**PAYMENTS DURING AN ORDERED/AUTHORIZED DEPARTURE**

**(Interim eff. 07/17/2020; Final eff. 08/30/2020 TL:SR 1002)**

**DEPARTMENTAL REGULATIONS**

**(These regulations are prescribed by the Secretary of State for adoption by departments in the Executive Branch of the Federal Government. See Section 640.)**

**600 GENERAL**

**610 Definitions (Interim eff. 04/10/2020; Final eff. 05/24/2020 TL:SR 995)**

**As used in these regulations:**

**a. "Adult dependent" for the purposes of this chapter includes the employee's spouse or domestic partner and any members of the employee's family as defined in Section 040m who are 21 years of age or older.**

**b. "Advance payment" means the monetary amount payable to an employee ordered/authorized to depart or his/her designated representative in advance of the date on which the employee would otherwise be entitled to be paid.**

**c. "Day" means calendar day except when otherwise specified.**

**d. "Department" means any department of the Government of the United States of America, any agency or independent establishment in the executive branch of the Government, and any corporation in the executive branch wholly owned or controlled by the Government.**

**e. "Dependent" means a member of the employee's family as defined in Section 040m. Special factors include:**

**(1) neither employee member of an assigned career or probationary career married couple or domestic partnership should be forced to be evacuated in dependent status. However, a career or probationary career employee in leave without pay status (LWOP) may be ordered/authorized to depart as a dependent;**

**(2) locally hired dependent employees should be evacuated or authorized to depart as dependents unless the Chief of Mission decides the position is essential, and the Department of State concurs in the decision.**

**f. "Designated representative" means a person 18 years of age or over who is named by an employee for the purpose of caring for, escorting, or receiving monetary payments on behalf of a dependent.**

**g. "Evacuation" means the authorized or ordered departure from post of an employee or dependent(s), or any of the circumstances outlined in Section 610j herein. The terms "evacuated" and "ordered/authorized to depart" are used interchangeably in these regulations.**

**h. "Evacuation order" means either an oral or written communication which authorizes or orders the departure from the post of assignment.**

**i. "Evacuation payment" or "evacuation/departure payment" means a monetary amount payable to an employee, his/her dependents, or designated representative during a period of ordered evacuation or authorized departure.**

**j. "Evacuee" means an employee or dependent who, because of military or other reasons in the national interest which create imminent danger to the life of the employee or dependents;**

**(1) has departed post of assignment under authorized or ordered departure status; or**

**(2) is ordered or authorized to depart post but cannot leave the post because of reasons beyond the control of the employee; and, in the case of an employee, is prevented by circumstances beyond the control of the employee and beyond the control of the Government from performing position duties; or**

**(3) is prevented from returning to the post while temporarily absent from post but otherwise intended to do so.**

**Note: “First Evacuee” means either employee or dependent for special allowance calculations (See Section 632.1(a)).**

**k. “Monetary amount" is the net amount of compensation including any allowances or post differential due an employee after making all deductions authorized by law, such as retirement or social security deductions, authorized allotments, Federal withholding tax, and others, when applicable.**

**l. "Safehaven" as used in this chapter means: (1) a location or place officially designated by the Secretary of State to which an employee and/or dependents will be ordered or authorized to depart; or (2) an alternate safehaven approved by the Secretary of State on a case-by-case basis when in the interests of the U.S. Government.**

**An official safehaven may be either a foreign safehaven or a U.S. safehaven, as determined by the Secretary of State to meet the exigencies of the situation. For purposes of DSSR 600, “U.S. safehaven” shall refer to a safehaven in the fifty United States, District of Columbia or non-foreign areas (U.S. territories, possessions, the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands). An evacuation order issued by the Secretary may designate both a foreign safehaven and a U.S. safehaven, as circumstances dictate.**

**Evacuees at a foreign safehaven are not entitled to diplomatic courtesies, immunities, services and privileges accorded to the official American diplomatic community assigned to the foreign safehaven. (Also see Section 631a(1).)**

**m. Subsistence expense allowance (SEA) means the daily monetary amount payable to assist in offsetting direct added subsistence expenses of evacuees.**

**n. Special allowance means an additional allowance to offset the direct added expenses incident to an ordered/authorized departure.**

**611 Description**

**611.1 Purpose**

**These regulations govern the authority and procedures for paying employees who are evacuated from assigned posts of duty, and for paying their dependents who are evacuated, for military or other reasons which create imminent danger to the life of the employees or their dependents or which otherwise are in the national interest.**

**611.2 Authority**

**These regulations are issued under the authority contained in 5 U.S.C. 5521-5527 (The Act of September 26, 1961 (P.L. 87-304, 75 Stat. 662)) as amended by the Foreign Service Act of 1980 (P.L. 96-495) and Executive Order 10982 issued December 25, 1961.**

**611.3 Scope**

**These regulations cover the authority for an advance of pay following an ordered/authorized departure, continuation of salary and allowance payments during the period of ordered/authorized departure, and special allowances to partially offset certain direct added expenses incurred as a result.**

