



DECA MANUAL 50-17.01

DECA OVERSEAS EMPLOYMENT PROGRAM

Originating Component:	Human Resources Directorate
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Releasability:	Unlimited. This manual is approved for public release and is located on DeCA's internet website at www.commissaries.com .
Reissues	Defense Commissary Agency (DeCA) Manual 50-17.1, "DeCA Overseas Employment Program," January 11, 2019
Cancel	HR Guidance 15-02, "Extension of Overseas Family Member Schedule A Appointments, Change 1," July 24, 2018
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Purpose: This manual:

- Provides procedures for carrying out the policy, assigns responsibilities, and provides guidance and procedures governing the overseas employment program for DeCA employees.
- Establishes guidance in DeCA Manual (DeCAM) 50-17.01, "DeCA Overseas Employment Program," November 30, 2020.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This manual applies to all DeCA activities.

1.2. POLICY.

a. This manual implements policies as defined in DeCA Directive (DeCAD) 50-17, and is in compliance with references listed in this document.

b. DeCA is committed to maximizing overseas employment opportunities to include family member employment opportunities. This acknowledges DeCA's unique role in the support of the total force in overseas locations. By increasing employment opportunities for military and Department of Defense (DoD) civilian family members, DeCA promotes military retention and quality of life. Along with DoD, DeCA supports its more qualified employees in the United States (U.S.) to accept overseas assignments as part of their career development.

SECTION 2: RESPONSIBILITIES

2.1. EXECUTIVE DIRECTORS. Executive Directors will:

- a. Ensure that program requirements are met when civilian employees are selected for assignments in foreign areas or elect to exercise their return rights.
- b. Ensure that overseas tour extensions are coordinated with servicing civilian personnel offices.

2.2. SUPERVISORS AND MANAGERS. Supervisors and managers will:

- a. Encourage qualified employees to accept overseas assignments to enhance their career development.
- b. Provide placement consideration to individuals who are completing an overseas tour.
- c. Gaining and losing supervisors must coordinate with each other on dates, enroute leave, and other items affecting timing of the move.
- d. Gaining supervisor must reach out to employee prior to release from losing activity in order to minimize confusion during the transfer, welcome the employee and set common expectations on enroute leave or other issues that may affect timing of employee reporting to work.

2.3. HUMAN RESOURCES DIRECTOR (HR). The HR Director will establish and oversee the DeCA overseas employment program and monitor program administration for regulatory compliance.

2.4. EMPLOYEES. Employees will:

- a. Notify management of change in status.
- b. Notify management, Customer Account Manager (CAM) and former activity, of their intention to exercise their return rights, in writing, at least 60 days prior to the expected date of return.
- c. Notify management, CAM and former activity, if applicable, of their intention to request extension of return rights.
- d. Complete appropriate paperwork to determine overseas entitlements and request/change entitlements.
- e. Coordinate any enroute leave requests with gaining and losing supervisors.

SECTION 3: OVERSEAS EMPLOYMENT

3.1. STAFFING OF POSITIONS. The provisions set forth in DeCAM 50-26.1 will be followed.

3.2. APPOINTING AUTHORITIES. Other appropriate appointing authorities, not specifically addressed in DeCAM 50-26.1, Merit Staffing Plan include:

- a. Overseas Limited Appointment Authority (OSL).
- b. Schedule A, § 213.3106(b) (6), Title 5, Code of Federal Regulations (CFR).
- c. The determination of the appropriate appointing authority for military spouses and family members shall be made using the following criteria:

(1) Family members/spouses of members of the U.S. Armed Forces who receive preference, but who lack competitive Civil Service status, reinstatement eligibility, and time-in-grade, or when the family member/spouse is selected for employment to a position which is authorized for foreign national positions shall be appointed pursuant to the Schedule A appointing authority established by § 213.3106(b) (6) of Title 5, Code of Federal Regulations (CFR).

(2) Family members/spouses who have Civil Service status, reinstatement eligibility, or who have return rights back to a position within the contiguous U.S. or non-foreign areas; and who meet time-in-grade, may be appointed under whichever authority they claimed and were referred under (i.e., Transfer, Reassignment, Promotion, Change to Lower Grade (CLG), or Reinstatement).

(3) Executive Order (EO) 13473 Appointments. Spouses of members of the Armed Forces will only be appointed under EO 13473 when the employee does not have return rights back to the U.S. or non-foreign areas and the position being filled has been determined by DeCA to be hard to fill and/or mission critical.

3.3. EMPLOYMENT OF FOREIGN NATIONALS. DeCA will employ foreign national (FN) employees in accordance with (IAW) DoD Instruction (DoDI) 1400.25, Volume 1231.

