



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

OCT 22 2020

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY AND FOR
MANPOWER AND RESERVE AFFAIRS
ASSISTANT SECRETARY OF THE AIR FORCE FOR MANPOWER
AND RESERVE AFFAIRS

SUBJECT: Request for Exception to Department of Defense Instruction 1400.25, Volume 315, "DoD Civilian Personnel Management System: Employment of Spouses of Active Duty Military"

This responds to the Department of the Army's September 6, 2019 request for exceptions to certain DoD policies to improve military spouse hiring in the overseas environment. Specifically, Army requested exceptions to Military Spouse Preference (MSP) procedures outlined in Department of Defense Instruction (DoDI) 1400.25, Volume 315, "DoD Civilian Personnel Management System: Employment of Spouses of Active Duty Military;" an exception to current policies pertaining to living quarters allowance outlined in DoDI 1400.25, Volume 1250, "DoD Civilian Personnel Management System: Overseas Allowances and Differentials;" and exceptions to return rights, leave accrual, and permanent change of station policies.

In accordance with DoDI 1400.25, Volume 315, military spouses do not receive MSP until they arrive at the foreign location where their sponsor will be stationed. The Department of the Army has requested an exception to allow military spouses on accompanied tours to exercise their MSP in advance of their arrival in order to increase their opportunity to obtain employment in the foreign area. Following receipt of the Department of the Army's request, the Department of the Air Force expressed similar interest in receiving this exception.

Supporting military spouses through improved access to employment opportunities and sustainment of careers supports the National Defense Strategy's fourth line of effort – taking care of Service members and their families. Therefore, I am authorizing a pilot for the Department of the Army and the Department of the Air Force to allow military spouses relocating with their military sponsor to exercise MSP in advance of arrival to the foreign duty location. The attachment outlines the implementation procedures and reporting requirements of the 18-month pilot program. Additionally, I have included information on certain foreign area employment provisions and their applicability to the pilot.

To ensure maximum effectiveness of this pilot, I encourage both the Department of the Army and the Department of the Air Force to review internal policies and procedures regarding overseas allowances and entitlements to determine applicability and impact to the pilot. Component and command policies and procedures may require temporary modification(s) to align with the flexibilities afforded during the duration of this pilot.

You may submit a one-time request to extend the pilot program for up to 6 months beyond the initial pilot period, in accordance with the attached implementing guidance, to the Defense Civilian Personnel Advisory Service, Employment and Compensation Policy, for approval by the Deputy Assistant Secretary of Defense for Civilian Personnel Policy.

For more information, my point of contact is Ms. Melissa Lalonde, Associate Director, Employment and Compensation, Defense Civilian Personnel Advisory Service, who may be reached at (571) 372-1557 or melissa.a.lalonde.civ@mail.mil.



Matthew P. Donovan

Attachment:
As stated

cc:
Assistant G-1 for Civilian Personnel Policy,
Department of the Army
Director for Civilian Force Management,
Department of the Air Force

