



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY GARRISON WIESBADEN  
UNIT 29623  
APO AE 09005-9623

IMEU-WSB-ZA

17 OCT '11

MEMORANDUM FOR All Soldiers assigned to USAG Wiesbaden

SUBJECT: USAG Wiesbaden Command Policy Letter 52, Emergency Leave Policy

1. References:

- a. AR 600-8-105, Military Orders, 28 October 1994.
- b. DOD 4515.13-R, Air Transportation Eligibility, November 1994.
- c. AR 600-8-10, Chapter 6, Leaves and Passes, 15 February 2006.
- d. Army in Europe Suppl 1 to AR 600-8-10, Leaves and Passes, 19 August 2008.
- e. Joint Federal Travel Regulations (JFTR), Chapter 7, U7205, 1 June 2011.

2. Purpose: To outline and establish guidelines and procedures for emergency leave of Soldiers and their Family Members assigned or attached to USAG Wiesbaden.

3. Applicability: This policy applies to all Soldiers assigned or attached to USAG Wiesbaden.

4. General Guidance:

a. Soldiers may request emergency leave with or without American Red Cross verification. Steps to request emergency leave are outlined in enclosure 1.

b. Verification of emergency leave will be completed by the USAG Wiesbaden HHD Commander or in his absence, the 1SG.

c. The approval authority for emergency leave for Soldiers is the USAG Wiesbaden HHD Commander. The determining procedures are outlined in enclosure 2.

d. Approval authority for Family Member(s) accompanying a Soldier on emergency travel is the USAG Wiesbaden Garrison Commander or Deputy to the Garrison Commander.

e. If the notification is received from the American Red Cross (ARC), the Soldier will be notified immediately and make a travel decision. If the notification is received from other sources and raises doubt, the commander may request verification through the ARC to ensure validity of the situation. Disapproval of emergency leave should not be based solely on the lack of the ARC message.

f. Soldiers may be authorized emergency leave for up to 30 days for emergency situations within the immediate family. For a person in loco parentis, the Soldier must sign a statement verifying in loco parentis (enclosure 3). The immediate family includes the following Family Members of either the Soldier or the Soldier's spouse:

- (1) Parents, including stepparents.
- (2) Spouse.
- (3) Children, including stepchildren.
- (4) Sisters, including stepsisters.
- (5) Brothers, including stepbrothers.
- (6) Only living blood relative.

(7) A person in loco parentis. A person in loco parentis is one who stood in place of a parent to the Soldier or the Soldier's spouse for 24 hours a day, for at least a 5-year period before the Soldier or the Soldier's spouse became 21 years of age. The person must have provided a home, food, clothing, medical care, and other necessities as well as furnished moral and disciplinary guidance and affection. A grandparent, or other person, normally is not considered to have stood in place of a person when the parent also lived at the same residence. A person is not considered in loco parentis for performing baby-sitting or providing day care services.

g. The HHD Commander must verify that the Soldier is current in Anti-Terrorism (AT) level 1 training prior to departing for emergency leave, to comply with Army in Europe Supplement 1 to Army Regulation 600-8-10, paragraphs 8-2(t) and 8-2(u) as outlined below:

- (1) On approval of leave or pass, the Soldier's HHD Commander will inform the soldier.
- (2) Verify that the Soldier has completed AT travel-planning process.
- (3) Provide required AT briefings.
- (4) Verify that the Soldier is current in AT level 1 training and has the latest threat updates for the leave or pass destination.
- (5) Ensure procedures have been established for notifying the Soldiers on leave or pass of changes in the threat situation or security environment.
- (6) Before departure, the Soldier's HHD Commander will confirm that no travel advisories or warnings have been issued or changes in the terrorist threat have occurred at the destination country or in the countries through which the Soldier will travel. Travel warning and alerts may be verified at [www.travel.state.gov/travel/warnings.html](http://www.travel.state.gov/travel/warnings.html).

h. Funding for emergency leave travel will come from the traveler's assigned cost center. Travel costs to and from the airport(s) is not reimbursable.

i. Guidelines for authorizing emergency leave are as follows:

(1) When the Soldier's presence will contribute to the welfare of a terminally ill member of the immediate family when the expected date of death is within the month.

(2) Because of the death of an immediate Family Member.

(3) For a serious situation involving accident, illness, or major surgery that cannot be postponed due to the urgency of the medical condition. The situation must result in a serious family problem. The family problem must impose important responsibilities on the Soldier that must be met immediately and cannot be accomplished from his duty station or by any other individuals or by other means.

(4) Because the Soldier is personally affected by a disaster (e.g. hurricane, tornado, flood) and severe or unusual hardship would be encountered if the Soldier failed to return home.

j. Guidelines for other types of situations when a Soldier may request emergency leave for situations within the immediate family, but where ordinary leave should be considered, are as follows:

(1) Pregnancy of spouse and childbirth. (Request should be approved if a severe life threatening situation is documented.)

