to the requirements of this policy directive.
3. **In the Interest of the Government:** As related to this policy, that the transportation of the passenger(s) reasonably furthers the USMS mission or responsibilities.
4. **HTW Vehicle:** GOV necessary for the safe and efficient performance of law enforcement duties and responsibilities that require the presence of the employee, in an official capacity, at a location other than the office to which he/she is assigned.
5. **Preventive Maintenance:** The uniform performance of scheduled work, such as inspection, oil changes, checking of brakes, cleaning or repairing of vehicle component parts, and tune-up to preclude the potential for vehicle accidents or breakdown related to mechanical failure.
6. **E85:** A high-level gasoline-ethanol blend containing 51 to 83 percent ethanol, depending on geography and season. It is considered an alternative fuel and can be used in flexible fuel vehicles.

H. References:

1. [Home-to-Work Transportation Plan](#), October 13, 2011.
2. Executive Order No. 13423, 72 Fed. Reg. 3919 (January 24, 2007), [Strengthening Federal Environmental, Energy, and Transportation Management](#).
3. [United States Marshals Service Vehicle Purchase Guidance](#), Management Support Division, October 23, 2012.
4. Policy Directive 1.2, [Code of Professional Responsibility](#).

I. Cancellation: This policy directive supersedes Policy Directive 7.2, *Official Government Vehicles*, and Policy Directive 7.2, *Vehicle Records and Care*.

J. Authorization and Date of Approval:

By Order of:

Effective Date:

 /S/
Stacia A. Hylton
Director
U.S. Marshals Service

 10/7/2013



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.2.1 VEHICLE ACQUISITION AND DISPOSAL

A. Proponent: Office of Fleet Management (OFM), Management Support Division (MSD).
Telephone: 202-307-9269, Fax: 703-603-2026.

B. Purpose: This policy directive provides information and guidance for the management of the United States Marshals Service (USMS) fleet program pertaining to vehicle acquisition and disposal.

C. Authority: The policy’s authority is set forth in:

1. [41 C.F.R. § 101-26.501](#), *Purchase of New Motor Vehicles*;
2. [41 C.F.R. § 102-34.5 – 102-34.350](#), *Motor Vehicle Management*;
3. [28 U.S.C. § 561\(g\)](#), *USMS*;
4. [28 U.S.C. § 530C\(b\)\(1\)\(A\)](#), *Authority to Use Available Funds*;
5. [31 U.S.C. § 1344](#), *Passenger Carrier Use*;
6. [31 U.S.C. § 1349\(b\)](#), *Adverse Personal Actions, Misuse of a Government Vehicle*; and,
7. [Vehicle Allocation Assessment and Sustainment Results](#), USMS Memorandum dated August 22, 2012

D. Policy: All information contained in this policy is in accordance with USMS and/or General Services Administration (GSA) directions concerning vehicle acquisition and disposal.

1. The USMS acquires vehicles in the most cost effective and efficient manner to meet mission requirements. Acquisition sources include purchase, GSA lease, transfer, and seizure/forfeiture.
2. OFM approval is mandatory for any vehicle acquisitions. All vehicle acquisitions are conducted through OFM.
3. Allocation Formulas:
 - a. The USMS District Vehicle Allocation Formula is as follows:

Position	Vehicles Allocated per Position
United States Marshal	1
Chief Deputy United States Marshal	1
Assistant Chief Deputy United States Marshal	1
Supervisory Deputy United States Marshal	1

GS-13 Inspectors	1
Operational, non-supervisory	1 each for the first 12 positions, then 1 for every 2 remaining positions
Motor Pool	Up to 10 percent of the district's authorized vehicle allocation

b. The USMS Division Vehicle Allocation Formula is as follows:

Position	Vehicles Allocated per Position
Chief Inspector (1811-15)	1
Assistant Chief Inspector (1811-14)	1
Senior Inspector (1811-13)	1
Deputy United States Marshal	1
Training Division, Tactical Operations Division, and Investigative Operations Division	Percent allocation based on justification
Witness Security Division and Judicial Security Division	Percent allocation based on justification

c. Specialty vehicles, as approved by OFM, are exempt from the allocation formula. Specialty vehicles include buses, full-sized prisoner vans (minimum 12-passenger), trailers, and all-terrain vehicles (ATVs). Dedicated vehicles for canines, medic, or Strategic National Stockpile Security Operations (SNSO), are not exempt from the formula, but are given consideration due to their unique use.

E. Responsibilities: None.

F. Procedures:

1. **Vehicle Acquisitions:** The USMS vehicle fleet is comprised of various makes, models, and types of vehicles. All government-owned vehicles (GOVs) are acquired through OFM from one of the following sources:

a. **Purchase:** The purchase of any USMS vehicle, regardless of the source of funds, must be processed through OFM. This ensures that all applicable laws, rules, and regulations have been considered in the procurement action. OFM replaces aging/high mileage allocated fleet vehicles with new purchases as USMS vehicle funding becomes available. Reference [United States Marshals Service Vehicle Purchase Guidance](#).

b. **GSA Interagency Fleet Management System:**

- 1) Assigned Leased Vehicles: Motor vehicles obtained by OFM on behalf of a district/division from the GSA Interagency Fleet Management System for 30 calendar days or more.
- 2) [Short Term Rental Vehicles](#) are assigned for no longer than 120 days as replacements for vehicles taken out of service for major repairs.

c. **Commercial Sources:**

- 1) **Leased Vehicles:** Vehicles obtained by the USMS from commercial sources for periods exceeding 60 calendar days.
 - a) All leases must be preapproved in writing by OFM.
 - b) District/division leadership and OFM may only lease caged 12- or 15-passenger prisoner vans or prisoner buses. Any exceptions to this must be preapproved in writing by OFM.
- 2) **Rental Vehicles:** Vehicles obtained by the USMS from commercial sources for periods less than 60 calendar days.
 - a) Approved rentals are subject to travel reimbursement and are procured by USMS purchase credit card or local district purchase order.
 - b) The [Defense Travel Management Office](#) has established a [United States Government Rental Car Agreement](#). Under this agreement, vehicles are rented for official business from [participating companies](#) at government rates.
 - I. Renters need to indicate they are traveling on official government business and provide travel orders or a government-issued travel credit card.
 - II. The agreement provides that the rental company shall be liable in most cases for any damages to the rental vehicle and any damage claims submitted by third parties. No collision damage waiver or additional insurance is required and none should be purchased with government funds.
- d. **Transferred From Other Federal Agencies:** Transferred vehicles may not be accepted or placed in the fleet without prior written approval from OFM and the Office of Property Management (OPM) using Form [SF-122](#), *Transfer Order of Excess Personal Property*.
- e. **Forfeited Vehicles:**
 - 1) The USMS may acquire forfeited vehicles to meet a mission requirement and lessen the burden on the vehicle acquisition budget.
 - 2) Forfeited vehicles may not be accepted or placed in the fleet without advance written approval on Form [USM-520](#), *Request to Retain Property for Official Use*, first from OFM, then from the OPM. In deciding whether to accept or decline a forfeited vehicle, OFM will consider the vehicle's total life-cycle cost. Operational utility and desirability must be balanced against the higher maintenance and fuel costs normally associated with forfeited vehicles. Forfeited vehicles placed in the fleet shall have a reasonable service life expectancy of at least 2 years. If it is financially advantageous to the government, forfeited vehicles may be acquired for special operations of less than 1 year.
 - 3) Known and visible defects must be cost effective to repair. A mechanical diagnostic analysis must be completed by a professional mechanic before the vehicle will be considered for approval. The mechanic's

report will be included in the Official Use Package (Section F.1.e.6). It is recommended that the vehicle either be evaluated at the storage facility or towed to a mechanic's shop. Districts/divisions are responsible for all costs associated with inspection of the vehicle.

- 4) Liens: Vehicles without liens are preferable. However, the Asset Forfeiture Fund (AFF) is available for lien payment. Any remaining lien is the responsibility of the district. For more information, see the [Attorney General's Guidelines on Seized and Forfeited Property](#).
 - 5) Districts are encouraged to report the availability of any forfeited vehicles meeting the above general criteria to OFM in the event that the vehicle could be purchased for another district.
 - 6) Official Use Packages: Districts must submit a forfeited vehicle request package to their Property Management Specialist (PMS). The package includes the following:
 - a) Form [USM-520](#), *Request to Retain Property for Official Use*, with parts I, II, IV, and V completed (DO NOT complete part VI);
 - b) Signed Form [USM-170](#), *Property Transaction Document*, with a bar code number assigned;
 - c) Declaration of Forfeiture or Court Order with correct 17-digit Vehicle Identification Number (VIN);
 - d) Copy of mechanic's evaluation report with itemized cost estimates to place vehicle in service; and
 - e) A memorandum stating the color, mileage, and intended use as prepared by the receiving office.
 - 7) Luxury or exotic vehicles require a more substantial justification for use. If OFM approves the acquisition, it is usually with the stipulation that there is no home-to-work usage and district/division leadership may not drive the vehicle. Written approval from the Assistant Director, MSD, is required to place any luxury vehicle into official use. OFM will handle the approval process after receipt of the vehicle request package.
 - 8) Forfeited vehicles will be maintained according to manufacturer's specifications. Once placed into service, forfeited vehicles are subject to the same policies and procedures as USMS-owned vehicles (e.g., repair approvals, titling, maintenance of vehicle history files, etc.). Refer to Policy Directive 7.2, [Vehicle Use and Maintenance](#), for procedures concerning vehicle maintenance.
- f. Upon approval and receipt of motor vehicle, the district/division will send the signed receiving report to OFM within 5 business days.
- 1) OFM will process and send the receiving report to OPM within 5 business days.
 - 2) OPM will enter the motor vehicle details into the property management system within 15 calendar days of receipt of the report.

- g. All USMS-owned vehicles will be placed on the accountable property inventory in an electronic asset management database.

2. **Disposal of Vehicles:**

- a. Form [SF-126](#), *Report of Personal Property for Sale*, should follow the GSA guidelines devised to standardize vehicle descriptions for GSA auctions and for reporting excess vehicles. If transferring to another federal agency, complete Form [SF-122](#), *Transfer Order Excess Personal Property*.

