HQ U.S. Army Installation Management Agency, Europe Region

Public Affairs Office
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PRESS RELEASE

April 16, 2004

IRAQ EXTENSION – FACT SHEETS – FAMILY SUPPORT
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PRESS RELEASE

April 16, 2004

ACS Resources Plussed Up to Continue Strong Family Support

HEIDELBERG, GE – Personnel from the States are serving as additional manpower for Army Community Services programs in various locations in Europe to help families cope with the dynamics of deployment, reintegration and developing world events.

"We've already plussed up our ACS staff in IMA-E with two people in Vicenza, and the 104th ASG will have six personnel – some program managers and some social workers from Stateside," explained HQs Installation Management Agency-Europe ACS Chief Ricky Gibbons. "They arrived earlier this year to help with reintegration and are doing what it takes to assist families during these difficult times."

Gibbons noted there will be some 12 ACS professionals total from Stateside posts coming to assist at various intervals over the next few months.

In addition to ACS staff, IMA-E Child and Youth Services (CYS) has 15 interns on contract from the University of Northern Iowa who have assisted with reintegration in Vicenza, Italy, for the past month. They have been critical in providing the manpower needed, so that other CYS employees could take block leave in conjunction with a redeploying family member.

These young professionals will now be placed in Baumholder, Germany, to assist with other CYS needs there. They will be joined by another 15 interns next week, spread throughout the 104th ASG to support 1AD families. As part of their graduate work, the interns receive course credit and pay for their 15-weeks of work with the Army in Europe. In addition to the contracted interns, CYS staff from Stateside will also join the EURO mission. Over 20 CYS staff will start arriving next month to provide support throughout the 104th ASG. Some of them are caregivers from other installations in the States and some are management staff.

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"In these uncertain times, the ACS mission to help families find answers for themselves really comes to the forefront," stated Gibbons. "Some ACS centers have already expanded their hours of operation. Some locations have established hotlines. Their goal remains the same – to assist families in getting the resources they need."

Whether it's parenting techniques, tips for dealing with stress, referrals to mental health professionals or just a phone number, ACS staffs are working hard to mitigate anxieties.

"ACS is a long-standing program in the Army that offers a wide variety of support and services," Gibbons said. "Families should contact their ACS office and also their Family Readiness Groups to ask questions and get connected. They don't need to feel alone. We have the resources to help."

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FACT SHEET

April 16, 2004

Frequently Asked Questions: DoDDs & Deployments

Q1: How can DoDDS Schools help during deployments and family separation?

- Deployments and family separations can be stressful times for children. DoDDS Schools are part of the wide community support network available to families and can help.
- Each school is prepared to respond appropriately and is in a proactive stance with regard to family support and deployments.
- Our most important contribution comes when we remain focused on the educational mission and provide a stable environment for the children in our schools.

Q2: Are DoD Schools experienced in dealing with deployments and do they have plans to help?

- We have great experience in serving our communities in the aftermath of September 11th and during the Persian Gulf War, the missions in the Balkans and other deployments in recent years.
- Each of our schools has a role to play in being an integral part of the total plan to care for families during times of crisis and conflict.
- We have an Action Plan to provide further guidance on measures that we should take in each community affected by deployments or other military operations.

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- **DS Manual 2943.3 School Action Plan for Crisis Intervention**
- **Plans in place in all locations**
- **Ready to implement**
- **Teachers are trained**
- **Connections and Coordination with Family Assistance/Support Centers**
- **Team of psychologists ready to deploy to needed sites**
- **Schools are a major player and are ready to collaborate with communities to help in any way**

Q3: How important are educational considerations to families?

- Educational considerations have to be on the top of everyone's list. Your child's future depends on a solid educational foundation.

- Removing a child from school in Europe may add to feelings of confusion, disruption and loss of control, whereas remaining in their current school environment can help promote a feeling of stability and normalcy when it's most needed.

- That means minimizing transitions and disruptions in learning. It means being there for children when times get rough.

- Schools do that better than anyone except a parent. We are the home away from home for kids. Schools surround children with a caring and supportive safety net.

- Listen to your child's concerns. Talk to your children's teacher and work together to meet the needs of kids.

Q4: How important are school routines to children?

- Very important!

- School routines contribute to normalcy.

- Learning and Teaching are what we do best. A strong focus on teaching and learning help maintain stability for children in these difficult times.

