

SUBJECT: OVERSEAS EMPLOYMENT

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| Exhibit A: | Employment Agreement for Transfers and Appointments Overseas, HHS Form 355A |
| Exhibit B: | Sample Form - Request for Employee Relocation |
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| Exhibit E: | Travel Allowances for First Official Station outside the Continental United States (OCONUS) |
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| Exhibit H: | Domestic Partnership Affidavit |

301-1-00 PURPOSE AND AUTHORITY

The purpose of this instruction is to provide the Department's policy pertaining to HHS employees stationed outside the OCONUS. This instruction provides guidance that will ensure compliance and standardization of processing and determination of benefits for employees stationed overseas.

301-1-10 COVERAGE AND EXCLUSIONS

A. Coverage

This Instruction covers all employees stationed overseas who are in the competitive service, excepted service and the Senior Executive Service.

B. Exclusions

This Instruction does not cover members of the Public Health Service Commissioned Corps, Personal Services Contractors, individuals serving under Personal Services Agreements (22 USC 2669 (c) & (n)), those paid under a Local Compensation Plan (22 USC 3968) and Locally Employed Staff abroad.

301-1-20 REFERENCES

- A. Section 307(c) of the Public Health Service Act, 42 U.S.C. § 2421(c).
- B. 5 USC § 5721, 5722, 5723, and 5724(d) (law - payment of travel and transportation expenses of new appointees; posts of duty outside the continental United States)
- C. 5 USC § 5728 (law - travel and transportation expenses; vacation leave)
- D. 5 USC § 6303 (d), 6304 (b), and 6305 (a) (law - travel time and leave for employees overseas)
- E. 22 USC § 2385(d) (law - appointments under the Foreign Service Act)
- F. Executive Order 12721 of July 30, 1990, (eligibility of overseas employees for noncompetitive appointments)
- G. 5 CFR § 301.201 and 301.202 (regulations - appointment of persons overseas and outside overseas areas)
- H. 5 CFR Parts 315 and 316 (regulations - noncompetitive appointment of certain former overseas employees)
- I. 5 CFR § 630.207, 630.302, and 630.601 through 630.607 (regulations - travel time and leave for employees overseas)
- J. HHS Instruction 572-1 (Payment of Travel and/or Transportation Expenses)
- K. HHS Instruction 610-2 (temporary closing of workplaces and treatment of absences)
- L. HHS Instruction 630-1 (leave and excused absence; leave for overseas employees)
- M. HHS Travel Manual (travel orders, changes of duty station, and foreign travel). When the provisions of this Instruction differ from the requirements contained in applicable collective bargaining agreement(s), the agreement takes precedence for bargaining unit employees.
- N. Section 903 of the Foreign Service Act of 1980, 22 U.S.C. 4083

301-1-30 DEFINITIONS

- A. United States. Several States of the United States of America including Alaska, Hawaii and the District of Columbia.
- B. Continental United States. The 48 contiguous states and the District of Columbia excluding Alaska and Hawaii.

- C. Foreign Country. Any area outside the United States, the commonwealth of Puerto Rico, the commonwealth of Northern Mariana Island and the possessions of the United States.
- D. Curtailment. Curtailment means shortening an employee's tour of duty from his or her assignment. It may include the employee's immediate departure from a bureau or post. Curtailment is an assignment action, not a disciplinary one.
- E. Domestic Partnership. The term domestic partnership is defined as a committed relationship between two adults, of the same sex, in which the domestic partners:
- (1) are each other's sole domestic partner and intend to remain so indefinitely;
 - (2) are at least 18 years of age and mentally competent to consent to contract;
 - (3) share responsibility for a significant measure of each other's financial obligations;
 - (4) are not married or joined in a civil union to anyone else;
 - (5) are not the Domestic Partner of anyone else;
 - (6) are not related in a way that, if they were of opposite sex, would prohibit legal marriage in the U.S. jurisdiction in which they reside;
 - (7) are willing to certify, if required by the agency, that they understand that willful falsification of any documentation required to establish that an individual is in a domestic partnership may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification, as well as constitute a criminal violation under 18 USC § 1001, and that the method for securing such certification, if required, shall be determined by the agency;
 - (8) are willing promptly to disclose, if required by the Agency, any dissolution or material change in the status of the domestic partnership.

301-1-40 APPOINTMENT SYSTEM

- A. Positions in overseas areas are subject to civil service competitive and excepted service appointment requirements and procedures.
- B. When there is a shortage of eligible applicants resulting from a competitive announcement that is open to applicants in the local overseas area, an agency may give, without competitive examination, an overseas limited appointment to a United States citizen recruited overseas for a position overseas. This authority may not be used for appointments in the U.S.

- C. When an agency determines that unusual or emergency conditions make it infeasible to appoint from a register, overseas limited appointments may be made of U.S. citizens recruited in an area where an overseas limited appointment is not authorized.
- D. Non-citizens overseas may be recruited and appointed to overseas positions without regard to competitive requirements.
- E. Former overseas employees are eligible for competitive appointments to position within the U.S. (including Guam, Puerto Rico and the U.S. Virgin Islands). The individual must be a citizen of, or owe permanent allegiance to, the U.S. and meet the eligibility criteria contained in 5 CFR Parts 315.608 and 316.302. These appointments are authorized by Executive Order 12721.
- F. Some overseas positions are excepted from the competitive service. For example, positions in foreign countries established under an agreement with the Agency for International Development (AID) and filled under authority of Section 625(d)(1) of the Foreign Assistance Act (22 U.S.C. § 2385(d)).
- G. Employment of host country citizens and permanent residents must comply with host country law and regulation.