1) Description should include:

- a) Name and address of reporting office;
- b) Contact name, address, and phone number;
- c) Date of report;
- d) Location of the vehicle;
- e) Method of selling the vehicle;
- f) Make;
- g) Body style (sedan, SUV, etc.);
- h) Model;
- i) Year;
- j) VIN and bar code number;
- k) Seating capacity;
- l) Number of doors;
- m) Transmission type;
- n) Color;
- o) Fuel type;
- p) Number of cylinders;
- q) Odometer certification; and
- r) GSA Motor Vehicle Standard Description and Vehicle Checklist:
Specify any damage or known mechanical defects, and the condition code matching the vehicle condition:
 - I. Code 1 = Excellent
 - II. Code 4 = Usable
 - III. Code 7 = Repairable (Moderate mechanical or body repairs are required)

- IV. Code S = Scrap (Major repairs may be impractical or uneconomical)
 - V. Code X = Salvage (Not to be titled for highway use)
- 2) GSA special features checklist should note the presence of any of the following features:
- 1) Drive (4x4, 4x2-FWD, AWD, etc.);
 - 2) Air bags;
 - 3) Air conditioning;
 - 4) Anti-lock brake system;
 - 6) Radio type;
 - 7) Cruise control;
 - 8) Tilt;
 - 9) Crew cab;
 - 10) Dual wheels;
 - 11) Interior upholstery type;
 - 12) Keyless entry;
 - 13) Power brakes, locks, windows, mirrors, or seats; and
 - 14) Rear defrost.
- 3) Send completed Form [SF-126](#) to OFM with the GSA Motor Vehicle Standard Description and Vehicle checklist. The Fleet Management Specialist (FMS) will have 5 business days to review, approve, and send to the assigned PMS.
- 4) The PMS will have 5 business days to prepare an approval memorandum and send to the Property Custodian/Officer to begin the disposal process.
- b. **Armored Vehicles:** Prepare Form [SF-120](#), *Report of Excess Personal Property*, in lieu of Form [SF-126](#). The description section should state, "Property must be destroyed by the receiving agency and never offered to the public." The completed Form [SF-120](#) should be sent to OPM.
- c. **Types of Sales:**
- 1) GSA Auctions are the preferred sales method of USMS-owned vehicles.
 - a) Prepare Form [SF-126](#), *Report of Personal Property for Sale*, and indicate, "This vehicle will be excessed through a GSA auction."

- b) GSA will email a signed purchaser's receipt of sale to the buyer, the USMS Property Custodian, and OPM.
 - c) A copy of the signed receipt of sale must be sent to OFM, which will send the document to the appropriate PMS.
- 2) Asset Forfeiture Auctions should only be used when a GSA Auction is unavailable or in the event that an Asset Forfeiture Auction is more advantageous to the government.
- a) Prepare Form [SF-126](#), *Report of Personal Property for Sale*, and indicate, "This vehicle will be offered for sale under the asset forfeiture contract."
 - b) The district must contact the auction contractor to arrange vehicle delivery at least 24 hours prior to the next scheduled sale.
 - c) The auction contractor will prepare the vehicle and compute its sales commission.
 - d) The auction contractor's sales commission will be paid from the proceeds of the sale.
 - e) Upon completion of the disposal process, the employee assigned to oversee the sale of the vehicle must send a completed Form SF-97, *The United States Government Certificate to Obtain Title to a Vehicle*, and actual check proceeds to OFM.
 - f) The FMS will send Form SF-97, *The United States Government Certificate to Obtain Title to a Vehicle*, and a copy of check proceeds to the PMS.
 - g) The PMS will attach Form SF-97, *The United States Government Certificate to Obtain Title to a Vehicle*, and completed Form [SF-126](#), *Report of Personal Property for Sale*, to the copy of the check and remove the motor vehicle from the accountable property inventory.
 - h) The AFF is not to pay for the sale of any USMS vehicles.
- 3) Three-Bid Sale: These sales should be limited to extreme circumstances (e.g., vehicles destroyed in accidents) and be preapproved by OFM and OPM. This sales method should only be used when the sales fee is more than the proceeds of sale. Form [SF-126](#), *Report of Personal Property for Sale*, is still required to sell a vehicle as scrap/salvage and the form should indicate that a Three-Bid Sale is the disposal method.
- a) Bids must be in writing on company letterhead from three bidders. All bids and a completed Form [SF-126](#), *Report of Personal Property for Sale*, must be sent to OFM. OFM will select the highest bidder.
 - b) OFM will send Form SF-97, *The United States Government Certificate to Obtain Title to a Vehicle*, and a copy of check

proceeds to the appropriate PMS.

- c) The PMS will attach Forms SF-97, *The United States Government Certificate to Obtain Title to a Vehicle*, and Form [SF-126](#), *Report of Personal Property for Sale*, to the copy of the check and remove motor vehicle from the accountable property inventory.

d. **Processing a sale:**

- 1) Completed GSA Sales Receipt Documentation should be provided to OFM when applicable. Transfers and disposals must follow OFM and OPM policy.
 - a) All proceeds checks for sold vehicles must be sent to:

*Management Support Division
Attn: Chief of Fleet Management
2604 Jefferson Davis Hwy
Alexandria, VA 22301*
 - b) Per the Federal Management Regulation, sales proceeds from the disposition of personal property may only be used to offset the cost of same or similar replacement property, not for services ([41 C.F.R. § 102-39.65](#)). Further guidance on exchange/sale authority and replacement is available in [41 C.F.R. §§ 102-39.5 - 102.39-85](#). Accounting requirements are specifically addressed in [41 C.F.R. § 102-39.80](#).
- 2) The original sales check should be sent with the sales invoice and a copy of the paid invoice for commission charges to the Chief of Fleet Management. If a check is for the proceeds from more than one vehicle, the invoice must include an itemized listing of each vehicle's sales price, commissions, and proceeds.
 - a) An invoice should state 123456 @ \$2,500 and 789012 @ \$5,000.
 - b) An invoice indicating 123456 and 789102 sold for a total of \$7,500 is unacceptable.
- 3) Financial Services Division will transfer proceeds to OFM.
 - a) The vehicle sales proceeds draft should be annotated with the information found in Block 13 of Form [SF-126](#), *Report of Personal Property for Sale*, (e.g., 15F3845 VEH01-____).
 - b) Use the last two numbers of the fiscal year when the sale was held after VEH - -).
 - c) The last six digits of the VIN come after the fiscal year.

- e. **State Agencies for Surplus Property (SASP):** With approval from OFM, districts/divisions may donate surplus property to a [SASP Representative](#). This method should be used only if all other disposal options in this policy have been exhausted.

G. Definitions: None.

H. References:

1. [United States Marshals Service Vehicle Purchase Guidance](#)
2. [Vehicle Allocation Formula](#)
3. Policy Directive 1.2, [Code of Professional Responsibility](#)

I. Cancellation: This policy directive supersedes Policy Directive 7.2, *Official Government Vehicles*, and Policy Directive 7.2, *Vehicle Records and Care*.

J. Authorization and Date of Approval:

By Order of:

Effective Date:

 /S/
Stacia A. Hylton
Director
U.S. Marshals Service

 10/7/2013



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.2.2 VEHICLE ACCIDENTS AND OTHER DAMAGE

- A. Proponent:** Office of Fleet Management (OFM), Management Support Division, Telephone: 202-307-9269, Fax: 703-603-2026.
- B. Purpose:** This policy directive provides information and guidance for the management of the United States Marshals Service (USMS) fleet program pertaining to vehicle accidents and other damage.
- C. Authority:** The Director's authority is set forth as indicated:
1. [31 U.S.C. § 1344](#), *Passenger Carrier Use*;
 2. [41 C.F.R. § 101-38 \(refers to 41 C.F.R. § 102-34\)](#), *Motor Vehicle Management*;
 3. [28 U.S.C. § 561\(g\)](#), *USMS*;
 4. [31 U.S.C. § 1349\(b\)](#), *Adverse Personal Actions, Misuse of a Government Vehicle*; and
 5. [41 C.F.R. § Ch. 102-5](#), *Federal Management Regulation, Home-To-Work Transportation*.
- D. Policy:**
1. All information contained in this policy is consistent with USMS and/or General Services Administration (GSA) policies and regulations concerning vehicle accidents and other damage to vehicles.
 2. In the event of an accident, any USMS employee or contractor operating a government-owned vehicle (GOV) must contact local law enforcement and obtain an accident report.
- E. Responsibilities:**
1. **Motor Vehicle Officers (MVOs):**
 - a. MVOs are appointed by district/division leadership with the responsibility for day-to-day management, administration, and control of the government vehicle fleet. This appointment must be documented using Form [USM-222](#), *Additional Duty Designation*.
 - b. MVOs monitor and report all vehicle operations within their district/division and ensure compliance with all applicable provisions of the law, USMS policy, and OFM policy.
 - c. MVOs shall ensure that one copy of all forms and additional materials received as a result of any accident investigation are retained in the appropriate motor vehicle file.

F. Procedures:

1. Any driver of a GOV involved in an accident, if able to do so, shall:
 - a. Check for injured or deceased persons, and render aid as appropriate;
 - b. Check for witnesses. Obtain the name and address of anyone who observed any portion of the accident, or circumstances prior to, during, or after the accident. If practical, use a Form [SF-94](#), *Statement of Witness*;
 - c. Notify his/her immediate supervisor as soon as possible;
 - d. Call the law enforcement agency which has jurisdiction where the accident occurred and obtain an on-site accident report from the officer who responds to the scene. If the driver is unable to obtain an on-site report, confirm that the appropriate law enforcement agency has been notified of the accident;
 - e. Obtain necessary information from any other driver involved in the accident including name, address, contact information, insurance carrier, and policy number. Use Form [SF-91](#), *Motor Vehicle Accident Report*;
 - f. Determine if the GOV can be safely driven from the accident scene. If the GOV cannot be driven, arrange for it to be towed. Remove any property from the GOV and remove or disable the USMS radio and any other law enforcement radio in the GOV.
 - 1) OFM will reimburse districts/divisions for towing costs if the tow is arranged according to Policy Directive 7.2, [Vehicle Use and Maintenance](#), Section D.8.
 - 2) OFM will not reimburse districts/divisions for vehicle storage (i.e., at a tow lot).
 - 3) If a vehicle must be taken to a towing facility, the GOV operator must request that the GOV be stored in a secure area;
 - g. Complete Form [SF-91](#), *Motor Vehicle Accident Report*.
 - 1) Include the last six digits of the Vehicle Identification Number (VIN) for GOVs or the license plate number for leased vehicles.
 - 2) If prisoners were being transported in the GOV involved in the accident, provide a statement of whether any of the prisoners were injured and, if so, the apparent extent of the injuries incurred.
 - 3) If the driver of the GOV involved in the accident is a United States Marshal (USM), Section X – *Details of Trip During Which Accident Occurred* of Form [SF-91](#), *Motor Vehicle Accident Report*, must be signed by the Deputy Director or the individual designated by the Director;
 - h. All USMS employees and contractors involved in an accident must complete Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*;
 - i. Prepare a supplemental report in instances where:

