



PER DIEM, TRAVEL AND TRANSPORTATION ALLOWANCE COMMITTEE

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REISSUED 03-26-12

PDTATAC/vap

26 March 2012

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CTD for CAP 88-11(I) -- Add Domestic Partner to Evacuation

1. **SYNOPSIS:** Add domestic partner to definition of dependent in DSSR, Chapter 600 copied in JTR, par. C6200. This UTD was rescinded 12 September 2011 pending release of the DODI 1400.25, Volume 1250. DODI 1400.25, Volume 1250 was posted to the DTIC publications website on 2/23/12. Therefore, there is now authority to extend eligibility for overseas allowances to same sex domestic partners of DoD civilian employees.
2. The attached revision is forwarded for information purposes only. No coordination or comments are required.
3. This revision was initiated by Staff.
4. These changes are scheduled to appear in JTR change 559, dated 1 May 2012.
5. Revisions in this information item are *effective 23 February 2012*.

//approved//

W. B. TIRRELL, SR.

Chief, Policy and Regulations Branch

Attachment:

Rev 1

Civilian E-Mail Distribution:

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

JTR REVISIONS

C6200, DSSR 610e:

a. "**Adult dependent**" includes the employee's spouse or domestic partner and any of the relatives defined in DSSR, section 040m who are age 21 and older. DSSR, section 040m (modified) is included below at DSSR, definition 610e.

C6200, DSSR 610e:

e. "**Dependent**" means a member of the employee's family or domestic partner as defined in DSSR, section 040m. Special factors include:

- (1) Neither member of an assigned career or probationary career married working (tandem) 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) A locally-hired dependent employee 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.

The following definition of "dependent" according to the DSSR, section 040m, is modified to relate to DoD civilians:

"**Dependent**" means one or more of the following relatives of an employee residing at the employee's PDS who does not receive a similar allowance from the GOV'T and is not included as another employee's dependent for determining a similar allowance:

- (1) Spouse or domestic partner, excluding a spouse/domestic partner authorized to and receiving a similar allowance;
- (2) Children who are unmarried and under age 21 or, regardless of age, are incapable of self-support. The term includes, in addition to natural offspring, step and adopted children, children of a domestic partner and children who are under the employee's, the spouse's, or the domestic partner's legal guardianship and expected to remain under legal guardianship until age 21. (See DSSR, sections 270 and 280 on education allowances and educational travel.);
- (3) The employee's, spouse's, and/or domestic partner's parents (including step and legally adopted parents), when the parents are at least 51 percent dependent on the employee for support;
- (4) The employee's, spouse's, and/or domestic partner's sisters and/or brothers (including step or adopted sisters or brothers), when the sisters and/or brothers are at least 51 percent dependent on the employee for support, unmarried and under age 21 or, regardless of age, are incapable of self-support. (See DSSR, sections 270 and 280 on education allowances and educational travel.);
- (5) When determined by the Secretary Concerned to be in the GOV'T's interest, a father, mother, brother, sister, son or daughter, regardless of age or dependency, who acts as the official host/hostess or equivalent for an employee who has no spouse residing at the PDS.