301-1-50 GENERAL APPLICABILITY OF HHS POLICIES

Except as otherwise specified, the same laws, regulations, and policies contained in HHS Instructions apply to overseas positions. Three provisions specifically related to overseas assignments are:

- A. Differential and Allowances as specified in Department of State Standardized Regulations.
- B. Leave between Tours of Duty

At the time of appointment or assignment, the appointing official must determine whether:

1. The employee is entitled to accumulate annual leave up to 30 days or up to 45 days. However, employees serving a tour of duty in Alaska or Hawaii are not entitled to accumulate annual leave up to 45 days.
2. The employee is entitled to home leave. Employees serving on a tour of duty in Alaska or Hawaii may be entitled to vacation travel expenses (see section 301-1-90C.2.)
3. The employee is entitled to excused travel time when taking leave between consecutive tours of duty. Employees serving overseas who are entitled to home leave are not entitled to leave between consecutive tours.

C. Local Holidays

Overseas duty stations may be closed under the same conditions that apply to closing workplaces in the continental United States because of local holidays, emergencies and security situations. When local circumstances do not warrant closing the overseas duty station but one or more employees cannot do their regular work and cannot be given other work, the head of the duty station may excuse the employees without charge to leave. If an employee cannot get to work because of emergency and security situations or transportation has been suspended because of a holiday celebration, the employee may be excused without charge to leave.

301-1-60 RECRUITMENT POLICY

- A. Minimum age requirements in the local area will be observed in such employment. U.S. citizens who live overseas must meet the minimum age requirements applicable to employment in the U.S and in host country.
- B. U.S. Citizens and permanent residents may be recruited or transferred from the U.S., including Alaska and Hawaii.
- C. Physical qualifications outlined in all pertinent State Department, OPM, and/or HHS guidance are applicable to employees assigned to overseas duty stations.
- D. Possible exclusionary policies of the country to which an applicant or employee is to be assigned must not be a factor in any part of the selection process. If a host country refuses a visa to an employee selected for overseas assignment on the basis of an exclusionary policy, the employing office must report this, through the HHS, Office of Global Health Affairs, to the Department of State. The Department of State will take appropriate action to attempt to gain entry for the individual.

301-1-70 OVERSEAS TOUR OF DUTY

- A. Tour of Duty
 - 1. A tour of duty at an overseas station in a foreign country begins on the date the employee enters on duty at the overseas duty station.
 - 2. The tour ends at the close of business on the last workday before departure for curtailment or for assignment in the continental U.S. or to another overseas post.
 - 3. It includes authorized leave with pay and up to two workweeks of absence in non-pay status in each 12 months of overseas duty. Non-pay status in excess of two workweeks may be included in crediting service toward completion of the overseas tour of duty for travel purposes when the approving official has determined that it is administratively necessary or desirable to do so. Such non-pay status is not creditable for home leave purposes between tours of duty.
 - 4. A tour of duty for a person recruited locally in the overseas area begins on the date the employee enters on duty.

B. Standard Overseas Tour of Duty

The first overseas tour of duty for any HHS employee shall be 24 months, excluding home leave taken (see exceptions in Section 301-1-70C). A standard tour for a war zone is 12 months.

C. Consecutive Tours Of Duty

Appointments to positions overseas in a foreign country are limited to six years (excluding taken) in one location and a maximum of eight years overseas during one rotation. The employee will be eligible for an additional tour overseas after one year in the U.S. Exceptions to this policy must be approved by HHS, Office of Global Health Affairs.

D. Non-standard overseas Tour of Duty

Tours of duty may be adjusted up to 120 days by the appointing OPDIV for administrative purposes. Tours of duty which differ from the standard by more than 120 days may be set under the following circumstances:

1. Appointing officials may request the HHS, Office of Global Health Affairs to set a shorter tour of duty, but not less than 12 months in duration, for a particular area. Each request must include:
 - a. Information on living accommodations, medical facilities, accessibility to metropolitan areas, recreational opportunities, and degree of isolation of the duty station.
 - b. Information on the standard tour of duty for other Federal agencies employing U.S. citizens in the area.
 - c. Any other pertinent information to justify a shorter tour of duty.
2. When an employee's service will be required for less than two years, the official with appointing authority must delineate the prescribed period in the Employment Agreement for Transfers and Appointments Overseas. (HHS Form 355A)
3. Individuals serving tours of duty under employment agreements with other Federal agencies may be appointed to HHS overseas positions. Such an employee may be transferred to HHS under a revised employment agreement. The prescribed period may be shorter than the standard tour of duty, if the shorter tour of duty is determined by the appointing official to be in the interest of the government and not solely for the benefit of the employee. The tour of duty, however, shall not be less than the standard tour of duty for this Department minus the time the employee served under the employment agreement with the other agency.
4. HHS may employ U.S. citizens who reside in a foreign country for positions within the country of their residence provided they are not also citizens of that foreign country. In such cases, a tour of duty may be established if the official with appointing authority determines it would be in the Department's best interests. If the employee completes the established tour of duty, the employee's return transportation to a place of residence in the continental U.S. will be paid by the Department.