- 1) Witnesses refuse to give written statements on Form [SF-94](#), *Statement of Witness*, but make oral statements regarding the cause and liability of involved parties.
 - 2) There are extenuating circumstances, which cannot be fully explained on Form [SF-91](#), *Motor Vehicle Accident Report*,
 - j. Provide other parties to the accident with Form [SF-95](#), *Claim for Damage, Injury, and Death*, where appropriate or upon request. The Office of General Counsel (OGC) will review and adjudicate. Providing Form [SF-95](#), *Claim for Damage, Injury, and Death*, is not an admission of liability; and
 - k. Obtain three repair estimates for the damage to the GOV if the damage is to a USMS-owned vehicle and if the USMS driver appears to be at fault for the accident. Submit Form [USM-61](#), *Vehicle Funding Request*, to OFM. If the vehicle is not drivable, one repair estimate is needed.
2. **Supervisor:** The immediate supervisor of an employee involved in an accident must ensure that:
- a. The USM or Assistant Director (AD) is notified as soon as practical;.
 - b. Significant incidents are reported as required by Policy Directive 17.17, [Significant Incident Reporting](#);
 - c. The driver complies with all policy directive requirements;
 - d. The above-listed requirements are completed if the employee is unable to do so; and
 - e. Any necessary workers' compensation forms are completed and forwarded to the Human Resources Division (HRD).
 - 1) Form [CA-1](#), *Federal Employees Notice of Traumatic Injury and Claim for Continuation of Pay*,
 - 2) Form [CA-7](#), *Claim for Compensation*, and
 - 2) Form [CA-16](#), *Report for Examination and/or Treatment*. Form CA-16 is not available online. It should be available from the district's Administrative Officer or the HRD workers' compensation program manager.
3. **Accident Investigator:** District/division leadership will assign a Criminal Investigator Deputy United States Marshal (CIDUSM) to investigate the accident. This CIDUSM must not have been involved in the accident. The accident investigator is responsible for compiling all available facts and may not render an opinion regarding which driver is responsible for the accident. The accident investigator will:
- a. Ensure all necessary reports, including a copy of the accident report from the local law enforcement agency, are completed and filed with the proper district/division;
 - b. Obtain photographs of the accident scene, GOVs involved, and property damage;

- c. Obtain written documentation of injuries sustained as a result of the accident, if any, in accordance with [Health Insurance Portability and Accountability Act of 1996](#) (HIPAA) guidelines;
 - d. Interview all witnesses using Form [SF-94](#), *Statement of Witness*, when possible, to record or summarize the witnesses' statements. Witnesses include, but are not limited to, drivers and passengers in vehicles involved in the accident or in the vicinity, and any individuals in the vicinity who observed what occurred prior to, during or after the collision; and
 - e. Prepare Form [USM-210](#), *Field Report*, in instances when:
 - 1) The accident results in injury or death to anyone involved in the accident and no written documentation could be obtained from the attending physician;
 - 2) Witnesses refuse to give written statements on Form [SF-94](#), *Statement of Witness*, but make oral statements regarding the cause and liability of involved parties; and
 - 3) There are extenuating circumstances that cannot be fully reported on Form [SF-91](#), *Motor Vehicle Accident Report*.
4. All accidents involving a GOV need to be reported to OFM via email within 5 business days of the accident or when damage is first noticed, regardless of the extent of the damage. A complete accident package must follow within 15 business days and shall include:
- a. Form [SF-91](#), *Motor Vehicle Accident Report*;
 - b. Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*;
 - c. Police reports, photographs, and any other documentation obtained during the investigation;
 - d. Repair estimates on Form [USM-61](#), *Vehicle Funding Request*; and
 - e. Form [SF-94](#), *Statement of Witness*, (when applicable).
5. If the GOV is a GSA-leased vehicle, the USM or AD shall also ensure that the Regional [GSA Fleet Service Representative](#) (FSR) is notified of the accident. The FSR will provide guidance on repairs, to be coordinated with GSA's Maintenance Control Center.
6. Before using a GSA-leased vehicle, operators should ensure that the GSA operator packet contains:
- a. Form [SF-91](#), *Motor Vehicle Accident Report*;
 - b. Form [SF-94](#), *Statement of Witness*; and
 - c. Service and inspections records.
7. **Findings:** When an accident investigation is completed, OGC and the Office of Inspection may access the OFM Accident Database for details of the investigation.

8. **Repairs:** No repairs may be made to the GOV without approval from OFM. In order to obtain approval, OFM must receive all accident reports, photographs, and estimates.
- a. Estimates: If repair costs are estimated to be over \$2,500, then OFM will require three repair estimates.
 - b. Payment:
 - 1) If the investigation determines that the accident is the fault of the other party, the district/division must file a claim with the other party's insurance company.
 - 2) If the investigation determines that the accident is the fault of the other party and that party refuses to pay for repairs, the USMS driver's district/division should work directly with OGC and advise their Fleet Transportation Specialist of any changes.
 - 3) If the other party is at fault, but does not have insurance; the insurance company denies the claim; or the USMS is believed to be at fault; the repairs must be submitted to OFM for approval.
9. **Damage to GOVs other than accidents:**
- a. If a GOV has sustained damage not caused by an accident (e.g., vandalism, windshield crack), the driver shall:
 - 1) Notify his/her immediate supervisor as soon as possible;
 - 2) Contact the law enforcement agency which has jurisdiction where the damage occurred to request an investigation if the damage was the result of a criminal act;
 - 3) Report the damage on Form [USM-210](#), *Field Report*, and include the last six digits of the VIN for USMS-owned vehicles, or the license plate number for leased vehicles;
 - 4) Complete Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*;
 - 5) Obtain photographs of the damage to the GOV;
 - 6) Obtain repair estimates if it is a USMS-owned vehicle. See Repairs in section F.8. If the GOV sustained only windshield damage (non-criminal), only Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*, and one estimate are required; and
 - 7) If the GOV is a GSA-leased vehicle, the district/division should contact their FSR.
 - b. **Supervisor:** The immediate supervisor must ensure that the
 - 1) USM, Chief Deputy United States Marshal, or AD is notified as soon as practical;
 - 2) Employee complies with all policy requirements; and

- 3) Above-listed requirements are completed if the employee is unable to do so.
- c. District/division leadership must report the incident to OFM via email within 5 business days from the date of the incident, or when the damage is first noticed. The complete incident package must follow within 15 business days and shall include the following documentation:
- 1) Form [USM-210](#), *Field Report* (not needed for non-criminal windshield damage);
 - 2) Form [SF-94](#), *Statement of Witness*, (when applicable);
 - 3) Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*;
 - 4) Police reports, photographs, and supplemental investigative reports (when applicable); and
 - 5) Repair estimate(s):
 - a) If the GOV is a GSA-leased vehicle, the USM or AD shall also ensure that the guidelines established in the GSA Motor Vehicle Accident Reporting Kit, GSA Form 1627, are followed and that the appropriate information is forwarded to the GSA Accident Management Center and OFM. GSA Form 1627 should be located in the GSA vehicle per [GSA's Accident Management Center](#).

10. **Stolen Vehicles:**

- a. GOV operators must report lost or stolen vehicles to the appropriate supervisory personnel. Supervisors must report via telephone or email to the Fleet Transportation Specialist within 24 hours after determination that a GOV has been stolen. All telephone reports must be followed by a written report using Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*. Form [USM-134](#), *Affidavit Regarding Loss or Damage to Government Property*, must be forwarded to the Chief, Office of Inspection - Internal Affairs (OI-IA) with an additional copy sent to the Office of Property Management (OPM). The completed form must contain:
 - 1) Date of theft;
 - 2) A brief synopsis of the circumstances under which the theft occurred;
 - 3) Confirmation that the police were notified; and
 - 4) A detailed description of the vehicle (make, model, year, VIN).
- b. The district/division responsible for the stolen vehicle must notify all appropriate authorities (e.g., FBI, local police, GSA). The vehicle also needs to be entered into the National Crime Information Center network as stolen. This can be done by either the district or by HQ communications center. When a stolen vehicle is recovered, the OIA, OFM, and OPM must be notified.

G. Definitions:

GOV: A GOV is a motor vehicle that the government owns or leases. This includes motor vehicles obtained through purchase, forfeiture, commercial lease, GSA Fleet lease, or otherwise, for which the government owns the title.

H. References:

1. For GSA Vehicles:
 - a. [GSA Fleet Vehicle Guide](#).
 - b. GSA's [Accident Management Center](#).
2. Policy Directive 1.2, [Code of Professional Responsibility](#).

I. Cancellation: This policy directive supersedes Policy Directive 7.2, *Official Government Vehicles*, and Policy Directive 7.2, *Vehicle Records and Care*.