Q5: If a family chooses to leave, what do they need to consider?

- When considering a possible move of family members back to the States during deployments, families need to consider the impact on their school-age children.

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- If a family leaves USAREUR, they are strongly advised to enroll in school immediately at their destination. DoDDS has no provisions for students to receive credit for lost time if they choose to go home. We can provide copies of student records for the receiving school. Enrollment in a school at the destination is critical.

- If parents choose not to enroll children in school, they are putting their children's education at risk and may be in violation of state law at the temporary place of residence.

- Removing a child from school in Europe may add to feelings of confusion, disruption and loss of control, whereas remaining in their current school environment can help promote a feeling of stability and normalcy when it's most needed.

- Unlike stateside schools, DoDDS is attuned to the role of schools in deployments. Teachers receive training to assist kids dealing with the stress of deployments and to look for signs of distress. DoDDS schools conduct support groups to assist parents, as well as students who may be experiencing adjustment problems. School staffs know their military communities and can refer students appropriately for other help and activities in their area.

- Families who do choose to return to the U.S. should plan on immediately enrolling children in a stateside public school. Continued, uninterrupted education must be a priority for every family. It is a key element of stability and normalcy for children.

- Parents should consider the disruption to their children's studies – and lives -- in transferring them from one school to another and then possibly back again to Europe – all in the course of one school year. DoDDS is another part of the support network available to families – they are ready to help.

- Your child's credits are important educational considerations. Coordinate with school officials.

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PRESS RELEASE

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School Attendance Is Part of the Decision…

HEIDELBERG, GE – When considering a possible move of family members back to the States during deployments, families need to consider the impact on their school-age children.

Removing a child from school in Europe may add to feelings of confusion, disruption and loss of control, whereas remaining in their current school environment can help promote a feeling of stability and normalcy when it's most needed.

Unlike stateside schools, DODDs is attuned to the role of schools in deployments. Teachers receive training to assist kids dealing with the stress of deployments and to look for signs of distress. DODDs schools conduct support groups to assist parents, as well as students who may be experiencing adjustment problems. School staffs know their military communities and can refer students appropriately for other help and activities in their area.

In Europe, students also have better links to their deployed parent or parents through information from the Family Readiness Groups, the Rear Detachment Commander, and other community contacts. They are in school with other children whose parents are deployed, so that they are not the only one in such a situation, and they have access to media outlets such as Stars and Stripes and AFN that focus more on topics of immediate interest to them than they would have through media in the States.

The degree to which children are affected by deployment of a parent will vary depending on the child's age, developmental level, previous life experiences, and the reactions/emotions modeled by the adults in the child's life. Kids may feel angry that a parent is leaving or feel fearful about their own safety or that of their deployed parent. Keeping kids in an environment they know and where they can have the most information possible will help alleviate those concerns. The stress of a new school in a new location surrounded by new kids whose parents are not deployed may only add to the feelings of uncertainty.

Families who do choose to return to the U.S. should plan on immediately enrolling children in a stateside public school. Continued, uninterrupted education must be a priority for every family. It is a key element of stability and normalcy for children.

-MORE-

DoDDs schools can provide parents with copies of school records to facilitate a transfer to a stateside school. Upon return to Europe, a parent should bring exit records from the stateside school. DoDDs will merge those grades with the DoDDs school grades.

If parents choose not to enroll children in school, they are putting their children's education at risk and may be in violation of stateside law at the temporary place of residence.

Parents should consider the disruption to their children's studies – and lives -- in transferring them from one school to another and then possibly back again to Europe – all in the course of one school year. DoDDs is another part of the support network available to families – they are ready to help.

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FACT SHEET

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Frequently Asked Questions: Deployments & Families

HOUSING

Q1: If a family decides to return to the States on their own, could they choose to leave their household goods in theater?
A1: They can, since they can keep the quarters for the duration of the deployment. The sponsor continues to forfeit housing allowances.

Q2: What about quarters and private rentals? What happens with those if a family leaves?
A2: If a family does elect to move back to the States with the intent to return when the sponsor re-deploys, they should notify their Housing Office or host nation landlord (if in private rental housing) to identify an individual who will be responsible for maintenance, emergencies, etc., involving the quarters while the family is gone. Both types of quarters can be maintained for the duration of the deployment.

If a family elects to terminate their private rental housing lease, they assume full responsibility for all aspects of the termination of the lease to include any penalties, clean-up and redecoration of the premises.

