

# MS 733 Leases

---

**Effective Date:** November 28, 2011

**Responsible Office:** Office of Acquisitions and Contract Management

**Supersedes:** 04/22/91, 9/7/89

[Issuance Memo](#) 11/28/2011

---

## 1.0 Purpose

This Manual Section establishes the policies for leasing residences, office space, and training facilities adequate to the needs of the Peace Corps overseas. Procedures implementing this Manual Section are contained in the Overseas Contracting Handbook, [Leases 733 Procedures](#).

## 2.0 Authority

Section 15 (d)(9) of the Peace Corps Act provides authority for the Peace Corps to lease property. Peace Corps does not rely on or award leases under the authority of other agencies, such as the Department of State and USAID, which have their own similar but distinctly different authorities.

## 3.0 Policy

1. Leases will only be awarded and administered under this Manual Section and the corresponding Procedures. The policies and procedures of other agencies, such as the Department of State and USAID, do not apply to Peace Corps leases.
2. Country Directors may encourage host governments to provide properties in-country without cost to the Peace Corps whenever feasible. When host governments are unable to provide such property to the Peace Corps, property in support of Peace Corps activities may be obtained through the use of leases.
3. Negotiation and execution of leases by the Embassy is not an authorized sub function for International Cooperative Administrative Support Services (ICASS) services (see MS 708, International Cooperative Administrative Support Services). Contracting Officers (COs) must not include leasing in their respective country's ICASS agreement unless a Waiver of Limitations is obtained as required in [MS 708](#).
4. COs may enter into subleases for specific properties with the Embassy if warranted by special circumstances. Such circumstances might include an offer of rent-free or reduced rent use of a property, limited property availability, or properties uniquely suited to Peace Corps' mission. See [Leases 733 Procedures](#)
5. Peace Corps offices where U.S. citizen Direct Hire employees or Foreign Service National employees work and residences leased for U.S. citizen Direct Hire employees must meet the applicable security standards as established by the Overseas Security Policy Board, as well as any local standards that have been properly adopted through the Emergency Action Committee. Peace Corps U.S. citizen direct-hire employees must

receive the same level of protection as all other U.S. Government U.S. citizen direct-hire employees at post. COs must have approval for security purposes of the Regional Security Officer (RSO) or Post Security Officer if no RSO is assigned, prior to executing leases for such properties.

6. The Procedures must be consistent with applicable ethics statutes and regulations, including 18 USC 208 and 5 CFR Part 2635.

#### **4.0 Roles and Responsibilities**

A lease can only be negotiated and executed by a CO who has received the written authority from the Chief Acquisition Officer (CAO) to enter into, administer, and terminate contracts and make related determinations and findings. The CO is responsible for ensuring performance of all necessary actions in the contracting process and safeguarding the interests of the Peace Corps in its contractual relationship. It is the responsibility of the CO to assure that:

- (a) The monetary amount of the lease (base year plus all option periods) does not exceed the amount of procurement authority that has been delegated to the CO. In calculating the procurement authority required to award a contract, the value of a contract must include all potential option periods.
- (b) Funds for the contract are available prior to award and are properly obligated via a contract to preclude violation of the Anti-Deficiency Act, 31 U.S.C. 1341.

#### **5.0 Contract Term**

Leases may be awarded for up to, but not to exceed five years, subject to the availability of funds for obligation at the time of contract execution.

#### **6.0 Effective date**

The effective date is the date of issuance.