J. Authorization and Date of Approval:

By Order of:

Effective Date:

 /S/
Stacia A. Hylton
Director
U.S. Marshals Service

 10/7/2013



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.3 Publishing Management and Services

- A. Proponent:** Publishing and Multimedia Services Office (PMSO), Management Support Division (MSD). Telephone: 202-307-5000, Fax: 202-307-5165.
- B. Purpose:** PMSO provides management for all United States Marshals Service (USMS) publishing activities associated with creating, reproducing, and disseminating federal information; administration of agency-wide copier programs; supervision of receiving, shipping, and inventory systems for the USMS warehouse facility; and management of the USMS mail operations.
- C. Authority:**
1. Printing, Copying, and Graphic Services: [Title 44](#) of the United States Code (USC) mandates the management of all public printing. It establishes the Congressional Joint Committee on Printing (JCP) to oversee the general printing procedures of government printing, and requires the Government Printing Office (GPO) to produce and procure printing and binding for all executive agencies, with few exceptions. USMS printing and copying are also managed under the guidance and coordination of the Department of Justice ([DOJ Order 2510.9](#), *Justice Publications and Printing Regulations*). The Printing Officer and staff enforce regulations published by the JCP and the Public Printer and have exclusive authority to procure printing, duplicating/copying, and graphic services.
 2. Mail and Package Services: All USMS mail operations comply with United States Postal Service (USPS) regulations and authorities under [Title 39](#) of the USC. Processing and metering of USPS postal mail is done in compliance with standards set forth in the [Domestic Mail Manual](#) (DMM) and [International Mail Manual](#) (IMM). Mail operations comply with DOJ mail management guidelines. Mail equipment and processing are managed under the advice of the General Services Administration (GSA).
 3. Warehouse Operations: Operations follow all applicable Department of Labor (DOL) requirements for worker and environmental health and safety, including [29 U.S.C. § 668](#) of the [Occupational Safety and Health Act of 1970](#) and [Federal Agency Safety Programs and Responsibilities](#). Receiving and shipping activities related to property accountability are subject to USMS procurement and property guidance.
- D. Policy:**
1. Printing, Duplicating, and Graphic Services:
 - a. Staff Responsibilities:
 - 1) All services are procured, produced, and/or coordinated by a PMSO staff member;
 - a) PMSO staff is authorized to procure printing through GPO and trained to operate on-site equipment;

- b) Standard (Contracting Officer) procurement warrants do not authorize printing procurement. All printing requests (including graphics, composition, photographic, and visual services associated with a printing job) are submitted to PMSO, which funds printing for the entire USMS;
 - c) PMSO staff maintains an ongoing coordinated publishing program for the USMS by controlling the use of conventional printing, binding, and duplicating electronic media;
 - d) PMSO staff maintains responsibility and control of duplicating equipment and copier programs; and
 - e) PMSO staff serves as the exclusive, designated liaison between the USMS, DOJ, and GPO in all aspects of publishing government information in any format or medium.
- b. Use of Copyright Material and Trademarks:
- 1) Copyright and trademark use is restricted. The requesting organization obtains written permission of the copyright holder; usually, the author and publisher, to print and/or duplicate copyrighted material.
 - 2) PMSO will not knowingly print matter in violation of copyright.
- c. Requests for Services:
- 1) All requests for printing, duplicating/copying, forms, reproduction of electronic media, graphic, photography, and electronic document services are submitted to PMSO.
 - 2) All requests for printing, copying, and graphic services are submitted on Form [USM-219, Printing/Graphics Request](#), along with draft or manuscript copies, illustrations, photographs, and any other furnished materials. Form [USM-219](#) is signed by the Division/Office Head and submitted to PMSO. PMSO staff assists and advises clients on any production, stocks, special instructions, delivery schedules and/or any other information necessary to complete the form.
 - 3) Requests for treasury checks are submitted on GPO Form 2431, *Print Order-Department of the Treasury Checks and Proofs*, and submitted to the [PUBSVC e-box](#).
- d. Quantities and Delivery Schedules:
- 1) Printed products are ordered in quantities to satisfy a 12 month demand.
 - 2) Requesters must plan projects with adequate lead time to ensure timely delivery. Projects that require graphic design or specialty printing are discussed with a PMSO staff member for scheduling advice. Below are typical lead times for most projects:
 - a) 3 business days for in-house black and white or color copier projects;

- b) 1 to 4 weeks for printing one or two color ink brochures and pamphlets;
 - c) A minimum of 8 to 10 weeks for projects that require graphic service and printing; and
 - d) 2 to 6 weeks for printing forms
- e. Clearance of Publications:
- 1) Requestors determine whether publications are printed for internal use or available to the public. "Public" means use by anyone other than USMS employees or contractors. PMSO is notified so that appropriate notations are made when reporting document publication.
 - 2) Publications and forms intended for a USMS audience require no special clearance. They are:
 - a) For official use only; and
 - b) For strictly administrative or operational purposes which have no public interest or educational value.
 - 3) Publications that are made available to the public require Form [USM-219](#) to be signed by the Division/Office Head and submitted to the Office of Public Affairs (OPA), along with the project material for approval and signature.
- f. Graphic Services:
- 1) PMSO graphics staff provides and coordinates design and production of publications, photography, forms, and exhibits. Clients are encouraged to consult with the graphics staff for planning projects.
 - 2) Responsibility for proofing all projects rests with the client or requesting office. Hard copy or electronic proof is furnished for review and final approval before printing. A written "Okay to publish" is signed by the originator before final production begins.
- g. In-House Copy Center:
- 1) PMSO manages an in-house copy center to satisfy headquarters, district, task force, and field office mission requirements for limited quantity or emergency projects. The in-house copy center can also provide scanning of documents and CD/DVD duplication.
 - 2) Copy projects produced in the copy center must not exceed 5,000 copies of a single page or 25,000 total impressions (pages).
 - 3) PMSO procures any requisitioned printing project that exceeds the quantity limits above.

2. Copier Services:

- a. PMSO manages USMS copier programs and is the designated liaison with the DOJ for the approval, funding, and placement of copiers. Currently, PMSO funds

and administers a nationwide copier contract. Placement of new and replacement copiers is coordinated by PMSO;

- b. All requests for new and replacement copiers are submitted in writing (memo or e-mail) to PMSO for approval. Approval of copiers is based on evaluation of the production needs, type of equipment, cost, and capabilities; and
 - c. PMSO purchases and stores bulk paper for headquarters offices. District offices are responsible for purchasing copier paper.
3. USMS Warehouse Services:
- a. The warehouse is the off-site facility designated for receipt of all mail, supplies, and materials. All items are screened at the warehouse prior to delivery to headquarters offices.
 - b. Services and items requested from warehouse stock are ordered using Form [USM-34](#), *Requisition for Supplies, Building Services, and Stocked Printed Products*. The form must be completed legibly and signed by a United States Marshal (USM), division chief, and/or their designee. The completed Form [USM-34](#) is faxed directly to the warehouse or e-mailed to the warehouse e-mail box.
 - c. Receiving Goods, Supplies, and Equipment:
 - 1) The warehouse receives all newly acquired goods, supplies, and equipment for headquarters in accordance with procedures established by the Office of Procurement, Financial Services Division (FSD):
 - a) Ordering offices provide advance notice of items to be received at the warehouse. Form [USM-157](#), *Requisition for Procurement of Supplies, Service, and Equipment*, is used; however, in the absence of this form, a copy of a purchase order or order confirmation with the name of the receiver, a description of the item, quantity, vendor, and expected date of delivery is acceptable.
 - b) All items received including packages, supplies, materials, weapons, and freight must be labeled for delivery to an identifiable headquarters individual or office. Items determined to be undeliverable are rejected and returned.
 - c) Routine deliveries from the warehouse to USMS offices are scheduled daily.
 - d) Special delivery arrangements are coordinated with the Warehouse Program Manager.
 - e) Furniture is delivered directly from furniture vendors to the headquarters facilities with prior approval from the Office of Courthouse Management (OCM).
 - f) Warehouse staff is not trained to perform furniture installation
 - 2) Weapons and ammunition received at the warehouse warrant special expedited handling and are delivered the same day they are received.

- a) The warehouse is notified by the shipping and receiving offices of the shipping schedule. These items receive same day processing, or arrangements are made for immediate pick up. All parties are notified and all activities are strictly coordinated.
 - b) Firearms are packaged and shipped according to guidelines in USMS Policy Directive 2.3, [Firearms](#).
 - c) If the addressee cannot be readily identified, the parcel is rejected.
- d. Warehouse Storage:
- 1) The USMS warehouse maintains stock of publications, forms, bulk paper, and other printed matter. Storage of all other materials is deemed short-term pending final disposition.
 - 2) The USMS warehouse is not used for indefinite storage of:
 - a) Office documents or records as defined in (Mission Authority Information) Policy Directive 1.4, [Records Management](#);
 - b) Unused office supplies or office furniture; and/or
 - c) Hazardous materials.
- e. Accountable Property Processing:
- a) The warehouse staff provides barcoding services in compliance with Office of Property Management policy;
 - b) Accountable property is properly received by the ordering office prior to barcode processing; and
 - c) Requests for barcode processing are coordinated with the receiving office and is noted on Form [USM-157](#), and submitted in advance or held at the warehouse for inspection and processing.
- f. Excess property removal is performed in strict compliance in accordance with the Office of Property Management policy.
- 1) Refer to Policy Directive 7.1, [Management of Personal Property](#), for guidance on property and furniture disposal.
 - 2) Property and furniture are only removed when accompanied by a properly completed and signed Standard Form (SF) [SF-120](#), *Report of Excess Property*.
 - 3) Purchase Return Service:
 - a) Items that are returned to a vendor are shipped from the warehouse;

- b) All return procedures required by the vendor are accomplished by the returning office, including obtaining return numbers, furnishing paperwork, and scheduling pickup; and
 - c) Requests for pick up and packing items to be returned are made using Form [USM-34](#), *Requisition for Supplies, Building Services, and Stocked Printed Products*.
- g. Headquarters Moving Services:
- 1) The warehouse staff provides limited moving services for headquarters offices. Moving offices or rearranging furniture and office equipment are the most common services provided. PMSO are contacted for moves involving more than one office.
 - 2) Requests are made on Form [USM-34](#), and faxed to the warehouse staff not less than 72 hours (3 working days) before the event. Form [USM-34](#) is also used to order moving boxes. Moving services are provided on a scheduled basis only.
4. Mail Services:
- a. PMSO manages all inter office and postal USMS mail, express mail, mail metering equipment, and mail processing activities; headquarters mailroom operations; and courier and express mail services.
 - b. Outgoing mail is distributed to the USPS, DOJ mail processing facilities, and the Federal Express (FedEx) shipping center. The USPS Domestic Mail Manual, Basic Standards for All Mailing Services, is addressed in (DMM 602) <http://pe.usps.com/text/dmm300/602.htm>, and followed for addressing all USMS outgoing mail. The appropriate format for mail pieces delivered to USMS headquarters is listed in Table A. Headquarters mail with no identifiable individual, division, or program office included in the address is determined to be undeliverable. It is stamped "Rejected", and returned to the sender.
 - c. Headquarters offices notify PMSO of the locations or forwarding addresses of new employees, employees who have moved or been reassigned, temporary duty (TDY) employees, and/or employees departing headquarters. Mail sent to individuals on temporary duty at headquarters are marked "TDY". Appropriate mailing symbols for TDY personnel are included in the mailing address, whenever possible.
 - d. Mail Staff Duties and Responsibilities:
 - 1) Staff processes all incoming, outgoing, and interoffice mail providing pickup, delivery, and distribution services.
 - 2) The mail staff currently provides two scheduled deliveries and pickup daily at established office mail drops. Changes to the delivery schedules are accomplished as needed. Approved schedule changes are published in notices to all USMS personnel.
 - 3) Mailroom personnel signs USPS return receipts as agents of the USMS. This mail includes:
 - a) USPS express mail;