MILITARY SPOUSE PREFERENCE PILOT IMPLEMENTATION PROCEDURES

1. Purpose. The purpose of this pilot is to evaluate the feasibility and advisability of permitting eligible military spouses to exercise Military Spouse Preference (MSP) in a job application before arrival to a foreign overseas location when relocating with their military sponsor on an accompanied tour.
2. Timeline. The duration of the pilot is for 18 months and shall begin 60 days from the date of this memorandum.
 - a. A one-time, 6-month extension of the pilot may be requested following 12 months of implementation. This extension may be authorized by the Deputy Assistant Secretary of Defense for Civilian Personnel Policy, and must be requested no later than 60 days prior to the initial 18 months pilot completion date.
 - b. An extension request should be submitted to the Defense Civilian Personnel Advisory Service (DCPAS), Employment and Compensation Policy, at: dodhra.mc-alex.dcpas.list.ec-policy@mail.mil.
3. Coverage. The pilot is exclusive to appropriated fund, non-bargaining unit positions in Department of the Army and Department of the Air Force, located within the Republic of Korea, United States Army Garrison (USAG) Rhineland-Pfalz, or Ramstein Air Base, at the General Schedule level 15 and below (or equivalent). The pilot is limited to military spouses who are eligible for MSP and are hired under the Schedule A appointing authority in accordance with 77 FR 19366. At the discretion of the Army and the Air Force, the pilot may also include similar positions at Defense Agencies and DoD Field Activities for which Army or Air Force is the shared service provider (e.g., Defense Commissary Agency, Department of Defense Education Activity) and the Agency is willing to participate in the pilot.
 - a. An exemption is granted to Department of Defense Instruction (DoDI) 1400.25, Volume 315, Enclosure 3, 2(b)(1) – (3) for the duration of the pilot. All other provisions apply.
 - i. Military spouses may exercise MSP in the job application up to 30 days prior to the sponsor's reporting date to the new duty station in the Republic of Korea, USAG Rhineland-Pfalz, or Ramstein Air Base; or up to 30 days prior to the spouse's arrival to the new duty station if the spouse is delayed arrival until after the sponsor's reporting date.
 - ii. This limited provision applies to military spouses who are accompanying their military sponsor on permanent change of station orders originating from: the United States (to include non-foreign areas); or from another foreign duty location or installation outside of the commuting area of the sponsor's new duty station in the Republic of Korea, USAG Rhineland-Pfalz, or Ramstein Air Base.
 - b. No exception is granted for DoDI 1400.25, Volume 1250.
 - i. Volume 1250 indicates that applicable allowances and differentials are not automatic entitlements; additionally, the policy delegates authority to DoD Component Heads to authorize allowances in accordance with said policy and the Department of State Standardized Regulations (DSSR). As a reminder, post

allowance is not an entitlement, and military spouses must meet the applicable DSSR eligibility criteria.

- c. The accumulation of the 45-day leave ceiling is provided in 5 U.S.C. § 6304(b) and is an entitlement.
 - i. Military spouses who meet the criteria are entitled to this benefit, and as prescribed in 5 CFR § 630.602, may earn and be granted home leave.
- d. Section 053705 of the Joint Travel Regulations provides Component guidelines for determining when it is the best interest of the Government to grant permanent change of station (PCS) travel and transportation allowances.
 - i. PCS is not an employee entitlement and may only be paid when it is determined to be in the best interest of the government.
- e. No exception is granted for DoDI 1400.25, Volume 1230.
 - i. Return rights are limited to those employees defined in DoDI 1400.25, Volume 1230, and are not applicable under this pilot.

4. Report.

- a. The Department of the Army and the Department of the Air Force will each submit military spouse hiring data to DCPAS on two separate occasions during the pilot. Data will be provided at the 270-day mark and then upon pilot completion. Data must be separated by location and will include:
 - i. Strategic communication efforts to market the pilot provisions;
 - ii. The number of positions open to military spouses by location, pay plan, series, grade, and title;
 - iii. The number of military spouse applications received;
 - iv. The number of military spouses who exercised MSP when they applied for employment prior to arrival compared to those who did so upon or after arrival;
 - v. The number of military spouses selected on the basis of MSP exercised prior to arrival compared to those selected on the basis of MSP exercised upon or after arrival; and
 - vi. An assessment of the average number of days elapsed between acceptance of final/firm job offer and Entrance on Duty date for military spouses who exercised MSP prior to arrival compared to those who did so upon or after arrival.
- b. Not later than 60 days following the end of the pilot program, the Department of the Army and the Department of the Air Force will each submit a report to DCPAS containing an evaluation of the effectiveness of the pilot. The report will include:
 - i. Evaluation of the DoD policy exceptions authorized to support this pilot;
 - ii. Additional barrier(s) observed during the pilot;
 - iii. Lessons learned and recommendations to overcome;
 - iv. Identified best practices; and
 - v. Recommendation(s) on enterprise-wide implementation.