**612 Coverage**

**612.1 Employees Covered**

**These regulations apply to: (1) civilian employees of the United States Government who are United States citizens or are United States nationals, except as provided in Section 612.3, and (2) when and to the extent determined by the Secretary of State, third country nationals, i.e., civilian employees who are not citizens or nationals of the United States and who are not citizens or nationals of the country in which the evacuated post is located. Third country national employees and/or dependents may be considered for evacuation travel to their country of origin, point of hire, or designated foreign or U.S. safehaven if this is in the interest of the U.S. Government.**

**612.2 Locations**

**These regulations apply to evacuations from, or within, any area situated outside: (1) the United States; (2) the Commonwealths of Puerto Rico and the Northern Mariana Islands, and (3) any territory or possession of the United States.**

**612.3 Locally Employed American Citizens Not Covered**

**These regulations do not apply to: (1) local United States citizens who do not have official U.S. Government employment, including but not limited to Americans with private business or organizations, teachers recruited by local American-supported schools, Fulbright grantees, and individuals with contracts to work for the foreign host government; or (2) locally hired American citizens who work for the U.S. Government but who do not have an agreement for return transportation to the United States at Government expense.**

**613 Entitlement**

**a. Employees and their dependents shall be entitled to be paid only if they meet the requirements of these regulations. Entitlement to payment shall cease on the date when the employee is determined to be covered by the Missing Persons Act (50 App U.S.C. 1001 et seq.), unless payment is earlier terminated under these regulations or unless determined otherwise by the Secretary of State.**

**b. Benefits for uniformed military personnel and dependents are covered in the DOD Joint Federal Travel Regulations (JFTR).**

**614 Designation of Official Safehaven; Alternate Safehaven (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**a. An official safehaven—foreign, U.S., or both (610l)—will be designated by the Secretary of State as far in advance of any actual or possible evacuation as practicable. Employees and/or their dependents are expected to travel to an official safehaven if an evacuation is approved. (See Sections 631-633 for commencement and payment of special allowances.)**

**b. When there is insufficient time for a written evacuation order due to the nature of the danger, the Secretary of State must be notified as soon as possible of the conditions that warrant the order so that an appropriate safehaven may be authorized and payment of special allowances approved.**

**c. An alternate safehaven may be approved by the Secretary of State under individual circumstances when in the interests of the U.S. Government and shall be effective no earlier than the date of request for an alternate safehaven.**

**615 ADVANCE PAYMENTS**

**616 Eligibility**

**An employee may be paid in advance of the normal pay day when, in the opinion of the authorizing officer, payment is required to help defray the immediate expenses incident to an evacuation of an employee and/or dependents.**

**617 Amount of Advance Payment**

**The advance payment shall be based on the rate of compensation including any allowances or post differential to which an employee was entitled immediately prior to the issuance of the evacuation order. The amount of the advance payment is the monetary amount covering a period not to exceed 30 days or a lesser number of days as determined appropriate by the authorizing officer.**

**617.1 Computation of Advance Payment**

**(a) For full time and regular part time employees, the amount of advance payment shall be computed on the basis of the number of regularly scheduled workdays that will occur during the period as determined under Section 617.**

**(b) For intermittent employees, the amount of advance payment shall be computed on the basis of the number of days on which the employee would be expected to work during the period as determined under Section 617. The number of days shall be determined whenever possible by approximating the number of days per week normally worked by the employee during an average six-week period.**

**617.2 Payment (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**(a) The advance payment may be made to the employee or a designated representative. Payments to anyone other than the employee should be made only pursuant to prior written authorization by the employee, wherever possible. Where circumstances do not permit prior written authorization, the payment may be made and the employee should then confirm such payment by preparation and submission to the safehaven post, or appropriate management office, of an allotment or assignment of pay form, immediately following departure of dependents. If the employee is evacuated or authorized to depart, the employee shall submit the written authorization upon arrival at the safehaven post.**

**(b) The advance payment may be made at any time after the evacuation order is given, but not later than the expiration of 30 days after the evacuation has been effected.**

**617.3 Payment Procedures**

**Payment of an advance payment and any required adjustment thereof will be made in accordance with procedures approved by the head of agency.**

**618 Recovery**

**618.1 General Requirements**

**After an employee's account is reviewed as required by Section 638 of these regulations, and if it is found that the employee is indebted for any part of an advance payment made, recovery of the indebtedness will be effected by the payroll office having jurisdiction over the employee's account unless a waiver of recovery has been approved. Repayment of the indebtedness shall be made either in full or in partial payments as agreed upon by the payroll officer and the employee.**

**618.2 Waiver of Recovery**

**Recovery of indebtedness for an advance payment shall not be required when it is determined by the head of agency that the recovery would be against equity and good conscience or against the public interest in accordance with agency procedures.**

**619 Not currently used**

**620 CONTINUATION OF SALARY AND ALLOWANCE PAYMENTS (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**621 Computation**

**621.1 Family Ordered/Authorized to Depart - Employee Remains at Post**

**(a) Post Allowance**

**After departure of all members of an employee's family from the post, pursuant to an evacuation order, the post allowance shall be reduced to the "employee without family" rate.**