- b) Registered mail;
 - c) Numbered and insured mail (USPS insured mail, USPS parcel post, freight and similar common carrier firms);
 - d) Certified mail;
 - e) Courier and express service mail (e.g., FedEx or USPS); and
 - f) Treasury checks.
- e. Mail Security:
- 1) USMS mail processing and delivery complies with the USMS building security program.
 - 2) Package and shipping addresses are established to maintain an acceptable level of security and avoid threats that are delivered through the mail.
 - 3) [Table A](#) below is used to determine the appropriate method of shipping.
- f. On-call Special Messenger Service:
- 1) This service provides pickup and delivery of time-sensitive material (envelopes, packages, and boxes) in the Washington D.C. Metropolitan area.
 - 2) The latest delivery available requires that the deliverable is placed in the courier's hands prior to 6:00 p.m., local time.
- g. Federal Express (FedEx) Service:
- 1) DOJ maintains a contract with FedEx for domestic express, ground, and international services that offers lower prices and has terms tailored to meet specific DOJ needs.
 - 2) All FedEx accounts are established by PMSO in order to receive DOJ rates.
 - 3) USMS offices use their sender account numbers to allow PMSO to track billing.
 - 4) Payment is centrally funded. Contact PMSO for the appropriate account number to use.
 - 5) Use of this contract is not mandatory. Offices are encouraged to find the most economical and efficient means to carry out their domestic transportation of goods in support of mission requirements. Use of other carriers is contracted for and funded by the organizations conducting the shipping.

E. Responsibilities: None.

F. Procedures:

1. General Services Administration (GSA), [Federal Management Regulation \(FMR\) Part 102.192](#). [Mail Management Report](#) is due by January 15 of each year for the previous fiscal year.
2. Form [SF-1](#), *Requisition for Printing and Binding*; [GPO Form 2511](#), *Print Order*; or [GPO Form 3868](#), *Notification of Intent to Publish*, is submitted with each order for service. These forms satisfy GPO requirements to report the agency's intent to publish all government documents procured with appropriated funds.

G. Definitions: None

H. References: None.

I. Cancellation: This policy directive supersedes Policy Directive 7.3, *Publishing Management and Services*.

J. Authorization and Date of Approval:

By Order of:

Effective Date:

 / S /
John F. Clark
Director
U.S. Marshals Service

 4-20-2009

Table A: Address Formats

Address	Use	Processing Method
U.S. Marshals Service 1750 Crystal Square III Arlington, VA 22215	<ul style="list-style-type: none"> • This is the headquarters physical address and is used for receiving visitors only. 	<ul style="list-style-type: none"> • No mail, FedEx, equipment or goods are accepted at this address.
[Name and/or title of employee] [Division or organizational element] U.S. Marshals Service 2604 Jefferson Davis Highway Alexandria, VA 22301	<ul style="list-style-type: none"> • Use for all U.S. Postal, express, accountable, or courier mail. • Use for all supplies, materials, freight, weapons, packages and any other items to be delivered to headquarters offices. 	<ul style="list-style-type: none"> • USMS screening procedures designed to detect and handle suspicious mail and deliveries are utilized. • Deliveries are scanned for tracking and accountability purposes.
America's Star Corporation PO Box 15607 Arlington, VA 22202-0607	Obsolete as of September 30, 2009.	<ul style="list-style-type: none"> • This post office box is not to be used.
U.S. Marshals Service Landover Operations Center 3601 Pennsy Drive Landover, MD 20785	Obsolete as of September 30, 2009.	<ul style="list-style-type: none"> • This address is not to be used.



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.4 Space and Facilities

7.4.1 SPACE MANAGEMENT

- A. Proponent:** Management Support Division (MSD), Office of Courthouse Management (OCM), 202-353-8767.
- B. Purpose:** This policy directive establishes responsibilities and procedures relative to the acquisition, design, development, assignment, utilization, and repair of general office and special purpose space by the United States Marshals Service (USMS).
- C. Authorities:** The provisions of this policy are in accordance with the Federal Property and Administrative Services Act of 1949, as amended. The provisions of this act grant General Services Administration (GSA) the authority to maintain, acquire, renovate, and build public buildings. In order to acquire, renovate, or release space in public buildings, federal agencies generally coordinate their requirements with GSA. However, there may be instances where the USMS will not use GSA to meet its space requirements. The Space and Facilities Management Program of the USMS is established under the following authorities:
1. *Federal Management Regulations* (FMR), [41 C.F.R. §§ 102-1 – 102-196](#);
 2. Public Buildings Service, [PBS P-100](#); and
 3. Department of Justice Property Management Regulations (JPMR), [41 C.F.R. § 128-1.5006](#).
- D. Policy:** It is the policy of the USMS to provide modern, safe, and secure offices and special purpose spaces to assure safe working conditions throughout the USMS. The specifications and procedures for the development, design, and construction of USMS space are established under the guidelines in the publications listed below:
1. *Requirements and Specifications for Special Purpose and Support Space Manual*, Publication #64, Volumes [I](#), and [II](#);
 2. United States Court Design Guide; and
 3. Standard Level Features and Finishes for United States Courts Facilities published by GSA.
- E. Procedures:**
1. **Headquarters Procedures:** OCM personnel will prepare the following documents, which will be submitted to the Department of Justice (DOJ) or the appropriate GSA regional office. The only individuals delegated signatory authority for these documents are the Director; Chief, OCM; or OCM individuals who have been authorized in writing by the Chief, OCM, or individuals who have been authorized by the Director.

- a. **GSA Standard Form SF-81, Request for Space:** Used by GSA for all official requests for the acquisition or release of office, support, storage, special purpose, or inside and outside parking space.
 - b. **GSA Form 2957, Reimbursable Work Authorization (RWA):** Used by GSA to fund all official requests for building alterations, construction, or building or facility related services for USMS assigned space. Judicial Security Division (JSD), Judicial Security Systems, has signatory authority for RWAs related to courthouse security projects as funded by the Administrative Office of the United States Courts (AOUSC). Authorizations are completed with the proper USMS accounting data and appropriation symbols, which will assure that all appropriated funds are committed according to existing laws, regulations, and guidelines.
2. **District Procedures:** District offices shall submit requests for space, minor alterations, or building services, and shall provide data or information required by OCM for the completion of requests or reports, in memorandum form, to the Chief, OCM. All official requests from district offices must be signed by either the United States Marshal (USM) or Chief Deputy United States Marshal (CDUSM). The following items are examples of such requests:
- a. **GSA Standard Form SF-81, Request for Space:** Districts shall provide data for specific space requests, including room numbers, room measurements, and proposed use for the space. Requests for parking should include the specific location, the number of government vehicles assigned, and whether space is inside or outside.
 - b. **GSA Form 2957, Reimbursable Work Authorization (RWA):** District requests for minor alterations or building related services should include a written scope of work and/or rough diagrams or building floor plans with dimensions specified. Examples of minor renovations include the installation of electrical outlets, as well as construction or removal of counters, partitions, and doors. OCM will complete GSA Form 2957, as funds are available, and will communicate USMS specific requirements to the appropriate GSA office.
 - c. **Miscellaneous Reimbursable Work Authorization:** Districts requesting work authorizations for minor building related services be established with local GSA Building Managers are required to submit written requests to the Chief, OCM.

F. Responsibilities:

1. **Headquarters:**
 - a. The Chief, OCM, is responsible for the Space and Facilities Management Program and shall:
 - 1) Formulate and implement policy, procedures, and guidelines for the management, administration, and execution of the USMS Space and Facilities Management Program;
 - 2) Plan, develop, and prepare budget estimates, program needs, and related justification material in accordance with budgetary policy, USMS procedures, requirements, and projected growth of USMS headquarters and related regional offices, individual district offices, and sub-offices;

- 3) Plan and coordinate the acquisition, exchange, or release of space by utilizing GSA procedures. Administration of the Space and Facilities Management Program requires liaison, coordination, and negotiation with GSA, DOJ, United States Attorneys, Chief Judges, United States court administrative officials, and other United States government agencies;
- 4) Plan and present space layouts for constructing new facilities or renovating and reorganizing existing space to appropriate officials;
- 5) Evaluate, develop, and test specifications and requirements needed to improve detention space and resolve space management problems. Recommendations shall include the integration and correlation of varied factors, such as the relationship of general office to secure detention space, electronic and physical security, utility placement, furniture and furnishings, workflow, interior circulation, total office environment, and the location of USMS space in relation to court facilities and other law enforcement organizations and tenants;
- 6) Conduct inspections and staff visits to USMS facilities to assess existing conditions and establish overall program and funding priorities for renovation or alteration projects, pending the availability of funds;
- 7) Meet and correspond with officials of the GSA, United States courts, federal agencies, local government, architectural and engineering (A&E) firms and other contractors in the planning and development of new courthouses or proposed renovations of court facilities to ensure that USMS housing requirements are incorporated into planning and prospectus documents;
- 8) Conduct periodic inspections of projects which are under construction, whether new or renovated, develop standardized reports of findings, and coordinate the correction of deficiencies with GSA and/or its subcontractors;
- 9) Maintain a master file for all requests for space, Form SF-81, and occupancy agreements authorized by the Chief, or Assistant Chief, OCM. Assure that all space acquisitions are legitimate and that appropriate funds are available to pay rent;
- 10) Maintain a central floor plan reference file and OCM correspondence files for all USMS facilities;
- 11) Serve as point of contact for USMS headquarters for resolution of unusual technical or monetary problems relating to the construction or renovation of USMS space or facilities;
- 12) Develop specification and design criteria for USMS office, support, and special purpose space. These include workstation space allowance standards and specifications for secure detention space, such as:
 - a) detention cells, isolation cells, courtroom holding cells, prisoner and vehicle sallyports, prisoner elevators, prisoner/attorney interview rooms, and vaults;

