

15 FAM 260

GUIDELINES FOR ALLOCATING RESIDENTIAL SPACE

(CT:OBO-19; 10-27-2010)
(Office of Origin: OBO)

15 FAM 261 ALLOCATING U.S. GOVERNMENT- OWNED/LONG-TERM LEASED (GO/LTL) RESIDENTIAL SPACE

(CT:OBO-19; 10-27-2010)
(Uniform State/USAID/Commerce/Agriculture/DIA)

The following principles guide the allocation of U.S. Government-owned/long-term leased (GO/LTL) residential space among agencies at post. The sections that follow explain the application of these principles in specific circumstances:

- (1) All GO/LTL housing is considered pooled except designated residences and USAID-owned and long-term leased housing;
- (2) First consideration will be given to direct-hire employees of the foreign affairs agencies as defined by the Foreign Service Act of 1980, as amended (State, U.S. Agency for International Development (USAID), Foreign Agriculture Service of the Department of Agriculture (FAS), and the Department of Commerce (*DOC*)) and *the* Defense Intelligence Agency (DIA), and then to direct-hire employees of agencies that have contributed to a purchase program or turned properties over to the Department as described in this section. The FAS category is, for this purpose, considered to include employees abroad of the U.S. Animal and Plant Health Inspection Service;
- (3) Assignments should reflect the rank and family size of the prospective occupants;
- (4) After first meeting the requirements of the foreign affairs agencies, any remaining GO/LTL housing may be allocated to direct-hire employees of other agencies at post in such a manner as to serve their needs and achieve maximum savings for the U.S.

Government; and

- (5) GO/LTL property should **not** be kept vacant for periods in excess of 3 months or used as transient quarters merely to accommodate the requirements of the foreign affairs agencies as noted in this section.

15 FAM 261.1 Housing Acquired with State Lease Funds

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

U.S. Government property acquired through the Department of State's leasehold account (excluding long-term leased (LTL) property) will usually be for the primary occupancy of the Department's employees. Such acquisitions are intended to offset the Department's high-lease costs abroad; therefore, benefits will normally accrue first to the funding agency. This does not preclude the post interagency housing board (IAHB) from assigning other foreign affairs agency personnel whose rank and family size may be more appropriate for the unit.

15 FAM 261.2 Housing Acquired with Other Agency Funds

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. Agencies wishing to participate in a purchase program at a post abroad may contribute to such arrangements, with the expectation that "ownership" will result in reduction of overall lease costs at post. For all agencies, including State, memoranda of understanding (MOUs), outlining funding arrangements and long-term property entitlements, must be executed by the agency and the Bureau of Overseas Buildings Operations (OBO) in Washington, DC. Copies of such documents must be maintained at post and by OBO in Washington, DC, and appropriate notations will be entered in the automated real property application (RPA) database.
- b. Every effort must be made to accommodate agencies that turned residential property over to Department of State management under the single real property manager (SRPM) concept. Where it is determined that a particular agency's funds were used to acquire property, that agency will retain an entitlement to occupy an equivalent number of U.S. Government-owned/long-term leased (GO/LTL) properties if any are available and appropriately sized. There is no guarantee that a particular

unit or units will be reserved for the exclusive use of the agency. Posts should consult with OBO to verify funding sources for properties posts believe to be in this category.

- c. In the event that assignments made by the post IAHB result in an agency not receiving its established entitlement, that agency must fund any resulting lease costs until such time as an appropriate GO/LTL unit becomes available. In such cases, the affected agency will have first priority on the next available and appropriately sized GO/LTL unit. To the extent possible, every effort must be made to ensure that adequate lead time is provided each agency in planning future budget requirements if additional lease costs are anticipated.