SECTION 4: RETURN RIGHTS

4.1. RETURN RIGHTS ENTITLEMENTS.

a. It is DeCA's policy to encourage qualified employees to accept overseas assignments to enhance their career development.

b. Return rights will be granted to career or career conditional DeCA employees who are employed in the U.S. or in a non-foreign area which is their actual residence; and

(1) Accepts a career or career conditional position, within DeCA or with a different DoD component, outside the U.S. or non-foreign area; or

(2) Accepts a career or career conditional position, within DeCA or with a different DoD component, in a non-foreign area different from the one in which they are currently employed.

(3) Accepts a position with a temporary organization outside the U.S. or non-foreign area, with the consent of the head of the agency IAW Section 3161(g) of Title 5, United States Code (U.S.C.).

c. This applies to both the initial movement and any subsequent movement within the 5 year period (e.g., the employee initially moves to a position within DeCA, and subsequently moves to another foreign position with a different DoD Component).

d. DeCA employees serving in non-foreign areas with return rights to a DeCA position in CONUS:

(1) Will not be granted return rights to these areas upon acceptance of a DoD position in a foreign overseas area. The original return rights to CONUS would apply.

(2) Are not subject to an overseas tour rotation or tour limits. However, these employees are granted return rights back to CONUS for a period of up to 5 years. Return rights not exercised within the allotted time frame will be forfeited and there be no return placement rights to CONUS.

e. DeCA employees who accept overseas employment with non-DoD Federal agencies will not be granted return rights.

f. Employees who occupy intern positions immediately prior to an overseas assignment will not be granted return rights.

g. Initial grant of return rights will cover the period of the prescribed tour of duty for the overseas area to which assigned. If an employee's overseas tour is extended up to an aggregate of 5 years, the return rights are also extended.

h. The 5 year foreign area limitation is computed by counting all foreign area service in a DoD position in the competitive service that has not been interrupted by at least 2 continuous years of physical presence in the U.S. or non-foreign area.

4.2. EXTENSION OF RETURN RIGHTS. An employee may request an extension to their return rights.

a. Extensions are considered on a case-by-case basis, and are subject to the concurrence of the Deputy Director, DeCA, if the return rights are to a DeCA position. Otherwise, extension requests may be directed to the activity to which the return rights exist.

b. Extension requests may be requested by an employee when management wishes to extend the employee overseas in a foreign or non-foreign area beyond the statutory 5 year obligation IAW Section 1586 of Title 10 U.S.C.

c. The employees' request for an extension of their return rights must be submitted in writing and include a justification for the extension prior to management submitting a tour extension beyond the 5 year limitation for Deputy Director, DeCA approval. The request must be submitted through the employee's chain of command to the appropriate CAM in order to obtain approval/disapproval prior to Deputy Director, DeCA approving/disapproving overseas tour extension request.

4.3. FORFEITURE OF RETURN RIGHTS. An employee forfeits their return rights as follows:

a. When an employee's non-foreign or foreign area tour is extended beyond the DoD 5 year limitation for an additional renewal tour.

b. Upon return placement to any position in the U.S.

c. When the employee submits notification of resignation or retirement.

d. When an employee does not apply to exercise return rights within applicable time limits.

4.4. RETURN RIGHTS AGREEMENT AND DOCUMENTATION.

a. When an employee is processed for an overseas assignment, and is entitled to statutory return rights, the out-processing HR servicing provider will execute DeCA Form (DeCAF) 50-35, DeCA Return Rights Agreement.

b. The agreement will be signed by the employee and the activity HR service provider (HRSP) representative or designated representative. The original agreement, as well as any approved extensions to return rights, will be filed in the employee's official personnel folder, a copy will be provided to the employee, and a copy will be retained in the employee's return rights folder which will be established and maintained by the out-processing HRSP.

c. Failure to sign a return rights agreement does not exempt a covered employee from the 5 year limitation nor cause forfeiture of return rights entitlement.

d. A position in the U.S. which is vacated by an employee who is granted return rights will be “obligated” for the duration of the employee’s eligibility for return rights. Recruitment, announcements, and personnel actions to appoint individuals to “obligated” positions, should be annotated accordingly.

e. The HRSP will code the obligated position in the personnel database system to obligate the position of the employee selected for an overseas assignment.