E. Coordination with HHS, Office of Global Health Affairs

Prior to making an assignment to a duty station located in a foreign country, the assignment must be coordinated with the HHS, Office of Global Health Affairs.

301-1-80 EMPLOYMENT AGREEMENT FOR TRANSFERS AND APPOINTMENTS OVERSEAS

- A. An Employment Agreement for Transfers and Appointments overseas, a copy of which is attached as Exhibit A, will be required for each new appointment or transfer described below:
1. From the continental U.S. to an overseas duty station;
 2. From one overseas duty station to another when the two stations are in different countries, U.S. territories or possessions, or states of Alaska and Hawaii; or
 3. Within a foreign country, Alaska, Hawaii, or a U.S. territory or possession when:
 - a. The employee is being appointed from another Federal agency (see Section 301-1-70D.3 above); or
 - b. The employee does not currently have an employment agreement and HHS intends to pay the employee's return transportation to his/her place of residence in the continental U.S. upon completion of tour of duty (see Section 301-1-70D.4)
- B. If the employee has an employment agreement, the Department may reassign the employee to another duty station within the same country, U.S. territory or possession, or states of Alaska or Hawaii. A new employment agreement is not required for such a reassignment.
- C. An employment agreement will be required for an employee returning to his/her place of residence to take leave before serving another tour of duty overseas (see Section 301-1-90C below).
- D. Form HHS-355A shall be used to obtain the agreement to remain in the Federal government. This form may be purchased through established requisitioning channels. The Human Resources Office will specify the tour of duty and enter it and the location of the overseas duty station in the space provided under item 4(a) of the agreement.

301-1-90 PAYMENT OF TRAVEL AND TRANSPORTATION EXPENSES

The HHS Travel Manual covers payment of travel and transportation expenses to and from overseas duty stations. These provisions are summarized on the back of Form-355A.

A. Payment of Travel and Transportation Expenses of New Appointee or Transferee to Overseas Duty Station (See Tables at Exhibits E and F)

1. If a new or current HHS employee is assigned to an overseas duty station, the employee must agree to remain in the Federal government for at least one year. This requirement must be met in order for the Department to pay travel and transportation from the employee's place of actual residence at the time of appointment or transfer to the overseas duty station. (See Section 301-1-110 below).
2. The authority to pay travel expenses of a new appointee or a transferee to an overseas duty station is not necessarily limited to U.S. citizens recruited in the United States.
3. If a new employee or transferee separates from the Federal government before completing a year of service, the employee must pay back any expenditure for his/her travel, travel of his/her immediate family (to include a domestic partner), and transportation of household goods to the overseas duty station. However, no debt will be owed to the Federal government if the separation is for reasons that are beyond the employee's control and acceptable to the approving official (see Section 301-1-100 below).
4. If a new employee or a transferee completes at least one year of government service but fails to complete the entire duty specified in the agreement, the employee may be entitled to return travel and transportation expenses, for himself/herself, his/her immediate family (to include a domestic partner), or any household effects to the place of residence. Return expenses may also be paid by the government before the completion of the full tour of duty if the employee is curtailed for reasons beyond his/her control (see Section 301-1-100 below).

B. Payment of Return Travel and Transportation Expenses Upon Completion of Overseas Tour of Duty (See Exhibit G)

1. If an employee leaves the Federal government upon completion of the overseas tour of duty to which the employee agreed, the Department will pay the expenses of the employee's return travel, that of the employee's immediate family (to include domestic partner), and the transportation of household effects from the overseas duty station to the place of actual residence.
2. Return travel and transportation expenses for a U.S. citizen recruited locally overseas may be paid by the Department only if, at the time of appointment, the employee signed an employment agreement to remain in the Federal government for one year.

C. Return to Place of Residence to Take Leave

1. An employee assigned to an overseas duty station must agree to serve another tour of duty overseas in order to be entitled to payment of round-trip travel to place of actual residence to take home leave. Payment of round-trip travel is limited to the employee and the employee's immediate family (to include domestic partner). (Payment does not include transportation of

full household effects but provides for a limited shipment of effects by air for use when on home leave and then an equivalent shipment on return to post.)