15 FAM 261.3 Housing for USAID Personnel

(CT:OBO-19; 10-27-2010)

(USAID Only)

Where USAID independently manages its owned and *LTL* housing, it is USAID's preference that USAID mission personnel not occupy State-held U.S. Government/long-term leased (GO/LTL) housing if USAID has not contributed to the acquisition of the property. If posts are unable to determine ownership status, questions should be referred to the Bureau of Overseas Buildings Operations (OBO) and the Overseas Management Staff in the Bureau for Management, USAID/Washington (USAID/W - M/OMS).

15 FAM 261.4 Housing for Certain Department of Defense (DOD) Personnel

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. Department of Defense (DOD) personnel (civilian and military) who are attached to the mission but assigned under foreign military sales or other similar DOD-funded programs are not normally entitled to U.S. Government-held housing. Housing for these personnel is to be provided by the host government under the governing bilateral agreement. If the agreement does not include housing, then housing is provided within the post's U.S. Government leasing program, or under living quarters allowance/overseas housing allowance (LQA/OHA) programs and funded by the program under which these personnel are assigned. Such personnel are under the authority of the chief of mission (COM) and their housing remains subject to the policies and standards outlined in 15 FAM *and 2 FAH-2*.

- b. For DOD elements that wish to utilize State's contracting authority for leasing services, they must first comply with the requirements of 10 U.S.C. 2834 which stipulates that the Secretary of the DOD entity concerned (i.e., Secretary of Army, Navy, etc.) must enter into an agreement with the Secretary of State (delegated to the Under Secretary for Management) to provide housing and related services to DOD personnel in a specific location. The DOD Secretary's determination must document that there is a shortage of adequate housing in the country identified and that participation in the Department of State's ICASS housing pool is the most cost-effective means of providing housing to its personnel. For all other agencies that are requesting leasing services for agency personnel not under COM authority, post must seek approval from the Department of State, Office of Management Policy, Rightsizing and Innovation (M/PRI) as outlined in 2 FAH-2 H-115, paragraph b. This approval is not required if the agency has (and provides a copy of) a written agreement with the Department of State regarding ICASS services for its personnel not under COM authority.*
- c. DOD personnel who report to an area military command are not authorized Department of State U.S. Government-owned/long-term leased (GO/LTL) housing. Surplus residential units may be licensed to such personnel after all requirements of other mission employees have been met. License fees are normally set at market rates; posts should contact OBO for guidance on establishing fees and license agreements (see 15 FAM 530).*

15 FAM 262 GUIDELINES FOR DEDICATED HOUSING

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. The senior representative of each foreign affairs agency (U.S. Agency for International Development (USAID), Foreign Agriculture Service of the Department of Agriculture (FAS), and the Department of Commerce (DOC)) and the *senior* Defense *official/Defense attaché (SDO/DATT)* are provided housing within the standards for a family of four at the grade tier corresponding to the position, because of the budgetary problems inherent in frequent changes of leased housing for senior agency representatives whose positions may require substantial expenditures for furniture, draperies, and security improvements. At missions where the majority of senior foreign affairs agency representatives are classified at the *Senior Foreign Service (SFS)* or *Senior Executive Service (SES)* level, the *senior* U.S. Defense representative will be considered of equivalent

rank for the purposes of establishing housing assignments. At posts where the security assistance officer (SAO) is the U.S. Defense representative, dedicated housing should continue to be funded by the relevant foreign military sales or other defense-funded program; U.S. Government-owned/long-term leased (GO/LTL) housing would not normally be provided.

- b. Because the Department of State has multiple officers of similar ranks in section-head positions, position-dedicated housing is not required. However, post management should ensure that a flexible variety of housing within the appropriate rank tier is provided to meet the Department's requirements.