- 13) Determine design modifications needed to maintain security while handling prisoners and evaluate new materials and design concepts. Develop and update USMS space and facility requirements included in the United States Courts Design Guide published by the AOUSC, the Standard Level Features and Finishes for United States Courts Facilities published by GSA, and the *Requirements and Specifications for Special Purpose and Support Space Manual*, Publication #64, - Volumes [I](#) and [II](#) published by the USMS;
- 14) Liaise with appropriate headquarters divisions and coordinate plans for special purpose or office space within or adjacent to district offices;
- 15) Maintain the *DOJ Rent Management System* (DRMS);
- 16) Review rent billings and maintain liaison with the Financial Services Division (FSD) and provide accurate and timely information required for multi-year budget submissions;
- 17) Coordinate the formulation of policies with GSA, AOUSC, and other federal agencies, which support the development of well-planned and secure USMS facilities;
- 18) Coordinate space and programming requirements for the establishment of new district suboffices only after receiving written approval by the Director, USMS. (It is the responsibility of the district to justify the need for new offices to the Director, USMS);
- 19) Determine electronic and physical security requirements for USMS office, support and special purpose space. This includes standards and specifications for secure detention space (detention cells, isolation cells, courtroom holding cells, prisoner and vehicle sallyports, prisoner elevators, prisoner interview rooms, and vaults);
- 20) Develop Scopes of Work (SOW) and annotated drawings for all electronic security system installations in newly planned United States Courthouses or enhancements within existing buildings. Coordinate planning and budget processes with GSA related to security systems installations in new United States Courthouses pursuant to the terms of the GSA/USMS 2002 Memorandum of Understanding for Security;
- 21) Ensure that the USM and CDUSM are apprised of all layouts and security plans and that the CDUSM has approved all documents in writing. OCM must approve all scopes of work and funding of security design plans prior to implementation; and
- 22) Develop and administer health and safety standards as they apply to the Space and Facilities Management Program, including the design, development, and improvement of agency facilities to best provide employees with a safe working environment pursuant to the guidelines set forth in [DOJ Order 1779.2A](#), *Occupational Safety and Health Program*;

2. District Offices:

- a) Coordinate with OCM on all matters relating to the Space and Facilities Management Program which are brought to the attention of the USMS and which

concern district facilities. For example, any proposal to hold court at new locations, or to cease holding court at certain locations must be reported;

- b) Submit any requests for relocation of district offices or the establishment of new suboffices to the Director, USMS. The district must provide the necessary justification to support such requests;
- c) Refer any questions concerning proposed action by the courts or GSA regarding the acquisition or exchange of USMS space to the OCM as expeditiously as possible;
- d) Provide timely information on construction, or proposed construction of United States Courthouse facilities which may be publicized at the local level, but not at the national level;
- e) Provide staffing requirements for operational, administrative, and support personnel such as Court Security Officers (CSOs) to justify long term office and support space projections for new courthouse projects;
- f) Provide necessary statistics to justify additional detention or courtroom holding cells, prisoner/attorney interview rooms, prisoner elevators, and van or bus sallyports;
- g) Inform OCM about changes in district space requirements, such as personnel and vehicle assignments, which may require the acquisition or release of office, storage, parking, or special purpose space;
- h) Identify substandard office space, detention and holding cells, and other prisoner handling facilities that do not conform to the security requirements of the USMS;
- i) Inform OCM of physical or electronic security deficiencies that negatively impact prisoner movement and detention, judicial and public security, and the safety or health of USMS personnel. These include defective cameras or monitors, electronic or manual locks, keys, intercoms, strike releases and related lighting or wiring for existing systems, or additional requirements to monitor and control new or expanded prisoner movement corridors and detention space;
- j) Accompany an OCM representative on market surveys offered by GSA to determine suitability for district operations; and
- k) Provide information, when requested, which will update the rent or DRMS database. The information will include data on personnel, office space, storage space, detention and holding cell space, and inside or out-side parking.

G. Forms:

- 1. Standard Form SF-81, [Request for Space](#); and
- 2. GSA Form 2957, [Reimbursable Work Authorization](#).

7.4.2 PARKING MANAGEMENT

- A. Proponent:** Management Support Division (MSD), Office of Courthouse Management (OCM), 202-353-8767.

- B. Purpose:** This section establishes responsibilities and procedures relative to the assignment and utilization of government furnished parking spaces by the United States Marshals Service (USMS).
- C. Authority:** The Director's authority is set forth in accordance with [41 C.F.R. §§ 102-1 – 102-196](#), Federal Management Regulations (FMR).
- D. Policy:** It is the policy of the USMS to provide secure parking spaces for official government-owned vehicles equipped for law enforcement activities based on the following criteria:
1. **District Headquarters:** One space per government owned or leased vehicle equipped for law enforcement activities in accordance with FMR [41 C.F.R. §§ 102-1 – 102-196](#). One space is provided for the United States Marshal (USM).
 2. **Manned Suboffices:** One space per government owned or leased vehicle equipped for law enforcement activities in accordance with FMR [41 C.F.R. §§ 102-1 – 102-196](#).
 3. **Unmanned Suboffices:** One space for government owned or leased vehicle equipped for law enforcement activities in accordance with FMR [41 C.F.R. §§ 102-1 – 102-196](#).
 4. **Headquarters Field Offices:** One space per government owned or leased vehicle equipped for law enforcement activities in accordance with FMR [41 C.F.R. §§ 102-1 – 102-196](#) for:
 - a. Office of Protective Operations Inspectors;
 - b. Witness Security Inspectors; and
 - c. Personnel on official details or assignments (i.e., Organized Crime Drug Enforcement Task Force (OCDETF), Interpol, Regional Fugitive Task Forces (RFTFs), and Regional Technical Operations Centers (RTOCs)).
- E. Procedures:**
1. **Acquisition of General Services Administration (GSA) Parking Spaces:** All requests for parking spaces are to be submitted, by memorandum or telefax, to the Chief, OCM. The request should include the number of official government vehicles currently assigned at the requested location, the number of and type of spaces requested (inside or outside), and any specific parking space numbers, if applicable. The request must stipulate that the requested spaces will only be utilized for official government-owned or leased vehicles. OCM will submit Form SF-81, [Request for Space](#), to GSA.
 2. **Acquisition of Commercially Leased Parking Spaces:** Commercially leased parking spaces may only be acquired when GSA has officially notified the Chief, OCM, that no GSA parking spaces are available at a requested location. OCM will identify current and subsequent year costs before acquiring/approving space and then authorize the USM to lease commercial spaces for the district or for headquarters field personnel (i.e., Witness Security Inspectors) based on available funding.
 3. **Release of GSA Parking Space:** The release of GSA parking spaces must be coordinated through the Chief, OCM. OCM will provide GSA with the required Form SF-81 releasing the space.
- F. Responsibilities:**

1. **USMS Headquarters:** The Chief, OCM, is responsible for:
 - a. Acquisition of GSA parking spaces;
 - b. Release of GSA parking spaces;
 - c. Authorizing the USM to lease commercial parking spaces when GSA has confirmed in writing that no government parking spaces are available; and
 - d. Validating and paying GSA parking space rental.
2. **United States Marshal:** Each USM is responsible for:
 - a. Ensuring that parking spaces assigned for official government owned or leased vehicles are utilized for that purpose; and
 - b. Ensuring that payment for commercially leased parking is made in arrears each month.

Authorization and Date of Approval:

By Order of:

 /S/
John F. Clark
Director
U.S. Marshals Service

Effective Date:

 5-04-2010



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.5 ENVIRONMENTAL MANAGEMENT PROGRAM

- A. Proponent:** Environmental Management Program (EMP), Office of Security, Safety and Health (OSSH), Management Support Division (MSD). Telephone: 202-616-0164.
- B. Purpose:** This policy directive establishes the requirements for the United States Marshals Service (USMS), OSSH, and EMP. This directive also establishes the position of the Senior Sustainability Officer (SSO).
- C. Authority:** [Executive Order 13514](#), [Executive Order 13423](#), [7 C.F.R. § 2902](#), [40 C.F.R. §§ 9, et al. 260, 261 et al.](#), and [General Service Administration \(GSA\) Bulletin FMR B-33 Motor Vehicle Management](#).
- D. Policy:** It is the policy of the USMS to reduce [Scope 1, 2, and 3 Greenhouse Gas emissions](#); recycle; turn in hazardous materials through proper procedures; provide toxic substances management; conserve water; reduce printing paper use; reduce energy intensity in USMS leased and owned buildings when there is no additional cost to the government or when there is a return on investment; optimize the number of vehicles in the USMS fleet; procure Energy Star or Federal Energy Management Program (FEMP) (water-efficient, biobased, environmentally preferable, non-ozone depleting, containing recycled content or are non-toxic or less-toxic alternatives where such products and services meet USMS performance requirements) designated products and services in its daily activities. These goals are achieved through the EMP.
- E. Responsibilities:**
- 1. Director:** Per [Executive Order 13514](#), the Director designates a SSO.
 - 2. Designation of SSO:** The Chief, OSSH, MSD, is the USMS SSO that is responsible for agency conformance with the requirements of [Executive Order 13514](#).
 - 3. USMS EMP:** Responsible to the SSO for the management of EMP, which includes annually updating the [USMS Greenhouse Gas Inventory Management Plan](#), conducting annual high-level analysis on potential climate change impacts on the mission of the USMS, and providing guidance for activities requiring an Environmental Management System (EMS). The EMP also provides guidance on paper, plastics, and hazardous materials recycling, energy and water conservation, alternative fuel vehicles, and sustainability.
 - 4. Assistant Directors, Deputy Assistant Directors, United States Marshals, Chief Deputy United States Marshals, Chiefs, and Assistant Chiefs:** Ensures recycling receptacles are located in their offices, hazardous materials are recycled appropriately, and implements strategies for transit, travel, training, and conferencing that actively support lower-carbon commuting and travel by USMS employees. With guidance from the EMP, develops specific plans, monitors procedures, and conducts an annual analysis for division/district activities identified as having significant environmental impact. Informs

their employees about the goals of EMP and involves them in the achievement of these goals.