Q3: If a family returns at their own expense to the States during a deployment, can they have their HHGs stored here at government expense while they're gone?
A3: No. If a family returns to the States at their own expense, the quarters are available for the duration of the deployment, and as such, there would be no need for the government to incur additional cost in moving and storing their HHGs. This is true in the case of private rental housing also, since the family's housing allowance will continue.

Q4: If a family returns at their own expense to the States during a deployment, what happens if the family decides not to return to Europe once the deployed Soldier returns from deployment?
A4: The Soldier will not be able to retain family quarters, but will have to move into the BOQ, BEQ or barracks, as appropriate for his/her pay grade. At that time, the Soldier has to request orders through his personnel office in order to make arrangements for the return shipment of the HHGs.

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When the sponsor returns from the deployment, the Soldier should inform the Rear Detachment Commander and Housing Office of the family members' decision. Without family members in country, the sponsor is no longer entitled to family housing. As long as the sponsor is signed for/occupies Government family housing, he/she forfeits housing allowances. However, when the Soldier moves out of family housing, he/she is entitled to unaccompanied housing or OHA at the "without dependent" rate, in addition to the entitlement of BAH at the "with dependent" rate for the family in CONUS. Soldiers can request shipment of HHG to CONUS at Government expense.

If the sponsor occupies private rental housing, the Rear Detachment Commander and Housing Office must be informed of the family members' decision. Depending on the rank, the Soldier may be directed to move into the barracks. If barracks space is unavailable, a Statement of Non-Availability (SNA) can be issued to allow retention of private rental housing. In order to collect BAH at the "with dependent" rate for the family members residing in CONUS, the Soldier must inform the Finance Office of the situation. Shipment or partial shipment of HHG at Government expense may be requested.

Q5: Isn't it in the Soldier's best interest, though, not to alert people that his family is not returning after a deployment if they returned to the U.S. on their own? That way, he or she could stay in family quarters anyway. What mechanisms are there to preclude this from happening? Are there any penalties for that? What does this mean for their housing allowance and other entitlements?
A5: Soldiers know that if their families are not returning that they are no longer entitled to government housing and should be honest and forthcoming on this point. There is no particular system to identify such families, but Soldiers could obviously expect to be identified by neighbors and fellow Soldiers as breaking the policy on this. Soldiers in such situations will be directed to clear quarters. When a Soldier clears quarters, he/she would also need to see their local finance office to ensure all entitlements and allowances are correct in the system, i.e., COLA/BAH, etc.

FINANCE

Q1: What happens with military pay issues if the family returns to the States?
A1: Having your spouse's unit administration office close by is one of the benefits of staying in theater in case pay problems or questions arise during a deployment. Additionally, if they cannot answer your question, they can submit the pay inquiry to the local finance office to be answered. Staying in theater insures timely receipt of LES and W2 forms as well. Also, a Soldier's cost of living allowance (COLA) decreases when family members return to the States for periods greater than 30 days. As an example:

An E5 with 8 years in and 3 family members (Schwetzingen Area):
E5, 8 years, 3 family members COLA = $582
E5, 8 years, 2 family members COLA = $554
E5, 8 years, 1 family member COLA = $498
E5, 8 years, 0 family members COLA = $424
Thus, if all family members go home, the family would lose approximately $158 in COLA based on this area.

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VEHICLES

Q1: What should a family do about their car if they leave it?
A1: Families leaving Europe should park their car in the housing area for the duration, but ensure the insurance continues to be paid to keep the registration valid.

PETS

Q1: What should families do if they don't want to take their pet with them back to the States?
A1: Families should contact their nearest U.S. Army Veterinary Clinic for recommendations on possible adoption and other placement of their pets. The main point is to ensure pets are not abandoned.

MWR

Q1: Will MWR services be curtailed during the deployments?
A1: We're going to maintain normal operations to the fullest extent possible. Families can feel confident that the range of Morale, Welfare and Recreation (MWR) activities and family support services through Army Community Service (ACS) will continue in the months ahead. MWR activities will strive to maintain normal operations. Some facilities may have shorter hours, depending on usage, available manpower and other factors, but the intent of the Army in Europe is to minimize reductions and keep the doors open. Any need to reduce operations or services will be forwarded through channels to the ASG commander for approval six weeks prior to implementation. Again, we think there will be limited instances of this.

