



# A Guide to Authorizing Separate Maintenance Allowance (SMA)

A Mandatory Reference for ADS Chapter 477

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## SEPARATE MAINTENANCE ALLOWANCE (SMA)

The purpose of this guidance is to provide an update to USAID's policy and procedures for applying and authorizing Separate Maintenance Allowance (SMA). SMA is one of several cost-of-living allowances under [5 U.S.C. 5924](#) that may be granted to USAID Foreign Service employees who are assigned to a post in a foreign area. SMA is intended to help employees offset the additional expenses of maintaining members of family elsewhere than at the employee's foreign post of assignment.

### 1. Background

Foreign Service employees and their eligible family members (EFMs) and domestic partners should fully understand the conditions which govern granting of SMA. Implementing regulations are found in section [260 of the Department of State Standardized Regulations](#) (DSSR). Supplemental guidance is found in the Foreign Affairs Manual (FAM) and Handbook (FAH) in [3 FAM 3232](#) and [3 FAH-1 H-3232](#) and section 477.5.3 of [ADS 477, Allowances and Differentials](#).

Additionally, employees should be aware that being on SMA will make their family members ineligible for other allowances and travel benefits (See **7(d)(4) below**). Employees who receive an SMA grant will receive housing and other allowances commensurate with their unaccompanied status.

### 2. Applicability

This guidance is applicable to USAID full-time U.S. citizen direct hire Foreign Service employees who are assigned to a post of assignment in a foreign area. The relevant statute and DSSR provisions prohibit payment of SMA to Foreign Service employees who are assigned to the United States.

"Family" or "family member" is defined in [DSSR 040m](#) (1) through (4). We advise employees to review these definitions carefully before applying for SMA. Also note that to be considered a member of family for SMA purposes, parents, sisters, and brothers must have resided with the employee for a period of at least 12 continuous months immediately prior to the date of application. This requirement may be waived if the employee's immediate prior overseas assignment was unaccompanied or his or her onward assignment will be unaccompanied (See [DSSR 261.1](#)).

The SMA benefit is prohibited when the employee and spouse are legally separated or divorced or there is dissolution of the employee's domestic partnership (See **5 below** and [DSSR 263.3](#)).

The Bureau for Management, Office of Acquisition and Assistance (M/OAA) has overall responsibility for determining allowances and benefits for non-direct hires and issuing policy guidance in this area.

### 3. Responsibilities

**The servicing Human Resources Specialist** in the Office of Human Resources, Foreign Service Personnel Division, Foreign Service Staffing Branch (OHR/FSP/FSS) reviews individual SMA applications ([SF-1190, Foreign Allowances Application, Grant and Report](#)) using the SMA checklist to ensure all necessary information is included on the [SF-1190](#) and supporting documents, and maintains records on SMA applications regarding its commencement, suspension, and termination for each employee recipient.

**The Chief**, Foreign Service Personnel Division, Foreign Service Staffing Branch (OHR/FSP/FSS) approves SMA applications, ensures that periodic assessments of SMA records are performed, and implements and maintains a tracking system to capture information that documents the commencement, suspension, and termination of SMA payments for each employee recipient.

**USAID Employees** are responsible for:

- Submitting SMA applications and all the necessary supporting documentation,
- Adhering to DSSR, FAM, and USAID provisions and requirements,
- Providing certifications as to their continuing eligibility to receive the allowance following the effective date when SMA commenced, and
- Notifying the Controller and OHR/FSP/FSS if during their tour they decide to terminate SMA, or when circumstances change and they are no longer eligible to receive the allowance.

**The USAID Policy, Planning and Information Management Division** of the Office of Human Resources (OHR/PPIM) ensures that future updates to SMA policies, procedures, and application forms are communicated in a timely manner and that regular reviews of SMA records are included in OHR's internal audit program.

**The USAID Controller** ensures proper payment of SMA based on the rates set forth in [DSSR 267.1](#) and suspends or terminates payments of SMA benefits, as necessary.

**The Deputy Assistant Administrator** for Human Resources (DAA/HR), or designee, is the deciding official for SMA appeals and approves requests for an alternate Involuntary SMA location in a foreign area.

