



**PER DIEM, TRAVEL AND TRANSPORTATION ALLOWANCE COMMITTEE**

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PDTATAC/vap

29 June 2012

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CTD for CAP 57-12(E) -- Add Domestic Partner to EVT

1. SYNOPSIS: Adds: 1) a domestic partner as a dependent for EVT travel and include the domestic partner's extended family to qualify to visit, 2) an exception for more than one family member to travel for a nursing child to accompany the mother or pre-school children accompany a single parent and 3) ability for employee to designate the spouse or domestic partner to travel in his or her place and vice versa for eldercare EVT.

2. These changes are scheduled to appear in JTR change 562, dated 1 August 2012.

3. This determination *effective on 27 June 2012*.

*//approved//*

**PHILIP G. BENJAMIN**

Chief, Strategic Planning and Policy Division

Attachment:

Rev 2

**Civilian E-Mail Distribution:**

CAP Members T&T Branch PMO-DTS GSA-3FT GSA-OGP(MTT) DTMO CBCA Judges

## JTR REVISIONS:

### **Chapter 7, TOC, C7632:**

- \*C7632 INCAPACITATED PARENT**
- A. Travel Purpose
  - B. Allowable Circumstances
  - C. Limit on the Number of Trips
  - D. EVT Travel
  - E. Authorization Procedure
  - F. Request Submission
  - G. Travel without Prior Authority

### **C7602-E:**

E. Authority. EVT is authorized in the following circumstances:

- \*1. Medical. A member of the employee's or the employee's spouse's or domestic partner's immediate family is seriously ill or injured and faces imminent death (pars. C7610-C and C7628).;
- \*2. Death. A member of the employee's or the employee's spouse's or domestic partner's immediate family has died or the eligible family member must accompany the remains of the employee or of an eligible family member resident at the employee's PDS in a foreign area who dies in a foreign area (APP A) to the place of interment anywhere in the world (pars. C7610-C and C7630).;
- \*3. Incapacitated Parent. A parent of the employee or the employee's spouse or domestic partner becomes incapacitated and travel is necessary to arrange for the parent's medical treatment or otherwise help assess the parent's need for a new living situation or other form of care (par. C7632).; and
- \*4. Unusual Personal Hardship. An employee or employee's spouse or domestic partner requires emergency family visitation in certain exceptional circumstances involving unusual personal hardship other than those provided in pars. C7602-E1 through E3 (See also par. C7634).

### **C7608:**

#### **C7608 LIMIT ON NUMBER OF TRAVELERS**

A. General. Ordinarily, only one family member is authorized travel at GOV'T expense. In exceptional circumstances, the AO may authorize/approve the travel of additional family members.

B. Exceptions. Additional family members must travel due to:

- \*1. A critical injury to a dependent child attending school away from the PDS,
- \*2. The death of the employee or an immediate family member at the PDS and the remains are being returned for interment in CONUS or in a non-foreign OCONUS area,

\*3. A nursing child needs to accompany the mother, or

\*4. Pre-school children to accompany a single parent.

In such cases, the limitations in these regulations apply to each traveler.

## **C7610:**

### **C7610 DEFINITIONS**

A. Eligible Employee. An “eligible employee” is an employee who is a U.S. citizen assigned at a PDS in a foreign area, who has a service agreement that provides for return travel to the employee’s actual residence.

B. Eligible Family Member. Any of the following individuals may be an “eligible family member” if part of the employee’s household at the OCONUS PDS and are eligible for EVT:

\*1. A child who is unmarried and under age 21 years or who, regardless of age, is physically/mentally incapable of self-support. The term includes, in addition to natural offspring, a stepchild and adopted child and a child under legal guardianship of the employee or the spouse or domestic partner when such children are expected to be under such legal guardianship at least until they reach age 21 and when dependent upon and normally residing with the guardian;

\*2. A parent (including stepparent and legally adoptive parent) of the employee/spouse/domestic partner, when such parent is at least 51 percent dependent on the employee for support (APP A - DEPENDENT/ IMMEDIATE FAMILY);

\*3. A sibling (including stepsister/stepbrother, or adoptive sister/brother) of the employee/ spouse/domestic partner, when such sibling is at least 51 percent dependent on the employee for support, unmarried and under age 21, or regardless of age, is incapable of self-support; and

\*4. Spouse or domestic partner.