AER

Q1: Can AER provide money to help families move back to the States during deployments?
A1: Deployments are not a criteria for early return of dependents nor for access to grants and loans available through AER. The Army Emergency Relief is for true financial emergencies. Family Care Plans are mandatory for Soldiers as part of normal deployment pre-planning. As such, deployments are not an unforeseen emergency. AER will evaluate requests for a loan in terms of if it is truly an unexpected financial emergency. For example, if the family car breaks down while a Soldier is deployed and requires expensive, extensive repairs that tax the family's current assets, AER will try and contact the deployed Soldier to authorize the loan. However, if the Soldier cannot be reached, AER will authorize the loan in light of the pressing need. This type of assistance is available at any time – whether there is a deployment, whether the family has decided to return to the States on their own, whether they are already relocated back to the States. The criteria, again, is not deployment, but a true, unforeseen financial emergency.

CONTACT INFORMATION

Q1: Whom should a family tell if they are going to return to the States?
A1: If family members return to the States, they should definitely ensure the RDC and Family Readiness Group leader have current and accurate means for contacting them quickly in the event of an emergency.

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TRICARE

Q1. How long do TRICARE Europe Active Duty (AD) family member beneficiaries who voluntarily return to CONUS have to enroll in a stateside TRICARE region?
A1. TRICARE Europe AD family member beneficiaries who voluntarily return to CONUS have 60 days from their date of departure from OCONUS to enroll in the stateside TRICARE Prime program (if available). On the 61st day, their enrollment will revert to TRICARE Standard if no action is taken. Affected beneficiaries must contact their local TRICARE Service Center prior to departing for CONUS.

Q2. What if Prime is not available where a member temporarily relocates?
A2. If TRICARE Europe AD family member beneficiaries who voluntarily return to CONUS temporarily live in an area of CONUS where Prime is not offered (more than 50 miles from a MTF), they will automatically revert to TRICARE Standard. Standard is the military's 'fee for service' medical plan, which includes annual deductibles and cost shares.

Q3. What do family members need to know if they decide to remain OCONUS?
A3. For TRICARE Europe AD family member beneficiaries who decide to remain OCONUS, medical/dental coverage remains the same. U.S. Medical service in Europe is provided by a robust system of Military Treatment Facilities and host nation network providers. The bottom line is that you and your family will continue to receive top-notch medical care.

Q4. Does it matter when a family member enrolls in a stateside region?
A4. If you decide to go back to CONUS (voluntarily, without sponsor) and do not enroll in your gaining TRICARE region by the 20th of the month, enrollment will not be effective until the first day of the following month. For example, If you enroll on 25 Feb, your enrollment will be effective 1 April. We advise beneficiaries to enroll in their gaining region as soon as they arrive in CONUS to avoid enrollment/claims problems.

Q5. What about Dental Care in CONUS?
A5. If you are enrolled in the TRICARE Dental Program, you should have no problems in CONUS or OCONUS. To find participating providing dentists, contact your local TRICARE Service Center. You may enroll in the TDP at any time. If you are not enrolled in the TDP, you may face high dental costs in both overseas and CONUS regions due to limited availability of some specialty services (and limited space availability) at many military Dental Treatment Facilities.

Q6. Where can you get more information?
A6. More information is available at your nearest TRICARE Service Center. TRICARE Europe AD family member beneficiaries who wish to return to CONUS should contact their local TRICARE Service Center (TSC) for assistance. Your TSC will provide help with enrollment transfers and answer any questions you have about your health care.

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Deployments and the IRS

Heidelberg, GE – The Internal Revenue Code § 7508(a) provides for an extension of time to perform certain acts if an individual is serving in the Armed Forces or in support of the Armed Forces in a combat zone or is hospitalized as a result of injury received while serving in such an area.

In general, the deadlines for performing certain actions applicable to taxes are extended for the period of service in the above mentioned areas, plus 180 days after the last day in the area.

Additionally, if a Soldier is continuously hospitalized as a result of injuries sustained while serving in the combat zone the extension also includes the time in the hospital, not to exceed five years if hospitalized in the United States. The extensions apply not only to those serving in the combat zone but also to their spouses in most cases. The most common actions that can be extended are the following:

1) Filing an income tax return: The extension for filing an income tax return is 180 days from the last day in the qualified zone, plus the period of time in the zone between January 1st and April 15th. Thus if a Soldier entered the combat zone on Feb. 1, 2003, he is entitled to an extension of time for filing his 2002 federal income tax return until 254 days after he leaves the combat zone (180 + 74 (the number of days between February 1st and April 15th)).