2. Vacation leave travel expenses may be authorized for employees who are recruited or retained for necessary service in Alaska or Hawaii when the employee's position:
 - a. was initially and/or is presently covered by a special salary rate (5 U.S.C. § 5305);
 - b. was initially and/or is presently covered by a direct hire authority given to HHS by OPM;
 - c. is located in a remote location, i.e., any location not connected by highway to the mainland highway system and under 5000 population; or
 - d. is one in which no local candidates were identified from OPM certificates and vacancy announcements.
3. For employees hired after September 8, 1982 for tour of duty in Alaska or Hawaii, payment of vacation leave travel expenses are limited to two round trips within five years.
4. The Office of Global Health Affairs will consider individual requests citing specific circumstances other than those listed above in C(2) when the request is endorsed by the official with appointing authority.
5. For an employee to be entitled to payment of travel expenses for the employee and the immediate family for purposes of taking home leave, the requirements of both a. and b. below must be met:
 - a. The employee must have satisfactorily served a minimum of 18 months abroad without a break for a US assignment or and;
 - b. The employee must sign an agreement to serve a second tour of duty at the same duty station or another overseas duty station. The employee should be advised as to what transportation allowances will be paid for the employee and the employee's immediate family under travel regulations in effect.
6. If an employee fails to complete the first year of service under the second employment agreement for reasons that are unacceptable to the appointing official, the employee must reimburse the Department for all expenses of the round-trip travel to take. This debt will be offset against return expenses allowed under the first employment agreement. This means that the amount allowed to the employee for return travel and transportation expenses, including return of household effects, will be reduced by the amount of the round-trip debt.
7. If an employee completes one year but fails to complete the full tour of duty under the second employment agreement for reasons that are unacceptable to the appointing official, the employee must bear the expense for the employee's return and that of the employee's immediate family (to include a domestic partner). However, the employee will be allowed expenses for the return of limited household effects, as that is earned upon completion of the tour of duty under the first employment agreement. The employee will not be indebted to the government for the round-trip travel between tours of duty.
8. If an employee completes one year but fails to complete the full tour of duty under the second employment agreement for reasons that are acceptable to the appointing official, the

employee will be entitled to return travel and transportation expenses and will not be required to repay the cost of round-trip travel for home leave. Acceptable reasons include reassignment by HHS for the good of the Department and circumstances that are beyond-the-employee's control such as those specified below in 301-1-100.

301-1-100 CURTAILMENT FOR REASONS BEYOND EMPLOYEE'S CONTROL

The following examples may constitute curtailment for reasons beyond the employee's control:

- A. Serious illness of the employee or a member of the employee's immediate family (to include a domestic partner) for which adequate medical treatment is not available in the overseas area.
- B. Illness or death in the employee's family (to include a domestic partner) that is not in the overseas area of assignment and imposes upon the employee the care of a minor child, a parent or other dependent relative.
- C. Inability of the employee's immediate family (to include a domestic partner) to adjust to overseas living, causing disruption to the family.
- D. When the employee or family member (to include domestic partner) is determined to be unwelcome to remain in the foreign country by the host government for reasons beyond the employee's control.
- E. When curtailment is required due to safety, security or is otherwise in the U.S. national interest.

301-1-110 PLACE OF ACTUAL RESIDENCE

The place of actual residence, for travel and transportation allowances in connection with curtailment or between tours of duty, is ordinarily the place where the employee was residing at the time of appointment or transfer. If an employee is hired outside the continental U.S. or its possessions or in Puerto Rico, at the time of appointment, the employee must designate on the Form HHS-355A his/her legal residence. An alternate place of residence may not be made by the employee for personal reasons. The responsibility for making that determination is primarily an administrative one. Should a question arise within the Department concerning an overseas employee's legal residence, the question may be submitted by the approving official to the Office of the General Counsel for advice.

301-1-120 APPOINTMENT REQUIREMENTS

- A. Employment Agreement (See Form HHS-355A at Exhibit A)
 - 1. New employees being appointed to overseas duty stations must sign employment agreements before being transferred overseas. Current employees must sign their employment agreement prior to their appointment or transfer to assignment overseas (see Exhibit 301-A).

2. Each employment agreement should specify the duration of the overseas assignment and the date the employee is expected to report to duty.
3. The operating Human Resource organization will record on the agreement the official date the employee reports for duty.
4. The original signed employment agreement must be filed on the left side of the employee's Official Personnel Folder or in the appropriate electronic version.
5. The employee shall be given a copy of the completed agreement. Additional copies of the agreement may be prepared as needed.

B. Passport

All employees and their family members (to include a domestic partner) are required to have passports for entry into all foreign countries. For passport and visa requirements and required security approvals, see the HHS Travel Manual.

C. Travel Order (Form HHS-1)

For documentation and processing requirements for preparing Form HHS-1, Travel Order, refer to the HHS Travel Manual.

- D. Foreign Allowances Application, Grant and Report (SF 1190) – this is the official pay document which authorizes overseas benefits (i.e., post differential, danger pay, temporary quarters subsistence expense (TQSE), living quarters allowance (LQA), post allowance, separate maintenance allowance (SMA), education allowance, transfer allowance, and advances of pay). The payroll office uses this form to disburse pay in accordance with entitlements. (See Exhibit C)
- E. An official overseas cable notification must be received indicating actual arrival date in country for OPDIV to process personnel actions. The cable determines the effective date of personnel benefits and related entitlements. (See Exhibit D)

Exhibit A: Employment Agreement for Transfers and Appointments Overseas, Form 335A

FORM HHS-355A, EMPLOYMENT AGREEMENT FOR
TRANSFERS AND APPOINTMENTS OVERSEAS

DEPARTMENT OF HEALTH AND HUMAN SERVICES
EMPLOYMENT AGREEMENT FOR TRANSFERS AND APPOINTMENTS OVERSEAS*
(Authority: Title 5, United States Code 5722, 5724(d), and 5728)

