

SECTION 4: DSSR, CH 600 FAQs

FREQUENTLY ASKED QUESTIONS ON EVACUATION

Department of State Standardized Regulations (DSSR)
Interpretation of Evacuation Payment Regulations (DSSR 600)

C6200 DSSR, CHAPTER 600 (EXTRACTED AND MODIFIED FOR DoD)

1. *Q: What is the difference between an authorized and an ordered departure?*

A: Authorized departure allows the chief of mission (principal officer in charge of a diplomatic mission in a foreign area) greater flexibility in determining which employee/employee groups may depart, and avoids the negative connotation attached to the term "evacuation." Since the law uses the terms synonymously, there is no benefit difference. On the same day that the State Department's Under Secretary of State for Management ("USSM") approves evacuation status for the PDS, authorized or ordered, the 180-day clock "begins ticking".

2. *Q: Do all U.S. GOV'T AGENCIES subscribe, follow or adhere to the DSSR on evacuations?*

A: IAW DSSR, Sec 645 all AGENCIES implement the DSSR. To ensure fair and consistent treatment of all evacuees, AGENCIES desiring to deviate from DSSR, Ch 600 must seek the Secretary of State's authorization before doing so. The dependents of uniformed personnel are covered separately under the JFTR, Ch 6, Part A.

SAFE HAVEN

3. *Q: How does a dependent select an official safe haven and on what is the Subsistence Expense Allowance (SEA) based?*

A: The State Department's Under Secretary of State for Management (USSM) designates the U.S. (DSSR defines this as the fifty United States and the District of Columbia) as the official safe haven location even though the DSSR allows for OCONUS (non-foreign and foreign) official safe haven designations. A designation of U.S. means that dependents may select an official safe haven anywhere in the fifty United States or the District of Columbia. A dependent evacuee should select as an official safe haven the location at which the longest time is to be spent (e.g., where children are to go to school or where family/friends reside). An evacuee is not required to remain at the official safe haven; however, SEA payments are based on the official safe haven location per diem rate. An evacuee can change safe havens to somewhere else in the U.S. (another of the fifty United States or the District of Columbia) once during an evacuation. Transportation between safe havens may be authorized sparingly through the Secretarial Process (JTR, par. C6005-C2) for a reason/reasons other than only personal preference. The appropriate evacuee locator and accounting offices must be notified of any address change. See Q&A 5 for transporting dependents to join subsequently evacuated employee.

4. *Q: What benefits are available for dependents going to an authorized alternate safe haven?*

*A: If the "official" safe haven is the fifty United States and the District of Columbia, then anywhere outside the 50 United States and the District of Columbia is an "alternate" safe haven. Evacuation benefits are available only if the Secretary of State and the AGENCY head/designee authorizes the alternate safe haven as being in the GOV'T's best interest (DSSR, Sec 614c). Within DoD, PDUSD (P&R) may authorize an alternate safe haven (phone (703) 697-2086 or DSN (312) 227-2086). **The employee cannot choose an alternate safe haven.** The employee must travel to the official safe haven (DSSR, Sec 631a(1)). The only benefits at an authorized alternate safe haven are: (1) constructed cost travel (NTE travel and transportation costs between the evacuated PDS and the employee's official safe haven location) if the dependent(s) want to join the employee at the employee's official safe haven location; (2) limited SEA based on the lowest of the official safe haven, authorized alternate safe haven or standard CONUS per diem rates - \$123 as of 10-1-10). The lowest is usually the standard CONUS rate. Education allowance is limited to Internet costs between the PDS school and the alternate safe haven (DSSR, Secs 621.1d and 621.2d). Diplomatic immunities, privileges, or services are not available at the alternate safe haven.

5. *Q: May previously evacuated dependents join the employee at the employee's official safe haven?*

A: Dependents evacuated to an official safe haven or authorized alternate safe haven may rejoin the employee at the employee's safe haven. Dependent travel from an official safe haven to the employee's safe haven is at U.S. Government expense. Dependent travel from an authorized alternate safe haven to the employee's official safe haven is constructed cost travel NTE the travel and transportation costs from the evacuated PDS to the employee's official safe haven (DSSR, Sec 631a(1)).

6. *Q: Can an evacuated employee accompany dependents, who are unable to travel alone due to special needs or minor age, to their official U.S. (within the 50 United States and the District of Columbia) safe haven?*

A: IAW these travel regulations (DSSR), an employee accompanying dependents, unable to travel alone, to the official or authorized alternate safe haven is reimbursed for travel and transportation expenses (1) there and back to the PDS; or (2) there and to the employee's official safe haven.

