

14 November 2006

Personnel Separation
Overseas Separations

*This regulation supersedes AE Regulation 635-150, 3 October 2005.

For the Commander:

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Summary. This regulation provides policy and procedures for overseas separations. This regulation must be used with AR 600-8-24 and AR 635-200.

Summary of Change. This revision—

- Incorporates information on tax, customs, and drivers license privileges for Soldiers who retire in Germany (para 6).
- Adds figure 1 to illustrate how requests for overseas separation are processed.

Applicability. This regulation applies to enlisted Soldiers and officers requesting overseas separation.

Supplementation. Organizations will not supplement this regulation without USAREUR G1 (AEAGA-M) approval.

Forms. This regulation prescribes AE Form 635-150A. AE and higher level forms are available through the Army in Europe Publishing System (AEPUBS).

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2. File numbers and descriptions are available on the Army Records Information Management System website at <https://www.arims.army.mil>.

Suggested Improvements. The proponent of this regulation is the USAREUR G1 (AEAGA-M, DSN 370-6984). Users may suggest improvements to this regulation by sending DA Form 2028 to the USAREUR G1 (AEAGA-M), Unit 29351, APO AE 09014-9351.

Distribution. B (AEPUBS).

CONTENTS

1. Purpose
2. References
3. Explanation of Abbreviations and Terms
4. Approving Authority
5. Required Documents
6. Individual Logistic Support
7. Travel and Transportation Entitlements
8. Pregnant Soldiers
9. Commander Responsibilities
10. Application Process
11. Notification Letters to Host-Nation Authorities
12. Separating in Europe

Appendix

- A. References

Table

1. ILS Privileges

Figures

1. Application Process
2. Sample Notification to the Alien-Control Authority (German-English)
3. Sample Notification to the Alien-Control Authority (Italian-English)

Glossary

1. PURPOSE

This regulation prescribes policy and procedures for Soldiers who are separating or retiring overseas.

2. REFERENCES

Appendix A lists references.

3. EXPLANATION OF ABBREVIATIONS AND TERMS

The glossary defines abbreviations and terms.

4. APPROVING AUTHORITY

- a. The approving authorities for overseas separations are as follows:

(1) For enlisted Soldiers, overseas separation authority is delegated to the general court-martial convening authorities as stated in AE Regulation 27-10. This authority may be further delegated to general officers in command who have a judge advocate or legal advisor available.

(2) For officers, the overseas separation authority is according to AR 600-8-24.

b. Approving authorities will ensure Soldiers requesting overseas separation meet the eligibility criteria in AR 600-8-24, AR 635-200, and this regulation.

5. REQUIRED DOCUMENTS

a. Before applying for overseas separation, Soldiers and accompanying family members must obtain tourist (fee) passports.

b. Passport applications should be submitted through the local military passport-issuing office 6 months before the anticipated date of separation or start of transition leave. This will ensure the U.S. State Department has enough time to process the application.

c. Soldiers and family members may possess both no-fee (Government-issued) and tourist passports until actual separation. A passport acceptance agent, U.S. embassy, or consular official will cancel the no-fee passports for Soldiers and their family members who are staying overseas after separation (USAREUR Reg 600-290). Soldiers must take the no-fee passport to the passport section at the local personnel services detachment on or before their actual separation date to have the passport canceled.

d. Soldiers and family members planning to remain in country must obtain a host-nation residency visa unless they are married to a citizen of the European Union or they or their spouse obtain employment in a position that gives them status under the NATO Status of Forces Agreement (SOFA). Personnel who need more information on residency requirements should consult the Foreign Clearance Guide (DOD 4500.54-G) at <https://www.fcg.pentagon.mil> or contact the local legal assistance office.

e. Soldiers and family members must obtain a work permit unless they will be employed by a Sending State under conditions that give them status under the NATO SOFA. Local legal assistance offices can provide more information on work permits.

6. INDIVIDUAL LOGISTIC SUPPORT

a. Soldiers and family members lose individual logistic support (ILS) (for example, commissary, exchange, housing, privately owned vehicle (POV) registration, U.S. Forces certificate of license) on the day of separation unless the Soldier or spouse becomes a member of the U.S. Forces in another status.

b. Separating individuals may not keep their U.S. Forces certificate of license or military drivers license after losing NATO SOFA status. Soldiers who retire, are discharged or terminated from military service, or are barred theater-wide will lose their eligibility for a U.S. Forces certificate of license and U.S. Forces POV registration at 0001 on the day after the retirement, discharge, or termination, or the imposition of the bar according to AE Regulation 190-1.

c. Soldiers who separate overseas should refer to AE Regulation 190-1 and AE Pamphlet 190-34 for information on obtaining an international or host-nation drivers license.