(2) Marital problems that need to be resolved (e.g. threatened divorce or other personal problems). (Request should be approved if a severe life threatening situation is documented.)

(3) To attend court hearings to resolve financial problems. (Money spent on emergency leave may aggravate problem.)

(4) To assist in harvesting crops or participating in managing business firms.

(5) Psychoneurosis based on family separation. (Exceptions may be made when the attending physician believes that a severe psychotic episode is indicated and the member's return might prevent institutionalization.)

(6) To settle estate of a deceased relative.

(7) Situations involving a grandparent (not in loco parentis) aunt, uncle, cousin, niece, or nephew (when not the only living blood relative) or for a friend, fiancée, or fiancé.

k. Soldiers may use accrued, advanced, excess leave or a combination.

5. Procedures and Policy for Soldier departure and return. Every Soldier departing on emergency leave must have:

a. DA Form 31, completely filled out and signed by the USAG Wiesbaden HHD Commander. The DA Form 31 cannot be used as a travel order. The request for travel will be processed in the Defense Travel System (DTS) as outlined in enclosure 4.

b. The ARC message with message number or other verification documents.

c. If the Soldier requests Family Member(s) to travel with him/her, a request will be made to the USAG Wiesbaden HHD Commander, who will obtain approval from the USAG Wiesbaden Commander or Deputy to the Commander.

d. The Soldier must be briefed in accordance with AR 600-8-10, paragraph 6-4, table 6-2 as outlined in enclosure 5.

6. Extension of Leave. The approval authority for an extension of leave is the USAG Wiesbaden Commander. The Soldier will be briefed and provided emergency contact phone numbers, email addresses, and the points of contact (POC) for an extension of leave. HHD Commander, 1SG or administrative person will annotate all extensions on the Leave Control Log upon the Commander's approval, and on the DA Form 31, block 15, upon the Soldier's return. Steps to request extension of emergency leave are outlined in enclosure 6.

7. Emergency leave that was authorized erroneously because of false information may result in administrative or disciplinary action or both. The Soldier may become indebted to the United States for travel performed at government expense and the debt may be collected from the Soldier's pay per DODFMR 7000.14-R . Steps to take administrative action for emergency leave authorized erroneously because of false information are outlined in enclosure 7.

8. POC for this policy is the USAG Wiesbaden HHD Commander/1SG at 337- 5211 or civilian 0611-705-5211.

8 Encls

1. Steps to request Emergency Leave
2. Determining Emergency Leave
3. Sample In Loco Parentis Memo
4. Emergency Leave DTS Procedures
5. Steps for briefing Soldiers Prior to Departure
6. Steps to Request Extension of Emergency Leave
7. Rules to take administrative action for emergency leave authorized erroneously because of false information

  
JEFFREY W. DILL 17 OCT 11  
COL, IN  
Commanding

## **AR 600-8-10, 15 FEB 2006**

### **Section I**

#### **Task: Requesting Emergency Leave**

#### **6-2. Steps to request emergency leave**

##### **Emergency leave**

1. Soldier Request emergency leave on DA Form 31 (chap 12).
2. Soldier On DA Form 31, complete blocks 2 through 11.
3. Soldier Read instructions on reverse side of DA Form 31. If needed, request clarification.
4. Soldier Provide latest LES to first person in chain of command with leave request. (If applicable, annotate corrections to ending leave balance and provide reason for discrepancy.)
5. Soldier Obtain chain of command recommendations in block 12.
6. Unit Verify accrued leave balance listed in block 10 from LES (block 33).
7. Unit Return LES to soldier.
8. Unit If recommending disapproval of a leave request, annotate DA Form 31, block 17, with reason for the recommendation.
9. CDR Determine if Red Cross verification is desirable if not provided with leave request. (Do not require verification if emergency leave has already been granted.)
10. CDR Approve or disapprove request.
11. Unit If advance leave or excess leave is required reviews paragraphs 4-5 and 5-15.