### 4. USAID Circumstances Warranting SMA

There are three types of SMA:

**Involuntary SMA (ISMA)** - USAID authorizes ISMA for the convenience of the Government when dangerous, notably unhealthful, or excessively adverse living conditions warrant the exclusion of family member from a foreign area, or when due to health factors a family member is ineligible for medical clearance. ([DSSR 262.1](#))

**Voluntary Separate Maintenance Allowance (VSMA)** - USAID authorizes a VSMA when an employee requests such an allowance for special needs or hardship, prior to or after arrival at post for reasons including but not limited to career, health, educational or family considerations for family members. ([DSSR 262.2](#))

**Transitional SMA (TSMA)** - USAID may authorize a Transitional SMA (TSMA) if an evacuation runs 180 days and the post's status changes to unaccompanied status or in connection with commencement/termination of an unaccompanied tour. The purpose of a TSMA is to allow family members in commercial housing time to establish themselves in permanent housing. ([DSSR 262.3](#))

This is only a brief description of each type of SMA. Please refer to the regulations in [DSSR 260](#) for complete details and requirements regarding the various types of SMA. Current annual rates for Voluntary and Involuntary SMA and information regarding method of payment are found under [DSSR 267](#). [DSSR 260](#) and Frequently Asked Questions (FAQs) are posted on the Department of State, Office of Allowances Web site at: <http://aoprals.state.gov/>.

## 5. Circumstances Not Warranting SMA

SMA is not warranted in the following circumstances. Please refer to [DSSR 263](#) for complete details and requirements:

- When the family member does not normally reside with the employee ([DSSR 263.1](#));
- When the spouse or domestic partner of an employee is either a member of the military service or is a U.S. Government civilian employee subject to worldwide assignment availability ([DSSR 263.2](#));
- When a legal separation or separation occurring through a divorce decree, whether limited interlocutory or final, exists between an employee and spouse and when there is a dissolution of an employee's domestic partnership ([DSSR 263.3](#));
- When the employee lacks legal custody of child ([DSSR 263.4](#));
- When a child is receiving "a school away from post" education allowance ([DSSR 263.5](#));
- When a child is on educational travel at the secondary level for the 12-month period following that travel ([DSSR 263.6](#));
- When the family member is residing within the same country or within 300 miles (one-way mileage) of employee (this rule only applies to VSMA) ([DSSR 263.7](#));
- When the family member is eligible for travel per diem ([DSSR 263.8](#)); and
- TSMA when ISMA point and onward post are less than 50 miles apart in the same country ([DSSR 264.3\(e\)](#)).

## 6. How to Apply for SMA

Employees must apply for SMA using form [SF-1190](#), Foreign Allowances Application, Grant and Report. The latest edition of [SF-1190](#) is dated July 2009 and must be used for all SMA requests. In addition to the completed [SF-1190](#), employees are required to submit an [OF-126, Foreign Service Residence and Dependency Report](#). To expedite processing, all required supporting documentation (See **7 below** and [DSSR 264](#)) should be included with the [SF-1190](#) before the form is sent to OHR/FSP/FSS.

Payment of SMA cannot be approved retroactively for periods before submission of the [SF-1190](#). USAID advises employees who wish to apply for SMA and believe the allowance is warranted to submit their application as soon as they anticipate that a separation may occur.

Employees may apply for SMA before arriving at post or during their tour. Employees who wish to apply for SMA prior to their departure for post forward their [SF-1190](#) and supporting documents to their servicing Human Resources Specialist in OHR/FSP/FSS. Employees who elect SMA during their tour forward their [SF-1190](#) and supporting documents to the servicing Human Resources Specialist in OHR/FSP/FSS and notify their Executive Officer and Controller at post they have applied for SMA.

## 7. Additional Instructions and Requirements for Completing SMA Applications

To expedite processing, employees must ensure they complete all of the following sections of the [SF-1190](#) for each SMA application:

- a) Complete numbers 1 through 18 on the first page of the [SF-1190](#). On the second page, complete sections 19, 20, 21a, and 22a. Also, please be sure to check Voluntary, Involuntary, or Transitional SMA in section 21a.
- b) If a USAID employee requests SMA on behalf of a spouse or domestic partner, the USAID employee and the spouse or domestic partner both sign section 24 of the [SF-1190, Employee Statement and Signature](#). By signing the form, the USAID employee and the spouse or domestic partner are attesting that the information on the [SF-1190](#) is true and correct to the best of their knowledge and belief. Both parties have an obligation to notify the Controller and OHR/FSP/FSS immediately of any change in conditions which may affect the amount of allowance authorized. False statements on the [SF-1190](#) can result in criminal and civil penalties.
- c) Additional requirements for ISMA applications are provided. For additional information, please refer to [DSSR 264](#), [3 FAM 3232](#) and [3 FAH-1 H-3232](#).
  - (1) Indicate in the box labeled "Remarks," (No.18 of the [SF-1190](#)) the particular circumstances warranting ISMA. For example, when family members are precluded from residing at post due to the unavailability of housing facilities, or the host government's policy or practice prevents the employee's spouse or domestic partner from residing at post (with proper supporting statement from post per [DSSR 264.1](#)); or where USAID has withheld or terminated the family member's transportation to the post or recommended that they leave the post of assignment.
  - (2) If the [SF-1190](#) is based on health factors, include a statement from the attending physician and a medical determination from the U.S. Department of State, Office of Medical Services (MED) (See [DSSR 264.1](#)). The determination must be documented in writing and attached to the [SF-1190](#). If the medical condition changes and the employee's spouse or domestic partner is able to proceed to post, but chooses not to, the employee may be eligible to apply for VSMA. A new [SF-1190](#) is required to apply for VSMA, documenting that the employee's family member status has changed.
  - (3) If a foreign area is designated as the official ISMA location, USAID may grant an education allowance for a child authorized to reside at the ISMA

location. In such a case, the “school at post” education allowance rate for the officially authorized foreign ISMA location is used. An education allowance under this provision is not permitted if the child has arrived at a selected educational institution under educational travel authority within the last 12 months. (See [DSSR 262.5](#) and [DSSR 282](#))

- d) Additional requirements for VSMA applications for special needs or hardship of the employee are provided. For additional information, please refer to [DSSR 264.2](#), [3 FAM 3232](#) and [3 FAH-1 H-3232](#).
- (1) At the time of assignment an employee may elect: (1) to have a family member included on the employee’s travel orders, if the post is accompanied, or (2) not placed on the travel orders and instead be placed on VSMA. The decision to take a family member to post or to elect VSMA constitutes the initial election. Only one change of status of SMA for each member of family is permitted for a single tour of duty, except following termination of an authorized/ordered departure (See [DSSR 264.2\(b\)](#)).
  - (2) During the first or last 90 days of the tour no change of status is allowed, except as provided in [DSSR 262.4](#). The 90-day period may be reduced to 30 days, and the change-of-election provisions of [DSSR 264.2\(b\)](#) do not apply for special circumstances, such as finishing a school year for children or for medical related issues (See [DSSR 262.4\(a\)](#)).
  - (3) Provide in “Remarks,” (No.18 of the [SF-1190](#)) a signed statement indicating the circumstances of special need or hardship and sign and attach to their [SF-1190](#) the following certifications:
    - [Certification of Special Need;](#)
    - [Confirmation of Understanding of the “One Change” Rule;](#)
  - (4) For SMA purposes, a tour of duty includes all time continuously assigned to a particular post. For example, four years at a post with home leave/return to post at the end of the first two years constitutes one tour of duty for SMA purposes (See [ADS 477.5.3](#)).
  - (5) Employees are not eligible to receive the following travel benefits for those family members on whose behalf VSMA is being paid:
    - Visitation Travel ([3 FAM 3730](#), [3 FAH-1 H-3730](#))
    - Home leave Travel ([3 FAM 3430](#), [3 FAH-1 H-3430](#))
    - Educational Travel ([DSSR 280](#))
    - Travel of children of Separated Parents ([3 FAM 3750](#), [3 FAH-1 H-3750](#))
    - Rest and Recuperation ([3 FAM 3720](#), [3 FAH-1 H-3720](#))
    - Medical Travel ([16 FAM 300](#))
    - Home Service Transfer (except as provided in DSSR 252.8)
    - Foreign Transfer Allowance (except as provided in DSSR 242.7)

In the case of VSMA, USAID considers family members who personally elect to reside in a foreign area to be residing in the U.S. for allowance

and travel purposes (See DSSR 262.2). The official VSMA location is normally the home leave address in the U.S. or Washington, D.C. Family members cannot reside in the same country or within 300 miles of the employee (See [DSSR 263.7](#));

Upon completion of the employee's tour, a family member can travel on the employee's orders for the next post of assignment, if accompanied, or the employee can reapply for SMA on the family member's behalf.

- e) Additional requirements for TSMA applications are provided. Rates for TSMA are found in the tables at [DSSR 267.1\(b\)](#).

Temporary commercial housing is housing that is occupied on a short-term basis, such as a hotel, motel, commercially-leased house or apartment, or other transient type commercial establishment.

