

## Office of Personnel Management

## § 591.204

### § 591.202 Areas covered.

The following areas are nonforeign areas:

(a) Alaska (including all the Aleutian islands east of longitude 167 degrees east of Greenwich).

(b) American Samoa (including the island of Tutuila, the Manua Islands, and all other islands of the Samoa group east of longitude 171 degrees west of Greenwich, together with Swains Island).

(c) Canton and Enderbury Islands.

(d) Commonwealth of Puerto Rico.

(e) Virgin Islands of the United States.

(f) Guam.

(g) Commonwealth of the Northern Mariana Islands.

(h) Hawaii (including Ocean or Kure Island).

(i) Howland, Baker, and Jarvis Islands.

(j) Johnston Island and Sand Island.

(k) Kingman Reef.

(l) Midway Islands.

(m) Navassaa Island.

(n) Palmyra Atoll.

(o) Wake Island.

(p) Any small guano islands, rocks, or keys that, in pursuance of action taken under the Act of Congress, August 18, 1856, are considered as appertaining to the United States.

(q) Any other islands to which the U.S. Government reserves claim, such as Christmas Island.

### § 591.203 Employees covered.

(a) This subpart applies to civilian employees whose rates of basic pay are fixed by statute and who are employed by an agency. The following pay plans are covered by this subpart:

(1) General Schedule.

(2) Veterans Health Services and Research Administration (Department of Veterans Affairs).

(3) Foreign Service (including the Senior Foreign Service).

(4) Postal Service (where applicable under provisions of 39 U.S.C.).

(5) Administrative law judges paid under 5 U.S.C. 5372.

(6) Senior Executive Service (including the Federal Bureau of Investigation—Drug Enforcement Administration Senior Executive Service).

(7) Senior-level and scientific and professional positions paid under 5 U.S.C. 5376.

(b) This subpart may be applied, at the sole discretion of the employing agency, to civilian employees in other positions authorized by specific law applicable to such positions, consistent with the intent of 5 U.S.C. 5941.

[55 FR 1373, Jan. 16, 1990, as amended at 56 FR 6209, Feb. 14, 1991; 56 FR 18663, Apr. 23, 1991; 57 FR 10126, Mar. 24, 1992; 58 FR 65537, Dec. 15, 1993; 61 FR 59177, Nov. 21, 1996; 62 FR 63631, Dec. 2, 1997]

### § 591.204 Establishment of allowance areas.

(a) The Office of Personnel Management (OPM) designates within nonforeign areas allowance areas where employees are eligible to receive a cost-of-living allowance by virtue of living costs that are substantially higher than those in the Washington, DC, area. In establishing the limits of allowance areas, OPM considers:

(1) The existence of a well defined economic community;

(2) The availability of consumer goods and services;

(3) The concentration of Federal employees covered by this subpart; and

(4) Unique circumstances related to a specific location.

(b) The following allowance areas have been established where an allowance is authorized to be paid:

(1) *State of Hawaii*. (i) City and County of Honolulu.

(ii) County of Kauai.

(iii) County of Maui (including Kalawao County).

(iv) County of Hawaii.

(2) *State of Alaska*. (i) City of Anchorage and 80-kilometer (50-mile) radius by road.

(ii) City of Fairbanks and 80-kilometer (50-mile) radius by road.

(iii) City of Juneau and 80-kilometer (50-mile) radius by road.

(3) *Commonwealth of Puerto Rico*. The entire Commonwealth.

(4) The U.S. Virgin Islands.

(5) Territory of Guam and Commonwealth of the Northern Mariana Islands.

(c) The head of a department or agency will submit requests in writing to