## **AR 600-8-10, 15 FEB 2006**

12. Unit if approved, forward to BNS1 section through unit orderly room for annotation of duty rosters and general personnel accounting.
13. Unit if disapproved, state reason on DA Form 31, block 17, if not already stated by recommending supervisor.
14. Unit Return disapproved DA Form 31 through supervisors to the soldier.  
46 AR 600-8-10 • 15 February 2006
15. Unit Counsel soldier to have blocks 21 and 22 completed at servicing stations or organizations.
16. Unit Ensure the words BLUE BARK are included on all communication when travel relates to the death of a dependent.
17. Unit Receive report from field director for emergency leave requests from family members or others.
18. Unit Notify soldier of emergency leave request from family members or others.
19. Soldier Follow steps 1 through 6 to request emergency leave.
20. Unit Follow steps 7 through 9 and 12 through 18.
21. CDR Follow step 10 only if additional information is required and approve or disapprove request.
22. Unit Ensure emergency leave requests meet criteria in paragraph 6-51.
23. Unit Ensure swift action is taken due to the time sensitivity normally involved.
24. Unit Advise soldier to request a sufficient amount of leave to accomplish the purpose for which the leave is granted. (This will assist in eliminating the necessity for soldier to request an extension of leave.)
25. Unit If the emergency situation pertains to a person in loco parentis, have soldier complete emergency leave in loco parentis statement (fig 6-1).

## **AR 600-8-10, 15 FEB 2006**

26. Unit If the circumstances do not warrant emergency leave, advise soldier if an ordinary leave request may be approved.
27. Unit follows processing procedures for emergency leave in paragraph 12–19.

# AR 600-8-10, 15 FEB 2006

## Section IV

### Task: Determining Emergency Leave Travel

#### 6-7. Rules to determine emergency leave travel

a. Travel will be authorized as prescribed in DOD 4515.13-R and the JFTR.

b. Soldiers are normally not charged leave for time spent in emergency leave travel. (Emergency leave begins the day after the soldier arrives at APOD. Chargeable leave ends the day prior to the day soldier returns to the APOE.) Emergency leave travel may include the following:

- (1) Between overseas areas and return.
- (2) From overseas to CONUS APOD.
- (3) From CONUS APOE to overseas areas.

c. Lack of funding alone is not a basis to deny funded emergency leave travel.

d. Military mission, MAAG, and attache personnel may be provided travel by Department of State or State-shared support. When not provided, travel is charged to Military Assistance Executive Appropriations under the Military Assistance Program (MAP) budget project for administrative and logistical support for authorized MAP positions. ( AR 1-75, OPNAVINST 4900.31E, and Air Force Regulation (AFR) 400-45, chap 4).

e. If an emergency develops while the soldier is already at an emergency leave site, there is no travel entitlement.

f. Except for d above, leave travel is charged to appropriated funds which support the temporary additional duty (TAD), TDY of the unit to which the soldier is assigned. When a soldier is TDY and takes emergency leave, the soldier's permanently assigned unit provides the funds.

# AR 600-8-10, 15 FEB 2006

## 6-8. Steps to determine emergency leave travel

The steps to determine emergency leave travel are shown in table 6-4.

Table 6-4. Emergency leave travel		
Step	Work center	Required action
1	Unit	See JFTR, Volume 1, paragraph U7205 (soldiers) and U5244 (dependents, as defined by JFTR, app A) for commercial air.
2	Unit	See <u>DOD 4515.13-R</u> for military air.
3	Unit	See <u>AR 55-46</u> and JFTR, paragraph U5244, for dependent travel.
4	Unit	See JFTR, paragraph U7205A, for travel of soldiers performing TDY.
5	Unit	Address questions concerning travel entitlement to the installation transportation officer.
6	Unit	Follow leave processing procedures in <u>paragraph 12-20</u> .
7	Finance Office	Follow necessary procedures in <u>AR 37-104-4</u> .

(Both *a* and *b* below or *c* below must apply.)

I, PFC Johnny Smith, 222-33-4444, am requesting emergency leave for a family emergency. The emergency involves a person who stood in loco parentis for 5 years (*in place of parents 24 hours a day*) before I became 21 years of age.

a. The person provided a home, food, clothing, medical care, and other necessities as well as furnished moral and disciplinary guidance and affection.

b. Neither of my parents lived at the same residence as the person who stood in loco parentis during the qualifying period.

c. Other circumstances such as legal custody, guardianship, or other situation of full responsibility for the soldier that support the soldier's belief that in loco parentis status exists. Explain.

I certify that the above statement is true and complete to the best of my knowledge.

PFC Johnny Smith  
(*Soldier's signature*)

(Penalty for willfully making a false claim is a maximum fine of \$10,000 or maximum imprisonment of 5 years or both, section 287, title 10, United States Code.)