4.5. EXERCISE OF RETURN RIGHTS.

a. Employees stationed in foreign areas, who have return rights, must exercise them within 5 years, unless an extension is granted by the Deputy Director, DeCA, if the return rights are to a DeCA position or by the activity to which the employee has return rights, or unless return rights are forfeited.

b. Employees who are stationed in non-foreign areas, who have return rights, must exercise them within 5 years, unless an extension is granted by the Deputy Director, DeCA, if the return rights are to a DeCA position or by the activity to which the employee has return rights. If return rights are not exercised within 5 years, plus any extensions, the return rights will be terminated and the employee may remain indefinitely in these locations unless otherwise placed.

c. The employee must satisfactorily complete the prescribed tour of overseas duty, including approved renewal tours, unless released from the period of service requirements.

d. The employee must submit written notification to their former activity of the intention to exercise return rights at least 60 days prior to the expected date of return. Notification should be initiated at the servicing overseas HR office and submitted to the HR office that services the activity to which the employee has return rights.

e. The provisions of § 3161 (g) of Title 5, U.S.C. apply to placement of employees exercising return rights and placement of employees who are displaced as a result of an employee exercising their return rights. When an employee exercises return rights to their former position by displacing another employee, reduction in force (RIF) procedures may be necessary to determine the assignment right of that displaced employee. The overseas returnee does not compete for placement under RIF procedures, except when the former position has been abolished and return is to a position established for a 90-day period.

f. Employees with return rights to DeCA positions, who are also entitled to register in the DoD Priority Placement Program (PPP), will be directed to exercise their return rights if placement through PPP has not been effected within 30 days of Date Estimated of Return from Overseas (DEROS).

SECTION 5: OVERSEAS ROTATION

5.1. LIMITATION AND RETURN PLACEMENT.

a. Limitations of Foreign Employment. It is DoD policy to limit civilian employment in foreign areas to 5 years. Overseas tour extensions must be approved, as stated in this manual.

b. The limitation described in Section 5.1.a does not apply to:

(1) Employees who are family members and who are accompanying military members or civilian employees stationed in the area. This exception ceases to apply upon the departure of the sponsor from the area. Unmarried dependent children may be retained in a position past the age of 23 until such time as their sponsor departs the foreign duty station or its commuting area, or the sponsor completes the current period of service, whichever occurs first.

(2) Employees who have been continuously employed in a foreign area since April 1, 1966, through the present.

(3) Employees who were employed before August 24, 1988, in positions at GS-6 or below, or in nonsupervisory wage grade positions, and who have remained continuously employed at those levels.

c. Return Placement. Placement upon completion of overseas tours of duty will be effected under the provisions of above references, PPP, this directive or through applicable merit promotion programs.

5.2. EXTENSION OF OVERSEAS TOURS.

a. Extensions beyond the initial overseas tour can be initiated by management when there is a continuing need for the individual's services in the overseas area. Authority is delegated to the respective area director or functional process owner/staff office chief, as applicable, to approve extensions beyond the initial overseas tour, if an employee has been overseas less than 5 years. If an employee has been overseas for 5 years or more, approval must be obtained from the appropriate Executive Director. HRSP activities will be notified of the extension. A management decision not to extend is excluded from DoD grievance procedures.

b. Extensions of overseas tours will be processed on an individual case-by-case basis and will be considered when the following conditions are met: employee's current performance rating is fully successful or better; employee is current in the knowledge, skills and abilities required in their position; and the request is supported by a written rationale that articulates a business case for retaining the employee in the overseas location and is accompanied by a succession plan. At least 12 months prior to current DEROS, the DeCA HR POC will initiate the Army in Europe (AE) Form 690-300.301B, Overseas Tour Extension (OTE) Request. If management recommends a tour extension for the employee, they will complete the DeCAF 50-96 to provide justification for the extension and route through the appropriate higher level management official (HLMO), as noted below, in order to obtain their concurrence. Upon HLMO concurrence, the OTE request is emailed to the OTE@deca.mil for

further processing. DeCA HR POC will forward to the HRSP. If the OTE is disapproved during any stage of coordination, the AE Form 690-300.301B will be returned to the supervisor.

c. Authority levels for granting tour extensions within DeCA are listed below, and no further delegations are allowed. When it is time to request a decision for an overseas tour extension, if the supervisor non-extends an employee’s overseas tour, for any period of time, the AE Form 690-300.301B is returned to the employee.

d. If the supervisor recommends a tour extension, and the next level concurs, the form is forwarded to the appropriate approving authority level as noted below.