15 FAM 263 GUIDELINES FOR PRIVATE LEASES

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. Employees wishing to lease residential properties *must obtain approval of* the post interagency housing board (IAHB) and COM prior to signing the lease. *The IAHB should consider the implications to the overall housing program if the proposed residence is in excess of their space authorization or any established rental-cost ceiling.* No Washington, DC headquarters approval is necessary. The post IAHB review process should ensure that employees do not acquire ostentatious or otherwise inappropriate housing that could create a negative impression. Regardless of the ultimate cost of a lease or any rental ceiling (which can *vary from* the living quarters allowance/overseas housing allowance (LQA/OHA) ceilings for civilian employees in the Standardized Regulations (U.S. Government Civilians, Foreign Areas) or the Joint Federal Travel Regulations for Uniformed Service Members), payment of LQA/OHA to the employee or military member *must* not exceed established LQA/OHA rates.
- b. For any LQA/OHA lease that exceeds an employee's space authorization or in instances where the employee is voluntarily "out-of-pocket," post management must ensure that an appropriate notation is made on the employee's Form SF-1190, Foreign Allowances Application, Grant and Report, or equivalent for other agencies.
- c. Each member of a tandem couple housed under the LQA/OHA option is eligible to receive his or her respective allowance, not to exceed one-half of the joint total lease and utility costs. However, the rented property

must be approved within the context of the post IAHB review process outlined in this section. If the annual rent exceeds the post rental ceiling *or the FAM residential space standards*, the post IAHB has the authority to deny authorization to rent the proposed property.

- d. If adequate *GO/LTL* or short-term leased (STL) housing is available at a post, employees may not receive LQA/OHA if such housing would remain vacant. Adequate U.S. Government-leased housing may not be dropped from post inventory in order to grant LQA/OHA merely to satisfy an employee's preference for a particular unit.
- e. Properties acquired under the LQA program or the OHA program *must have the approval of the regional security officer (RSO) or post security officer (PSO) and the post occupational safety and health officer (POSHO) must ensure that requirements in 15 FAM 252.5 are met* before signing the lease.
- f. *Employees wishing to lease residential properties are encouraged to use the OBO Model Lease.*

15 FAM 264 GUIDELINES FOR DETERMINING SPACE AUTHORIZATIONS

15 FAM 264.1 Basis for Space Authorization

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. Housing will be provided to employees based on position rank and family size. Where an employee's position rank is greater or less than his or her personal rank, the position rank determines the employee's maximum authorization. Position reclassification during a tour of duty is not justification for changing a residence. A complete listing of all Foreign Service, Civil Service, and Military grade equivalents is contained in 15 FAM Exhibit 264. (See also waiver provisions in 15 FAM 312.8 and 15 FAM 322.)
- b. The space standards are maximums that reflect employee position rank and family size. The number of bedrooms is not specifically a factor in determining the space authorization for an employee. The post interagency housing board (IAHB) and the single real property manager (SRPM) must ensure that available housing is effectively and rationally managed in light of both employee requirements and U.S. Government interests.

- c. An employee's space authorization is based on the number of official eligible family members (*EFMs*) residing permanently (more than 50 percent of the year) at post. Whenever there is documented evidence of impending birth or adoption showing that an employee expects to acquire official *EFMs* within a reasonable period of arrival at post, they may be counted. In determining appropriate authorizations, the following guidelines apply:
- (1) **Tandem employees:** Tandem employees receive the space authorization for the senior member of the couple; all costs will be shared equally by the respective parent agencies except as set forth in 15 FAM 163, paragraphs a and b;
 - (2) **Official eligible family members on orders residing away from post:** For employees with official *EFMs* residing away from post (i.e., *EFMs* who reside at post less than 50 percent of the year), the employee's maximum authorization will be increased by 175 square feet (16 square meters) for every two (i.e., one or two) *EFMs* residing away from post, 350 square feet for every four (i.e., three or four), etc.;
 - (3) **Employees with family members on separate maintenance allowance (SMA):** For the purposes of this policy, family members on SMA cannot be considered in determining an employee's space authorization;
 - (4) **Children of separated parents:** If an employee shares legal custody of a child or children from a previous marriage and it is anticipated that the child or children will visit post frequently, the maximum authorization will be increased as in subparagraph c(2) of this section; and
 - (5) **Single parents or families with a live-in housekeeper:** The U.S. Government is not required to provide housing for the employee's household staff. To the extent that housing with staff quarters may be available in the post inventory, the *single real property manager (SRPM)* and post *interagency housing board (IAHB)* may wish to ensure that the local housing policy will give preference for such housing to single parents or other families requiring such space.