2) Payment of any income tax: The extension also applies to the payment of any federal income tax. Assessment and collection deadlines will be extended, and interest and penalties attributable to the extension period will not be charged. Thus the Soldier mentioned above would not have to pay any taxes owed until 254 days after leaving the combat zone. However, if the Soldier is due a refund, the individual may wish to file earlier in order to receive the refund.

In the event that an individual entitled to the combat zone extensions reenters a combat zone before the prior extension period has expired, a new 180-day period will begin after the individual leaves the combat zone for the second time. Additionally, any time (of the days

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between January 1st and April 15th) remaining on the first extension will be added to the new 180-day period. For example, a Soldier served in Afghanistan from April 1 to Aug. 31, 2002. This Soldier then deploys to Iraq on March 5, 2003. The Soldier was entitled to an extension of time for filing and paying 2001 income taxes of 195 days (180 plus the 15 day period that was left before the April 15th deadline). This extension period would have expired on March 14, 2003 (195 days from Sept. 1, 2002, the first day out of the combat zone). Because the extension period had not expired for the 2001 tax year before the Soldier reentered a combat zone, the individual will have 190 days (180 days plus 10 of the 15 days remaining before the April 15, 2002, deadline) after leaving Iraq to file the 2001 taxes.

A list of other time-sensitive actions for which performance is postponed for members of the U.S. Armed Forces or individuals serving in support of a combat zone are available in Revenue Procedure 2002-71 at www.IRS.gov.

Internal Revenue Notice 2003-21, Tax Relief for Those Involve in Operation Iraqi Freedom, provides more guidance on tax benefits related to combat zones and is also available on the IRS website.

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PRESS RELEASE

April 16, 2004

US Military Medical Care in Europe Continues Robust Support for Service Members, Families

Heidelberg, Germany – Brig. Gen. Elder Granger, Commander, Europe Regional Medical Command, wants families of deployed active duty service members to know that "Home is Here," and so is your military medical healthcare system.

"There are many reasons for families of deployed service members to remain in Europe," said Granger. "One reason is that we have a robust military medical system in place in the European theater that is set up to continue to meet the healthcare needs of all of our beneficiaries. The military medical healthcare system in Europe is augmented by qualified, competent, and caring host nation health care providers, and in Europe, we have experience in taking care of beneficiaries during deployments and contingencies."

"Providing healthcare for families of deployed service members is not new to us. We routinely experience military deployments in this theater," Granger said. "Military medical personnel often deploy in support of various contingencies including exercises, humanitarian efforts and most recently in support of the war against terrorism. While we are always augmented by host nation health care providers, in many instances we are also backfilled by reserve medical personnel at our military treatment facilities."

Granger emphasized, however, that if someone is considering going back to the United States or relocating somewhere else in Europe while an active duty spouse or family member is deployed, it is imperative for them to visit a TRICARE service center in Europe before departing for CONUS or another location.

Granger said that the TRICARE service center will help family members determine if TRICARE enrollment needs to be transferred to another region, find out what military medical assets may or may not be available in the area where they are considering relocating, and whether of not family members may possibly incur out-of-pocket costs associated for medical care that they do not pay here in Europe.

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“The bottom line is that home is here,” said Granger. “And we have a responsibility to America’s sons and daughters who put themselves in harm’s way to fight our nation’s wars. We will continue to provide comprehensive, quality care, for families of deployed service members.”

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POVs and HHGs for 1AD Troops

BOTTOM LINE: Redeploying Soldiers may withdraw their privately-owned vehicles (POVs) from government-controlled storage facilities, provided they have a valid USAREUR driver's license, reinstated their insurance, and re-registered their vehicle in an operational status.

RETRIEVAL PROCEDURES:

-- When Soldiers return from deployment, they must first contact their insurance company and obtain new proof of insurance (double white insurance cards or commercial equivalent). Soldiers must then go to their local Vehicle Field Registration Station to re-activate the registration and obtain a new no-fee registration document and expiration decal.

-- Transportation of Soldiers to the POV storage site (Spinelli Barracks, Miesau Army Depot, or on-post storage) is coordinated within the unit. Prior to withdrawing POVs from Spinelli Barracks or Miesau Army Depot, an appointment must be made with the facility. The appointment can be made by either the unit or supporting BSB. If a POV is stored on the installation, it is recommended the site custodian or BSB Installation Transportation Office (ITO) be contacted first to confirm the operating hours.