Employees whose family members reside in non-commercial housing, housing that can be occupied for a longer term, or housing that is considered private may not receive TSMA. Examples of non-commercial housing include employee-owned housing, living with family or friends, and apartment rentals where the lease term is longer than six months.

[DSSR 262.3](#)(a) through (e) outlines the reasons and requirements for which TSMA may be authorized:

- (1) Following termination of an evacuation and post reverts to unaccompanied status, TSMA may be authorized for family members occupying temporary commercial housing up to 60 calendar days and may be extended for up to another 30 additional calendar days in extreme and unusual circumstances.

In the "Remarks" section of the TSMA application (No. 18 of the [SF-1190](#)) for days 1 through 60, provide a description to reflect the following circumstances:

- The employee's family members were evacuated from post.
- The evacuation has been terminated and post has been converted to unaccompanied status.
- The family member is occupying temporary commercial housing.

In the "Remarks" section of the TSMA application (No. 18 of the [SF-1190](#)) for days 60 through 90, provide a description of the extreme or unusual circumstances which warrant extension of TSMA beyond 60 days.

In addition to a TSMA application, include documents certifying that the family members are occupying commercial quarters at the time of application. These documents may include, but are not limited to, receipts and lease agreements.

- (2) Following termination of an evacuation and post reverts to accompanied status, TSMA may be authorized for up to 90 days to allow a child in the



final semester of the current school year to complete that school year (grades K-12).

In the "Remarks" section of the TSMA application (No. 18 of the [SF-1190](#)) for days 1 through 90, provide a description to reflect the following circumstances:

- The employee's family members were evacuated from post.
- The evacuation has been terminated during the final semester of the current school year and the family members wish to remain at the safehaven in order for the child(ren) attending grade K-12 to complete the current school year.
- The family members are occupying temporary commercial quarters at the safehaven.
- The family members plan to return to post following completion of the current school year. However, if the family member's return to post would be within employee's last 90 days at post, then they would need to be placed on VSMA following the 90 days under TSMA ([DSSR 262.3b](#)) for the remainder of employee's time at post.

Along with the TSMA application, include documents, for example, receipts or lease agreements certifying that the family members are occupying commercial quarters at the time of application. Include the date of the last day of school on the TSMA application.

- (3)** Following termination of an evacuation and post reverts to accompanied status but an employee and/or family member were occupying temporary commercial lodging and cannot return to post for reason(s) beyond the employee's control, TSMA may be authorized for up to 30 calendar days.

In the "Remarks" section of the TSMA application (No. 18 of the [SF-1190](#)) for days 1 through 30, provide a description to reflect the following circumstances:

- The employee's family members were evacuated from post.
- The reason(s) family members cannot return to post which are beyond employee's control.
- The family members are occupying temporary commercial quarters at the safehaven.

- (4)** When family members must depart from an accompanied foreign post because the employee's next foreign post is unaccompanied, TSMA may be authorized pending commencement of ISMA when the family members are required to occupy temporary commercial housing for up to 60 calendar days.

In the "Remarks" section of the TSMA application (No. 18 of the [SF-1190](#)) for days 1 through 60, provide a description to reflect the following circumstances:



- The employee's family members are occupying temporary commercial housing at their prospective authorized ISMA location while looking for permanent quarters.
  - The employee has been transferred to an unaccompanied post and just prior to this transfer the employee's family members officially resided with the employee at an accompanied foreign post of assignment.
  - The family members are not occupying permanent quarters.
- (5) When family members on ISMA prepare to depart the ISMA point, for the employee's new foreign or domestic assignment (accompanied), TSMA may be authorized for up to 10 calendar days.

In the "Remarks" section of the TSMA application (No. 18 of the [SF-1190](#)) for days 1 through 10, provide a detailed description to reflect the following circumstances:

- The USAID employee will be transferred from an unaccompanied foreign post to an accompanied foreign or domestic post.
- The family members have been on ISMA at an approved ISMA location while the employee was serving at an unaccompanied post. The ISMA location was at least 50 miles from or in a different country than the employee's onward post of assignment. The family members now must vacate their permanent quarters and occupy temporary commercial quarters at their official authorized ISMA location prior to traveling and joining the employee at the new foreign or domestic accompanied post.
- The family members are occupying temporary commercial quarters at the ISMA point.