15 FAM 264.2 Locality Adjustment Factors

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. The “quality of life” at each post is an integral part of determining the locality adjustment factor. Available cultural and recreational activities, climate, security (both in terms of terrorism and crime), and isolation are items considered when assigning a Locality Index number to a particular post. At the center of this is the Department’s *desire* to ensure the well-being of the employee and family.
- b. Recognizing the inherent differences at posts, a three-level Locality Index has been established, with each level increasing in increments of 10 percent. In addition to the requirement for consumable storage space, these determinations were based on the following three criteria:
 - (1) **Type 1:** Posts in this group are in countries characterized by relatively high economic development, general availability of cultural and recreational activities, essentially unrestricted travel opportunities, and threat to personal safety no greater than in the Washington, DC area. At these posts, employees and their *EFMs* typically spend as much time in their residences as they would in the Washington, DC area;
 - (2) **Type 2 (10 percent increase):** Included in this group are posts with limited cultural and recreational activities, greater physical isolation (*limited* travel opportunities), and/or a climate that would result in employees and their *EFMs* spending more time at home. General terrorist threat or threats to personal security, resulting in RSO-mandated restrictions on travel, may also be a factor; *and*
 - (3) **Type 3 (10 percent increase over Type 2):** Daily life is the most difficult in these posts. Cultural and recreational facilities are scarce, travel is restricted, and the terrorist threat to personal security is very high. Employees and *EFMs* at these posts spend most of their leisure time in their homes or those of other mission members.
- c. The regional bureaus and the Bureau of Overseas Buildings Operations (OBO) review post locality codes every *5* years. When posts determine that a material change in the quality of life at the post has occurred, they may request a review of the post locality code. The *single real property manager (SRPM)* and the post *interagency housing board (IAHB)* *must* be responsible for this determination. Posts should not request changes in

this rating to reflect short-term situations, but rather should seek a reevaluation only if the post's assessment of the environment is supported by documented trends. Such evaluations may be considered for either increasing or decreasing the post rating. 15 FAM Exhibit 237(B) identifies each post by locality type.

15 FAM 264.3 Other Considerations in Housing Assignments

15 FAM 264.3-1 Special Circumstances

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

In making housing assignments within the space standards, posts should also consider the particular requirements of employees (e.g., physical *disabilities*) or factors related to aged or *disabled EFMs*.

15 FAM 264.3-2 Space Layout

(CT:OBO-19; 10-27-2010)

(Uniform State/USAID/Commerce/Agriculture/DIA)

Under this policy, space standards have been established on the basis of *position* rank and family size. Posts should seek appropriate units within these criteria that have varying configurations that will meet their housing requirements. Housing units with the same square footage can be vastly different because of their layouts, with some being more appropriate for representation or certain family sizes than others. Such considerations should be factored into the assignment of housing.

15 FAM 264.3-3 Representation Function

(CT:OBO-7; 04-26-2006)

(Uniform State/USAID/Commerce/Agriculture/DIA)

- a. Representation is a key diplomatic function for many employees abroad who must develop personal relationships with host- and third-country officials in order to advance U.S. policies. As an employee rises through the ranks, it is reasonable to assume that his or her professional responsibilities increase, and representational functions (personal and official) may correspondingly increase. Within the respective tiers of space standards (maximum allowable residence size) as defined in 15 FAM Exhibit 237(A) and 15 FAM Exhibit 237(B), it is estimated that

employees could conduct functions at the following levels:

	Dining Room Seating	Cocktail/ Buffet	Reception
Standard	6—8	Up to 12	Up to 20
Middle	8—12	Up to 18	Up to 30
Executive	12—14	Up to 24	Up to 40

- b. These estimates are projected maximums and should not be interpreted as requirements for particular housing units. Infrequent functions (e.g., receptions) that exceed these levels could be incorporated into the post representational plan and co-hosted with the ambassador or deputy chief of mission (DCM) whose official residences are intended for such large-scale entertainment. Otherwise, suitable housing should not be eliminated from consideration simply because the representation guidelines shown above are not met.

