



DEPARTMENT OF THE ARMY
UNITED STATES ARMY EUROPE
UNIT 29351
APO AE 09014-9351

AEPE-C

16 JUL 2012

MEMORANDUM FOR HQ USAREUR Staff Principals, and Commanders of USAREUR
Major Subordinate and Specialized Commands

SUBJECT: Policies and Procedures for Requesting Approval for a Shorter than 2 Year Physical Presence in the United States or Non-foreign areas when Recruiting for USAREUR Positions – Interim Guidance.

1. Reference DOD Instruction 1400.25, Vol. 1230, Employment in Foreign Areas and Employee Return Rights, 26 July 2012.
2. The USAREUR Commanding General may approve selections, on a case by case basis, for USAREUR positions, that occurred on or after 26 July 2012, when the selectee does not meet the two year residency requirement, as specified in the referenced DoDI. The authority to approve shorter periods of physical presence in the U.S. or non-foreign area may not be re-delegated. It is HQ USAREUR's policy that waivers will only be requested or approved for candidates that have completed at least 1 year of physical presence in the US or non-foreign area.
3. In accordance with the reference above, all appropriated fund, US employees with competitive status are limited to a period of 5 continuous years of employment in any foreign area, unless interrupted by at least 2 years of physical presence in the US or non-foreign area.
4. In order to request a waiver for up to 1 year of the physical presence requirement, the candidate must either:
 - Have been selected from a competitive Referral List issued by the servicing CPAC on or before 26 July 2012 and the recruitment and selection activity was accomplished under the rules of the former DoD guidance, or
 - Possess superior qualifications based on the level, type, or quality of the candidate's knowledge and skills. These qualifications must be significantly higher in quality compared to other available candidates and be essential to accomplishing an important mission, goal, or command activity, or
 - Have been selected for a position identified as "hard to fill" when there are no other highly qualified candidates available for selection.

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5. Procedures for submitting requests for waivers are enclosed.

A handwritten signature in black ink, appearing to read "Donald F. Copson". The signature is fluid and cursive, with a large initial "D" and "C".

DONALD F. COPSON
Assistant Deputy Chief of Staff, G1
(Civilian Personnel)

Encl

Procedures for Requesting Authority from the USAREUR CG for a waiver to the authorize a shorter period of Physical Presence in the United States

Requests for waivers to the two year physical presence requirement in the DoDI 1400.25-V1230, must be signed by Staff Principles or equivalent or MSC Commanders and forwarded to HQ USAREUR, G1, Civilian Personnel Directorate, Attn: Ms. Vera Garcia.

Requests may be submitted electronically and must include:

- Identification of the vacancy, including: Title, series, grade, and a copy of the position description
- Employee's name and resume
- Selecting official's certification that the employee has completed at least one year in the U.S. or non-foreign area
- Written justification that includes one of the following:
 - The candidate has been selected from a competitive Referral List issued by the servicing CPAC on or before 26 July 2012, the date of the new DoD policy, or
 - The selected candidate possesses superior qualifications based on the level, type, or quality of the candidate's knowledge and skills. These qualities must be significantly higher in quality compared to other available candidates referred and be essential to accomplishing an important mission, goal, or command activity, or,
 - The selection is for a position identified as "hard to fill" when there are no other highly qualified candidates available for selection.*

Upon receipt, CPD will review the request for completeness and prepare a Staff Action Summary to forward the request to the USAREUR CG for approval.

*NOTE: Hard to fill List is available on the CHRA-E website at https://cpolrhp.cpol.army.mil/eur/employment/af/hard_to_fill.htm