Employees appointed or transferred to overseas positions may be authorized payment of travel expenses for themselves and transportation of their immediate families (to include domestic partner) and their household goods and personal effects from the place of actual residence at time of appointment or transfer to the place of employment outside the 48 States and the District of Columbia. (See HHS Personnel Manual Instruction 301.1.) In addition, employees may be authorized round trip travel for leave for themselves and transportation of their immediate families (to include domestic partner), but not shipment of their household effects, from a post of duty outside the 48 States and the District of Columbia, to the place of actual residence at time of appointment or transfer to the post of duty. These expenses may be authorized, however, only after the appointee, or transferee, has signed an agreement as set forth below:

(1) Type of Agreement:

- (a) appointment or transfer to permanent duty station outside the 48 States and the District of Columbia.
- (b) renewal agreement incident to round trip travel for purpose of taking leave between consecutive tours of duty.
- (c) appointment of U.S. citizen recruited overseas who is eligible for return transportation to place of residence upon separation.

(2) Name (last, first, middle initial)

(3) Place of Actual Residence at time of Appointment or Transfer (City and State)

(4) I hereby understand and agree that:

- (a) I will remain in the Government service for a period of _____ months from the date I report to duty at the overseas permanent duty station, such post of duty being _____ unless curtailed for reasons beyond my control and acceptable to the Department of Health and Human Services.
- (b) If, curtailment occurs during the first 12 months of my agreed period of service, I will reimburse the Department for all expenses for travel and transportation furnished under this agreement unless the Department finds that such curtailment is for reasons beyond my control and acceptable to it.
- (c) I will not be eligible for return travel and transportation at Government expense for myself, my dependents (to include domestic partner), and household effects, to my place of actual residence stated above for purpose of curtailment unless I have completed the prescribed period of service in this agreement, or have been curtailed for reasons beyond my control and acceptable to the Department.

(5) Signature of Employee

Date Signed

(6) Date Reported for Duty:

(This date must be recorded on the official personnel folder file copy by the personnel office.)

(7) Distribution of Copies: 1 original - Office Personnel Folder
1 copy - Employee

FOR TRANSFERS AND APPOINTMENTS TO OVERSEAS OFFICIALS AND EMPLOYEES

DIGEST OF TRAVEL ALLOWANCES FOR TRANSFERS AND APPOINTMENTS OVERSEAS
 (For more detailed information, see HHS Travel Manual)

| ALLOWANCES AND REQUIREMENTS | NEW APPOINTMENT TO OVERSEAS OFFICIAL STATION | TRANSFER | | RETURN TO PLACE OF RESIDENCE FOR | |
|---|--|--|----------------------------------|----------------------------------|------------|
| | | FROM CONTINENTAL U.S. TO OVERSEAS OFFICIAL STATION | BEFORE OVERSEAS OFFICIAL STATION | LEAVE | SEPARATION |
| Employment Agreement | Yes | Yes | Yes | Yes | Yes |
| Travel of Employee and Dependents (to include domestic partner) | Yes | Yes | Yes | Yes | Yes |
| Per Diem for Employee | Yes | Yes | Yes | Yes | Yes |
| Per Diem for Dependents | No | No | No | No | No |
| House-holding Travel | No | No | No | No | No |
| Temporary Quarters Allowance | No | No | No | No | No |
| Miscellaneous Expenses Allowance | No | No | No | No | No |
| Residence Transactions Expenses | No | No | No | No | No |
| Shipment and Temporary Storage of Household Effects | Yes | Yes | Yes | No | Yes |
| Non-temporary Storage of Household Effects | Yes | Yes | Yes | No | No |

* Employee must sign agreement before the Department may pay expenses.
 † Subject to compliance with agreement.
 ‡ Except cancellation of non-temporary storage may be authorized by condition of new tour of duty. Non-temporary storage is arranged by the Government.
 § Subject to signing renewal agreement.
 ¶ Except when the overseas area is a U.S. territory or possession.
 ** Except, between U.S. territories or possessions.

For similar list of allowances governing return travel and transportation involving a transfer from overseas official station to the Continental United States, see Form II 9-355. Page 2

HUMAN RESOURCES MANUAL
 Instruction 301-1, Overseas Employment
 Release Date: November 3, 2010