5. **Office of Fleet Management (OFM), MSD:** Ensures that law enforcement vehicles are the smallest, most fuel efficient, and least greenhouse gas emitting vehicles necessary to execute mission requirements. Provides annual data related to mobile fuel combustion in fleet vehicles and fugitive emissions in the Federal Automotive Statistical Tool System Query Results format for the [USMS Greenhouse Gas Inventory Management Program](#). OFM provides an annual count of Home-to-Work vehicles and data related to mobile fuel combustion in fleet vehicles, and meets environmental Executive Order requirements.
6. **Office of Property Management, MSD:** Provides recycling procedure guidance for electronics such as computers, printers, keyboards, batteries, refrigerators, cell phones, etc. to property custodians.
7. **Property Custodians:** Responsible for following recycling and disposal procedures guidance from the Office of Property Management, MSD. Property Custodians are responsible for identifying laws in their state and local jurisdiction which address hazardous material recycling methods.
8. **Office of Program Services, MSD:** Provides annual data related to federal employee commuting for the USMS Greenhouse Gas report sent to the Department of Justice (DOJ) as well as, the [USMS Greenhouse Gas Inventory Management Program](#). The data includes the number of employees and the total miles traveled per day for all employees receiving transit benefits.
9. **Office of Construction Management (OCM), MSD:** Works with the General Services Administration (GSA) and private lessors to ensure Greenhouse Gas Emissions and EMS goals are met. In the event the USMS owns a facility, OCM ensure Greenhouse Gas Emissions and EMS goals are met. OCM provides oversight and guidance to GSA to ensure that planning for new federal facilities or new leases includes consideration of sites that are pedestrian friendly, near existing employment centers, accessible to public transit, and emphasizes existing central cities, and/or in rural communities, existing or planned town centers. OCM ensures that rehabilitation of federally-owned historic buildings utilize best practices and technologies in retrofitting to promote long-term viability of the buildings. OCM ensures language is in all leases for recycling receptacles to be placed in all USMS facilities. OCM ensures facilities meet current federal guidelines on environmental sustainability. Where there is a direct lease, OCM works with the private lessor to provide annual data related to fugitive emissions for refrigerants and fluorinated gases (hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF6) for facility air conditioning and refrigeration equipment, and contracted municipal solid waste disposal. OCM provides information on USMS employees participating in carpools or van pools requesting a USMS Headquarters parking pass for the [USMS Greenhouse Gas Inventory Management Program](#).
10. **Contracting Officers, Contracting Officer Technical Representatives, and Credit Card Holders:** Incorporate a strategy for promoting “green awareness” through the USMS Green Purchasing Plan. Procure Energy Star, Federal Energy Management Program (FEMP) designated, and/or Biobased / BioPreferred Products (renewable and environmentally friendly products) when available, there is a return on investment, it is economically practicable, and/or such products and services meet Agency delivery and performance requirements.
11. **Financial Services Division:** Provides annual data related to USMS employee air and ground business travel for the [USMS Greenhouse Gas Inventory Management Program](#).

12. **Justice Prisoner and Alien Transportation System Division (JPATS):** JPATS and the EMP are jointly responsible for updating the [Environmental Management System \(EMS\)](#) for JPATS operations. JPATS provides annual data related to mobile combustion of Non-Fleet Vehicles and Equipment for the [USMS Greenhouse Gas Inventory Management Program](#).
13. **Employees:** Must use recycling receptacles when disposing of plastics, aluminum and metal cans, glass, mixed paper (cardboard, magazines, newspapers, etc.) when the locality they are located in recycles. Employees must ensure they turn off water faucets when not in use, and report any leaking or dripping faucets to their management and/or OCM, MSD. Employees must ensure all hazardous materials (e.g., electronics, batteries, refrigerators, cell phones, etc.) are recycled appropriately. Employees should reduce printing paper use and use electronic copies and files when it meets the Agency mission. Concerning document destruction, as discussed in Policy Directive 17.6.3, [Document Security](#), any document labeled as classified National Security Information, Limited Official Use, or Law Enforcement Sensitive should be destroyed by burning, shredding, pulping, melting, mutilation, chemical decomposition, and/or pulverizing. Unclassified information may be destroyed by any method utilized for classified destruction, but at a minimum, must be shredded. Policy Directive 17.6.3, [Document Security](#), contains specific information on the USMS policy addressing the destruction of all media. Employees must shut off office and conference room lights when the rooms are vacated. When requested, employees must provide commuter information required by [Executive Order 13514](#), related to federal employee commuting for the [USMS Greenhouse Gas Inventory Management Program](#).

F. Procedures: EMP consists of the following elements:

1. Procedures for identifying activities that have a significant environmental impact and analyzing those activities for ways to improve the USMS's environmental performance for those activities.
2. Managing and annually updating the [USMS Greenhouse Gas Inventory Management Plan](#).
3. Developing a framework for implementing the USMS EMS which is an ongoing attempt to consistently achieve and demonstrate high standards of sound environmental performance by controlling the impacts of its activities on the environment. This involves audits conducted by internal parties and oversight by USMS management.

G. Definitions:

1. **Greenhouse Gases:** Consists primarily of carbon dioxide, methane, nitrous oxide, perfluorocarbons, hydrofluorocarbons, and sulfur hexafluoride.
2. **Scope 1, 2, 3:**
 - Scope 1:** Direct greenhouse gas emissions from sources that are owned or controlled by a federal agency. Examples of Scope 1 are law enforcement vehicles and USMS aircraft.
 - Scope 2:** Direct greenhouse gas emissions resulting from the generation of electricity, heat, and/or steam purchased by a federal agency.
 - Scope 3:** Greenhouse gas emissions from sources not owned or directly controlled by a federal agency but related to agency activities such as vendor supply chains, delivery services, and employee travel and commuting.

3. **Biobased/BioPreferred Products:** Renewable (a natural resource with the capability of being replaced by natural ecological cycles or sound management practices) and environmentally friendly products.

H. **References:** None.

I. **Cancellation:** This policy directive supersedes Policy Directive 7.5, *Environmental Management Program*.

J. **Authorization and Date of Approval:**

By Order of:

Effective Date:

Stacia A. Hylton
Director
U.S. Marshals Service

6/17/12



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.5.1 EXPOSURE TO TOBACCO SMOKE IN THE FEDERAL WORKPLACE

- A. Proponent:** Environmental Management System Program, Office of Support Management (OSM), Management Support Division (MSD). Telephone: (202) 353-7816, Fax: (202) 307-9720.
- B. Purpose:** To protect United States Marshals Service (USMS) employees, contractors, and members of the public from exposure to tobacco smoke in the USMS workplace. Environmental tobacco smoke, also termed second-hand smoke, is classified as a known human carcinogen by the Environmental Protection Agency (EPA). Exposure to second-hand smoke impacts the brain in much the same way as smoking does, according to a [study](#) released May 2, 2011, by the National Institute on Drug Abuse, part of the National Institutes of Health, published online in the *Archives of General Psychiatry*. In order to protect USMS employees, contractors, and visitors from the hazards of environmental tobacco smoke, this policy directive prohibits smoking inside all USMS-owned / leased interior space; government-owned / leased motor vehicles; and locations under the jurisdiction, custody, or control of the General Services Administration (GSA) to include areas in front of doorways and air intake ducts and in courtyards.
- C. Authority:** [41 CFR, Part 102-74.315](#), [41 CFR Part 102-74.330](#), and [Executive Order 13058](#)
- D. Policy:** Adherence to this policy directive ensures healthful working conditions for all USMS employees and establishes a smoke-free environment for USMS employees, contractors, and visitors.
1. The carrying, inhaling, or exhaling of a lighted cigar, cigarette, pipe, or other lighted tobacco product is prohibited in USMS-owned / leased interior space.
 2. Smoking is prohibited in all types of government-owned / leased vehicles assigned to the USMS including, but not limited to, automobiles and aircraft.
 3. Smoking is prohibited in courtyards under the jurisdiction, custody, or control of the GSA.
 4. Smoking is prohibited within 25-feet of doorways or air intake ducts in outdoor space that is under the jurisdiction, custody, or control of the GSA.
 5. Where the USMS/GSA leases parking spaces in the garage (as in the case of Crystal City, Arlington, Virginia) employees are responsible for following state / local laws and posted landlord requirements regarding smoking prohibition.
- E. Responsibilities:**
1. **Assistant Directors (AD), United States Marshals (USM), Chief Deputy United States Marshals (CDUSM), Supervisory Deputy United States Marshals (SDUSMs), Chiefs and Assistant Chiefs:**

- a. District / division management is responsible for educating employees on this policy directive. Management ensures all employees receive notice of this policy directive within 10 days of issuance. District / division management will notify employees of changes in the designations and locations of outside smoking areas.
- b. District / division management supports and ensures compliance with this policy directive as outlined herein and implements this policy directive in facilities, motor vehicles, and airplanes under their control.
- c. District / division management recommends employees access the Employee Assistance Program (EAP) in order to facilitate smoking cessation. Time away from the office is guided by the allotted times allowed through the EAP guidelines for time-off to receive EAP counseling.
- d. District /division management enforces this policy directive for employees under their supervision, following established administrative procedures; including but not limited to, cautions, counseling, and disciplinary actions, as appropriate. Managers take direct action when personally observing violations, and follow up as necessary on reports by others.

2. **Office of Courthouse Management, Management Support Division:**

- a. Serves as a central point of contact for all USMS-owned / leased interior space and ensures that property owners / managers or appropriate GSA representatives are consulted and aware of this policy directive.
- b. Coordinates the posting of “No Smoking” signage with property owners / managers or appropriate GSA representatives.

3. **Employees:** USMS employees are responsible for abiding by the requirements of this policy directive. Failure to comply may result in disciplinary action.

4. **Special Security Officers (SSOs), Other Security Officers, or Facility Managers:** May enforce this directive where it is impractical for a manager to exercise authority, to include common areas (doorways, courtyards, and/or air intake ducts). Refusal to comply with a security officer’s order may result in removal from the premises and / or notification of the offender’s supervisor for appropriate administrative action.

5. **Allegations of Reprisal:** Persons reporting violations of this directive are not subject to retribution or reprisal.

F. Definitions:

- 1. **Air Intake Ducts:** An outside area that provides direct air intake into a building to include Heating, Ventilation, and Air Conditioning (HVAC) air handling units and circulation systems.
- 2. **Motor Vehicles:** All types of motorized government-owned / leased vehicles assigned to the USMS including, but not limited to automobiles, and aircraft.
- 3. **Smoking:** The carrying, inhaling, or exhaling of a lighted cigarette, cigar, pipe, or other lighted tobacco product.

4. **USMS Workplace:** Federally owned, leased, or occupied buildings and space in buildings under the custody and / or control of the USMS including GSA-leased space occupied by the USMS. The actual physical location where USMS work is performed.

