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FROM: USAREUR G3

DTG: SAME AS USAREUR CONSOLIDATED GENADMIN MESSAGE 20110802

SUBJECT: (FOUO) USAREUR GENADMIN (BAH, OHA, AND COLA EXCEPTION TO POLICY)

AEAGA-MPP

USAREUR MESSAGE # 1108004

(U) PURPOSE: PROVIDES UPDATES AND SUPERSEDES INFORMATION CONCERNING BASIC ALLOWANCE FOR HOUSING (BAH), OVERSEAS HOUSING ALLOWANCE (OHA), AND COST OF LIVING ALLOWANCE (COLA) EXCEPTION TO POLICY (ETP) PUBLISHED PREVIOUSLY IN THE 03 DEC 10 USAREUR GENADMIN MESSAGE.

REFERENCES:

REF/A/ (U) HQDA ALARACT 21/2008, DTD 05 FEB 08, SUBJ: (FOUO) EXCEPTION TO POLICY GUIDANCE FOR BASIC ALLOWANCE FOR HOUSING (BAH) WAIVERS.

REF/B/ (U) MILPER MESSAGE 09-038, DTD 24 FEB 09, SUBJ: (FOUO) PROFESSIONAL MILITARY EDUCATION (PME) BASIC ALLOWANCE FOR HOUSING (BAH) WAIVER PROGRAM.

REF/C/ (U) JFTR VOLUME 1, CHAPTER 9 AND 10, DTD 01 JUN 10, SUBJ: (FOUO) STATION ALLOWANCES AND HOUSING ALLOWANCES (RESPECTIVELY).

REF/D/ (U) RESCIND. USAREUR MESSAGE # 1012012, DTG: 031732Z DEC 10, SUBJ: (FOUO) USAREUR GENADMIN (BAH, OHA, AND COLA EXCEPTION TO POLICY).

1. (U) INFORMS USAREUR SUBORDINATE AND TENANT COMMANDS OF PROCEDURES REQUIRED TO SUBMIT PACKETS FOR SECRETARIAL EXCEPTION TO POLICY (ETP) TO RECEIVE BASIC ALLOWANCE FOR HOUSING (BAH), COST OF LIVING ALLOWANCE (COLA), OR OVERSEAS HOUSING ALLOWANCE (OHA) FOR PLACES OTHER THAN THE SOLDIER'S PERMANENT DUTY STATION (PDS). IN ACCORDANCE WITH (IAW) JFTR, CHAPTER 10, A SOLDIER ON ACTIVE DUTY ENTITLED TO BASIC PAY IS AUTHORIZED A HOUSING ALLOWANCE BASED ON THE SOLDIER'S GRADE, DEPENDENCY STATUS, AND LOCATION. IN ORDER FOR A SOLDIER TO RECEIVE A HOUSING ALLOWANCE OR COLA FOR A LOCATION OTHER THAN HIS/HER PDS, USAREUR SUBORDINATE AND TENANT COMMANDS MUST SUBMIT A REQUEST FOR EXCEPTION TO POLICY (ETP) THROUGH USAREUR G1 TO THE ARMY G1 FOR SECRETARIAL APPROVAL.

2. (U) ALL ETP'S MUST CLEARLY STATE REASONS FOR THE REQUEST AND HAVE THE INCLUSIVE DATES FOR WHICH THE SOLDIER IS APPLYING FOR CONTINUED ENTITLEMENT(S). SOLDIERS MUST ALSO INCLUDE CONTACT INFORMATION (PHONE NUMBER/EMAIL ADDRESS) WITHIN THEIR REQUESTS.

3. (U) ADMINISTRATIVE INFORMATION.