| FOREIGN ALLOWANCES APPLICATION, GRANT AND REPORT (SF-1190) | | | | | FOR OFFICIAL USE ONLY | |
|---|--------------|--|----------------------------------|--|--|--|
| 1. Employee Name (Last, First, MI) | | | 2. Social Security Number | | Voucher Number | |
| 3. Agency | | | 4. Bureau/Office | | Authorization/ Grant Number | |
| 5. Pay Plan | 6. Series | 7. Grade | 8. Annual Salary | 9. Position Title | | |
| 10. Current Post/Country of Assignment/Locality | | | 11. Date of Arrival (mm-dd-yyyy) | | 12. Previous Post of Assignment | |
| 13. Mailing Address | | | | | 13a. E-mail Address | |
| 14. If Local Hire: Date (mm-dd-yyyy) | | | 14a. Reason for Presence | | | |
| 15. If Spouse or Domestic Partner is Employed by the U.S. Government <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | |
| Spouse or Domestic Partner Name (Last, First, MI) | | | Social Security Number | | Allowances Received | |
| 16. Family Domiciled at Post | | | | | | |
| Name of Family Member | Relationship | DOB Except Spouse or Domestic Partner (mm-dd-yyyy) | % Support | Date of Arrival at Post (mm-dd-yyyy) | Allowances Received | |
| | | | | | | |
| 17. Family Domiciled Away from Post | | | | | | |
| Name of Family Member | Relationship | DOB Except Spouse or Domestic Partner (mm-dd-yyyy) | % Support | Date of Departure from Post (mm-dd-yyyy) | Residence Address/Telephone Cell Phone/E-mail (please provide all) | |
| | | | | | | |
| 18. Remarks | | | | | | |
| | | | | | | |
| Privacy Act Statement: Solicitation of this information is authorized under 5 U.S.C. 5922, E.O. 9397 and E.O. 10903, Section 1(b-2) and DSSR Section 073.4. The information is used to determine employee eligibility for and appropriate amounts of allowances. All forms are subject to fiscal audit by the employee's parent agency and GAO. The Office of Allowances, U.S. Department of State, will review forms to set LQA rates. Lack of requested information may result in erroneous or unauthorized allowances. | | | | | | |

HUMAN RESOURCES MANUAL
 Instruction 301-1, Overseas Employment
 Release Date: November 3, 2010

| FOREIGN ALLOWANCES APPLICATION, GRANT AND REPORT | | Voucher Number |
|--|---|---|
| 19. Employee Name (Last, First, MI) | | 20. Social Security No. |
| 21a. Payments [Check box(es). For calculations see DSSR chapter exhibits.] | | FOR OFFICIAL USE ONLY |
| TQSA - Temporary Quarters Subsistence Allowance - (DSSR 120) | | |
| Advanced | Beg. Date (mm-dd-yyyy) _____ End Date (mm-dd-yyyy) _____ | |
| Biweekly | Beg. Date (mm-dd-yyyy) _____ End Date (mm-dd-yyyy) _____ | |
| Lump Sum (upon completion) Beg. Date (mm-dd-yyyy) _____ End Date (mm-dd-yyyy) _____ | | |
| LQA - Living Quarters Allowance (DSSR 130) [] Repair Allowance (DSSR 137) [] | | |
| EQA - Extraordinary Quarters Allowance (DSSR 138) [] | | |
| PA - Post Allowance - (DSSR 220) | | |
| Transfer Allowance: Foreign (DSSR 240) [] or Home Service (DSSR 250) [] | | |
| Portion(s): Subsistence [] Miscellaneous [] Wardrobe [] Lease Penalty [] | | |
| SMA - Separate Maintenance Allowance - (DSSR 260) | | |
| Voluntary [] Involuntary [] | | |
| TSMMA - Transitional Separate Maintenance Allowance (DSSR 260) | | |
| 262.3a [] 262.3b [] 262.3c [] 262.3d [] 262.3e [] | | |
| Education Allowance (DSSR 270) [] or Travel (DSSR 280) [] | | |
| PD - Post (Hardship) Differential (DSSR 500) | | |
| SND - Service Need Differential (Difficult to Staff Incentive Differential) (DSSR 1000) | | |
| DP - Danger Pay (DSSR 650) 652f [] or 652g [] | | |
| Total Amount Claimed | | 0.00 |
| 21b. Advances | | |
| LQA (DSSR 130) | Beg. Date (mm-dd-yyyy) _____ End Date (mm-dd-yyyy) _____ Number of Months _____ | |
| U.S. Dollar Payment | Foreign Currency Payment | 0.00 |
| Transfer Allowance: Foreign (DSSR 240) [] or Home Service (DSSR 250) [] | | |
| Portion(s): Subsistence [] Miscellaneous [] Wardrobe [] Lease Penalty [] | | 0.00 |
| Advance of Pay (DSSR 850) This advance will be repaid in _____ pay periods. | | |
| Travel Authorization or _____ | | |
| Permanent Change of Station (PCS) Number _____ | | |
| Name of Issuing Authority _____ | | 0.00 |
| 22a. If Electronic Funds Transfer (EFT) Mark one: [] Checking [] Savings | | |
| Financial Institution Name _____ | | Financial Institution Mailing Address _____ |
| Routing Number _____ | | Account Number (including any suffix) _____ |
| 22b. If Paid by Check - Mailing Address, City, State, ZIP Code _____ | | |
| 23. Accounting Classification(s) _____ | | |
| 24. Employee Statement and Signature: The information given on this application is true and correct to the best of my knowledge and belief. I also understand that I am obligated to notify the authorizing office immediately of any change in conditions which may affect the amount of allowances and/or differential authorized herein. I also understand that false statements made to the United States on this form may subject me to criminal penalties (including fines and imprisonment) under 18 U.S.C. 287 and 1001 and/or civil penalties under 31 U.S.C. 3729 or administrative penalties under 31 U.S.C. 3802. I understand if my employment is terminated prior to liquidation of any of these advances, any outstanding amount is due and payable immediately. | | |
| Employee's Signature: _____ | | Date (mm-dd-yyyy) _____ |
| Spouse's or Domestic Partner's Signature: _____ (If Applying for SMA on Behalf of Spouse or Domestic Partner) | | Date (mm-dd-yyyy) _____ |
| 25. Approving/Reviewing Official Signature When Required _____ | | Date (mm-dd-yyyy) _____ |
| 26. Certifying Official: The Above Request is Certified as Correct and Proper for Payment | | Date (mm-dd-yyyy) _____ |
| Authorized Certifying Official's Signature _____ | | |