**(b) Temporary Quarters Subsistence Allowance**

**If early return of the employee's family to the post is anticipated, the temporary quarters subsistence allowance may be continued at the rate prescribed in Sections 120 and 925 of the Standardized Regulations (Government Civilians, Foreign Areas).**

**(c) Living Quarters Allowance**

**The living quarters allowance may be continued at the "with family" rate for a period not to exceed six months.**

**(d) Education Allowance**

**(1) "School at post" education allowances shall be terminated (see Exception below) without financial penalty to the employee in accordance with appropriate provisions governing education allowances in the Standardized Regulations (Government Civilians, Foreign Areas). (See Section 274.22) However, if there is an internet classroom set up with the school at post, expenses incurred by the employee/parent at the safehaven location associated with the internet classroom the child is participating in may be reimbursed under the current year “school at post” education allowance maximum. These expenses may include what the school at post may charge for this service and connectivity charges in the U.S. for internet classroom-related activities the child is participating in.**

 **Exception: The “school at post” education allowance may continue through the end of the current school year for a child of an employee assigned to a border post in Mexico or Canada when the child remains in the same school s/he had been attending in the United States prior to the ordered/authorized departure.**

**(2) "School away from Post" education allowance may continue until the end of the school year for children attending "school away from post" outside the U.S.**

**(3) "School at safehaven", see Section 633 for special education allowance.**

**(e) Educational Travel**

**For a dependent departing from school under educational travel authority (Section 280), the official safehaven location displaces post as the travel destination. (See Section 633.4.)**

**621.2 Employee and Family Ordered/Authorized To Depart**

**(a) Post Allowance**

**The post allowance shall be terminated as of the close of business of the day of departure from the post.**

**(b) Temporary Quarters Subsistence Allowance**

**The temporary quarters subsistence allowance shall be terminated as of the close of business of the day of departure from the post.**

**(c) Living Quarters Allowance**

**Payment of the living quarters allowance shall be terminated as of the close of business of the day of the employee's departure from the post, unless the employee is required to maintain and pay for quarters at the post or unless lease termination is impossible or impracticable.**

**(d) Education Allowance**

**(1) "School at post" education allowances shall terminate (see Exception below) without financial penalty to the employee in accordance with appropriate provisions governing education allowances in the Standardized Regulations (Government Civilians, Foreign Areas). (See Section 274.22.) However, if there is an internet classroom set up with the school at post, expenses incurred by the employee/parent at the safehaven location associated with the internet classroom the child is participating in may be reimbursed under the current year “school at post” education allowance maximum. These expenses may include what the school at post may charge for this service and connectivity charges in the U.S. for internet classroom-related activities the child is participating in.**

**Exception: The “school at post” education allowance may continue through the end of the current school year for a child of an employee assigned to a border post in Mexico or Canada when the child remains in the same school s/he had been attending in the United States prior to the ordered/authorized departure.**

**(2) "School away from post" education allowances. (See Section 633.)**

**(3) "School at safehaven", see Section 633 for special education allowance.**

**(e) Educational Travel**

**For a dependent departing from school under educational travel authority (Section 280), the official safehaven location displaces post as the travel destination. (See Section 633.4.)**

**(f) Post Differential and Danger Pay**

**When the employee departs post pursuant to ordered or authorized departure, payment of post differential and danger pay shall terminate in accordance with applicable provisions of the Standardized Regulations (Government Civilians, Foreign Areas) (see Section 532 and Section 654.2 respectively). Subsequent eligibility for these benefits to an evacuated employee at the safehaven post or other temporary duty stations shall be governed by the provisions of the Standardized Regulations (Government Civilians, Foreign Areas) dealing with payment of these benefits on detail. (See Sections 540 and 655.)**

**622 Payment (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**Insofar as practicable, payments shall be made on the employee's regular pay days, computed as follows:**

**a. For full time and regular part time employees, the amount of the payment shall be computed on the basis of the employee's regularly scheduled workweek.**

**b. For intermittent employees, the amount of the payment shall be computed, whenever possible, by approximating the number of days per week normally worked by the employee during an average six-week period.**

**c. Payment and any required adjustment will be made in accordance with procedures approved by the head of agency. Payments may be made to the employee, an adult dependent, or a designated representative. Payments to anyone other than the employee should be made only pursuant to prior written authorization by the employee, wherever possible. Where circumstances do not permit prior written authorization, the payment may be made and the employee should then confirm such payment by preparation and submission to the safehaven post of an allotment or assignment of pay form, immediately following departure of dependents or, if the employee is also evacuated, upon arrival at the safehaven post.**

**d. When an advance payment has been made under Section 615, no part of the advance will be offset against salary and allowance payments (Section 620) so long as the evacuation order remains in effect. (See Sections 618 and 638 for reconciling employee accounts.)**

**623 Termination**

**The authority for allowance payments under Section 620 shall cease as of the earliest of the following dates:**

**a. the date the evacuated/departed employee commences travel under an assignment order to another duty station outside the evacuation area;**