NOTE: International drivers licenses are not valid in the country in which they are issued.

d. Commissary and exchange privileges for retirees separating overseas are governed by agreements between the host nation and the U.S. Government (table 1). Retirees who visit or live in foreign countries are subject to the laws and taxes prescribed by that country. Military facilities are not available to retired personnel in Austria, Denmark, Finland, France, Ireland, Luxembourg, Portugal, Scotland, Sweden, and Switzerland.

Table 1 ILS Privileges		
Country	Retired U.S. Military and Family Members Visiting From the United States	Retired U.S. Military and Family Members Residing in a Specific Country
Belgium	No	Yes (note 1)
Germany	Yes (note 2)	Yes (note 2)
Greece	No	Yes (note 3)
Italy	Yes (note 4)	Yes (note 4)
Netherlands	No	Yes
Norway	No	Yes (note 5)
Saudi Arabia	No	No
Spain	No	No
Turkey	No	No
United Kingdom	No	Yes (note 6)

NOTES: 1. Privileges may be granted on a case-by-case basis by the Commander, NATO/ SHAPE Support Group, in coordination with the U.S. Ambassador to Belgium.
2. Must be a resident or visiting in Germany for 30 days or more. Rationed items may not be purchased. All purchases are subject to the fixed-rate, German customs tax. Entry to commissary and exchange facilities requires DD Form 2(RET) or DD Form 1173 and a German customs certificate. AE Regulation 600-700, chapters 11 and 13, provides more information.
3. Must be a resident of Greece.
4. May purchase nonrationed items only.
5. Must be a resident of Norway. Rationed items may not be purchased. All purchases are subject to the fixed-rate, Norwegian customs tax. Access to U.S. facilities requires a valid ID card and a Military Retirees Limited Privilege Card.
6. Must be a resident of the United Kingdom. Rationed items may not be purchased. All purchases are subject to the fixed-rate, British customs tax. Access to U.S. facilities requires USAFE Form 174.

e. Soldiers retiring in Germany lose their customs and tax-free privileges at 0001 on the day following their retirement unless they are immediately employed with the U.S. Forces in a position that entitles them to continued ILS. AE Regulation 550-175 provides more information on U.S. Forces customs controls in Germany.

7. TRAVEL AND TRANSPORTATION ENTITLEMENTS

a. Travel and transportation entitlements are covered in the Joint Federal Travel Regulations (JFTR), chapter 5. These entitlements normally expire 180 days (6 months) after separation or release from active duty, or 12 months after retirement.

b. Extensions of travel and transportation allowances may be requested in writing through the local transportation office. If approved, extensions will be for the shortest time appropriate under the circumstances. Requests must include an explanation of the circumstances justifying the extension and may be approved only when circumstances prevent the requester from using the allowance within the prescribed time. Extensions beyond 6 years may be approved only when a certified, ongoing medical condition prevents relocation of the Soldier or family member. Extensions will not be granted only to accommodate personal preferences or convenience.

c. Extensions will not be granted to extend travel and transportation allowances for more than 6 years after the date of—

(1) Separation, release from active duty, or retirement.

(2) Receipt by a Soldier's family members of official notice that the Soldier is captured, dead, injured, in internment, or missing in action.

8. PREGNANT SOLDIERS

Pregnant Soldiers will not be separated overseas unless their home is in the country of separation or they are otherwise entitled to status under the NATO SOFA. Pregnant Soldiers who separate overseas may be authorized maternity care according to AR 40-400.

9. COMMANDER RESPONSIBILITIES

a. Commanders—

(1) Will carefully screen each application to ensure only Soldiers with good records are recommended for overseas separation.

(2) Will determine whether an applicant's past conduct indicates that his or her continued presence in the host nation or near a military installation would be disruptive or pose a threat to security and force protection.

(3) May recommend disapproval of requests to separate overseas but must provide a written justification. The following are examples of reasons for disapproving a request to separate overseas:

(a) The Soldier has a history of alcohol abuse.

(b) The Soldier is being considered for separation under other than honorable conditions.

(c) The Soldier has been convicted in a foreign court or by a court-martial, or has received other judicial or nonjudicial punishment.

(d) The Soldier has a family member with a record of misconduct.

(e) The Soldier has a history of financial indebtedness or delinquency.

(f) The Soldier may pose a force-protection risk.

(g) The Soldier has a history of possessing, using, distributing, or manufacturing a controlled substance.