Exhibit D: Sample Cable

UNCLASSIFIED
08/13/2010
DHHS: RSMITH
HHS: RSMITH: (202) 123-4567
NONE
NONE

DHHS: WASHINGTON DC
AMEMBASSY HANOI, PRIORITY
INFO SECSTATE WASHDC
USOFFICE WEBGRAM

HANOI FOR MGMT OFFICER AND HR OFFICER
HANOI INFO DHHS/JOHNSON AND THOMPSON
SECSTATE FOR RDR/BOB
SECSTATE PASS TO HHS FOR LJAMES OGHA
DHHS FOR RSMITH

E.O. 13526: N/A

TAGS: DHHS, APER, AMGT, ASEC, VM

SUBJECT: ARRIVAL NOTICE – DHHS DETAILEE, CHARLES ONEAL
(DHHS POSITION 1594) ATD # 102365

REF: WASHINGTON, DC 000799

1. NAME: CHARLES ONEAL
2. GRADE/TITLE: GS-601-14/EPIDEMIOLOGIST
3. OFFICIAL START/ARRIVAL DATE: 15 SEPTEMBER 2010
4. AIRLINE/FLIGHT #: ARRIVE IN HANOI, VIETNAM VIA
VIETNAM AIRLINES, FLIGHT 0544 AT 0635 HOURS
5. EFM'S AT POST: 0
6. CLEARANCE: SECRET ISSUED 08 JULY 2008
7. CONTACT INFORMATION: (202) 123-4567
8. PLEASE NOTE FOR CHARLESTON FSC THAT DR. ONEAL IS
AN ALLOWANCE ONLY EMPLOYEE.

DHHS

Exhibit E: Travel Allowances for First Official Station outside the Continental United States (OCONUS)

Source: Federal Travel Regulation¹

Table B: Assigned to First Official Station Outside the Continental United States (OCONUS)

| Column 1— Relocation allowances that agency must pay or reimburse | Column 2— Relocation allowances that agency has discretionary authority to pay or reimburse |
|--|--|
| 1) Transportation of employee & immediate family member(s) (to include domestic partner) (Part 302-4 of this chapter). | 1) Shipment of privately owned vehicle (POV) (Part 302-9 of this chapter). |
| 2) Per diem employee only (Part 302-4). | 2) Temporary quarters subsistence expense (TQSE) is not authorized in a foreign area; however, you may be entitled to the following under the Department of State Standardized Regulations (Government Civilians-Foreign Areas) which is available from the Superintendent of Documents, Washington, DC 20402. a) Foreign Transfer Allowance (FTA) (Subsistence Expense) for quarters occupied temporarily before departure from the 50 states or the District of Columbia for a official station in a foreign area incident to a permanent change of station and travel to first official station overseas. b) Temporary quarters subsistence allowance (TQSA) when a transfer is authorized to a foreign area. c) The miscellaneous expense portion of the FTA is authorized incident to first official station travel to a foreign area. |
| 3) Transportation & temporary storage of household goods (Part 302-7 of this chapter). | 3) Use of relocation service companies only when transfer is to Alaska or Hawaii (Part 302-12 of this chapter). |
| 4) Extended storage of household goods (Part 302-8 of this chapter). | 4) Home marketing incentives only when transfer is to a non-foreign OCONUS area (Part 302-15 of this chapter). |

¹ President Obama's June 2, 2010 memorandum to the General Services Administration instructed the Administrator to amend both the definition of "immediate family" and "dependent" in the Federal Travel Regulations to ensure that both are inclusive of domestic partners. While this action has not been taken, the inclusion of domestic partner in this Exhibit is in anticipation of GSA's forthcoming amendment.

Exhibit F: Travel Allowances for Transfer From CONUS to an Official Station Outside the Continental United States (OCONUS)

Source: Federal Travel Regulation²

Table B: Transfer From CONUS to an Official Station Outside the Continental United States (OCONUS)

| Column 1— Relocation allowances that agency must pay or reimburse | Column 2— Relocation allowances that agency has discretionary authority to pay or reimburse |
|--|---|
| 1) Transportation & per diem for employee & immediate family member(s) (to include domestic partner) (Part 302-4 of this chapter). | 1) Temporary quarters subsistence expense (TQSE) is not authorized in a foreign area, however, you may be entitled to the following under the Department of State Standardized Regulations (DSSR) (Government Civilians-Foreign Areas): a) A Foreign Transfer Allowance (FTA) for quarters occupied temporarily before departure from the 50 states or the District of Columbia for a official station in a foreign area incident to a permanent change of station and travel to first official station overseas. b) Temporary quarters subsistence allowance (TQSA). |
| 2) Miscellaneous expense allowance (Part 302-16 of this chapter). | 2) Property management services (Part 302-15 of this chapter). |
| 3) Transportation & temporary storage of household goods (Part 302-7 of this chapter). | 3) Shipment of a privately owned vehicle (Part 302-9 of this chapter). |
| 4) Extended storage of household goods (Part 302-8 of this chapter). | 4) Use of relocation service companies when transfer is to Alaska or Hawaii (Part 302-12 of this chapter). |
| 5) Relocation income tax allowance (RITA) (Part 302-17 of this chapter). ¹ | 5) Home marketing incentives when transfer is to Alaska or Hawaii (Part 302-15 of this chapter). |

