



MEMORANDUM FOR Principal Human Resources Managers

FROM: Benjamin Kagan-Guthrie
 Director for Human Resources Management and
 Chief Human Capital Officer (Acting)

SUBJECT: Domestic Employees Teleworking Overseas Policy

The Office of Human Resources Management (OHRM) is issuing this policy memorandum to establish the Department of Commerce's (Department) policy regarding Domestic Employees Teleworking Overseas (DETO).

A DETO is a U.S. Government Civil Service or Foreign Service employee assigned to a domestic position who is approved to telework from an overseas location for a limited time period.

It is Department policy that only Sponsored DETO Agreements will be considered. A Sponsored DETO is a Civil Service or Foreign Service employee who is the spouse of a sponsoring employee assigned overseas and is on U.S. Government orders of that sponsoring employee. A DETO arrangement must not result in any additional costs to the departmental office or operating unit beyond those that would otherwise be incurred if the employee were working at their official duty station.

DETO employees are eligible for location-based comparability pay in accordance with Section 9717 of the National Defense Authorization Act for Fiscal Year 2023. Specifically, Civil Service DETOs will receive location-based comparability pay that is equal to the lesser of:

1. The locality pay the employee would have received had they not moved overseas as a DETO; or
2. The current rate of overseas comparability pay paid to eligible Foreign Service employees working overseas.

An employee must obtain approval from their supervisor and departmental office or operating unit leadership before requesting a Sponsored DETO Agreement. Before OHRM submits a Sponsored DETO request to the Department of State, the request must receive approval from the Department's Office of the Chief Information Officer (OCIO); the Office of Security, Insider Risk, and Continuity (OSIRC); the Office of Inspector General (OIG); and the Employment and Labor Law Division within the Office of the General Counsel (OGC).

To support these reviews, DETO requests must include detailed information for each office to conduct its assessment. Reviewing offices may request additional documentation or risk-mitigation measures if the DETO arrangement presents unique security or oversight

concerns. All such issues must be resolved before OHRM submits the request to the Department of State.

After receiving approval from OCIO, OSIRC, OIG, and OGC, the departmental office or operating unit leadership must submit a request to OHRM for its approval and for OHRM to submit the DETO request to the Department of State. Along with the request to OHRM, copies of all required Department approvals, the signed DETO Agreement, and the official orders must be provided to OHRM. OHRM will then draft a request to the DETO Policy Office at the Department of State.

Once an employee has received all required Department of Commerce approvals and Department of State Chief of Mission approval to work overseas, the employee is not subject to the Department's in-person work requirement and may work from the approved location identified in the DETO Agreement. Employees may not telework from a foreign location without an approved DETO Agreement.

Employees must also remain in full compliance with all Department security, ethics, and conduct requirements while teleworking overseas, and departmental offices or operating units are responsible for ensuring ongoing monitoring and adherence to these standards throughout the DETO period. Employees who have access to classified information or who hold sensitive positions (i.e., positions eligible for a security clearance) must continue to meet all [Security Executive Agent Directive \(SEAD\)-3](#) reporting requirements associated with their security clearance, including timely reporting of any unofficial foreign travel (e.g., travel to countries outside the approved DETO duty location), any unofficial foreign contacts that develop into “close and continuing” contacts,¹ and any changes in personal circumstances, in accordance with SEAD-3 and [Department policy](#).

If you have any questions, please contact Mary O'Connor of my office at MOConnor@doc.gov.

¹ For example, continuing association with known foreign nationals that involves bonds of affection, personal obligation, or intimate contact.