

## Relocation Allowances

## § 302-2.6

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AUTHORITY: 5 U.S.C. 5738; 20 U.S.C. 905(a).

SOURCE: FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, unless otherwise noted.

### Subpart A—General Rules

NOTE TO SUBPART A: Use of pronouns “I”, “you”, and their variants throughout this subpart refers to the employee.

#### § 302-2.1 When may I begin my relocation?

You may begin your relocation only after your agency has approved your travel authorization (TA) in writing (paper or electronic).

[86 FR 73680, Dec. 28, 2021]

#### § 302-2.2 May I relocate to my new official station before I receive a written travel authorization (TA)?

No, you must have the written TA (paper or electronic) before you relocate to your new official station.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 2010-07, 75 FR 72968, Nov. 29, 2010]

#### § 302-2.3 What determines my entitlements and allowances for relocation?

Your entitlements and allowances for relocation are determined by the regulatory provisions that are in effect at the time you report for duty at your new official station. However, this does not change the requirement that all aspects of a relocation must be completed by the time specified in §§ 302-2.8 through 302-2.12.

[FTR Amdt. 98, 66 FR 58196, Nov. 20, 2001, as amended by FTR Amdt. 108, 67 FR 57968, Sept. 13, 2002; FTR Amdt. 2014-01, 79 FR 49643, Aug. 21, 2014]

#### § 302-2.4 What is my effective transfer or appointment date?

Your effective transfer or appointment date is the date on which you report for duty at your new or first official station, respectively.

#### § 302-2.5 May I relocate from a location other than the location specified in my relocation travel authorization?

Yes, you may relocate from a place other than from where you are authorized. However, you will be required to pay all additional costs incurred for expenses above your authorized travel and transportation cost.

#### § 302-2.6 May I be reimbursed for relocation expenses if I relocate to a new official station that does not meet the 50-mile distance test?

Generally no; you may not be reimbursed for relocation expenses if you relocate to a new official station that does not meet the 50-mile distance test.

(a) The distance test is met when the new official station is at least 50 miles further from the employee's current residence than the old official station is from the same residence. For example, if the old official station is 3 miles

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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]

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## § 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]

## § 302-2.19

### **§ 302-2.19 Can my service agreement be voided by a subsequent service agreement?**

No, service agreements which are already in effect cannot be voided by subsequent service agreements.

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

### **§ 302-2.20 If I have more than one service agreement, must I adhere to each agreement separately?**

Yes, service agreements can not be grouped together and must be adhered to separately. Each agreement is in effect for the period specified in the agreement.

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

### **§ 302-2.21 What is a duplicate reimbursement disclosure statement?**

A duplicate reimbursement disclosure statement is a written statement signed by you and submitted to your agency. It states that you and/or your immediate family have not accepted, and will not accept, duplicate reimbursement for relocation expenses. Furthermore, it states that, to the best of your knowledge, no third party has accepted duplicate reimbursement for your relocation expenses. The duplicate reimbursement disclosure statement must be incorporated into your service agreement.

[FTR Amdt. 2011-01, 76 FR 18336, Apr. 1, 2011. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

### **§ 302-2.22 Must I sign a duplicate reimbursement disclosure statement?**

Yes, you must sign a duplicate reimbursement disclosure statement to receive any relocation benefits.

[FTR Amdt. 2011-01, 76 FR 18336, Apr. 1, 2011. Redesignated by FTR Amdt. 2014-01, 79 FR 49644, Aug. 21, 2014]

## ADVANCEMENT OF FUNDS

### **§ 302-2.23 May I receive an advance of funds for my travel and transportation expenses?**

Yes, you may receive an advance of funds for your travel and transportation expenses, as prescribed by your

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agency, except for overseas tour renewal agreement travel.

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

### **§ 302-2.24 What requirements must I meet to receive a travel advance?**

Your relocation travel authorization must authorize you to receive a travel advance.

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

### **§ 302-2.25 May I receive a travel advance for separation relocation?**

Yes, you may receive a travel advance if approved by your agency.

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

## Subpart B—Agency Responsibilities

NOTE TO SUBPART B: Use of pronouns “we”, “you”, and their variants throughout this subpart refers to the agency.

### **§ 302-2.100 What internal policies must we establish before authorizing a relocation allowance?**

Before authorizing a relocation allowance, you must set internal policies that determine:

- (a) How you will implement the governing policies throughout this part;
- (b) How you will determine when a relocation is in the best interest of the Government;
- (c) When you will allow a travel advance for relocation expenses;
- (d) Who will authorize and approve relocation travel;
- (e) Under what additional circumstances will you require an employee to sign a service agreement;
- (f) Who is required to sign a service agreement; and
- (g) How you will ensure that all relocating employees sign a duplicate reimbursement disclosure statement, which is to be incorporated into their