**b. the effective date of transfer when the employee is already at the post to which transferred;**

**c. the date of separation;**

**d. the date specified by the head of agency;**

**e. the date specified by the Secretary of State;**

**f. 180 days after the evacuation order is issued; or**

**g. the date the evacuee commences return travel to post.**

**624 Agency Report Requirements**

**When an evacuation is ordered or authorized, a report will immediately be submitted to the head of agency who will forward a copy to the Department of State. The report will contain the following information:**

**a. names of evacuated employees;**

**b. names of evacuated dependents (indicating, where appropriate, designated representatives);**

**c. feasibility of officially reassigning evacuated employees to other positions;**

**d. number and kinds of evacuated employees needed to reactivate the post; and**

**e. any other facts or circumstances which may aid in determining whether evacuation payments are necessary beyond the first 60 days of the period of evacuation.**

**A similar report will be made after the expiration of 45 days of evacuation. Upon receipt of this report, a determination will be made as to the number of evacuated employees who will be required to be retained as the civilian staff available for the performance of duty and for whom evacuation payments may be continued beyond the first 60 days of the period of evacuation. As soon as this determination is made, the post will be instructed as to the number of evacuated employees who may continue to receive evacuation payments and the duration of the period for which such payments will continue. When the extension thus granted is less than 120 additional days, and the evacuation lasts beyond the approved period for continuation of the evacuation payments, approval for continuation of evacuation payments up to the full 120 additional days must be secured from the head of agency.**

**625 Work Assignments for Evacuated Employees**

**625.1 Evacuated employees at safehaven posts may be assigned to perform any work considered as necessary or required to be performed during the period of the evacuation without regard to the grades or titles of the employees.**

**625.2 Failure or refusal to perform assigned work may be a basis for terminating further evacuation payments and/or taking disciplinary action.**

**625.3 When part time employees, either regular or intermittent, are given assigned work at the safehaven post, records of the number of hours worked will be maintained so that payment may be made for any hours of work which are greater than the number of hours on which payments under Section 620 are made.**

**630 SPECIAL ALLOWANCES (Interim eff. 04/10/2020; Final eff. 05/24/2020 TL:SR 995)**

**To help offset direct added expenses which are incurred by the evacuee as a result of an evacuation order, special allowances are provided for certain travel, subsistence, and special education expenses. The allowances are not intended to fully reimburse the employee for the direct added expense incurred. The employee continues to be responsible for normal family living expenses. Only one departure is permitted an evacuee during any one evacuation period, except for certain employees in unusual circumstances as determined by the Secretary of State. In determining the direct added expenses which may be payable as special allowances under these regulations, an agency determination shall be made for the evacuation considering the following items as the maximum amounts allowable:**

**631 Travel Expense Allowances**

**The travel reimbursement for evacuees shall be determined in accordance with the rates of per diem for travel in foreign areas contained in the Standardized Regulations (Government Civilians, Foreign Areas), the Federal Travel Regulation or other pertinent agency travel regulations. Travel per diem is authorized for dependents of an employee ordered/authorized to depart at a rate which is equal to the rate payable to the employee (except that the rate for dependents under 12 years of age shall be one-half this rate). Travel per diem for the employee and dependents will be payable from the date of departure from the evacuated post through the date of arrival at the safehaven, including any periods of delay en route beyond the evacuee’s control which may result from travel arrangements.**

**a. Special Safehaven Travel Considerations**

**(1) From Post to Family Safehaven Locations**

**When approved by the Secretary of State, and the official safehaven is a U.S. safehaven, ordered/authorized departure travel of all evacuated dependents may be permitted to any place in the fifty United States, District of Columbia or non-foreign areas (U.S. territories, possessions, the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands) even though the employee is authorized travel only to a specific duty station in the United States or non-foreign area. Dependents earlier ordered or authorized to depart to the United States or non-foreign area or to an alternate foreign safehaven (see Sections 610l and 614) at Government expense, may be permitted to rejoin an employee subsequently ordered or authorized to depart to a duty station in the United States or non-foreign area. However, expenses of travel to and from an approved alternate foreign safehaven may be reimbursed only on a cost-constructive basis calculated from the evacuated post to the U.S. or non-foreign area duty station. (Interim eff. 04/10/2020; Final eff. 05/24/2020 TL:SR 995)**

**(2) From Outside Point to Safehaven**

**When an evacuee is away from a post on official travel (home leave orders, R&R, family visitation travel, emergency visitation travel, temporary duty) at the time of an evacuation order, travel expenses may be paid to the safehaven location from the employee/dependent’s location.**

**When an employee and/or dependents are away from a post on personal travel when an evacuation order is issued, travel to the safehaven location is on a cost-constructive basis, not to exceed cost of travel from the evacuated post to the safehaven location. (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**Upon arrival at the safehaven location, SEA payments under Section 632 are applicable.**