7. *Q: Can a dependent on educational travel or "away from post" education allowance go to the safe haven following evacuation of a PDS?*

A: Yes. The official safe haven location displaces the foreign PDS for travel purposes under education allowance and educational travel (DSSR, Sec 633.2 and DSSR, Sec 633.4, respectively). SEA payments are not allowed for children on "away from post" education allowance (DSSR, Sec 633.2). SEA payments are allowed for children under educational travel only when they are at the safe haven, unmarried, and under 21 (see definition of "child" at DSSR, Sec 040m(2)).

EVACUATION PAYMENTS: SUBSISTENCE EXPENSE ALLOWANCE (SEA) AND ADVANCE PAYMENTS

8. *Q: When do SEA benefits start for evacuees?*

A: (1) Official safe haven: SEA benefits start the day following arrival day at the official safe haven location. SEA is not paid for travel en route to the official safe haven location.

(2) Authorized alternate safe haven: SEA starts the day following arrival day at the authorized alternate safe haven location if an alternate safe haven is authorized prior to the dependents' evacuation. SEA starts no earlier than the date the PDUSD (P&R) receives the request for the alternate safe haven if an alternate safe haven is authorized after evacuees have arrived at that location. SEA is not authorized until the evacuee arrives at the official safe haven if the request for an alternate safe haven is denied.

9. *Q: When an employee is evacuated after the dependents, is the employee authorized SEA under DSSR, Sec 632.1, at the full amount for the first evacuee or at the additional dependent amount?*

A: When the employee is evacuated after dependents, the employee may elect to be either the first evacuee or additional dependent. The DSSR allows for dependents and the employee to be at different safe haven locations, but there is only one "first evacuee" under the formula (whether commercial or non-commercial). Only dependents residing with the first evacuee are counted for additional reimbursement for larger dwelling. See FAQ 14.

10. *Q: Can an employee and dependents on RAT or on FEML receive SEA payments?*

A: An employee and dependents cannot receive SEA while on RAT or in FEML status (DSSR, Sec 632.4). If away from the PDS at the time the evacuation is ordered/departure authorized, the employee must either return to the PDS or declare intention to do so before any dependent qualifies for evacuation benefits. Transportation is authorized to the official safe haven location. SEA may not start for an evacuee until that evacuee arrives at the authorized safe haven and the employee has started official travel to the PDS or official safe haven. The date also may depend on when the employee or dependents were due to return to the PDS.

11. *Q: What if the employee/dependent is in MEDEVAC/health care travel status?*

A: SEA payments are not paid when per diem is paid (i.e., while on MEDEVAC/health care travel). Once the MEDEVAC/health care travel period is terminated and per diem is no longer paid, the employee/dependent receives SEA on the day following arrival day at the authorized safe haven location.

12. *Q: What if dependents have been evacuated and the employee later joins the evacuated dependents on a different type of travel authorization such as FEML or RAT?*

A: The employee cannot receive SEA. However, SEA continues for dependents previously evacuated (DSSR, Sec 632.4).

13. *Q: Who determines whether the commercial or non-commercial rate for SEA applies? Can an employee draw SEA at the commercial rate and dependents draw SEA at the non-commercial rate at the same time?*

A: Commercial or non-commercial applies to the type of lodging the first evacuee occupies. Per DSSR, Sec 632.1, "There is only one 'first evacuee', except as provided under DSSR, Sec 632.4(b) ('Tandem Couples')". Only the first evacuee (employee or a dependent) is reimbursed for a percentage of the lodging portion of the official/authorized alternate/standard CONUS safe haven locality per diem rate. All other dependents receive a percentage of the meal and incidental expense (M&IE) portion of the first evacuee's safe haven locality per diem rate.

If the first evacuee submits a commercial lodging receipt, then the commercial rate formula applies. If a commercial lodging receipt is not submitted, then the non-commercial rate formula applies. Both formulae are shown on the Evacuation Payments Worksheet (EPW) in DSSR, Sec 960. If commercial lodging does not include furniture and/or utility costs, these costs are reimbursed as part of lodging (receipts required since this is a "lodging-related" expense).