Overseas Tour Extensions Less than 5 Years	Authority Level
Initial Tour (less than 5 years)	Area Director/Directorate Heads and Special Staff Group (SSG)
Overseas Tour Extensions Beyond 5 Years	Authority Level
5 to 7 years *	Executive Director/Deputy Director (as applicable)
7 years and beyond ** (includes requests for short term/admin extensions)	GS-12 and above: Director GS-11 and below: Deputy Director
<p>* IAW the DoDI 1400.25, Volume 1230, single 2-year extensions must be accompanied by written rationale that articulates a business case and workforce succession plan.</p> <p>** IAW the DoDI 1400.25, Volume 1230, any subsequent extension after the initial extension beyond 5 years not to exceed (NTE) 2 years shall address unanticipated events or circumstances that resulted in the failure of the workforce succession plan addressed above.</p>	

(1) In addition to the above requirements, the manager requesting the extension must assess the current state of their workforce planning and identify future workforce requirements and gaps. This must be reflected in the justification portion of Appendix B.

(2) Other personnel matters, such as return rights, renewal agreement travel, and other location-specific requirements, will be addressed by the HRSP.

e. Executive Directors may approve short-term/administrative extensions for all personnel, not to exceed 6 months, for management or compassionate reasons. However, an extension 7 years and beyond, must have the approval of the Director or Deputy Director, as applicable. The following are examples of when a short-term extension may be appropriate; however, these examples are not all-inclusive:

- (1) To allow children to complete the school year.
- (2) To allow the employee or an employee’s family member to continue medical treatment.
- (3) To allow the employee to retire after a short-term extension of the overseas tour if the employee is eligible and intends to retire within 6 months at the time of the tour extension.

(4) To synchronize rotation and transportation agreements.

(5) When an employee has successfully completed a tour in a non-foreign area which is not subject to the 5 year rotation program. For example, the return placement may be necessary to promote the efficiency of the service and/or to assign the employee to a CONUS position which will provide them an opportunity to update their knowledge in a specific functional area.

f. PPP Registration. For overseas employees only: IAW PPP guidance, overseas employees registering for the U.S. can only apply for full-time positions. When completing the Automated Stopper and Referral System Registration format, the “part-time” data element should be coded “N” (not available) and the “Intermittent” and “Seasonal” data elements should be coded “NQ.”

(1) Failure to Register or Accept a Valid Job Offer. Failure of employees to register for PPP or accept a valid PPP job offer within timeframes given by the HRSP is a basis for separation under adverse action proceedings.

(2) No type of tour extension will be granted after an employee is in receipt of a valid PPP job offer.

g. Management should not use non-extension of an overseas tour as a substitute for addressing performance and conduct issues. Managers must take steps to address these issues through the appropriate HR processes as soon as they become aware of them.

5.3. CURTAILMENT OF OVERSEAS TOURS.

a. Employee Initiated:

(1) Authorization. Requests for curtailment to overseas tours may be approved by the Executive Directors of each division. Managers/employees will be informed in writing of the decision.

(2) Employee Responsibility. The employee must discuss their request for tour curtailment with their immediate supervisor and then submit a written request, which includes the reasons for the request. If the employee has been in the overseas theater for less than 1 year, or has taken Renewal Agreement Travel (RAT) within 1 year, they must also request a release from their transportation agreement.

(3) Management Responsibility. Manager/supervisor will review tour curtailment request and forward the request, along with all supporting documentation and succession plan, with their recommendation to their HR Directorate CAM for review and forwarding to the appropriate Executive Director for approval/disapproval.

b. Management Initiated:

(1) DeCA managers, with jurisdiction over overseas activities, may initiate actions to return overseas employees to their former positions or to positions of equal grade. Such actions must be coordinated with appropriate management officials at the CONUS activity to which the return is proposed, and final approval rests with the respective executive director.

(2) If this authority is invoked, any time remaining to be served under the employee's transportation agreement and rotation agreement will be waived, and the employee and their dependents and household goods will be returned to the U.S. at Government expense. Failure to accept a management-directed return placement may result in separation of the employee under adverse action procedures. Examples of conditions under which management-initiated returns may be accomplished are listed below:

(a) When an employee's skills were not properly matched with job requirements of the overseas position, through no fault of the employee.

(b) When the presence of the employee or their family in the overseas area is not in the best interest of the U.S. Government.

5.4. TRANSPORTATION ENTITLEMENTS.

a. Time Limits.

(1) New hires/transfers, along with their eligible dependents, who meet the requirements for transportation and travel must use this entitlement within 1 year from date of the employee's appointment or transfer date, except that the 1 year period:

(a) Is exclusive of furlough time spent by an employee who begins active military service before the expiration of such period and who is furloughed for the military assignment duration to the Permanent Duty Station (PDS) for which transportation and travel expenses are allowed; and

(b) Does not include any time during which travel and transportation is not feasible due to shipping restrictions for an employee who is transferred/appointed to the OCONUS activity.

