

15 FAM 100 OVERSEAS BUILDINGS OPERATIONS (OBO) MANAGEMENT OF REAL PROPERTY ABROAD

15 FAM 110 GENERAL AUTHORITIES AND RESPONSIBILITIES

*(CT:OBO-1; 04-29-2005)
(Office of Origin: OBO)*

15 FAM 111 SCOPE

*(CT:OBO-1; 04-29-2005)
(Uniform State/USAID/Commerce/Agriculture/DIA)*

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 Area Management Division, Office of Operations and Maintenance, Bureau of Overseas Buildings Operations (OBO/OM/AM) or to the Overseas Management Support Division in the Bureau for Management, USAID/Washington (USAID/W - M/OMS). Unless posts desire general dissemination of information, email or fax may be used. 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-1; 04-29-2005)

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

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) The annual appropriations acts for the International Trade Administration and the Bureau of Export Administration of the Department of Commerce;
- (7) 7 U.S.C. 1765 and 7 U.S.C. 2670(h), applying to Department of Agriculture activities abroad;
- (8) Sections 401 and 402 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as amended (22 U.S.C. 4851 and 4852);
- (9) Section 13 of the State Department Basic Authorities Act, as amended; and
- (10) 31 U.S.C. 1348(b).

15 FAM 112.2 Department of State Authorities

(CT:OBO-1; 04-29-2005)

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

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 capitals and other 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. This authority is delegated, by regulation (1 FAM) and by Delegations of Authority 114 and 120, to the Bureau of Overseas Buildings Operations (OBO), which acts as the single real property manager (SRPM) for nonmilitary U.S. Government 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-1; 04-29-2005)
(USAID Only)*

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. At posts where USAID leases its own residential properties, USAID will independently manage its housing program in compliance with the post interagency housing board (IAHB) policy and 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-1; 04-29-2005)
(Uniform State/USAID/Commerce/Agriculture/DIA)*

The Bureau of Overseas Buildings Operations (OBO), managed by the Director/Chief Operating Officer (DIR/COO) for Overseas Buildings Operations, has five offices:

- (1) Planning and Development (OBO/PD);
- (2) Real Estate and Property Management (OBO/REPM);
- (3) Project Execution (OBO/PE);
- (4) Operations and Maintenance (OBO/OM); and
- (5) Resource Management (OBO/RM).

See 1 FAM for detailed responsibilities of each office.

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

(CT:OBO-1; 04-29-2005)
(State Only)

- a. The Bureau of Overseas Buildings Operations (OBO) has authority 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-1; 04-29-2005)
(Uniform State/USAID/Commerce/Agriculture/DIA)

As the single real property manager (SRPM) for nonmilitary U.S. Government-held 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 and all office, residential, and other functional properties owned or leased in the name of the U.S. Government, as well as 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 (OHA) Program. Where the U.S. Agency for International Development (USAID) independently manages its 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-1; 04-29-2005)

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

The chief of mission/principal officer (COM/PO) is responsible for the implementation of all policies and procedures related to the real property program. The Department assumes the COM/PO will delegate daily responsibilities to the senior administrative officer at post who is the designated single real property manager (SRPM). Without any written delegation of authority to the contrary, the senior administrative officer assumes such authority and responsibility.

15 FAM 113.3 Single Real Property Manager (SRPM)

15 FAM 113.3-1 General

(CT:OBO-1; 04-29-2005)

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

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 embassy SRPM will coordinate activities of constituent post SRPMs. Where determined by the COM, the embassy 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-1; 04-29-2005)

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

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 officer (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 allocation and use of U.S. Government-held property and the IAHB on housing issues;
 - (5) Advising the COM/PO on any issues or problems that could affect the annual certification;
 - (6) 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. Any exceptions and explanations should be noted;
 - (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 dependents;
 - (8) Ensuring that U.S. Government-held real property is 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) for the real property application (RPA) database and to the Overseas Management Support Division in the Bureau for Management, USAID/Washington (USAID/W - M/OMS), for joint administrative operations.

15 FAM 114 THROUGH 119 UNASSIGNED

15 FAM EXHIBIT 111 ADDITIONAL REFERENCES

(CT:OBO-1; 04-29-2005)

The following additional references are available from the Bureau of Overseas Buildings Operations (OBO). For further information, contact the designated OBO office and division, or the Area Management Division in the Operations and Maintenance Office of the Bureau of Overseas Buildings Operations (OBO/OM/AM).

Architectural & Engineering Design Guidelines for U.S. Diplomatic Mission Buildings.....	(OBO/PE/DE)
Facility Maintenance Guide*	(OBO/OM/FAC)
Fire Protection Guide*.....	(OBO/OM/FIR)
Guidelines for the Art in Embassy Program.....	(OBO/OM/ART)
Housing Questions and Answers (Qs and As)*.....	(OBO/REPM/RPM)
Integrated Pest Management Program.....	(OBO/OM/SHEM)
Interior Design and Furnishings Program Guide.....	(OBO/PE/IF)
Project Director's Guide.....	(OBO/PE/CC)
Residential Safety, Health, and Fire Prevention Awareness Checklist.....	(OBO/OM/SHEM)
Safety, Occupational Health, and Environment Management Resource Guide*.....	(OBO/OM/SHEM)
Swimming Pool Safety Standard.....	(OBO/OM/SHEM)
Swimming Pool Operations and Maintenance Guide*.....	(OBO/OM/FAC)

* Also accessible on the INFOGUIDES CD-ROM