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first duty station are located in the same general local or metropolitan area and who relocate their places of residence as a result of the appointment, the travel and transportation expenses as provided in §302-1.10 shall be authorized only when the agency determines that the relocation of residence was incident to the appointment. To the extent applicable, the principles prescribed for transferred employees shall be considered in making this determination.

[54 FR 20306, May 10, 1989, as amended by FTR Amdt. 17, 56 FR 23657, May 23, 1991; FTR Amdt. 59, 62 FR 13756, Mar. 21, 1997; FTR Amdt. 63, 62 FR 13768, Mar. 21, 1997]

§ 302-1.8 Two or more family members employed.

(a) *Members of the same immediate family who are employees.* When two or more employees are members of the same immediate family, the allowances authorized under this chapter shall apply either to:

(1) Each employee separately, in which instance none of the employees is eligible for any allowance as a member of the immediate family; or

(2) Only one of the employees selected in accordance with paragraph (c) of this section, in which case the other employee(s) is eligible for allowances solely as a member(s) of the immediate family.

(b) *Non-employee members of the immediate family.* When two or more employee members of the same immediate family elect separate allowances under paragraph (a)(1) of this section, non-employee members of the immediate family shall not receive duplicate allowances because of the fact that the employee members elected separate allowances.

(c) *Payment limitation.* When employee members of the same immediate family elect separate allowances under paragraph (a)(1) of this section, the employing agency or agencies shall not make duplicate payment for the same expenses.

(d) *Procedures.* A determination as to which of the two alternatives provided in paragraph (a) of this section is selected shall be made in writing and signed by all employee members of the same immediate family. When em-

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ployee family members elect separate allowances under paragraph (a)(1) of this section, the determination also shall specify under which employee member's authorization non-employee family members will receive allowances. A copy of this determination shall be filed with the agency in which each employee member is employed.

[FTR Amdt. 20, 56 FR 46989, Sept. 17, 1991]

§ 302-1.9 Reduction in force involved.

(a) *Impending separation.* When an employee is assigned to a new official station after having been notified of involuntary separation not for cause but incident to the reduction, cessation, or transfer of the work at the station where he/she was employed, the transfer of the employee is deemed to be in the interest of the Government unless there is an affirmative administrative determination that the transfer is primarily for the employee's convenience or benefit.

(b) *Reemployment after separation.* A former employee separated by reason of reduction in force or transfer of function who within 1 year of the date of separation is reemployed by an agency for a nontemporary appointment, at a different permanent duty station from that where the separation occurred, may be allowed and paid the expenses and other allowances (excluding nontemporary storage when assigned to an isolated permanent duty station within the continental United States) in the same manner as though he/she had been transferred in the interest of the Government to the permanent duty station where reemployed, from the permanent duty station where separated, without a break in service, and subject to the eligibility limitations as prescribed in this chapter.

[54 FR 20306, May 10, 1989, as amended by FTR Amdt. 26, 57 FR 28635, June 26, 1992]

§ 302-1.10 New appointees.

(a) *Coverage.* New appointees to any position are eligible for payment only of those travel and transportation expenses listed in paragraph (e) of this section in relocating to their first official station. New appointees include student trainees who are assigned upon

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completion of college work. New appointees include not only individuals when first appointed to Government service but also individuals appointed after a break in service except that employees separated as a result of reduction in force or transfer of function may be treated as transferees instead of new appointees under the conditions set forth in § 302-1.9.

(b) *Authorization and eligibility*—(1) *Authority to pay.* Agencies may pay the relocation expenses allowed in paragraph (e) of this section for new appointees determined eligible under paragraph (b)(2) of this section. However, once an agency has made the determination to pay relocation expenses in an individual case, it must pay all of the allowable relocation expenses contained in paragraph (e) of this section.

(2) *Eligibility determination.* Each agency shall establish specific criteria for determining which new appointees qualify for payment of allowable relocation expenses. The Office of Personnel Management has issued guidelines in 5 CFR part 572 for agencies to follow in making these personnel determinations.

(c) *Agency responsibility.* Because new appointees usually lack experience in Government procedures, each agency shall adopt special measures to provide full information to new appointees concerning the benefits which may be available to them for travel and transportation involved in reporting to their official stations. Special care shall be taken to inform appointees of the limitations on available benefits.

(d) *Procedural requirements*—(1) *Agreement.* No payment for otherwise allowable expenses or for an advance of funds shall be made unless the appointee or student trainee has signed the agreement appropriate in his/her case as provided in § 302-1.5.

(2) *Travel before appointment.* Authorized expenses may be paid even though the individual concerned has not been appointed at the time travel to the first official station is performed. For individuals who have performed Presidential transition activities, as described in § 302-1.3(a)(2), allowable travel and transportation may take place at any time following the most recent Presidential election. However, entitle-

ment to such expenses does not vest by virtue of selection for the position or authorization for travel as provided in § 302-1.3(c) but vests only upon actual appointment of the individual concerned. However, nothing in this paragraph shall be construed to limit the provisions of part 301-1, subpart C, allowing the payment of pre-employment interview travel.