(2) Separating employees who meet the requirements for return transportation and travel from the OCONUS activity back to their actual residence, which was established at the time of their appointment/transfer, must use their transportation/travel entitlement within 14 calendar days after separation. Failure to use the return transportation/travel entitlement within the specified timeframe will result in forfeiture of entitlement.

b. Extensions.

(1) If an extension is needed for new hires/transfers that meet the criteria in 5.4(a)(1), above, the new hire/transfer employee must submit the request for extension in writing for approval by the appropriate Executive Director.

(2) If an extension is needed for a separating employee that meets the criteria in 5.4(a)(2), above, the separating employee must submit the request for extension in writing for approval by the appropriate Executive Director.

c. General. All transportation costs associated with permanent change of station (PCS) moves that are not specifically addressed in this manual (to include, but not limited to early return of dependents,

unaccompanied dependent travel, student travel, evacuation travel, etc., will be authorized IAW the Joint Travel Regulation (JTR) and applicable DoDI.

5.5. RELEASE FROM TRANSPORTATION AGREEMENT.

a. Authorization. Requests for release from transportation agreement may only be approved by the DeCA Director DeCA. Managers/employees will be informed in writing of the decision.

b. Policy. If release from the transportation agreement is not approved, the following will apply:

(1) Employees requesting a tour curtailment within the first 12 months of permanent change of station (PCS) will be liable for all travel and transportation allowances and costs associated with the move to and from OCONUS.

(2) Employees requesting a tour curtailment before their complete tour of duty is fulfilled (12 -36 months) will be liable for all travel and transportation allowances and cost associated with the move from OCONUS.

(3) If a RAT was performed, employees requesting a tour curtailment before completing a tour extension will be liable for all RAT and transportation allowances costs associated with the government paid trip to and from OCONUS for RAT.

(4) An employee serving under a service agreement who transfers to another DoD Component/ Government agency, must be released from the tour of duty requirement specified in the employee's current agreement. If the transfer involves PCS allowances to a new PDS, the gaining activity is responsible for all PCS costs. However, the employee must continue in Government service for at least 12 months after the employee reported at the PDS from which departing to satisfy the obligation for costs incurred by DeCA for moving the employee to that PDS.

c. Exceptions. Exceptions are not automatic and must be for reasons acceptable to the approving authority. Some examples of acceptable reasons for release from tour of duty requirements include:

- (1) Illness of the employee
- (2) Release for DeCA's convenience
- (3) Unforeseen emergencies requiring employee's immediate presence in CONUS
- (4) Extreme personal hardship for circumstances beyond employee's control
- (5) Significant changes in the employee's situation

SECTION 6: EXTENSION OF OVERSEAS FAMILY MEMBER SCHEDULE A APPOINTMENTS

6.1. AUTHORIZATION FOR EXTENSION OF SCHEDULE A APPOINTMENT FOR FAMILY MEMBERS OF ACTIVE DUTY MILITARY MEMBERS OR CIVILIAN SPONSORS. Schedule A Appointments for family members of active duty military members or civilian sponsors may be extended for up to 1 year when it is determined that additional employment is in management's interest to retain the knowledge, skills, and abilities that the employee possesses. This authority shall be used sparingly, and only in extenuating circumstances. Requests must be based on factors consistent with the general DoD policy.

6.2. EFFECTS OF EXTENSION ON TERMINAL LEAVE WITHOUT PAY (T-LWOP). Extending employees will reduce the employee's T-LWOP period. When combined, the length of the extension, and the T-LWOP may not exceed 1 year.

6.3. APPROVING AUTHORITY FOR EXTENSION OF SCHEDULE A APPOINTMENT FOR FAMILY MEMBERS OF ACTIVE DUTY MILITARY MEMBERS OR CIVILIAN SPONSORS. The respective Area Director/FPO will be the designated representative, and shall be the approving authority for such extensions within DeCA.

SECTION 7: EXCEPTIONAL FAMILY MEMBER PROGRAM (EFMP)

7.1. EFMP OVERVIEW.

- a. DeCA civilians do not enroll in the program. However, they must identify family members with special education and medical related service needs.
- b. Employees should also identify any of their medical needs. This must be done each time they process for an assignment to a location outside the U.S. where family travel is authorized at Government expense.

7.2. EDUCATION AND MEDICAL SERVICES.

- a. Education and medical-related services provided by the U.S. Forces Medical Facilities and the Department of Defense Education Activity (DoDEA) overseas are limited in comparison to those available in the U.S.
- b. If selected individuals have EFMP needs, medical and education staff will assess if accommodations can be made. The gaining HRSP will provide information about available services so individuals may make an informed decision about accepting job offers.