3.A. (U) ETP'S ARE INTENDED TO BE A STOP-GAP ONLY. ISSUES THAT REQUIRE DEPENDENTS TO REMAIN OCONUS AFTER THEIR SPONSOR SOLDIER HAS DEPARTED SHOULD ONLY BE TEMPORARY IN NATURE. ETP'S FOR DEPENDENT(S) TO REMAIN OCONUS WITHOUT PROPER JUSTIFICATION OR EXTENUATING CIRCUMSTANCES DURING ROUTINE PCS TO CONUS WILL GENERALLY BE DENIED. TEMPORARY ISSUES SUCH AS DEPLOYMENT OR TDY ENROUTE ARE GENERALLY APPROVED. SOLDIER'S REQUESTS ARE REVIEWED INDIVIDUALLY, ON A CASE-BY-CASE BASIS, TO DETERMINE FINAL DISPOSITION.

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3.B. (U) ETP BASED ON ADVANCE TRAVEL OF DEPENDENTS TO NEXT DUTY STATION. ETP'S TO RECEIVE BAH FOR THE NEXT DUTY STATION IN CONUS ARE GENERALLY APPROVED IN CASES WHERE DEPENDENTS HAVE TRAVELED AHEAD OF THE SOLDIER TO ENROLL IN SCHOOL. DEPENDENTS' LOCATION MUST BE IN THE VICINITY OF THE SOLDIER'S NEXT DUTY STATION AS CITED ON THE PCS ORDER.

3.C. (U) ETP BASED ON VISA. THE ARMY G1 HAS NOT FAVORABLY APPROVED ETP PACKETS RELATED TO VISA ISSUANCE. SOLDIERS ARE AWARE OF DEROS UPON ASSIGNMENT TO OCONUS DUTY STATION AND MUST PLAN ACCORDINGLY. AS SOON AS A SOLDIER IS MARRIED TO A FOREIGN INDIVIDUAL, THE SOLDIER MUST INITIATE THE VISA PROCESS BY CONTACTING THE U.S. EMBASSY IN THE HOST NATION (HN).

3.D. (U) REQUESTS FOR CONTINUED CUSTOMS EXEMPTIONS/TAX RELIEF (ILS) AND/OR STATUS OF FORCES AGREEMENT (SOFA) STATUS RETENTION IN THE HN AFTER THE EXPIRATION OF THE SPONSOR'S TOUR.

3.D.1. (U) SOLDIERS WHO DEPART THE HN ON A PCS MOVE: THEIR DEPENDENTS RETAIN NATO SOFA STATUS/PRIVILEGES IN THE HN FOR UP TO 90 DAYS (GRACE PERIOD). THE GRACE PERIOD STARTS ON THE SPONSOR'S REPORTING DATE TO THE NEW UNIT REFLECTED ON THE ASSIGNMENT ORDERS. FURTHER PROCEDURES ARE OUTLINED IN AE REG 600-700, CHAPTER 11, TABLE 11-1.

3.D.2. (U) SOLDIERS ORDERED TDY-ENROUTE TO THEIR NEXT DUTY ASSIGNMENT/OR SOLDIERS ON A DIRECT PCS TO A SHORT OR RESTRICTED TOUR AREA WITH IMMEDIATE FOLLOW-ON ASSIGNMENT TO A HN REFLECTED IN THEIR ORDERS WILL CONTACT USAREUR G3 PMD/OPM, NATO SOFA CUSTOMS POLICY BRANCH FOR DETERMINATION OF ILS FOR THEIR DEPENDENTS DURING THEIR ASSIGNMENT. REQUESTS CAN BE SUBMITTED VIA MAIL TO NATO.SOFA@EUR.ARMY.MIL AND NEED TO INCLUDE SCANNED COPIES OF ASSIGNMENT ORDERS FOR PROPER DETERMINATION OF ENTITLEMENTS. NOTE: IN THE ABSENCE OF ILS/SOFA RETENTION APPROVAL, FAMILY MEMBERS MUST COMPLY WITH HOST NATION IMMIGRATION LAWS IF REMAINING IN THE HN PAST THE 90-DAY GRACE PERIOD.