14. *Q: If more than one hotel room or larger QTRS is/are required, is there flexibility to allow reimbursement above the commercial rate maximum of 100% of the lodging portion of the safe haven locality per diem rate?*

A: The first evacuee is reimbursed up to 50% above the lodging maximum when using the commercial rate. Special consideration is given to the following family compositions:

- (1) First Evacuee plus one (non-spouse dependent, age 18 or older);
- (2) First Evacuee plus one (non-spouse dependent of opposite gender, age 12 or over);
- (3) First Evacuee plus two (one non-spouse dependent, age 18 or older; or one non-spouse dependent, opposite gender, age 12 or older);
- (4) First Evacuee plus three (one non-spouse dependent, age 12 or over); and
- (5) First Evacuee plus four or more dependents.

15. *Q: What if I have a special family composition not included as one of the five in FAQ 14?*

A: Requests for other special family considerations are submitted through the appropriate Civilian Advisory Panel (CAP) member to the Director, Office of Allowances (A/OPR/ALS), U.S. Department of State, Washington, DC 20522-0104.

16. ***Q: Is my nanny/caregiver eligible for SEA?***

A: No, unless the nanny/caregiver is a dependent. The nanny/caregiver may be the designated representative (DSSR, Sec 610f) named by an employee to care for, escort, or receive monetary payments for a dependent.

17. ***Q: When an evacuation order terminates, is there a grace period to continue SEA until the day an evacuee returns to the PDS?***

A: When an evacuation order terminates, an employee/dependent may continue to receive SEA for three days starting from the day after the day an evacuation order is terminated. For the employee not returning to the foreign PDS, SEA for only three days is allowed if the employee has not started travel under a PCS travel authorization/order to another PDS. For an employee/dependents returning to the evacuated PDS, an additional discretionary period of up to seven days may be authorized due to transportation delays. An evacuee must provide a statement on the travel voucher justifying the additional seven (7) days required to arrange for return transportation to the foreign PDS (e.g., airline reservations or air freight pick up). Personal reasons do not justify additional days of SEA. SEA payments cannot exceed 180 days.

18. ***Q: Is there any other provision under the Evacuation Payments if I need further help with unexpected expenses related to evacuation?***

A: Yes. Under DSSR, Sec 615 Advance Payments, an employee may be paid in advance of the normal payday when the authorizing officer determines payment is required to help defray evacuation-related expenses. Advance payment may be for a maximum of 30 days 'salary' based on the compensation rate including any allowances or post differential to which the employee was entitled immediately prior to the ordered/authorized evacuation. The advance payment may be made at any time after the evacuation order is given, but not later than 30 days after the employee/dependent(s) has evacuated from the PDS.

OTHER ALLOWANCES

19. ***Q: What happens to the "away from post" education allowance when an evacuation takes place?***

A: The "away from post" education allowance continues until the current school year end. The official safe haven location replaces the PDS for travel within the education allowance. SEA is not authorized for any time covered by the "away from post" education allowance (DSSR, Sec 633.2).

20. ***Q: Does a newly assigned employee/dependents who has/have not arrived at the PDS qualify for evacuation benefits under DSSR, Ch 600?***

A: Under the evacuation benefits law, only an employee and dependents who are temporarily away from the PDS at the time of the evacuation order are eligible for evacuation benefits if prohibited from returning. Under the transfer allowance authority, DSSR, Sec 245 allows equivalent benefits to certain newly assigned personnel who are prohibited from proceeding to the PDS.

On the ordered/authorized departure date:

- (1) The employee's transfer travel authorization/order must have been issued.
- (2) The employee must be within 60 days of scheduled departure directly to the new PDS, and 3(a), (b) or (c) below must apply; and
- (3)(a) HHG are packed and the residence is vacated; (b) the employee transferring from a PDS in the U.S. has an irrevocable contractual agreement for lease/sale of the residence; or (c) the employee transferring from a foreign PDS with a direct transfer authorization (i.e., no RAT prior to reporting to the new foreign PDS) is required by the PDS to vacate the residence.

If all three criteria are not met, dependents are eligible for only Involuntary Separate Maintenance Allowance under DSSR, Sec 262.1.

21. *Q: Can you explain voluntary Separate Maintenance Allowance (SMA) if, for personal reasons, an evacuee wants to return to the PDS later? See FAQ 22 for education.*

A: Following an authorized/ordered departure termination, an employee may elect voluntary SMA at the official safe haven for dependents previously eligible for SEA payments and for whom round-trip travel and transportation expenses are already authorized. The employee may terminate this voluntary SMA and dependents may return to the PDS unless it is during the employee's last 90 days at the PDS. This SMA is not the "one change of option" during a tour of duty. (DSSR, Sec 264.2(2)).