7.3. SELECTION.

- a. Selection for positions will not be affected by whether or not individuals have exceptional family members.
- b. The purpose of collecting EFMP information is to provide individuals with advance information on educational and medical-related services so they may make an informed decision about accepting a position and to ensure a smooth transition for their families.

SECTION 8: LIVING QUARTERS ALLOWANCES

8.1. AUTHORIZATION. Living Quarters Allowance (LQA) is a payment intended to substantially cover all average allowable costs for suitable, adequate lodging and selected utilities. LQA may be granted for the following DeCA employees, subject to the HRSP determining the employee's eligibility.

a. Employees recruited in the U.S. or non-foreign areas for positions at grades GS-09 (or equivalent), WG-11, WL-09, WS-05, and above. This includes employees selected for entry-level positions with target grades at or above these grade levels. Grade restrictions do not apply to applicants selected for supervisory/management position at an OCONUS commissary, hard-to-fill positions, or career program positions below the GS-09 (or equivalent) level. Employees who previously vacated an OCONUS civilian or contractor position must have resided permanently in the U.S. or non-foreign areas for at least 2 years immediately before accepting the formal job offer. This 2-year residency requirement does not apply to:

(1) Employees serving on a mandatory mobility agreement.

(2) Applicants hired into hard-to-fill positions.

(3) Applicants who were civilian or contractor employees serving overseas in a combat zone on an assignment that provided for their return transportation to the U.S.

b. Employees who are recruited from outside the U.S. or non-foreign areas for positions in grades GS-09 (or equivalent), WG-11, WL-09, WS-05, and above. This includes employees selected for entry-level positions with target grades at and above these grade levels. Grade restrictions do not apply to applicants selected for supervisory/management positions at an OCONUS commissary, hard-to-fill positions, or career program positions below the GS-09 (or equivalent) level. Non-appropriated funds (NAF) employment will be considered in determining "substantially continuous employment" as long as Department of State Standardized Regulations (DSSR) provisions are met and the NAF employee was eligible for LQA upon their initial hire and appointed to an appropriated fund position without a break in service, and had received the allowance for at least 1 year. Former military members and civilian employment will be considered to meet the DSSR, Section 031.12 eligibility requirement of "substantially continuous employment" if they are appointed within 1 year after the date of separation or when the transportation establishment is lost, whichever occurs first. Active Reserve duty performed during the 1 year period will extend that period by the amount of time served.

c. DSSR, Section 031.12, Subsection (b) may be waived by the appropriate Executive Director upon determination that unusual circumstances in an individual case justify such action and the requirements in DoDI 1400.25 v. 1250, subparagraphs 2.c. (1) and (2) are met. Waivers granted for the events in subparagraphs 2.c(1)(a) through 2.c(1)(e) shall not last longer than 1 year from the date of eligibility, unless extension is approved by the appropriate Executive Director.

d. Federal civilian or NAF employees selected for or converted from NAF to positions at grades GS-09 (or equivalent), WG-11, WL-09, WS-05, and above; or a position that has an equivalent target grade; supervisory/management position at an OCONUS commissary, hard-to-fill positions, or career program positions at any grade level; who meet all of the following:

- (1) Are transferring to the overseas area from another overseas Government activity or agency without a break in service.
- (2) Meet basic eligibility criteria in DSSR, Section 031.11 or 031.12a and b.
- (3) Were already receiving or eligible to receive LQA at the time of selection.

8.2. GOVERNMENT QUARTERS. The employee will not be eligible to receive LQA for renting or purchasing privately owned quarters (POQ) when suitable and fully adequate Government quarters are offered for the duration of the overseas tour and the employee elects not to accept them.

8.3. CONTINUING ELIGIBILITY. Unless otherwise prescribed, all employees who met the eligibility criteria in prevailing policy/regulations at the time of appointment, but who do not meet the criteria of this policy will continue to receive LQA. Additionally, if an employee is receiving LQA based on occupying a hard-to-fill position and leaves that position, the employee's LQA will continue. LQA in such cases will continue as long as the employee remains employed in a position covered by this guidance without a break of service of more than 3 calendar days. This provision:

- a. Does not apply to certain former NAF employees who received LQA based solely on a local commander's waiver authority. These employees retained allowance on employment in an APF position, but did not meet the eligibility requirement of the DSSR of DoD regulations and subsequently had LQA terminated as mandated by the Fiscal Year 1996 National Defense Authorization Act (NDAA).
- b. Will not extend or reinstate payment of LQA when law, regulation, or policy directed termination of payment.

8.4. DOCUMENTATION REQUIRED. Employees are required to complete documents to determine eligibility for LQA and when changes in conditions occur that affect LQA.