G. Cancellation: This is a new policy directive and remains in effect until superseded.

H. Authorization and Date of Approval:

By Order of:

Effective Date:

 /S/
Stacia A. Hylton

10/3/11

Director
U.S. Marshals Service



United States Marshals Service POLICY DIRECTIVES

ADMINISTRATION

7.6 Occupational Safety and Health Program

- A. Proponent:** Occupational Safety and Health Program (OSHP); Environmental, Occupational Safety and Health Branch (EOSH); Office of Security, Safety and Health (OSSH); Management Support Division (MSD). Telephone: 202-353-7816, Fax: 703-603-2032.
- B. Purpose:** This policy directive establishes the requirements for the United States Marshals Service (USMS), EOSH, OSSH, and OSHP.
- C. Authority:** [The Occupational Safety and Health \(OSH\) Act of 1970](#), [Public Law 91-596, Section 19](#); [29 U.S.C. § 668](#), Federal Agency Safety Programs and Responsibilities ; [Executive Order 12196](#), *OSHP for Federal Employees*; [29 C.F.R. § 1960](#), *Basic Program Elements for Federal Employee, OSHP*; [29 C.F.R. Part, 1910, Occupational Safety and Health Standards](#); and [Department of Justice \(DOJ\) Order 1779.2B](#), *OSHP*.
- D. Policy:** This policy directive provides guidance for safe and healthy working conditions, principles, and proven technology.
1. The USMS OSHP consists of the following programs:
 - a. Bloodborne Pathogens Program;
 - b. Respiratory Protection Program;
 - c. Hearing Conservation Program;
 - d. Lead Awareness Program;
 - e. Hazard Communication Program; and
 - f. Recording and Reporting of Occupational Injuries and Illnesses Program.
 2. The USMS OSHP consists of the following elements:
 - a. Mandatory District/Division Safety and Health Officer (DSHO) training in compliance with Occupational Safety and Health Administration (OSHA) regulations and Department of Justice (DOJ) Policy, [1779.2B Chapter 6](#);
 - b. Mandatory employee training in accordance with OSHA regulations and DOJ Policy, [1779.2B Chapter 6](#);
 - c. Investigation of employee complaints;
 - d. Investigation of health hazards;
 - e. Annual district/division safety inspections; and

- f. Program promotion.
- 3. **Adherence to Policy:** Employee failure to follow prescribed safety instruction and regulations may be subject to disciplinary action.
- 4. **Allegations of Reprisal:** No employee is subject to restraint, interference, coercion, discrimination, or reprisal for filing a report of an unsafe or unhealthful working condition, or other authorized participation in OSHP activities; and/or because of the exercise by such employee on behalf of himself/herself or others of any right afforded by [Section 19](#) of the [OSH Act of 1970](#); [Executive Order 12196](#), *Occupational Safety and Health Programs for Federal Employees*; [29 C.F.R. § 1960](#), subpart G; and/or this policy directive.

E. Responsibilities:

- 1. **Director:** Per [Executive Order 12196](#), *Occupational Safety and Health Programs for Federal Employees*, the Director designates a USMS manager, at the rank of Chief, as the Designated Agency Safety and Health Official (DASHO).
- 2. **DASHO:** The Chief, OSSH, is the USMS DASHO, and is responsible for the administration and approval of the program, to include USMS-wide safety, health, and other policy standards and regulations involving employees' safety and health. The DASHO ensures each budget submitted includes appropriate financial and other resources to effectively implement and administer the USMS OSHP.
- 3. **EOSH:** The EOSH is responsible to the DASHO for the management, direction, and compliance review of the Program, and the recommendation of USMS-wide policy, standards, and regulations. These responsibilities include, but are not limited to, the following:
 - a. Directing and promoting comprehensive accident prevention, reporting, and recording.
 - b. Implementing programs in all phases of employee safety and health.
 - c. Ensuring that safety and health training is provided for USMS Managers, DSHOs, and employees, funding permitting.
 - d. Providing overall safety and health information to USMS managers, DSHOs, and employees. This includes advising district/division management of safety and health requirements necessary for developing, updating, or modifying occupant emergency plans consistent with the safety and health requirements described in this policy directive.
 - e. Ensuring USMS compliance with applicable safety and health policies, as well as applicable regulations of federal, state, and local safety and health authorities.
 - f. Ensuring necessary action is taken for prompt correction of noted hazardous conditions in compliance with [29 C.F.R. § 1960](#), Subpart D.
 - g. Providing responses to employees, representatives of employees, and others on reports of unsafe or unhealthful conditions in a timely and appropriate manner in accordance with [29 C.F.R. § 1960.28](#).

- j. Securing and distributing safety and health literature and promotional material.
 - k. Attending (funding permitting) applicable safety and health seminars and training programs to remain abreast of the latest techniques, devices, Personal Protective Equipment (PPE), and theories for the prevention of accidents, injuries, and illnesses.
 - l. Posting, conspicuously in each establishment, [USMS Publication 25](#), a poster informing employees of the provisions of the [OSH Act of 1970](#), [Executive Order 12196](#), *Occupation Safety and Health Programs for Federal Employees*, and this policy directive. Such posters are not to be altered, defaced, or covered by other material. Also post a copy of the [OSHA Form 300A](#), *Summary of Work-Related Injuries and Illnesses*, for their district/division from February 1 to April 30 of the year following the year covered by the form.
 - m. Maintaining the following Completed Worksite Specific Appendices for the COOP plan: Appendix A, [Worksite Specific Procedures to Prevent Transmission of Bloodborne Pathogens](#); Appendix A, [Worksite Specific Procedures for Protection Against Occupational Hearing Loss](#); and Appendix A, [Worksite Specific Procedures for Protection Against Airborne Pathogens](#).
5. **Assistant Directors, United States Marshals, and Chief Deputy United States Marshals:** District/division managers are responsible for the OSHP in their district/division including, but not limited to, the following:
- a. Appointing one collateral duty DSHO to coordinate the OSHP for the district/division. The appointment of a DSHO serves as the focal point for the district/division program and does not relieve management of its responsibility for the safety and health of employees under its supervision. District/division management ensures the DSHO maintains appropriate files and timely submits annual reports.
 - b. Promptly taking corrective action to eliminate any emergency or hazardous safety and health conditions in their district/division. If local management is unable to eliminate occupational safety and health hazards, local management should notify OSHP for assistance.
 - c. Facilitating requests from Federal OSHA Inspectors and authorizing Federal OSHA Inspectors to enter, without delay, any building, installation, facility, construction site, other construction related area, workplace, or environment where work is performed by USMS employees and contractors. Federal OSHA Inspectors may inspect and investigate during regular working hours and at other reasonable times. Immediately notify OSHP for all OSHA-related inquiries and/or inspections.
 - d. Approving [OSHA Form 300](#), *Log of Work-Related Injuries and Illnesses*, and [OSHA Form 300A](#), *Summary of Work-Related Injuries and Illnesses*, prior to being sent to OSHP, EOSH, and OSSH for inclusion in the USMS Annual Report on illnesses and injuries.
 - e. Ensure all operational employees are Respirator Fit Tested annually, and that there is an annual plan filed by the district/division with the OSHP, EOSH, OSSH, MSD, DASHO.

- f. Promoting employee awareness of occupational safety and health matters through ordinary information channels such as newsletters, bulletins, and handbooks.
6. **Employees:** USMS employees are responsible for, but not limited to, the following:
- a. Observing safe and healthy work procedures required for the tasks assigned, oral and written, for the safety of fellow workers and the public, and exerting every effort to reduce the number of occupational safety and health hazards.
 - b. Reporting unsafe occupational safety and health conditions to their supervisors immediately so that supervisors may take necessary steps for correction. In imminent danger situations, employees must report by the most expeditious means available.
 - c. Maintaining a high degree of safety awareness so that they perform their work without accidents. This includes wearing and/or using appropriate USMS provided PPE, and/or other devices directed by the USMS.
 - d. Promptly reporting of all facts and circumstances surrounding accidents involving occupational injury or illness to their immediate supervisor and DSHO. When circumstances do not permit the employee to make this report, any USMS employee having knowledge of the accident may report the accident.
- F. **Procedures:** Unsafe, unhealthy working conditions, and/or practices that may cause or contribute to occupational accidents or illnesses for USMS employees may be avoided through the programs and elements mentioned in this policy directive.

1. **Financial Management:**

- a. The USMS DASHO ensures each budget submitted by districts/divisions includes appropriate financial and other resources to effectively implement and administer the USMS OSHP.
- b. The DASHO, district/division management officials, and the EOSH Assistant Chief are responsible for planning, evaluating, and requesting resources for the the OSHP budget in accordance with current regulations of the Office of Management and Budget, this policy directive, and other relevant documents.
- c. Appropriate resources for the USMS OSHP include, but are not limited to:
 - 1) Personnel to implement and administer the program at all levels, including necessary administrative costs such as training, travel, and PPE;
 - 2) Construction funds to abate unsafe or unhealthful working conditions related to USMS operations or facilities;
 - 3) Safety and health sampling, diagnostic and analytical instrumentation, including laboratory analysis;
 - 4) Contracts to identify, analyze, or evaluate unsafe or unhealthful working conditions and operations;
 - 5) Program promotional costs such as publications, posters, films, and other items;

- 6) Technical information, documents, books, standards, codes, periodicals, and publications; and
- 7) Training costs for OSHP staff and USMS employees.

2. **Program Coverage:**

- a. The objective of OSHP management is to establish and implement programs for identifying, analyzing, and correcting problems that result in adverse effects on the best utilization of staff.
- b. The USMS has at least one qualified fulltime OSH Manager to develop and direct the OSH programs and elements and to liaison with other USMS divisions and agencies.

G. Definitions:

- 1. **Workplace:** The individual and actual physical location where USMS work is performed.
- 2. **Accident:** Any unplanned or unintended operating failure involving people, equipment, or environment that results in personal injury, occupational illness, or property damage.
- 3. **Imminent Danger:** Any condition or practice in the workplace where danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures noted in [Section 10](#) of the [OSH Act of 1970](#).
- 4. **Abatement:** To bring a condition or practice to an end, or to make less in degree or intensity in order to bring relief to a situation or practice.

H. References: Refer to the environmental policy [acronyms](#).

I. Cancellation: This policy directive supersedes Policy Directive 7.6, *Occupational Safety and Health Program*.

J. Authorization and Date of Approval:

By Order of:

Effective Date:

 /S/
Stacia A. Hylton
Director
U.S. Marshals Service

 07/30/2013