Figure 6-1. Sample of completed emergency leave in loco parentis status

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## DTS Procedures

- Emergency leave (for Military) has to be entered in DTS.
- A Request and authority for leave (DA Form 31) cannot be used as a travel order.
- If an emergency occurs on a Saturday or Sunday and person must fly same day or Sunday, that eligible person will have to use their own credit card or GTC after having received approval to pay and submit DTS upon return for a refund.
- When entering in DTS, all supporting documentation, including Red Cross message, a leave form, and airfare amount must be entered.
- Funding for emergency leave travel will come from the traveler's assigned cost center.
- The Garrison Commander or Deputy to the Commander may authorize travel of additional family members to travel at government expense.
- Travel will be paid to the location at which the traveler's presence is requested.  
Reimbursement is only for the amount of the flight not to exceed the government rate.  
Travel cost to and from airport is not reimbursable.
- Reimbursement is only for the amount of the flight not to exceed the government rate.
- When creating the Emergency visitation Document, the following selections must be used:  
Trip Type: Special Circumstances  
Trip Purpose: Emergency travel  
Secondary Trip Type: Emergency Leave (Military)
- Only one family member can be included per DTS authorization. If more than one family member is going, a second DTS authorization needs to be created.
- The voucher needs to be submitted within five days of return.

# AR 600-8-10, 15 FEB 2006

## 6-4. Steps for briefing soldiers prior to departure on emergency leave

The steps for briefing soldiers prior to departure on emergency leave are shown at table 6-2.

Table 6-2. Briefing requirements		
Step	Work center	Required action
1	Unit	Advise soldier while on leave to maintain in his or her possession the <u>DA Form 31</u> , DD Form 2A (Active) (Active Duty Military ID Card), PHS 731 (International Certificate or Vaccination), destination clearance, and passport and visa when applicable (see <u>DODD 1000.21</u> and the DOD Foreign Clearance Guide (FCG) (DOD 4500.54-G) for passport and visa requirements).
2	Unit	Advise soldier to have DA Form 31, blocks 21 and 22, posted at each personnel activity transportation area passed through.
3	Unit	Advise soldier to have sufficient funds to defray the cost of travel in or across CONUS or to the area where the emergency exists and return.
4	Unit	Inform soldier that if he or she has insufficient funds to defray the cost of travel, to contact the servicing finance officer to determine if a partial pay will be authorized prior to departure.
5	Unit	Advise soldier that if he or she is not eligible for a partial pay and has insufficient funds to meet travel needs, to request financial assistance from the AMCROSS or Army Emergency Relief (AER) prior to departure.
6	Unit	Inform soldier to contact the nearest AMCROSS chapter or PAP should an extension of leave be required ( <u>para 6-6</u> ).
7	Unit	Brief soldier that if emergency leave is authorized based on false information, administrative or disciplinary action or both are possible ( <u>para 6-9</u> ).

## AR 600-8-10, 15 FEB 2006

### 6-6. Steps to request extension of emergency leave

The steps to request extension of emergency leave are shown in table 6-3.

Table 6-3. Extension of emergency leave		
Step	Work center	Required action
1	Soldier	Submit request for leave extension in person, by telephone, or message to your unit through the local chapter of the AMCROSS when on leave in CONUS from overseas. AMCROSS will notify unit.
2	Soldier	Submit request before leave expires.
3	PAP	Receive request for extension from AMCROSS when leave expires in less than 72 hours.
4	PAP	Obtain hard copy of Red Cross message and coordinate with the overseas command.
5	PAP	Provide interim extension of leave if necessary (not to exceed 72 hours).
6	PAP	Notify Field Director, AMCROSS, and soldier of final decision from the overseas command.
7	Unit	Follow processing procedures for leave extension in <u>paragraph 12-35</u> .
8	Unit	Follow processing procedures for leave extension in <u>paragraph 12-35</u> .

## AR 600-8-10, 15 FEB 2006

### 6-9. Rules to take administrative action for emergency leave authorized erroneously because of false information

- a. The commander considers administrative or disciplinary action or both.
- b. The soldier may become indebted to the United States for travel performed at Government expense.

(1) The debt may be collected from the soldier's pay per DODFMR 7000.14-R.

(2) The time spent in travel converts to ordinary leave.

### 6-10. Steps to take administrative action for emergency leave authorized erroneously because of false information

The steps to take administrative action for emergency leave authorized erroneously because of false information are shown in table 6-5.

Table 6-5. Administrative action		
Step	Work center	Required action
1	Unit	If commander determines that a soldier was granted emergency leave erroneously because of false information, advise BNS1 that a corrected <u>DA Form 31</u> is needed
2	Unit	Request PSC to revoke ( <u>AR 600-8-105</u> , the original emergency leave order, if issued.
3	Unit	Request PSC provide a copy of the corrected DA Form 31 to BNS1.
4	MPD	Revoke emergency leave order (AR 600-8-105).
5	MPD	Provide copy of the corrected DA Form 31 to BNS1.
6	BNS1	Attach copy of original DA Form 31 to the corrected DA Form 31 and forward to FO.
7	Unit	If travel was performed at Government expense, advise the soldier of a possible indebtedness to the Government for erroneous payment for travel.
8	Unit	If travel time was previously excluded from the chargeable leave period, advise the soldier that this time will be charged to leave.