

§ 302-2.7

from the current residence, then the new official station must be at least 53 miles from that same residence in order to receive relocation expenses for residence transactions. The distance between the official station and residence is the shortest of the commonly traveled routes between them. The distance test does not take into consideration the location of a new residence. This follows the distance guidelines found in *Internal Revenue Service Publication 521, Moving Expenses*.

(b) The head of your agency or designee may authorize an exception to the 50-mile threshold on a case-by-case basis when the authorized official determines that it is in the best interest of the Government. The determination must take into consideration such factors as commuting time and distance between the employee's residence at the time of notification of transfer and the new official station.

(c) Any relocation must be incidental to the transfer and not for the convenience of the employee.

[FTR Amdt. 2011-01, 76 FR 18336, Apr. 1, 2011, as amended by FTR Amdt. 2020-02, 84 FR 64781, Nov. 25, 2019]

§ 302-2.7 What happens if I attempt to defraud the Government?

If you attempt to defraud the Government:

(a) You forfeit reimbursement pursuant to 28 U.S.C. 2514; and

(b) You may be subject under 18 U.S.C. 287 and 1001 to one, or both, of the following:

(1) A fine of not more than \$10,000, and/or

(2) Imprisonment for not more than 5 years.

[FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

TIME LIMITS

§ 302-2.8 When may I begin my travel and transportation after receiving authorization to do so?

You and your immediate family member(s) may begin travel immediately upon receipt of your authorized TA.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

41 CFR Ch. 302 (7-1-23 Edition)

§ 302-2.9 When must I complete all aspects my relocation?

You and your immediate family member(s) must complete all aspects of your relocation within one year from the effective date of your transfer or appointment, except as provided in § 302-2.10 or § 302-2.11.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011-01, 76 FR 18336, Apr. 1, 2011. Redesignated and amended by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

§ 302-2.10 If I am furloughed to perform active military duty, will I have to complete all aspects of the relocation within the time limitation?

No, if you are furloughed to perform active military duty, the 1-year period to complete all aspects of relocation is exclusive of time spent on furlough for active military service.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011-01, 76 FR 18336, Apr. 1, 2011. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

§ 302-2.11 Does the 1-year time period in § 302-2.8 include time that I cannot travel and/or transport my household effects due to shipping restrictions to or from my post of duty OCONUS?

No, the 1-year time period in § 302-2.9 does not include time that you cannot travel and/or transport your household effects due to shipping restriction to or from your post of duty OCONUS.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011-01, 76 FR 18336, Apr. 1, 2011. Redesignated and amended by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

§ 302-2.12 May the 1-year time limitation for completing all aspects of a relocation be extended?

Yes, the 1-year time limitation for completing all aspects of a relocation may be extended by your Agency for up to one additional year, but only if you have received an extension under § 302-11.22.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2011-01, 76 FR 18336, Apr. 1, 2011. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

Relocation Allowances

§ 302-2.18

SERVICE AGREEMENT AND DISCLOSURE STATEMENT

§ 302-2.13 What is a service agreement?

(a) A service agreement is a written and signed agreement between you and your agency. The service agreement states that you will remain in the service of the Government, after you have relocated, for a period of time as specified in § 302-2.14. A service agreement must also include the duplicate reimbursement disclosure statement specified in §§ 302-2.21, 302-2.22, and 302-2.100(g).

(b) A service agreement is not required for a “last move home” relocation, a temporary change of station, or separation from Government service.

[86 FR 73680, Dec. 28, 2021]

§ 302-2.14 Am I required to sign a service agreement for an appointment or transfer CONUS or Outside the Continental United States (OCONUS), renewal agreement travel, or assignment under the Government Employees Training Act (GETA), and what is the minimum period of service?

Yes, you are required to sign a service agreement for appointment or transfer CONUS or OCONUS, renewal agreement travel, or assignment under GETA. The minimum periods of service are:

(a) Within CONUS for a period of service of not less than 12 months following the effective date of your appointment or transfer;

(b) OCONUS for an agreed upon period of service of not more than 36 months or less than 12 months following the effective date of your appointment or transfer;

(c) Department of Defense Overseas Dependent School System teachers for a period of not less than one school year as determined under chapter 25 of Title 20, United States Code;

(d) For renewal agreement travel, a period of not less than 12 months from the date of return to the same or different overseas official station; and

(e) For assignment under GETA, not less than three times the length of the

training period as prescribed by the head of your agency.

[86 FR 73680, Dec. 28, 2021]

§ 302-2.15 Will I be penalized for violation of my service agreement?

Yes, if you violate a service agreement (other than for reasons beyond your control and which must be accepted by your agency), you will have incurred a debt due to the Government and you must reimburse all costs that your agency has paid towards your relocation expenses including withholding tax allowance (WTA) and relocation income tax (RIT) allowance.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

§ 302-2.16 Must I provide my agency with my actual place of residence as soon as I accept a transfer/appointment OCONUS?

Yes, if you accept a transfer/appointment to an OCONUS location, you must immediately provide your agency with the information needed to determine your actual place of residence and to document it into your service agreement.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

§ 302-2.17 Must I sign a service agreement for a “last move home” relocation or separation from Government service?

No, you do not need to sign a service agreement for a “last move home” relocation or separation from Government service.

[86 FR 73680, Dec. 28, 2021]

§ 302-2.18 What happens if I fail to sign a service agreement?

If you fail to sign a service agreement, your agency will not pay for your relocation expenses.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]