C. Immediate Family Member. For this Part “an immediate family member” means the following relative of the employee:

\*1. Spouse or domestic partner;

\*2. A child, including stepchild, adopted child and an individual who is or was under legal guardianship of the employee/spouse/domestic partner, and spouses thereof;

\*3. A parent of the employee/spouse/domestic partner; and

\*4. A sibling (including stepbrother and/or stepsister) of the employee/ spouse/domestic partner for cases of death.

D. Incapacitation. “Incapacitation” is a physical/mental health condition that may impair an individual’s ability to continue living independently.

\*E. Parent. A “parent” is the mother/father of the employee/spouse/domestic partner, including stepparent, adoptive parent, or an individual who has stood in place of a parent (APP A -- Dependent/Immediate Family). *In no circumstance may an individual be deemed to have more than two parents.*

F. AO. The “AO” is the official delegated the authority at the PDS to authorize/approve EVT.

G. Serious Illness/Injury. “Serious illness/injury” is a circumstance in which a medical official determines that death is imminent or likely to occur.

### **C7614-A:**

\*A. Routing. Travel from the employee’s PDS (place of temporary abode at which the employee/spouse/ domestic partner is located because of an official authorization) to the CONUS/non-foreign OCONUS location of the seriously ill, injured, or deceased immediate family member or incapacitated parent must be by the most direct, usually traveled and inexpensive (based on the least expensive unrestricted economy/coach airfare) route.

### **C7614-C:**

\*C. Transportation Costs. In the event the seriously ill, injured, or deceased immediate family member or incapacitated parent is outside the CONUS/non-foreign OCONUS location or the remains of an immediate family member who died in a foreign area are to be accompanied to a foreign area, the employee’s/spouse’s/domestic partner’s transportation cost may not exceed the transportation expenses that would have been incurred for travel between the employee’s PDS and the employee’s actual residence (APP A), unless the presence in the foreign area of the person to be visited is incident to the employee’s assignment at the foreign PDS.

### **C7628:**

#### **C7628 EVT FOR MEDICAL REASONS**

\*A. Limit on Number of Trips. The employee/spouse/domestic partner is limited to one round trip for each serious illness or injury of each immediate family member. If the traveler returns to the employee’s PDS from an EVT visit and the ill/injured immediate family member subsequently dies, the AO may authorize/approve a second trip under par. C7602-E2.

\*B. Procedure. An employee’s request for EVT authorization/approval for a medical reason must include necessary information required to assess the medical condition of the immediate family member to be visited so that the AO (with the assistance of medical officials if available) can make a determination whether the medical condition of the family member meets the requirements of par. C7610-G. The necessary information includes:

- \*1. The name and address of the immediate family member, and the family member’s relationship to the employee or the employee’s spouse/domestic partner;
2. The telephone number of the attending physician or hospital; and
3. The name, address, and telephone number of a person at the family member’s location who may be contacted ICW the emergency, and the relationship of this person to the immediate family member.

C. Immediate Family Member Located in a Foreign Area. If the immediate family member is located in a foreign area, the AO must request assistance from the nearest PDS, if any, that could aid in gathering information regarding the medical status of the family member for whom EVT is requested.

D. Confirming the Need for EVT Travel. After confirming that the family member’s medical status meets the requirements of par. C7610-G, the AO may authorize/approve the EVT request. ***The AO must not authorize/ approve any request that does not meet the requirements in par. C7610-G.*** The employee may request

reconsideration by providing information that enables the AO to evaluate the immediate family member's condition at the time of travel.

E. Recording EVT Travel. Any EVT for medical reasons, authorized/approved by the AO, to visit a parent must be recorded in the employee's personnel record.

\*F. Limiting EVT Travel to Already Identified Parents. EVT is not authorized when the employee/spouse/domestic partner has already identified two individuals as parents for EVT and (a) subsequent request(s) for EVT elects a third parental individual to visit.

\*G. Travel in Advance of Authority Being Provided

\*1. Employee/Spouse/Domestic Partner Elects to Travel before Authority Is Provided. The employee/spouse/domestic partner may elect to travel in advance of authorized EVT. Travel expenses may be paid by either of the following methods. As a:

\*a. Personal expense of the employee subject to reimbursement in the event of subsequent approval; or

\*b. GOV'T expense subject to collection as an overpayment if it is determined that the circumstances for which EVT was authorized/approved do not meet EVT authority standards.

