

15 FAM 100

OVERSEAS BUILDINGS OPERATIONS (OBO) REAL PROPERTY MANAGEMENT

15 FAM 110

GENERAL AUTHORITIES AND RESPONSIBILITIES

(CT:OBO-25; 02-03-2012)
(Office of Origin: OBO)

15 FAM 111 SCOPE

(CT:OBO-25; 02-03-2012)

Volume 15 of the Foreign Affairs Manual (15 FAM) covers the acquisition, design, construction, furnishing, management, maintenance, disposal, and reporting of real property abroad for the Department of State and all foreign affairs agencies represented at posts. Questions or comments on the regulations or procedures in this chapter may be directed to the Office of Area Management, *Directorate* of Operations, Bureau of Overseas Buildings Operations (*OBO/OPS/AM*) or, *for USAID purposes*, to the Overseas Management Division, *Office of Management Services*, Bureau for Management, USAID/Washington (USAID/W - *M/MS/OMD*). A list of references providing additional information is given in 15 FAM Exhibit 111. See also 12 FAM 300 for policies related to the physical security of facilities abroad.

15 FAM 112 AUTHORITIES

15 FAM 112.1 General

(CT:OBO-25; 02-03-2012)

Statutory authority for the regulations prescribed in 15 FAM is found in the

following:

- (1) 5 U.S.C. 5912;
- (2) 22 U.S.C. 291;
- (3) The Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-302);
- (4) Section 636 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2396);
- (5) Section 804 (10)(11)(12) of the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1474);
- (6) *Sections 401 and 402 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as amended (22 U.S.C. 4851 and 22 U.S.C. 4852);*
- (7) *Section 13 of the State Department Basic Authorities Act, as amended; and*
- (8) *31 U.S.C. 1348(b).*

15 FAM 112.2 Department of State Authorities

(CT:OBO-25; 02-03-2012)

The Foreign Service Buildings Act of 1926, as amended, authorizes the Secretary of State to acquire by purchase, construction, exchange, or lease, sites and buildings in foreign cities for use by the diplomatic and consular establishments of the United States; to maintain, repair, improve, and preserve these properties; to dispose of properties; to obtain architectural and other expert technical services; and to accept gifts of property and services for purposes of the Act. The Act also authorizes the Secretary of State to provide residential and office space and necessary related facilities to other agencies abroad whose employees are under the authority of the chief of mission. *By directive (1 FAM 280), this authority has been given* to the Bureau of Overseas Buildings Operations (OBO), which acts as the single real property manager (SRPM) for nonmilitary U.S. Government *real* property abroad. There are certain exceptions for the U.S. Agency for International Development (USAID) that are addressed in later sections throughout 15 FAM.

15 FAM 112.3 U.S. Agency for International

Development (USAID) Authorities and Responsibilities

(CT:OBO-25; 02-03-2012)

Under 22 U.S.C. 2396(c), the U.S. Agency for International Development (USAID) is authorized to purchase and hold title to real property in support of its mission abroad. USAID is responsible for managing such properties in accordance with 15 FAM. *In cases* where USAID *is not consolidated*, USAID will independently manage *a* housing program in compliance with the post interagency housing board (IAHB) policy guidelines, and will establish a separate housing profile following the policy and criteria in 15 FAM 200.

15 FAM 112.4 Bureau of Overseas Buildings Operations (OBO)

15 FAM 112.4-1 Organization

(CT:OBO-25; 02-03-2012)

- a. The Bureau of Overseas Buildings Operations (OBO), managed by the Director of Overseas Buildings Operations, has three deputies:*
- (1) A Principal Deputy Director (OBO/PDD) who supervises the Managing Director of the Program Development, Coordination, and Support (OBO/PDCS) directorate and the Managing Director of the Construction, Facility, and Security Management (OBO/CFSM) directorate;*
 - (2) A Deputy Director (OBO/DD) who supervises the Managing Director for Operations (OBO/OPS) directorate and the Managing Director of the Planning and Real Estate (OBO/PRE) directorate; and*
 - (3) A Deputy Director for Resource Management (OBO/RM).*
- b. See 1 FAM 280 for detailed responsibilities.*

15 FAM 112.4-2 Professional, Technical, and Legal Services

(CT:OBO-25; 02-03-2012)

- a. The Bureau of Overseas Buildings Operations (OBO) is authorized to employ "architectural and other expert technical services as may be necessary" to carry out its programs under the Foreign Service Buildings*

Act (22 U.S.C. 296). This authority extends to legal services, with Office of the Legal Adviser (L) concurrence, for such out-of-court activities as legal opinions on matters related to OBO contracts, title transfer services, and other legal matters related to activities under the Foreign Service Buildings Act.

- b. If an attorney must represent the U.S. Government in a foreign court action, the Department of Justice (DOJ) must authorize, supervise, and pay litigation costs. Posts seeking authorization to retain an attorney abroad for litigation or other legal services should follow the procedures contained in 2 FAM 283.

15 FAM 113 RESPONSIBILITIES

15 FAM 113.1 Department of State

(CT:OBO-25; 02-03-2012)

As the single real property manager (SRPM) for nonmilitary U.S. Government-held *real* property abroad, the Department of State, through its Bureau of Overseas Buildings Operations (OBO), is responsible for establishing, implementing, and overseeing all policies and procedures governing the real property program as provided in the Foreign Service Buildings Act of 1926, as amended. This applies to all land, office, *and* residential properties, *including* residential properties acquired under the Living Quarters Allowance (LQA) Program (Standardized Regulations, Chapter 100) or (for U.S. military personnel under chief-of-mission (COM) authority) the Overseas Housing Allowance Program (*OHA*), *and other functional properties owned or leased in the name of the U.S. Government*. Where the U.S. Agency for International Development (USAID) independently manages its *USAID-owned and long-term leased* housing program under its independent authorities (see 15 FAM 112.3), 15 FAM 113.1, 15 FAM 113.2, and 15 FAM 113.3 do **not** apply.