(h) The Soldier has lost his or her security clearance.

(i) The Soldier has a medical condition.

(j) The Soldier has displayed mental or emotional instability.

(k) The Soldier has a record of committing an offense involving moral turpitude.

(l) The Soldier is a minor according to AR 635-200.

(m) The Soldier's presence in the host nation or near a military installation would be disruptive.

(n) The Soldier submits the request to separate outside the timeline prescribed in paragraph 12a.

NOTE: The disapproval of overseas separation does not prevent a Soldier or family member from returning to the overseas area as a private citizen.

b. The following are examples of insufficient grounds for denying requests to separate overseas:

(1) The Soldier was not recommended for an award.

(2) The Soldier has committed minor traffic offenses.

(3) The Soldier did not maintain high standards of appearance or duty performance.

(4) The Soldier failed to meet or maintain weight standards or pass the Army physical fitness test.

10. APPLICATION PROCESS

Figure 1 explains procedures for applying for overseas separations. The servicing unit or battalion personnel administration center will—

a. Prepare AE Form 635-150A and send it to the local military police office for a security check.

b. Send a letter of notification to host-nation alien-control authorities. If host-nation authorities do not object to the Soldier separating or if no reply is received after 30 days, the approving authority will presume host-nation authorities do not object to the overseas separation. The completed security check will be attached to the application. Figure 2 is a sample letter of notification in German.

c. Forward AE Form 635-150A with supporting documents through the chain of command to the proper approval authority.

d. Notify the Soldier of approval or disapproval of the request for overseas separation.

e. File the approved AE Form 635-150A under file number 635 (AR 25-400-2) and keep it for 2 years after the cutoff on the document. Disapproved documents will be kept until they are no longer needed for current operations. File numbers and descriptions are available on the Army Records Information Management System website at <https://www.arims.army.mil>.