**(3) Air Freight Allowance and Air Freight Replacement Allowance (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**An air freight allowance for unaccompanied air baggage (UAB) may be authorized for both ordered/authorized departure from and return to post trips (in accordance with pertinent agency travel regulations). In lieu of an air freight allowance from post, an air freight replacement allowance may be granted to help defray costs of items normally part of the authorized air freight shipment which must be purchased. The flat amounts are as follow: First evacuee without family: $250; First evacuee with one family member: $450; or First evacuee with two or more family members: $600. No receipts are required for this allowance. Note: Even when the air freight replacement allowance is granted from post, evacuees will still be eligible for an air freight allowance when/if they return to post. If evacuees are at two safehavens (U.S.; foreign; or approved alternate), there can be a first evacuee at two safehavens when calculating the air freight replacement allowance.**

 **Example 1: Employee is at the foreign safehaven and three family members are at the U.S. safehaven. The allowable amount would be $250 for the employee at the foreign safehaven and $600 for the three family members at the U.S. safehaven.**

 **Example 2: Employee is at the U.S. safehaven and three family members are at an authorized alternate safehaven. The allowable amount would be $250 for the employee at the U.S. safehaven and $600 for the three family members at the authorized alternate safehaven.**

 **Example 3: Employee is at the U.S. safehaven (and physically located in Washington, D.C.) and three family members are at the U.S. safehaven (and physically located in Iowa). The allowable amount would be $600 because the employee and family members are all at the U.S. safehaven even though they are in separate U.S. locations.**

**(4) Third Country Nationals**

**On a case by case basis, as determined by the head of agency, third country national employees and/or their dependents may be considered for evacuation travel to their country of origin or point of hire rather than to other designated foreign or U.S. safehavens, if this is in the interest of the U.S. Government and approved by the Secretary of State.**

**b. Household Effects, Privately Owned Vehicle (POV) and Transportation Allowance (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**Access to, delivery and return to storage of household effects for evacuees is at personal expense, not Government expense. Shipment of POV is not authorized at U.S. Government expense. In the absence of a POV at a safehaven, a transportation allowance to assist with unexpected local transportation costs may be paid in the amount of $25 per day, regardless of family size. The transportation allowance may be paid from the first day following arrival at the safehaven. LIMITATION: The transportation allowance may not exceed $25 per day per family and may be paid at only one safehaven even if evacuees from the same family are at two different safehavens. Receipts are not required.**

**632 Subsistence Expense Allowance (SEA) (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**Unless otherwise directed by the Secretary of State, a subsistence expense allowance for an evacuee shall be determined and paid in accordance with the provisions herein. Payment shall commence as of the date following arrival of the evacuee at a safehaven (see 610l and 614a. and c.), and may continue for not more than 180 days or when terminated under these regulations, whichever occurs first. Authorization to make payments ceases on the 181st day after the evacuation order is issued. Any subsequent order issued after the 180th day will constitute a separate order, will start a separate 180-day period, and will apply only to evacuees departing under that order. (See Section 631 for Air Freight Replacement Allowance and Transportation Allowance. See Section 960 for the Evacuation Payments Worksheet.)**

**632.1 Daily Amounts at U.S. Safehaven**

**(a) From the day following arrival at the safehaven location the first evacuee and additional family members will be reimbursed according to either a commercial or non-commercial rate. The commercial rate requires a receipt for lodging in a hotel, motel, commercially leased house or apartment, or other transient-type commercial establishment. The non-commercial rate will apply to days for which a receipt for a commercial establishment is not received. On the 31st day at the safehaven location the rate of reimbursement will be reduced to the 31st through 180th day calculation listed for the rate (commercial or non-commercial) the family chooses for each of the remaining days in evacuation status. The employee may always be treated as the “first evacuee” if evacuated, even if evacuated subsequently to the other family member(s). There can only be one “first evacuee” per family at an official safehaven at any given time, except as provided under Section 632.4(b) (“Tandem Couples”).**

**Per diem rates may be accessed on the internet at the following locations:**

**For the Conterminous/Continental U.S. (CONUS): 48 contiguous states and the District of Columbia:** [**http://www.gsa.gov/portal/category/21287**](http://www.gsa.gov/portal/category/21287)

**For non-foreign areas (Alaska, Hawaii, Commonwealth of Puerto Rico, Commonwealth of the Northern Mariana Islands and territories and possessions of the United States):** [**http://www.defensetravel.dod.mil/site/perdiem.cfm**](http://www.defensetravel.dod.mil/site/perdiem.cfm)

 **For foreign areas:** [**http://aoprals.state.gov/web920/per\_diem.asp**](http://aoprals.state.gov/web920/per_diem.asp)

**(b) Commercial rate**

**(1) The per-day amounts allowed for days 1 through 30 following arrival at the safehaven location are:**

**For the first evacuee:**

**Up to 100 percent (or up to 150 percent for special family compositions listed below) of the lodging portion of the safehaven per diem rate (receipt required) plus a flat amount (no receipts required) equal to 100 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate. If the first evacuee cannot get an exemption from paying the tax on commercial lodging in the continental U.S. or non-foreign area (see non-foreign-area list at 632.1a), he/she may be reimbursed for the tax in addition to the amount allowed for the lodging portion.**

**Special Family Compositions**

**(a) First Evacuee plus one (non-spouse or non-domestic partner family member, age 18 and older)**

**(b) First Evacuee plus one (non-spouse/non-domestic partner family member of opposite gender, age 12 and over)**

**(c) First Evacuee plus two (one non-spouse/non-domestic partner family member, age 18 and older; or one non-spouse/non-domestic partner family member, opposite gender, age 12 and over)**

**(d) First Evacuee plus three (one non-spouse/non-domestic partner family member, age 12 and over)**

**(e)First Evacuee plus four or more family members**

Note: The Director of the Office of Allowances may consider requests for consideration of special family compositions not addressed by (a) through (e) above. Please submit such requests through appropriate agency channels to the Director, Office of Allowances (A/OPR/ALS), U. S. Department of State, Washington, D.C. 20522-0103.