3.E. (U) HQDA ALARACT 21/2008, DTD 05 FEB 08, SUBJ: (FOUO) EXCEPTION TO POLICY GUIDANCE FOR BASIC ALLOWANCE FOR HOUSING (BAH) WAIVERS, DOES NOT APPLY TO OCONUS LOCATIONS. ALARACT 21/2008 ADDRESSES BAH ETP'S FOR REASONS SUCH AS LOW COST/NO COST MOVES, PROFESSIONAL MILITARY EDUCATION (PME) TRAINING, EMPLOYMENT AND MEDICAL CONSIDERATIONS. SINCE BAH IS THE CONUS HOUSING ALLOWANCE AND OHA IS THE OCONUS HOUSING ALLOWANCE, REFERENCING ALARACT 21/2008 TO JUSTIFY LEAVING DEPENDENTS OVERSEAS WITHOUT OTHER COMPELLING REASONS IS GENERALLY NOT FAVORABLY APPROVED.

3.F. (U) MILPER MESSAGE 09-038, DTD 24 FEB 09, SUBJ: (FOUO) PROFESSIONAL MILITARY EDUCATION (PME) BASIC ALLOWANCE FOR HOUSING (BAH) WAIVER PROGRAM, IS AN ARMY G1 PROGRAM, BUT DOES NOT APPLY TO OCONUS LOCATIONS. REQUESTS FOR PME WAIVERS FOR OCONUS LOCATIONS ARE GENERALLY NOT APPROVED UNLESS OTHER COMPELLING REASON(S) IS/ARE INVOLVED.

4. (U) SPECIAL INSTRUCTIONS.

4.A. (U) PACKET REQUIREMENTS.

4.A.1. (U) DA FORM 4187. THE DA FORM 4187 WILL OUTLINE THE SOLDIER'S JUSTIFICATION FOR RECEIVING ENTITLEMENT FOR OTHER THAN THEIR PDS. DA FORM 4187 MUST BE SIGNED BY THE SOLDIER AND THE FIRST FIELD GRADE OFFICER IN THE CHAIN OF COMMAND FOR SOLDIERS IN THE GRADES E1-E6, O1-O3, OR WO1. COMPANY COMMANDERS MAY SIGN FOR SOLDIERS IN THE GRADES OF E7-E9, CW2-CW5, OR O4-O10.

4.A.2. (U) DD FORM 1172. THE DD FORM 1172 IS USED TO VERIFY DEPENDENTS ENROLLMENT IN THE DEFENSE ELIGIBILITY ENROLLMENT REPORTING SYSTEM (DEERS). DD FORM 1172 MUST INDICATE CURRENT DEPENDENTS ADDRESS.

4.A.3. (U) COPY OF LEASE OR MORTGAGE STATEMENT FOR DEPENDENTS' LOCATION.