15 FAM 113.2 Chief of Mission/Principal Officer (COM/PO)

(CT:OBO-25; 02-03-2012)

The chief of mission/principal officer (COM/PO) is responsible for *implementing* policies and procedures related to the real property program. The Department assumes the COM/PO will delegate daily responsibilities to the senior *management* officer at post who is the designated single real

property manager (SRPM). Without any written delegation of authority to the contrary, the senior *management* officer assumes such authority and responsibility.

15 FAM 113.3 Single Real Property Manager (SRPM)

15 FAM 113.3-1 General

(CT:OBO-25; 02-03-2012)

The single real property manager (SRPM) is the post authority on all real property program issues and the liaison with the Bureau of Overseas Buildings Operations (OBO) on all real property management matters. At missions with constituent posts, the SRPM will coordinate activities of constituent post SRPMs. Where determined by the *chief of mission (COM)*, the SRPM is responsible for promoting uniform countrywide housing policies and practices among constituent posts.

15 FAM 113.3-2 Single Real Property Manager (SRPM) Responsibilities

(CT:OBO-25; 02-03-2012)

Single real property manager (SRPM) responsibilities include, but are not limited to, the following:

- (1) Implementing all policies, procedures, and regulations pertaining to the real property program;
- (2) Serving as nonvoting, ex officio member of the post interagency housing board (IAHB);
- (3) Using general services *office* (GSO) and staff expertise to advise *the* post IAHB on the appropriate implementation and management of the post housing program;
- (4) Advising the chief of mission/principal officer (COM/PO) on the allocation and use of U.S. Government-held property and the IAHB on housing issues;
- (5) *Preparing the annual SRPM certification to the COM that all housing acquired and/or assigned during the fiscal year complied with all regulations, procedures, and policies, with any exceptions and explanations noted;*

- (6) *Advising the COM/PO on any issues or problems that could affect the annual certification;*
- (7) *Preparing, with post IAHB assistance, a post housing guide, in accordance with relevant policies, procedures, and regulations, for use by officially assigned employees and eligible family members;*
- (8) *Ensuring that U.S. Government-held real property is safe for use and occupancy, maintained in good condition, and in a cost-effective manner within the post's funding limitations;*
- (9) *Ensuring that U.S. Government-held residential quarters are left in good condition by departing occupants and that the employee properly accounts for damages and loss;*
- (10) *Ensuring that all agencies at post are charged for short-term lease (STL) property costs in a fair and uniform manner through direct charge;*
- (11) *Ensuring that all funds provided to support the real property program are properly spent and accounted for; and*
- (12) *Ensuring that real property records are current and accurate. This includes the prompt submission of property information to the Bureau of Overseas Buildings Operations (OBO) through the Post Administrative Software Suite (PASS)/Real Property Application (RPA) database and, for USAID and long-term leased properties, to the Overseas Management Division, Office of Management Services, Bureau for Management, USAID/Washington (USAID/W - M/MS/OMD).*

15 FAM 114 THROUGH 119 UNASSIGNED

15 FAM EXHIBIT 111 ADDITIONAL REFERENCES

(CT:OBO-25; 02-03-2012)

The following additional references are available from the Bureau of Overseas Buildings Operations (OBO). For further information, contact the designated OBO *Directorate* and *Office*, or the *Office of Area Management*, in the *Directorate of Operations*, in the Bureau of Overseas Buildings Operations (*OBO/OPS/AM*).

<i>Building Code of Overseas Buildings Operations (comprising the International Code Council model codes + OBO's International Code Supplement)</i>	<i>(OBO/PDCS/DE)</i>
Facility Maintenance Guide	<i>(OBO/CFSM/FAC)</i>
Fire Protection Guide	<i>(OBO/OPS/FIR)</i>
Guidelines for the Art in <i>Embassies</i> Program	<i>(OBO/OPS/ART)</i>
Housing Questions and Answers (Qs and As)	<i>(OBO/PRE/RPM)</i>
Integrated Pest Management Program	<i>(OBO/OPS/SHEM)</i>
Interior Design and Furnishings Program Guide	<i>(OBO/OPS/RDCH)</i>
Project Director's Guide	<i>(OBO/CFSM/CM)</i>
<i>Project Manager's Handbook</i>	<i>(OBO/PDCS/PDC)</i>
<i>Real Property Application User Manual</i>	<i>(OBO/PRE/RPM)</i>
Residential Safety, Health, and Fire Prevention Awareness Checklist	<i>(OBO/OPS/SHEM)</i>
<i>Security Equipment Responsibilities Matrix</i>	<i>(OBO/CFSM/SM & DS/ST/STO)</i>
Safety, Occupational Health and <i>Environmental</i> Management Resource Guide	<i>(OBO/OPS/SHEM)</i>
Swimming Pool Safety Standard	<i>(OBO/OPS/SHEM)</i>

Swimming Pool Guide	(<i>OBO/CFSM/FAC</i>)
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NOTE: *These and other references available on the DOS Intranet (<http://obo.m.state.sbu>). Go to the respective Office/Division Web site using the "Directorates" button.*