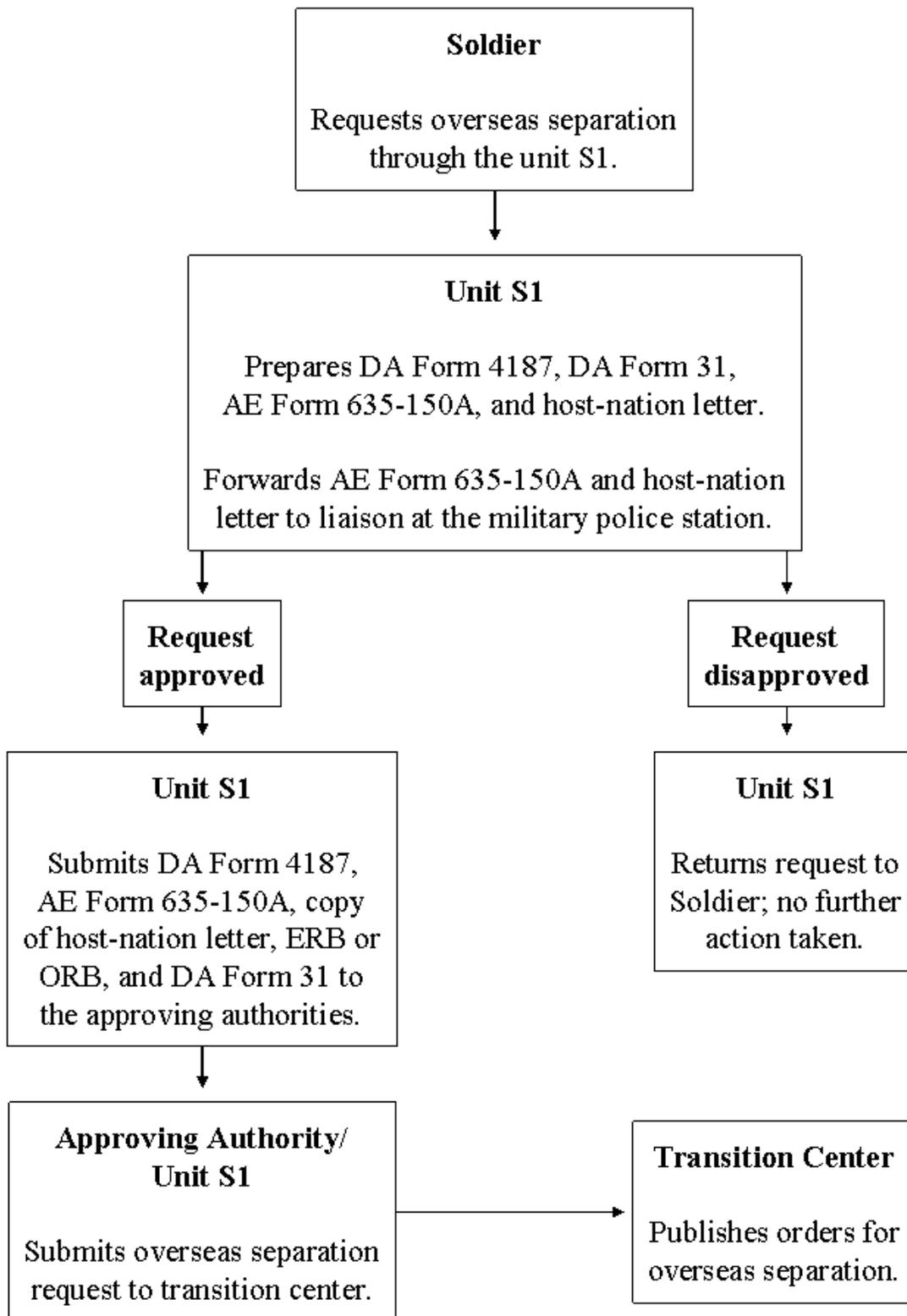


Figure 1. Application Process

LETTERHEAD

(Date)

(Element of the approving authority)
(Address of the host-nation alien-control authorities)

Sehr geehrte Damen und Herren:

Der/Die unten genannte Soldat/in bat, nach seiner/ihrer Entlassung aus der US-Army in Deutschland zu bleiben.
(The following Soldier asked to remain in Germany after his or her service with the U.S. Army.)

Zu Ihrer Information werden die folgenden Angaben über den/die unten genannten(n) Soldaten/in gemacht *(The following information about the Soldier named below is provided for your information):*

Name *(name)*:

Geburtsort/-datum *(Place and date of birth)*:

Nationalität *(Nationality)*:

Wohnanschrift in Deutschland nach der Entlassung *(Residential address in Germany after separation)*:

Datum der Entlassung *(Date of separation)*:

Art, Nummer, Datum und Ausstellungsort des Ausweises *(Passport type, number, date, and place of issuance)*:

Grund für die Entlassung in Deutschland *(Reason for separation in Germany)*:

Voraussichtliche Länge des Aufenthalts *(Proposed length of stay)*:

Name der in Deutschland bleibenden Angehörigen *(Identity of family members who will remain in Germany)*:

Vorstrafen *(Convictions)*:

Die obigen Auskünfte werden Ihnen zur Überprüfung vor der endgültigen Entlassung übermittelt. Falls Ihre Unterlagen Informationen enthalten, die eine Antragsbewilligung dieses Soldaten/dieser Soldatin ungünstig beeinflussen würden, benachrichtigen Sie bitte dieses Hauptquartier innerhalb von 30 Tagen. Haben wir innerhalb dieser Zeitspanne keine Antwort erhalten, setzen wir voraus, daß Sie keine Bedenken haben, und werden den Antrag entsprechend bearbeiten. *(The above information has been provided for your review before final separation action. If your records include information that would reflect unfavorably on approval of this Soldier's application, please notify this headquarters by return letter within 30 days. If no reply is received by that time, it will be assumed that your office does not object and the application will be processed accordingly.)*

Hochachtungsvoll *(Sincerely)*,

(Name and signature)

Figure 2. Sample Notification to the Alien-Control Authority (German-English)

11. NOTIFICATION LETTERS TO HOST-NATION AUTHORITIES

a. If the requester plans to stay in the host nation or work in a position not covered by the SOFA, the servicing personnel and administration center must send a letter of notification to the appropriate host-nation police authorities (for example, in Germany, the *Landratsamt*, *Polizeidirektion*, or *Stadtverwaltung*). A copy of the letter must also be sent to the local alien-registration authorities (for example, in Germany, the *Ausländerbehörde*) responsible for the area where the applicant resides. The local military police or legal assistance office can provide addresses for these offices.

b. The notification letter to host-nation alien-control authorities is not required for separating Soldiers who will keep their SOFA privileges in another status (for example, family member, DA civilian employee).

c. Figure 2 is an example of a notification letter in German and English. Figure 3 is an example of a notification letter in Italian and English. Commands outside of Germany and Italy must translate a similar letter into the host-nation language.

12. SEPARATING IN EUROPE

a. Separating in Europe requires a great deal of preparation. Soldiers who are requesting to retire or separate in Europe must submit their application with AE Form 635-150A through command channels to the approving authority no more than 6 months and no less than 2 months before their retirement or separation date. Retirement and overseas separation approving authorities will keep a copy of the approved documents. Paragraph 10e provides more instructions on filing the form.

b. AE Pamphlet 635-200 provides separation information relating to some categories of employment with the U.S. Forces in Europe.