¹Note to Column 1, Item 5: Allowed when old and new official stations are located in the United States. Also allowed when instead of being returned to the former non-foreign area official station, an employee is transferred in the interest of the Government to a different non-foreign area official station than from the official station from which transferred when assigned to the foreign official station.

² President Obama's June 2, 2010 memorandum to the General Services Administration instructed the Administrator to amend both the definition of "immediate family" and "dependent" in the Federal Travel Regulations to ensure that both are inclusive of domestic partners. While this action has not been taken, the inclusion of domestic partner in this Exhibit is in anticipation of GSA's forthcoming amendment.

Exhibit G: Travel Allowances for Transfer from OCONUS to an Official Station in CONUS

Source: Federal Travel Regulation³

Table C: Transfer From OCONUS Official Station to an Official Station in CONUS

| Column 1— Relocation allowances that agency must pay or reimburse | Column 2— Relocation allowances that agency has discretionary authority to pay or reimburse |
|--|--|
| 1) Transportation & per diem for employee & immediate family member(s) (to include domestic partner) (Part 302-4 of this chapter). | 1) Shipment of a privately owned vehicle (Part 302-9 of this chapter). |
| 2) Temporary quarters subsistence expense (TQSE) (Part 302-6 of this chapter). Note ¹ below | |
| 3) Miscellaneous expense allowance (Part 302-16 of this chapter). | |
| 4) Sell & buy residence transaction expenses or lease termination expenses (Part 302-11 of this chapter). Note ² below | |
| 5) Transportation & temporary storage of household goods (Part 302-7 of this chapter). | |
| 6) Extended storage of household goods only when assigned to a designated isolated official station in CONUS (Part 302-8 of this chapter). | |
| 7) Relocation income tax allowance (RITA) (Part 302-17 of this chapter). | |

¹Note to Column 1, Item 2: A TQSA under the DSSR may be authorized preceding final departure subsequent to the necessary vacating of residence quarters.

²Note to Column 1, Item 4: Allowed when old and new official stations are located in the United States. Also allowed when instead of being returned to the former non-foreign area official station, an employee is transferred in the interest of the Government to a different non-foreign area official station than from the official station from which transferred when assigned to the foreign official station.

³ President Obama's June 2, 2010 memorandum to the General Services Administration instructed the Administrator to amend both the definition of "immediate family" and "dependent" in the Federal Travel Regulations to ensure that both are inclusive of domestic partners. While this action has not been taken, the inclusion of domestic partner in this Exhibit is in anticipation of GSA's forthcoming amendment.

EXHIBIT H

HHS INSTRUCTION 301-1 AFFIDAVIT DECLARING DOMESTIC PARTNER RELATIONSHIP⁴

For the purposes of obtaining benefits and assuming obligations under the Instructions and policies of the Health and Human Services, I, _____, declare that I and

- _____
- (1) are each other's sole domestic partner and intend to remain committed to one another indefinitely;
 - (2) are at least 18 years of age and mentally competent to consent to contract;
 - (3) share responsibility for a significant measure of each other's common welfare and financial obligations;
 - (4) are not married to, joined in civil union with, or domestic partners with anyone else; and
 - (5) are same-sex domestic partners, and not related in a way that would prohibit legal marriage in the State in which we reside.

I further declare that I

- (6) agree to file a statement of dissolution of the domestic partnership not later than 30 days after the death of my domestic partner or the date of dissolution of the domestic partnership;
- (7) understand that my domestic partner will be held to standards of conduct under HHS policy that apply to family members; and
- (8) understand that falsification of information within this affidavit may constitute a criminal violation under 18 U.S.C. Section 1001 and may lead to disciplinary action.

Employee's Signature: _____ Date: _____

Name of Employee: _____

Privacy Act Statement

We are collecting this information pursuant to 42 U.S.C. § 242l(c). This affidavit is currently voluntary, and its purpose is to establish the existence of a domestic partnership when needed to receive travel and other benefits provided for under this Instruction. For lists of the routine uses of the collected information, please see HHS System of Records No. 09-90-0018 at <http://www.hhs.gov/foia/privacy/recordsnotices/09900018.html> and OPM/GOVT-1 at http://privacy.defense.gov/govwide/opm_govt-1.shtml.

NOTE: The agency MAY, IN THE ALTERNATIVE TO ANOTHER FORM OF DOCUMENTATION, require an affidavit (Exhibit H) establishing the existence of a domestic partnership, according to the domestic partnership criteria set forth in it, when and if the agency also requires similar documented proof of marriage between different-sex married couples. Otherwise, the affidavit is not required under this Instruction for same-sex domestic partners to receive available travel and other benefits provided for under this Instruction.