15 FAM 265 THROUGH 269 UNASSIGNED

15 FAM EXHIBIT 264 MILITARY RANK EQUIVALENTS

(CT: OBO-7; 04-26-2006)

GRADE	RANK BY SERVICE (Army/Navy/Air Force/Marines)
E-1	Private/Seaman Recruit/Airman Basic/Private
E-2	Private/Seaman Apprentice/Airman/Private First Class
E-3	Private First Class/Seaman/Airman First Class/Lance Corporal
E-4	Corporal or Specialist/Petty Officer Third Class/Senior Airman or Sergeant/Corporal
E-5	Sergeant/Petty Officer Second Class/Staff Sergeant/Sergeant
E-6	Staff Sergeant/Petty Officer First Class/Technical Sergeant/Staff Sergeant
E-7	Sergeant First Class/Chief Petty Officer/Master Sergeant/Gunnery Sergeant
E-8	Master Sergeant/Senior Chief Petty Officer/Senior Master Sergeant/Master Sergeant
E-9	Sergeant Major/Master Chief Petty Officer/Chief Master Sergeant/Master Gunnery Sergeant or Sergeant Major
W-1	Warrant Officer (Army, Navy, Marines only)
W-2	Chief Warrant Officer Two (Army, Navy, Marines only)
W-3	Chief Warrant Officer Three (Army, Navy, Marines only)
W-4	Chief Warrant Officer Four (Army, Navy, Marines only)
W-5	Chief Warrant Officer Five (Army, Navy, Marines only)

GRADE RANK BY SERVICE (Army/Navy/Air Force/Marines)

0-1	Second Lieutenant (Army, Air Force, Marines) Ensign (Navy)
0-2	First Lieutenant (Army, Air Force, Marines) Lieutenant Junior Grade (Navy)
0-3	Captain (Army, Air Force, Marines) Lieutenant (Navy)
0-4	Major (Army, Air Force, Marines) Lieutenant Commander (Navy)
0-5	Lieutenant Colonel (Army, Air Force, Marines) Commander (Navy)
0-6	Colonel (Army, Air Force, Marines) Captain (Navy)
0-7	Brigadier General (Army, Air Force, Marines) Rear Admiral (Lower Half) (Navy)
0-8	Major General (Army, Air Force, Marines) Rear Admiral (Upper Half) (Navy)
0-9	Lieutenant General (Army, Air Force, Marines) Vice Admiral (Navy)
0-10	General (Army, Air Force, Marines) Admiral (Navy)

RANK TIERS AND GRADE EQUIVALENTS

	FS	GS	MILITARY	WAGE SYSTEM
Group 1 Executive	SFS	SES GS 16-18	O-10 through O-7	
Group 2 Middle	FS-01 FS-02	GS-15 GS-14 GS-13	O-6 O-5/W-5 O-4/W-4	WS-14-19, WL-15, and Productive Support Equivalents
Group 3 Standard	FS-03 FS-04 FS-05 FS-06 FS-07 FS-08 FS-09	GS-12 GS-11 GS-10 GS-09 GS-08 GS-07 GS-06 GS-05	O-3/W-3 O-2/W-2 O-1/W-1 E-7/8/9 E-5/6 E-1/2/3/4	WS 8-13, WL 6-14, WG 12-15, and Productive Support Equivalents

NOTE: These groups and grade equivalents are established for housing space standards only and may differ from those established by law or regulation for any other purpose.