LETTERHEAD

(Date)

(Element of the approving authority)

(Address of the host-nation alien-control authorities)

Oggetto: Richiesta di permanenza in Italia dopo il congedo di personale militare dall'esercito degli Stati Uniti.

Il personale militare qui sotto citato chiede di rimanere in Italia dopo il congedo dall'esercito degli Stati Uniti.
(The following Soldier asked to remain in Italy after his or her service with the U.S. Army.)

I seguenti dati anagrafici del personale militare sopra indicato sono provvisti a scopo di informazione *(The following information about the Soldier named below is provided for your information):*

Nome e cognome *(name):*

Luogo e data di nascita *(Place and date of birth):*

Nazionalità *(Nationality):*

Domicilio in Italia dopo il congedo *(Residential address in Italy after separation):*

Data del congedo *(Date of separation):*

Tipo di passaporto, numero di serie, data e luogo del rilascio *(Passport type, number, date, and place of issuance):*

Motivi della richiesta di permanenza in Italia dopo il congedo *(Reason for separation in Italy):*

Periodo di soggiorno *(Proposed length of stay):*

Nome dei famigliari che soggiorneranno in Italia *(Identity of family members who will remain in Italy):*

Condanne *(Convictions):*

I dati sopra citati sono stati provvisti a scopo di revisione da parte Vostra prima che il congedo divenga effettivo. Se vi sono informazioni che potrebbero mettere a repentaglio l'approvazione della richiesta di permanenza del sopra citato personale militare, si prega di notificarci per iscritto entro 30 giorni. Se nessuna risposta verrà pervenuta entro questo limite, daremo per scontato che non sussiste alcuna obiezione al rilascio del congedo e la richiesta di permanenza è stata inoltrata. *(The above information has been provided for your review before final separation action. If your records include information that would reflect unfavorably on approval of this Soldier's application, please notify this headquarters by return letter within 30 days. If no reply is received by that time, it will be assumed that your office does not object and the application will be processed accordingly.)*

Distinti saluti *(Sincerely),*

(Name and signature)

Figure 3. Sample Notification to the Alien-Control Authority (Italian-English)

APPENDIX A REFERENCES

SECTION I PUBLICATIONS

Joint Federal Travel Regulations (JFTR), Volume I, Uniformed Service Members

DOD 4500.54-G, Foreign Clearance Guide

AR 25-400-2, The Army Records Information Management System (ARIMS)

AR 40-400, Patient Administration

AR 600-8-24, Officer Transfers and Discharges

AR 635-200, Active Duty Enlisted Administrative Separations

AE Regulation 27-10, Military Justice

AE Regulation 190-1, Registering and Operating Privately Owned Motor Vehicles in Germany

AE Regulation 550-175, U.S. Forces Customs Control in Germany

AE Regulation 600-700, Identification Cards and Individual Logistic Support

AE Pamphlet 190-34, Drivers Handbook and Examination Manual for Germany

AE Pamphlet 635-200, Separating in Europe

USAREUR Regulation 600-290, Passports and Visas

U.S. Sending State Office for Italy Instruction 1900.1, Local Separation of Members of U.S. Forces and Civilian Component in Italy

SECTION II FORMS

DD Form 2(RET), United States Uniformed Services Identification Card (Retired)

DD Form 1173, Uniformed Services Identification and Privilege Card

DA Form 31, Request and Authority for Leave

DA Form 2028, Recommended Changes to Publications and Blank Forms

DA Form 4187, Personnel Action

AE Form 635-150A, Request for Overseas Separation

USAFE Form 174, USAFE Privilege and Identification Card

GLOSSARY

SECTION I ABBREVIATIONS

AE	Army in Europe
AEPUBS	Army in Europe Publishing System
AR	Army regulation
DA	Department of the Army
DD	Defense Department
DOD	Department of Defense
ERB	enlisted record brief
ID	identification
ILS	individual logistic support
JFTR	Joint Federal Travel Regulations
NATO	North Atlantic Treaty Organization
ORB	officer record brief
POV	privately owned vehicle
PX	post exchange
S1	adjutant
SHAPE	Supreme Headquarters Allied Powers Europe
SOFA	Status of Forces Agreement
SSN	social security number
U.S.	United States
USAFE	United States Air Forces in Europe
USAREUR	United States Army, Europe
U.S.C.	United States Code

SECTION II TERM

Sending State

A country that sends troops to another country in support of NATO.