**For each additional evacuee age 18 and over:**

**A flat amount equal to 100 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

**For each additional evacuee under age 18:**

**A flat amount equal to 50 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

 **Example 1: Commercial Rate**

**Per-day amounts for days 1 through 30 commencing from the day following arrival at safehaven.**

**Safehaven Per Diem = $ 200 (Lodging Portion $150; M&IE $50). Family consists of Employee, Spouse or Domestic Partner, Children ages 6, 12 and 18. Note: Special Family Composition (e) applies.**

**First Evacuee: Lodging up to $225; M&IE $50**

**Spouse or Domestic Partner: $50**

**Children 6 & 12: $25; $25**

**Child 18: $50**

**Lodging reimbursed for actual expenses up to maximum of $225. Commercial lodging receipt required. M&IE portions are flat amounts and receipts are not required. Lodging taxes may be reimbursed in addition to these amounts for a U.S. or non-foreign safehaven; however, they may not be reimbursed in addition to these amounts for a foreign safehaven.**

**(2) The per-day amounts allowed from the 31st day following arrival at the safehaven location through the end of the evacuation are:**

**For the first evacuee:**

**Up to 100 percent (or up to 150 percent for special family compositions listed above) of the lodging portion of the safehaven per diem rate (receipt required) plus a flat amount (no receipts required) equal to 80 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate. If the first evacuee cannot get an exemption from paying the tax on commercial lodging in the continental U.S. or non-foreign area (see non-foreign-area list at 632.1a), he/she may be reimbursed for the tax in addition to the amount allowed for the lodging portion.**

**For each additional evacuee age 18 and over:**

**A flat amount equal to 80 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

**For each additional evacuee under age 18:**

**A flat amount equal to 40 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

 **Example 2: Commercial Rate**

**Per-day amounts for days 31 through end of evacuation.**

**Safehaven Per Diem = $ 200 (Lodging Portion $150; M&IE $50). Family consists of Employee, Spouse or Domestic Partner, Children ages 6, 12 and 18. Note: Special Family Composition (e) applies.**

**First Evacuee: Lodging up to $225; M&IE $40.00**

**Spouse or Domestic Partner: $40.00**

**Children 6 & 12: $20.00; $20.00**

**Child 18: $40.00**

**Lodging reimbursed for actual expenses up to maximum of $225 per day. Commercial lodging receipt required. M&IE portions are flat amounts and receipts are not required. Lodging taxes may be reimbursed in addition to these amounts for a U.S. or non-foreign safehaven; however, they may not be reimbursed in addition to these amounts for a foreign safehaven.**

**(3) For lease coverage see Section 632.4(c).**

**(c) Non-Commercial Rate**

**(1) The per-day amounts allowed for days 1 through 30 commencing from the day following arrival at the safehaven location are:**

**For the first evacuee:**

**A flat amount of 10 percent of the lodging portion of the safehaven per diem rate (no receipts required) plus a flat amount (no receipts required) equal to 100 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

**For each additional evacuee age 18 and over:**

**A flat amount equal to 100 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

**For each additional evacuee under age 18:**

**A flat amount equal to 50 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

 **Example 1: Non-Commercial Rate**

**Per-day amounts for days 1 through 30 commencing from the day following arrival at safehaven.**

**Safehaven Per Diem = $200 (Lodging Portion $150; M&IE $50). Family consists of married couple employees or domestic partnership employees (both employees eligible for “first evacuee” rates) with two children ages 3 and 13.**

**First Evacuee: Flat amount $15; M&IE $50**

**First Evacuee: Flat amount $15; M&IE $50**

**Children 3 and 13: $25; $25**

**Receipts are not required for any of these amounts.**

**(2) The per-day amounts allowed from the 31st day following arrival at the safehaven location through the end of the evacuation are:**

**For the first evacuee:**

**A flat amount (no receipts required) equal to 80 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

**For each additional evacuee age 18 and over:**

**A flat amount equal to 80 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

**For each additional evacuee under age 18:**

**A flat amount equal to 40 percent of the meal and incidental expense (M&IE) portion of the safehaven per diem rate.**

**Example 2: Non-Commercial Rate**

**Per-day amounts for days 31 through end of evacuation.**

Safehaven Per Diem = $200 (Lodging Portion $150; M&IE $50). Family consists of married couple employees or domestic partnership employees (both employees eligible for “first evacuee” rates) with two children ages 3 and 13.