- a. Applicants applying for OCONUS positions are required to complete and sign the LQA questionnaire provided to them by the HRSP and provide substantiating documents which are listed on the questionnaire instructions in order for a determination to be made whether or not they are eligible to receive LQA.
- b. Employees must complete and provide the following documents in order to start/change/stop LQA:

- (1) Complete Standard Form (SF) 1190 Foreign Allowance Application.

- (2) Provide PCS orders and any amendments.
- (3) Complete and sign DSSR 130 (LQA Worksheet).
- (4) Provide a copy of rental or notary purchase contract.
- (5) Provide Utility Tax Avoidance Program (UTAP) statement (Germany only).

c. Employees are required to reconcile their LQA for the first year the employee resides in quarters and when vacating quarters. Employees must complete and provide the following documents in order to reconcile their LQA:

- (1) Complete SF 1190.
- (2) Provide all utility actual and end of year bills.
- (3) Complete and sign DSSR 130 (LQA Worksheet).

SECTION 9: TEMPORARY QUARTERS SUBSISTENCE ALLOWANCE (TQSA) EXTENSIONS

9.1. OVERVIEW. TQSA is authorized for newly appointed or transferred employees who are eligible for LQA. It is intended to assist in covering the reasonable cost of quarters, meals, and laundry expenses incurred by the employee and family members for up to 90 days after arriving in the overseas area or new post of assignment and up to 30 days immediately before final departure from the post of assignment. Employees must occupy temporary quarters at or near their post of assignment to be eligible for either arrival or departure TQSA. The amount of TQSA payable is a percentage of the per diem rate applicable to the post of assignment or actual costs, whichever is less.

9.2. AUTHORIZATION. Executive Directors are authorized to approve an additional period of up to 60 days of TQSA for compelling reasons beyond the employee's control. Employees must submit justification through their supervisory chain, and the appropriate CAM, to the Executive Director for action. Approval will be determined based on family size, location, and other extenuating circumstances.

9.3. EMPLOYEE RESPONSIBILITY. Employees that have not secured permanent quarters when arrival TQSA ends, either within 90 days or 150 days with an extension, will submit an SF 1190 with appropriate documents for payment of LQA at the hotel rate. The amount of LQA payable is the actual cost of the hotel rate or the maximum LQA rate of the post of assignment, whichever is less. Employees are not entitled to reimbursement of meals and laundry expenses upon the expiration of the TQSA period.

9.4. SIMULTANEOUS LQA AND TQSA. Executive Directors are authorized to approve simultaneous payment of LQA and TQSA for up to 5 days after residence quarters are vacated to meet heavy cleaning or repair requirements imposed by the rental agreement. Employees must request this payment in writing, including a copy of their rental agreement, through their supervisory chain and the appropriate CAM to the Executive Director.

9.5. RECONCILIATION. In order to employees to be reimbursed for TQSA, they must complete a Standard Form (SF) 1190 and provide the required documents(s):

a. Incoming TQSA:

- (1) Employees must complete SF1190.
- (2) Employees must return completed SF1190 to HRSP.

b. Outgoing TQSA: Employees must complete SF1190 and provide the following documents:

- (1) TQSA Authorization Memorandum (provided by HRSP).

- (2) TQSA Statement of Understanding (provided by HRSP).
- (3) PCS Orders and any amendments.
- (4) DSSR 120 (TQSA Worksheet).
- (5) Actual lodging bill/receipt.
- (6) Receipts for meals, if over \$75.
- (7) Dry cleaning and/or laundry receipts.
- (8) Copies of Value Added Tax (VAT) form for lodging (Germany only).

SECTION 10: TRAINING

10. OVERVIEW. The DeCA training program will be administered, coordinated, and monitored by appropriate HR Division staff. All aspects of training conducted within the overseas environment will be IAW DeCAD 50-20. The HR Division staff will be responsible for ensuring that all training approved on an Authorization Agreement and Certification of Training, SF182, and completed by the employee is entered into the employee's training record in the personnel data system. Employees will be responsible for ensuring that training completed outside of DeCA, such as college courses, is entered into the personnel data system.

SECTION 11: MANAGEMENT CONTROL SYSTEM

11. MANAGEMENT CONTROL SYSTEM. This manual does not contain internal management control provisions that are subject to evaluation, testing, and other requirements of DeCAD 70-2, and as specified by the Federal Manager's Financial Integrity Act and DoDD 5105.55.

GLOSSARY

G.1. ACRONYMS.