\*2. Repayment Acknowledgement. An employee traveling in advance of authority for transportation at GOV'T expense must execute the following repayment acknowledgement prior to commencing travel:

\*REPAYMENT ACKNOWLEDGEMENT

"I, \_\_\_\_\_ certify that I have read and understand the Emergency Visitation Travel (EVT) regulations in Joint Travel Regulations (JTR), Chapter 7, Part M, and that all expenditures made by my Command ICW my EVT (or EVT for my eligible spouse/domestic partner) \_\_\_\_\_ become my personal financial responsibility and are subject to collection as an overpayment in the event that approval of such travel is determined to be unwarranted under the provisions of JTR, Chapter 7, Part M. If I do not repay these funds immediately upon demand, I understand that the Government may pursue collection of these funds through deductions from salary, allowances, lump sum payments, or any other remedy."

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Typed Name**

After execution of the Repayment Acknowledgement, the AO may authorize transportation.

\*3. After Return to the PDS. In each case in which EVT is taken in advance of EVT transportation authority, the employee must submit a statement to the AO not more than 30 calendar days after completion of travel, describing the circumstances for which travel was performed. The statement must include the name, address, and relationship of the ailing immediate family member and a report from the attending physician or hospital describing the nature of the illness at the time of travel. The AO determines whether or not the family member's medical status at the commencement of EVT met the requirements of par. C7610-G. If the AO determines that the family member's status did not satisfy the requirements, all EVT expenses become the employee's financial responsibility.

**C7630:**

**C7630 EVT IN THE EVENT OF AN IMMEDIATE FAMILY MEMBER'S DEATH**

\*A. Limitation. Only one round trip may be taken by either the employee or the spouse/domestic partner in the death of any immediate family member.

B. Beginning Travel. Travel must begin as soon as practicable upon notice that the immediate family member has died.

C. Death of Employee/Eligible Family Member. In the death of an employee/eligible family member stationed in a foreign area (*whether death occurs at the PDS or elsewhere in a foreign area*), one round trip to the place of interment is allowable for each eligible family member resident at the PDS (par. C7602-E2).

\*D. Travel Statement. The employee must provide a statement to the AO within 30 calendar days after travel completion with the name and relationship (to the employee or employee's spouse or domestic partner) of the deceased.

### **C7631:**

#### **C7631 EVT FOR PERSONAL EXPENSE TRAVEL TO VISIT SIBLING WHO SUBSEQUENTLY DIES**

\*A. General. When the employee, or employee's spouse or domestic partner, travels at personal expense to visit an ill or injured sibling, and the visited sibling dies within 45 calendar days of the traveler's departure from the OCONUS PDS to make that visit, then the eligible traveler may elect, either (but not both) of the following:

1. Reimbursement for the round trip visitation travel already taken at personal expense, or
2. Subsequent EVT round trip travel for the interment of that sibling.

B. Limitation. Reimbursement for allowable EVT travel and transportation expenses under par. C7631-A1 is limited to par. C7612-A requirements, and must conform to par. C7614. Par. C7612-B lists unauthorized EVT expenses.

### **C7632:**

#### **C7632 INCAPACITATED PARENT**

A. Travel Purpose. Travel must be to:

1. Arrange medical care,
- \*2. Arrange home care services, or
3. Evaluate a facility placement

for a parent who has become incapacitated and may not be able to continue living independently.

B. Allowable Circumstances. Examples of circumstances in which this EVT may be approved include:

- \*1. Eyesight of a parent (see par. U7610-B2) (or one who has acted in this capacity) has deteriorated so the person may no longer be able to continue living independently;
- \*2. A parent/stepparent/adoptive parent (or one who has acted in this capacity) must leave an assisted living facility because the person requires medical or other care that is not available at that facility;

\*3. A parent/stepparent/adoptive parent (or one who has acted in this capacity) is showing increasing signs of dementia and may require placement in a skilled nursing facility; and/or

4. Similar circumstances.

\*C. Limit on the Number of Trips. EVT for the care of incapacitated parents may not exceed two round trips for the employee over the lifetime of the eligible employee and two roundtrips for an employee's spouse or domestic partner over the lifetime of the employee's spouse or domestic partner. *The employee/spouse/domestic partner may choose to use both EVT trips in this category ICW the needs of one parent.*

**Example:** Employee takes EVT in 2006 and again in 2010 to care for the employee's mother. In 2012 the employee's father needs to be placed in an assisted living facility. Because the employee already used the two lifetime round trips to care for the employee's mother, the employee may not be authorized EVT to care for the employee's father.