(3) *Prior payment.* A student trainee may not receive payments at the time of his/her assignment if the expenses of travel and transportation were paid at the time he/she was appointed as a student trainee.

(e) *Allowable expenses.* Items of expense listed in paragraphs (e) (1) through (6) of this section are payable under the conditions prescribed in this chapter governing the allowance in question. Note particularly that not all of the listed items will be applicable in each situation covered by this part.

(1) Travel expenses including per diem for the appointee or student trainee as set forth in § 302-2.1;

(2) Transportation for immediate family of appointee or student trainee as set forth in § 302-2.2(a);

(3) Mileage if privately owned vehicle is used in travel as set forth in § 302-2.3;

(4) Transportation and temporary storage of household goods as set forth in part 302-8;

(5) Nontemporary storage of household goods if appointed to an isolated location as set forth in § 302-9.1; and

(6) Transportation of mobile homes as set forth in part 302-7.

(f) *Expenses not allowable.* Items of expense not listed in paragraph (e) of this section which are authorized for reimbursement in case of transfers under this chapter (e.g., per diem for family, cost of house-hunting trip, subsistence while occupying temporary quarters, a miscellaneous expense allowance, residence sale and purchase expenses, lease-breaking expenses, and relocation services) are not allowable to appointees and student trainees eligible under this section.

(g) *Alternate origin and destination.* The limit on travel and transportation expenses in each individual case is the cost of direct travel or transportation as allowable between the individual's

place of residence at the time of selection or assignment (or in the case of individuals having performed Presidential transition activities, as described in §302-1.3(a)(2), the place of residence at the time of relocation following the most recent Presidential election) and the official station to which he/she is appointed or assigned; however, travel and transportation may be from and/or to other locations if the new appointee or student trainee pays any excess cost involved in such alternate travel or transportation.

(h) *Advance of funds.* An advance of funds for expenses allowable under this section may be made to appointees and student trainees under the procedures prescribed in §302-1.14(a) and the part of this subtitle governing the allowance being considered.

[FTR Amdt. 17, 56 FR 23657, May 23, 1991, as amended by FTR Amdt. 26, 57 FR 28634, June 26, 1992; FTR Amdt. 32, 58 FR 58243, Oct. 29, 1993; FTR Amdt. 37, 59 FR 27488, May 27, 1994]

§302-1.11 [Reserved]

§302-1.12 Overseas assignment and return.

(a) *Transferees.* Employees transferred to, from, and between official stations outside the continental United States are eligible for many of the benefits provided by this chapter, and employees transferred to such stations are eligible for return transportation under the conditions and limitations contained in paragraphs (c) through (g) of this section. Specific eligibility provisions and applicable limitations are contained in the parts of this chapter relating to the benefits provided.

(b) *New appointees—(1) Residence at time of appointment.* A new appointee to a position outside the continental United States is eligible for certain travel and transportation benefits under this chapter if his/her residence at the time of appointment is in an area other than the area in which his/her official station is located. Under this rule “area” means a foreign country, the continental United States, Alaska, Hawaii, the Commonwealth of Puerto Rico or the Commonwealth of the Northern Mariana Islands, or a United States territory or possession.

(2) *Allowable expenses.* Allowances and the parts of this chapter which apply are as follows:

(i) Travel and per diem for appointees as set forth in §302-2.1;

(ii) Travel for the appointee’s immediate family, but not per diem, as set forth in §302-2.2;

(iii) Mileage to the extent travel is performed by privately owned automobile as set forth in §302-2.3;

(iv) Transportation and temporary storage of household goods as set forth in part 302-8;

(v) Nontemporary storage of household goods as set forth in §302-9.2;

(vi) Transportation of mobile homes in limited circumstances as set forth in part 302-7; and

(vii) Transportation of an employee’s personal automobile as set forth in part 302-10.

(3) *Expenses not allowable.* Items of expense not listed in paragraph (b)(2) of this section which are authorized for reimbursement under this chapter in the case of transfers (e.g., per diem for family, cost of house-hunting trip, subsistence while occupying temporary quarters, miscellaneous expense allowance, residence sale and purchase expenses, and lease-breaking expenses) may not be authorized for appointees eligible under this section.

(4) *Alternate origin or destination.* Travel and transportation benefits authorized are from the employee’s residence at time of appointment to his/her official station. If alternate origins or destinations are involved, the cost which will be paid by the Government may not exceed the cost that would have been incurred for the travel or transportation in question between the residence and the official station.

(5) *Advance of funds.* An advance of funds for expenses allowable under paragraph (b)(2) of this section may be made to appointees under the procedures prescribed in §302-1.14(a) and the part of this chapter governing the allowance being considered.

(c) *Actual place of residence designation—(1) Designation by employee.* When an employee is selected for transfer or appointment to a post of duty outside the continental United States, the