22. *Q: Can you explain Transitional SMA for education following termination of an authorized/ordered departure (DSSR, Sec 262.3b)?*

A: Following an authorized/ordered departure termination, an employee may elect Transitional SMA (DSSR, Sec 262.3b) at the official safe haven when dependents are in commercial housing and choose to remain to complete the current school year if a child is in the current school year final semester (grades K through 12). Transitional SMA for education may be paid for up to 90 days. See DSSR, Sec 267.1b for rates.

23. *Q: What happens after an evacuation terminates and the PDS becomes unaccompanied (i.e., dependents can no longer go to the PDS)?*

A: An employee whose dependents were in temporary commercial lodging should apply for Transitional Separate Maintenance Allowance (DSSR, Sec 262.3a). An employee whose dependents were in non-commercial lodging should apply for Involuntary SMA. Instead of Involuntary SMA for children in grades K-12, an employee may consider the "away from post" education allowance option. See DSSR, Sec 276.23 for details. Since SMA payments are not retroactive, the employee should submit Standard Form (SF)-1190 BEFORE the evacuation ends, for these benefits.

DEPARTURE FROM/RETURN TO THE PDS

24. *Q: If a Permanent Change of Station (PCS) travel authorization has been issued prior to an employee/dependent's departure from the PDS, which takes precedence?*

A: PCS travel authorization always takes precedence over any other travel authorization, including an evacuation order. An evacuee's travel should be charged to the PCS travel authorization. An evacuee may be eligible for SEA benefits if the evacuation occurs prior to originally scheduled PCS travel. When dependents depart the PDS under an evacuation order and the employee subsequently departs the PDS under a PCS travel authorization, all evacuation benefits cease for dependents when the employee's PCS travel begins.

25. *Q: How long is an evacuation order valid for return travel to the PDS?*

A: Ordinarily, an evacuation order is valid for up to one year from the issuance date. Return to the PDS is not allowed within 30 days of reassignment travel.

TANDEM COUPLES

26. *Q: Whose travel authorization should address dependent children when only one of a tandem couple is evacuated??*

A: In this case, the children are on the evacuating employee/parent's travel authorization.

27. *Q: How does a tandem couple evacuated to the same official safe haven submit receipts under the commercial rate formula for lodging?*

A: A couple residing in the same commercial lodgings submits their vouchers together. Reimbursement procedure would then split the hotel bill in half for each employee to claim. Each employee is also eligible for the first evacuee meal and incidental expense (M&IE) amount allowed in DSSR, Sec 632.1(b). See FAQ 14 for special family composition consideration if there are additional dependents.

SHIPMENT OF HOUSEHOLD GOODS (HHG), UB AND PRIVATELY OWNED VEHICLE (POV)

28. *Q: Do I have access to stored HHG while evacuated?*

A: Access to, delivery from and return to storage of HHG for evacuees is at personal expense, not Government expense (DSSR, Sec 631b).

29. *Q: If I do not have UB shipped from my PDS during an evacuation and I receive the airfreight replacement allowance, can I get UB shipped back to the PDS after the evacuation?*

A: Yes. The airfreight replacement allowance is in place of the UB from the PDS.

30. *Q: What is the amount of the airfreight replacement allowance?*

A: It is a flat amount, no receipts required, as follows: First evacuee without dependents \$250; First evacuee with one dependent \$450; and First evacuee with two or more dependents \$600. It is intended to enable evacuees to purchase those necessary items not brought out of the PDS as UB.

31. *Q: What if I have an airfreight shipment to my official safe haven, can the air freight be shipped again if I subsequently join my spouse at the employee's official safe haven?*

A: Yes.

32. *Q: What if I get an airfreight replacement allowance since I could not get an airfreight shipment out, can I subsequently get air freight shipped from my official safe haven if I join my spouse at the employee's official safe haven?*

A: Yes. The logic is that you got the airfreight replacement allowance to purchase things you could not bring out in your airfreight shipment; therefore, airfreight shipment/UB is allowed from the official/U.S. safe haven to your spouse's U.S. safe haven.

33. *Q: Can I transport a POV from the PDS to the safe haven point?*

A: POV transportation is not authorized at government expense. In place of a POV at the safe haven, a transportation allowance (DSSR, Sec 631b) is authorized at a rate of \$25 per day regardless of the number of dependents. Receipts are not required.