\*D. EVT Traveler. The employee may designate the spouse or domestic partner to travel in the employee's place or the employee may travel in the spouse's/domestic partner's place.

\*E. Authorization Procedure

1. The employee:

\*a. Must submit a statement, or certification, to the AO to serve as evidence of eligibility for the EVT allowance. The submitted documentation must include a statement by the employee indicating the number of EVT trips already taken by the employee/spouse/domestic partner during their lifetimes under the authority in pars. C7602-E3 and C7632 (Incapacitated Parent).

b. Should provide as much detail as available at the time of the request for travel at GOV'T expense that demonstrates that the request is consistent with the requirements in par. C7602-E3.

c. May supplement the statement with additional detail as more information becomes available. A sample certification follows below.

2. At a minimum the certification must include:

\*a. The number of EVT trips already taken by employee/spouse/domestic partner during their lifetimes under the authority in pars. C7602-E3 and C7630.

b. The name and address of the parent and that of the care facility if the parent is under temporary care away from the normal place of residence;

\*c. A detailed description of the circumstances for which the EVT allowance is being claimed; and

\*d. If the parent is other than a biological, step, or adoptive parent, a detailed description of the nature of the relationship that supports a claim that the individual "stood in the place of" a parent to the employee or the employee's spouse or domestic partner.

#### **\*SAMPLE CERTIFICATION**

I, \_\_\_\_\_ certify that it is necessary for me (**or for my spouse/ domestic partner**) to travel to the location of my (**or eligible spouse's or domestic partner's**) parent, \_\_\_\_\_ who resides at: \_\_\_\_\_ to assist in getting appropriate care or making new living arrangements due to recently discovered incapacity. I have the following indications that my (**or eligible spouse's or domestic partner's**) parent may not be

able to continue living independently:

I hereby declare that, if approved, this will be my Employee SpouseDomestic Parnter first/second eldercare trip at Government expense during my lifetime IAW Joint Travel Regulations, par. C7632-C.

\_\_\_\_\_  
\_\_\_\_\_  
**Signature**                      **Date**                      **Typed Name**

\*F. Request Submission. The request must be submitted to the AO. The AO must notify the requester of the action taken on the GOV'T funded travel request.

\*G. Travel without Prior Authority

\*1. GOV'T funded transportation is permitted without prior authority. If GOV'T funded transportation is permitted, the employee/spouse/domestic partner must provide, not more than 30 days after travel completion, a certification statement detailing the parent's health status and travel purpose described above. The employee is financially liable for any expenditure not approved.

\*2. In the event the employee or the employee's spouse or domestic partner elects to travel in advance of authority being provided, the following statement must be included in the employee certification:

"I have read and understand JTR, par. C7628-H, that all expenditures made by the Government ICW my EVT (*or EVT of my eligible spouse or domestic partner*) (*Name*) become my personal financial responsibility and are subject to collection as an overpayment in the event that approval of such transportation is determined to be unwarranted under the provisions in JTR, Chapter 7, Part M. If I do not repay these funds immediately upon demand, I understand that the Government may pursue collection of these funds through deductions from salary, allowances, lump payments, or any other remedy."

**C7634-B:**

\*B. Travel without Prior Authority. GOV'T funded transportation is permitted without prior authority. If GOV'T funded transportation occurs, the employee/spouse/domestic partner must provide, not more than 30 days after travel completion, a certification statement detailing the exceptional circumstances for which the request for EVT travel is made and any available documentation related to the circumstances of the request. The par. C7628-H procedure, regarding travel in advance of authority being provided, also applies ICW EVT travel under par. C7634 for Unusual Personal Hardship. The employee is financially liable for any expenditure not approved.