CAM	Customer Account Manager
CFR	Code of Federal Regulations
CLG	Change to Lower Grade
CONUS	Continental United States
DeCA	Defense Commissary Agency
DeCAD	DeCA Directive
DeCAF	DeCA Form
DeCAM	DeCA Manual
DEROS	Date of Estimated Return from Overseas
DoDD	Department of Defense Directive
DoD	Department of Defense
DoDEA	Department of Defense Education Activity
DoDI	Department of Defense Instruction
DSSR	Department of State Standardized Regulations
EFMP	Exceptional Family Member Program
EO	Executive Order
FN	Foreign National
HLMO	High Level Management Official
HR	Human Resources
HRSP	Human Resources Service Provider
IAW	In Accordance With
JTR	Joint Travel Regulation
LQA	Living Quarters Allowances
NAF	Non-Appropriated Fund
NDAA	National Defense Authorization Act
NTE	Not to Exceed
OCONUS	Outside the Continental United States
OPM	Office of Personnel Management
OSL	Overseas Limited Appointment
OTE	Overseas Tour Extension
PCS	Permanent Change of Station
PDS	Permanent Duty Station

POC	Point of Contact
POQ	Privately Owned Quarters
PPP	Priority Placement Program
RAT	Renewal Agreement Travel
RIF	Reduction-in-Force
SF	Standard Form
SSG	Special Staff Group
T-LWOP	Temporary Leave Without Pay
TQSA	Temporary Quarters Subsistence Allowance
U.S.	United States
U.S.C.	United States Code
UTAP	Utility Tax Avoidance Program
VAT	Value Added Tax

G.2. DEFINITIONS.

Actual residence. As defined in JTR, appendix A, the fixed or permanent domicile of a person that can be reasonably justified as a bona fide residence. Also referred to as the “home of record.” For a separating employee concluding an OCONUS assignment, the “actual residence” is the residence occupied at the time the employee received the OCONUS assignment. This is the residence listed in the service or transportation agreement signed by the employee prior to departure to an OCONUS PDS, pursuant to which the employee is assured that the expenses of return travel and transportation will be paid by the Government (GSBCA 16265-RELO, 19 December 2003).

Foreign areas. Areas outside the contiguous U.S. that are not identified as non-foreign areas in § 591.205 of Title 5, CFR.

Intern. An employee serving in a formal training program where the individual receives a planned series of progressively more responsible assignments in order to be non-competitively advanced or converted to the full performance of the position upon completion of the program.

Non-foreign overseas areas. Alaska; Hawaii; 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); the Commonwealth of Puerto Rico; the Commonwealth of the Northern Mariana Islands; Howland, Baker, and Jarvis Islands; Johnston Atoll; Kingman Reef; Midway Atoll; Navassaa Island; Palmyra Atoll; Territory of Guam; United States Virgin Islands; Wake Atoll; Any small guano islands, rocks, or keys that, in pursuance of action taken under the Act of Congress, August 18, 1856, are considered as pertaining to the United States; and Any other islands outside of the contiguous 48 states which the U.S. Government reserves claim.

REFERENCES

- DeCA Directive 50-17.1, “DeCA Overseas Employment Program,” January 11, 2019
- DeCA Directive 50-20, “Training Policies and Procedures,” January 8, 2016
- DeCA Directive 50-26.1, “Merit Staffing Program” April 16, 2020
- DeCA Directive 70-2, “Internal Control Program,” December 17, 2007
- Department of State Standardized Regulations (DSSR), Section 031.11 and 031.12a and b, July 17, 2020
- DoD Directive 5105.55, “Defense Commissary Agency (DeCA),” March 12, 2008
- DoD Instruction 1400.25, Volume 1230, “DoD Civilian Personnel Management System: Employment in Foreign Areas and Employee Return Rights,” July 26, 2012
- DoD Instruction 1400.25, Volume 1231, “DoD Civilian Personnel Management System: Employment of Foreign Nationals,” July 5, 2011
- DoD Instruction 1400.25, Volume 1250, “DoD Civilian Personnel Management System: Overseas Allowances and Differentials,” February 23, 2012
- Executive Order 13473, To Authorize Certain Noncompetitive Appointments in the Civil Service for Spouses of Certain Members of the Armed Forces, January 17, 2017
- Joint Travel Regulations (JTR), Appendix A, August 1, 2020
- National Defense Authorization Act (NDAA) for Fiscal Year 1996, February 10, 1996
- Section 213.3106(b) of Title 5, Code of Federal Regulations, Family Member Authority, December 31, 2012
- Section 591.205 of Title 5, Code of Federal Regulations, Non-foreign Overseas Areas, December 20, 2018
- Section 3161(g) of Title 5, United States Code, Employment and Compensation of Employees, January 7, 2011
- Section 1586 of Title 10, United States Code, Rotation of Career-Conditional and Career Employees Assigned to Duty outside the United States, January 3, 2007