**First evacuee: M&IE $40.00**

**First evacuee: M&IE $40.00**

**Children 3 and 13: $20.00; $20.00**

**Receipts are not required for any of these amounts.**

**632.2 Foreign or Alternate Safehaven (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**(a) For a foreign safehaven, the subsistence expense allowance will be based on the per diem rate of the designated foreign area under the payment guidelines of Section 632.1.**

**(b) When an evacuee goes to an approved alternate safehaven the subsistence expense allowance will be based on the lowest of the following per diem rates using the payment guidelines in Section 632.1: (1) the locality to which evacuated, (2) the rate applicable to the official safehaven (whether U.S. or foreign) or (3) the standard CONUS rate. Restriction: If there is a first evacuee at either a U.S. or foreign safehaven there cannot also be a first evacuee at the alternate safehaven. The subsistence expense allowance in this case would be based on the guidelines in Section 632.1 and calculated using the formula for “each additional evacuee” using the lowest of the above per diem rates.**

**632.3 Actual Payment**

**The daily rate of the subsistence expense allowance actually paid shall be either the maximum rate as determined above, or a lower rate if, in the judgment of the authorizing officer, such lower rate would be more in keeping with necessary living expenses.**

**632.4 Special Rules for Subsistence Expense Allowance (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**(a) During Annual Leave, Sick Leave, Home Leave, Leave Without Pay**

Upon completion of authorized leave, an employee who is away from post on annual leave (including R&R) or home leave when an evacuation is approved should immediately notify post of an intention to return to work status in order to become eligible for the SEA at the designated U.S. or foreign safehaven. The employee then returns to post immediately or receives authorization to report to the U.S. or foreign safehaven or to a temporary duty station. Dependents become eligible for SEA upon their arrival at their authorized U.S., foreign, or alternate safehaven following the employee's commencement of official travel to the duty station. SEA is not paid to any evacuee authorized travel per diem (see Section 634).

Neither an employee nor dependent in R&R or home leave status is eligible for SEA. SEA payments continue for dependents previously ordered/authorized to depart who are joined by an employee on R&R or home leave, but no additional travel for the dependents is authorized at U.S. Government expense.

SEA shall continue to evacuees otherwise eligible while an employee in ordered/authorized departure status takes annual or sick leave.

An employee in leave without pay (LWOP) status is not eligible for SEA unless evacuated as a dependent.

**(b) Married Couple Employees or Domestic Partnership Employees**

Married couple employees or domestic partnership employees should each receive up to the first evacuee rate of subsistence expense. (See Section 610e(1).)

**(c) Lease Coverage**

**If an employee or designee signs a lease for lodging at the safehaven and is ordered to return to post, a waiver of the refund due the Government on an advance or reimbursement of expenses incurred should be authorized for the unexpired period of the lease up to 30 days at not to exceed the lodging portion of the safehaven per diem rate [plus applicable tax if an exemption cannot be obtained on commercial lodging in the continental U.S. or non-foreign area (see non-foreign-area list at 632.1a)].**

**633 Special Education Allowance (Interim eff. 4/5/2013; final eff. 6/2/2013 with TL:SR 813)**

**Unless otherwise directed by the Secretary of State, a special education allowance may be paid on behalf of children evacuated to the U.S. or foreign safehaven as follows:**

**633.1 Foreign Safehaven**

**(a) at the annual rate of the "school at post" education allowance indicated for the foreign safehaven post;**

**(b) at the "school away from post" rate either of the evacuated post or of the foreign safehaven post, at the discretion of the authorizing officer, if children are sent away from the foreign safehaven post to schools necessitating boarding. In this case the subsistence expense allowance ceases for that child until the end of the grant year. Subsistence expense is payable for such students only during the school break between grant years. The foreign safehaven location displaces the evacuated post as the travel destination.**

**633.2 U.S. Safehaven**

Normally education allowances are not payable on behalf of children evacuated from a post in a foreign area to a U.S. safehaven if accompanied by a parent, as public schools are available to all residents in the United States. However, if prior to evacuation, a child was attending school in the United States under the “at post” or "away from post" education allowance, the rate authorized for the evacuated post may continue for the remainder of the school year. Children under an “at post” education allowance are entitled to subsistence expense allowance if the “Exception” at Section 621.1(d)(1) and 621.2(d)(1) applies. There is no entitlement to subsistence expense allowance for children at school under an "away from post" education allowance. Subsistence expense is payable for such students only during the school break between grant years. See Section 621.1(d)(1) and 621.2(d)(1) for reimbursement under "school at post" education allowance for internet classroom expenses associated with school at post incurred at the safehaven.

**633.3 Alternate Approved Safehaven**

No special education allowance is authorized for dependents at an alternate safehaven.

**633.4 Child Eligible for Educational Travel at the Time of Evacuation**

Educational travel eligibility rules continue to apply as provided in Section 280, except that the official safehaven displaces the post as the travel destination from school. While the child is temporarily at the safehaven location, SEA payments may be made consistent with Section 632. While the child is at the school there are no SEA payments.