#### **8. Processing of SMA Application:**

- a) When OHR/FSP/FSS receives the employee's [SF-1190](#) and supporting documents, the servicing Human Resources Specialist:
- Logs the [SF-1190](#) into its tracking system to capture information on the employee's application and date received;
  - Reviews the [SF-1190](#), required signatures, supporting documents against the SMA checklist, and the employee's official [OF-126, Foreign Service Residence and Dependency Report](#) ensuring that the application is complete;
  - Computes the annual rate of the SMA grant based on the number of family members maintained elsewhere than at the post of assignment; and
  - Makes a recommendation to the Chief, OHR/FSP/FSS, on whether the SMA application should be approved or disapproved.
- b) The Chief, OHR/FSP/FSS makes the final decision on the employee's SMA application within 15 working days of receipt of a complete SMA application package with all necessary supporting documents.

If approved, the Chief, OHR/FSP/FSS determines the effective date for commencement of SMA and sends the original of the [SF-1190](#) to the responsible Controller at post for certification and payment.

## **9. Appeals**

The Deputy Assistant Administrator for Human Resources (DAA/HR) or designee decides appeals of decisions made by OHR/FSP/FSS.

## **10. Effective Date for Commencement of SMA**

The effective dates for SMA vary depending on when the employee applies for SMA.

- a) When a USAID employee applies for SMA before arriving at post, the effective date will be the latest of the following:
  - (1) The date on which the USAID employee submits the [SF-1190](#) and supporting documents for SMA,
  - (2) The date the USAID employee begins official travel under assignment orders, or
  - (3) The date when separation from the family member occurs.
- b) If the employee applies during the period of service at a post of assignment, the effective date will be the latest of the following: the date on which the employee submits the [SF-1190](#) and supporting documents for SMA or the date on which the separation from the family member occurs.

## **11. Payment of SMA Requires Certification of Continuing Eligibility**

USAID employees who are receiving SMA will be required, as part of the payment process, to certify that they continue to meet requirements for eligibility to receive SMA and that there has been no change in their family status during this period that would require them to terminate receipt of the allowance. Employee certifications may be provided in written or electronic formats.

Failure to comply with this requirement may result in employees' SMA payments being delayed until certification of continuing eligibility is provided.

## **12. Suspension/Termination of SMA**

An employee may request termination of SMA at any time during the tour of duty.

Employees must request termination of SMA when a family member no longer meets the criteria as defined in [DSSR 040m](#) (1) through (4) and [DSSR 261.1b](#) or when the employee separates from Federal service or rejoins his or her family members.

When an employee transfers from a post where SMA has been granted, he or she must reapply for SMA upon assignment to the new post or have family members included on the travel orders, if the post is accompanied. ([DSSR 266.2](#) and [266.3](#))

SMA payments must be suspended when a family member arrives at post and remains for more than 30 consecutive days (See section [266 of the DSSR](#)) or has exceeded or will exceed 90 days during one 12-month period. No other allowance or benefits under the DSSR can be authorized for family members while visiting the post. Payments are resumed on the day of departure from post en route to the SMA point, provided that their stay at the post has not exceeded 90 days within one 12-month period ([DSSR 266](#)).

VSMA must be terminated on a child's 18<sup>th</sup> birthday, unless the child is attending secondary school (grades 9-12) or is determined to be incapable of self-support due to physical or mental impairment which is supported by medical documentation. Once a child leaves the secondary school, SMA may continue for up to three months from the day the child leaves secondary school. ([DSSR 264.2](#))

ISMA must be terminated on a child's 21<sup>st</sup> birthday, unless the child is attending secondary school or determined to be incapable of self-support which is supported by medical documentation. A child who is in post-secondary school/college and not currently working is not considered to be incapable of self-support. ([DSSR 262.1](#))

### **13. Updates on the DSSR and Forms**

When the U.S. Department of State, Office of Allowances makes changes to [DSSR 260](#) or required forms and certifications for SMA payments, OHR/PPIM will provide the necessary updates regarding these changes to USAID employees.

### **14. Internal Audits and Reviews**

OHR conducts internal reviews and audits of SMA records as part of its responsibilities for internal audits of the Agency's human resources programs and operations.

### **15. Questions Concerning SMA Applications Process**

Questions regarding the processing of individual SMA applications should be directed to the responsible staffer in OHR/FSP/FSS or the Branch Chief, Ghytana Butler.

[USAID/General Notice #0584, Areas of Responsibility in Foreign Service Staffing](#), dated May 24, 2010, provides an up-to-date listing of Human Resources Specialists and their servicing responsibilities.

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