

OGC HAS REVIEWED

OGC 67-1240

26 JUN 1967

MEMORANDUM FOR: Director of Personnel

SUBJECT: Government Travel Regulations --
Place of Actual Residence

1. By your memorandum of 5 June you raised certain questions concerning the "place of residence" of returnees as that term is applied under Agency travel authority. You state that the problem "seems limited to interpretation of the term 'place of actual residence at the time of appointment or transfer.'"

2.

[REDACTED]

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The term appears in [REDACTED] which concerns disqualification of employees within 120 days of appointment.

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3.

[REDACTED]

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and [REDACTED] is authority for the travel of an employee, upon separation abroad, and shipment of his household effects to his "place of residence at the time of appointment." We perceive no indication in GAO decisions or elsewhere that the inclusion or omission of the word "actual" intended a particular place of residence. In the absence of statutory or regulatory definition of these terms, we believe the Agency is free to apply, by administrative decision, any reasonable definitions. Specifically,

~~MEMORANDUM FOR THE DIRECTOR OF PERSONNEL~~

a. We would think the place of residence at the time of appointment of an employee recruited by correspondence and interview at a point outside Washington, D. C., but whose appointment in fact takes place when he arrives in Washington, D. C. to begin employment, need not be considered Washington, D. C.

b. We would have no objection to either the place of legal residence (domicile) or the place of physical residence being considered, again by administrative decision, the place of residence at the time of appointment. Further, we would see no objection to selecting one of these places with respect to certain employees and the other with respect to other employees.

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Associate General Counsel

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