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- 4.A.4. (U) TERMINATION OF GOVERNMENT QUARTERS DOCUMENT (IF APPLICABLE).
- 4.A.5. (U) ENDORSEMENT FROM HOUSING OFFICE. IF OFF POST, THE HOUSING OFFICE MUST BE MADE AWARE OF SOLDIER'S INTENTIONS OF LEAVING DEPENDENTS IN THE COMMUNITY. IF A SOLDIER WISHES TO LEAVE DEPENDENTS IN GOVERNMENT QUARTERS, THEN HOUSING APPROVAL IS REQUIRED AND SOLDIER MUST INCLUDE APPROVAL DOCUMENT IN ETP PACKET.
- 4.A.6. (U) ORDERS. PACKETS MUST INCLUDE ALL ORDERS THAT ARE RELEVANT TO THE ETP REQUEST. ORDERS INCLUDE, BUT ARE NOT LIMITED TO; PCS ORDERS TO NEXT DUTY STATION, TEMPORARY DUTY (TDY) ORDERS, TEMPORARY CHANGE OF STATION (TCS) ORDERS, AND ORIGINAL ORDERS ASSIGNING TO OCONUS LOCATION.
- 4.A.7. (U) GARRISON COMMANDER ENDORSEMENT FOR OVERSEAS ENTITLEMENTS UNDER 90 DAYS. THE "90 DAY GRACE PERIOD" FOR ILS IS AUTOMATIC IN MOST CASES (AFFECTING PX, COMMISSARY, RATION CARD PRIVILEGES, FUEL RATIONS, ETC.) BUT DA G1 REQUIRES THE INDIVIDUAL'S GARRISON COMMANDER TO SEPARATELY ENDORSE REQUESTS FOR THE EXTENSION OF MILITARY PAY ENTITLEMENTS (I.E., COLA/OHA). THIS ENDORSEMENT MEMORANDUM SHOULD "RECOMMEND APPROVAL" OR "RECOMMEND DISAPPROVAL" AND SPECIFY THE ENTITLEMENT(S) AND THE PERIOD OF EXTENSION REQUESTED. SOLDIERS WISHING TO LEAVE DEPENDENTS IN THE HN LONGER THAN THE 90 DAY "GRACE PERIOD" MUST COMPLY WITH THE REQUIREMENT OUTLINED IN PARAGRAPH 3.D. ABOVE.
- 4.A.8. (U) FAMILY CARE PLAN. DUAL MILITARY COUPLES AND SINGLE SOLDIERS REQUIRED TO SEND DEPENDENTS TO LONG-TERM FAMILY CARE PROVIDER(S) DUE TO DEPLOYMENT MUST INCLUDE A FAMILY CARE PLAN IN PACKET. FAMILY CARE PLAN MUST REFLECT THE CORRECT ADDRESS OF DEPENDENTS LOCATION AND ADDRESS ON DA FORM 4187.
- 4.A.9. (U) FLIGHT ITINERARIES. A SOLDIER SENDING DEPENDENT(S) BACK TO CONUS DUE TO DEPLOYMENT OR IN ADVANCE OF SOLDIER'S PCS MUST PROVIDE A COPY OF DEPENDENTS FLIGHT ITINERARIES/INVOICE.
- 4.A.10 (U) OTHER DOCUMENTS. CAN INCLUDE, BUT ARE NOT LIMITED TO MEDICAL DOCUMENTS REQUIRING DEPENDENT(S) TO STAY IN PLACE DUE TO MEDICAL CONDITION; SCHOOL LETTER FOR GRADUATING SENIORS OR OTHER EDUCATIONAL PROGRAM; OR, EMPLOYMENT VERIFICATION FOR DEPENDENT(S) REQUIRED TO COMPLETE SOME "OBLIGATORY" EMPLOYMENT CONTRACT.
- 4.B. (U) ETP PACKET PROCESSING.
- 4.B.1. (U) ETP PACKETS ORIGINATE WITH THE SOLDIER IN COORDINATION WITH (ICW) HIS/HER CHAIN OF COMMAND, AND THE LOCAL FINANCE OFFICE.
- 4.B.2. (U) COMPLETED ETP PACKETS ARE REVIEWED FOR ACCURACY AND VALIDITY BY THE LOCAL FINANCE OFFICE AND SUBMITTED TO THE USAREUR G1 MPPD POC (PARAGRAPH 5.A.) FOR REVIEW AND ENDORSEMENT.
- 4.B.3. (U) USAREUR G1 MPPD FORWARDS ETP PACKET WITH ENDORSEMENT TO ARMY G1 FOR FINAL REVIEW AND DETERMINATION. TURNAROUND TIME AT ARMY G1 VARIES FROM THREE (3) TO EIGHT (8) WEEKS BASED ON VOLUME AND PERSONNEL AVAILABLE TO PROCESS REQUESTS.
5. (U) POINTS OF CONTACT.
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