**633.5 Child Eligible for Special Needs Education Allowance at the Time of Evacuation**

If a child already qualifies for and is receiving the special needs education allowance at the foreign post of assignment and that child has no valid, legal Individual Education Plan (IEP) acceptable to U.S. public schools at the U.S. safehaven location for receipt of special education services, then the special needs education allowance may continue to be paid during the evacuation until such time as the U.S. public school begins to provide special services. See 271m, 276.2, and 276.8. These expenses may be reimbursed under the current year “school at post” and “special needs” education allowance maximum and may include those items listed in 276.8c.

**634 Suspension of SEA Payments**

**Payment of the subsistence expense allowance provided under Section 632 shall be suspended in the applicable per-person amount for any period during which the employee or dependents are authorized the travel expense allowance under Section 631, travel per diem, or educational travel under Section 280. If SEA payments are temporarily suspended for the first evacuee, one family member also receiving SEA becomes the first evacuee and thus receives the higher SEA payment.**

**635 Termination**

**Entitlement to special allowance payments during an evacuation shall cease as of the earliest of the following dates (an appropriate grace period necessary to arrange return to post may be authorized, normally not to exceed ten days, provided it is justified on the employee's travel voucher and provided the 180 day limit is not exceeded):**

**(a) the date the evacuated employee commences travel under an assignment order to another duty station outside the evacuation area;**

**(b) the effective date of transfer when the employee is already at the post to which transferred;**

**(c) the date of separation;**

**(d) the date specified by the head of agency;**

**(e) the date specified by the Secretary of State;**

**(f) 180 days after the evacuation order is issued; or**

**(g) the date the evacuee commences return travel to post.**

**\*636 Return to Assignment (Interim eff. 07/17/2020; Final eff. 08/30/2020)**

**Not later than 180 days after the evacuation order is issued, an evacuated employee must be returned to the regular post of assignment, or appropriate action must be taken to reassign the employee to another post, unless a determination is made by the head of agency or designee due to exigent circumstances to allow the evacuated employee to remain in the current assignment without returning to post, provided the post remains under the evacuation order. The head of agency or designee shall determine when circumstances no longer necessitate such action. These actions must be taken in accordance with prescribed agency regulations.**

**638 Review - Employee Accounts (See also Section 618.)**

**638.1 The payroll office having jurisdiction over the employee's accounts shall review his/her account at the earliest possible date after the evacuation is terminated, or earlier if the circumstances justify, or after the employee returns to his/her assigned post of duty, or when the employee is officially reassigned to another post.**

**638.2 For the period or periods covered by any payments under these regulations, the employee shall be considered as though active Federal service had been rendered in a regular position without a break in service. Compensation shall be adjusted on the basis of the rates of compensation including any allowances or post differentials to which the employee would otherwise be entitled under all applicable statutes other than this act (P.L. 87-304, 75 Stat. 662), as codified in 5 U.S.C. 5521-5527, as reflected in Sections 621.1 and 621.2. Any adjustments shall also reflect payments made to the employee as authorized by Sections 617 through 618 of these regulations.**

**639 Employees/Dependents Assigned But Not Arrived at Post**

**Employees/dependents who have not yet arrived at the post at the time of the evacuation/departure order are not covered by Chapter 600. However, under the limited circumstances outlined in Section 245, employees and dependents precluded from proceeding to post may be eligible for payments equivalent to those provided under Chapter 600 of the Standardized Regulations. Otherwise, when the criteria of Section 245 are not met, dependents who normally would accompany an employee to post will be eligible for involuntary separate maintenance allowance (Section 260) effective the date the employee begins official travel under assignment orders.**

**640 APPROVAL OF AGENCY REGULATIONS**

**641 Prior Approval**

**Executive Order 10982 requires prior approval by the Secretary of State of an agency's regulations which implement Chapter 600 of the Standardized Regulations (GC,FA). No agency shall make any payment under 5 U.S.C. 5521-5527 until approval has been received.**

**642 Approval Procedures**

**The head of an agency may adopt these regulations without change, but the Secretary of State must be so notified before the requirement for prior approval is satisfied. When an agency proposes to implement regulations that deviate from those provided in this Chapter, prior approval must be obtained from the Secretary of State before implementation.**

**643 Supplements to Agency Regulations**

**An agency may issue supplemental instructions so long as they are not inconsistent with approved regulations and prior approval of the Secretary of State has been obtained before implementation.**

**644 Reimbursement to Other Agencies**

**If a payment is made to an employee or designated representative by an agency other than his/her own, the amount and date of payment will be immediately reported to the employee's agency and prompt reimbursement will be made.**

**645 Agencies with Approved Regulations**

**Agencies which have regulations approved by the Secretary of State:**

**Agency for International Development**

**Agriculture, Department of**

**American Battle Monuments Commission**

**Commerce, Department of**

**Defense, Department of**

**Education, Department of**

**Energy, Department of**

**General Accounting Office**

**General Services Administration**

**Health and Human Services, Department of**

**Interior, Department of the**

**Justice, Department of**

**Labor, Department of**

**National Aeronautics and Space Administration**

**National Science Foundation**

**Peace Corps**

**State, Department of**

**Transportation, Department of**

**Treasury, Department of the**

**Veterans Affairs, Department of**