-- Soldiers must bring the new registration document, valid USAREUR driver's license, and a copy of the DD Form 788 that was used to inspect the POV when it was put into storage. It is also suggested that Soldiers bring fuel coupons to the POV storage site. If a valid USAREUR driver's license is lost, a temporary license may be obtained at the local driver's training and testing station. If Soldiers do not have a copy of the DD Form 788, either the Rear Detachment Commander, BSB ITO, or storage custodian has one. The Soldier and storage site personnel/custodian will conduct a joint inspection of the vehicle and a safety inspection prior to the vehicle being released. New/non pre-existing damages to the POV while in government storage must be jointly annotated and endorsed with signatures on the DD Form 788 <u>before</u> release of the POV.

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-- If the Soldier wishes to file a claim against the U.S. Government, the Soldier should contact the local claims office for processing information. A claim must be filed two years from the date the vehicle was retrieved from the storage lot or two years from the date the Soldier received notice of the damage.

For Soldiers who have removed their vehicles and need to store them again, the process is just the reverse. A Soldier should coordinate with the unit for assistance with transportation to and from the POV storage site and with the storage site itself for an appointment or to confirm their operating hours. Soldiers need to take their vehicle registration and drivers license with them. The Soldier and storage site personnel/custodian will conduct a joint inspection of the vehicle and a safety inspection and annotate any pre-existing damages on a DD Form 788, which both the Soldier and storage site custodian will then sign. Finally, Soldiers should contact their insurance company and go to their local Vehicle Field Registration Station to de-activate the registration.

For Soldiers who have removed personal property from government storage, they should contact their community Directorate of Logistics for assistance in re-securing their belongings.

U.S. Army Claims will continue to provide limited coverage for POVs and personal property under any circumstance. The more the property is documented, the better the coverage will be. Inventories witnessed by supervisors are recommended. It is always beneficial to photograph high-value items. This will help prove what property was stored, as well as its condition in the event there is loss or damage while in storage. Soldiers with very expensive property may want to consider obtaining private insurance. The local installation claims office can provide additional help.

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FACT SHEET

April 16, 2004

Frequently Asked Questions about Powers of Attorney

Provided by the V Corps OJA

1. Q. WHAT IS A POWER OF ATTORNEY?

A. A power of attorney is a document that allows someone else to act as your legal agent. Thus, a power of attorney can be used to allow a friend to sell your car, to let your spouse ship your household goods or to authorize a relative to take your child to the hospital. It can also be used to sell or buy property. It can create valid and legal debts in your name or it can authorize a person to pay off your debts.

2. Q. ARE THERE DIFFERENT KINDS OF POWERS OF ATTORNEY?

A. Yes. The two types are *general* and *special* powers of attorney. A *general power of attorney* allows the person you name (or *your agent*) to do any and all things that you could legally do, from registering a car to selling a house. A *special* (or *limited*) *power of attorney* lists a particular act that the agent is authorized to do and limits the agent to that act. The agent can, of course, be authorized to do more than one legal act in a single special power of attorney.

3. Q. WHEN DOES A POWER OF ATTORNEY EXPIRE?

A. A power of attorney should never be made indefinite or permanent. The best course is to set a date for the power of attorney to expire, and this can be written into the power of attorney. That way, the power of attorney will be no good after the expiration date that you set unless, of course, you renew it by preparing a new power of attorney.

4. Q. WHAT ARE SOME OF THE THINGS A SPECIAL POWER OF ATTORNEY CAN DO?

A. You can use a special power of attorney to allow someone to do almost all legal actions that you can do yourself. Thus, for example, you could prepare a special power of attorney that lets your designated agent:

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1. Buy or sell real estate;

2. Purchase a car or sell your furniture;

3. Sign your paycheck or withdraw money from your bank account;

4. Admit your child to the hospital for needed medical care;

5. Ship or store your luggage and household goods;

6. Sign your name to a lease or an agreement to connect utilities, such as electricity, gas, oil or telephone service;

7. Cash or deposit tax refund checks or transfer stocks and bonds.

5. Q. ARE THERE ANY THINGS A POWER OF ATTORNEY CANNOT DO?

A. While a power of attorney will be accepted as valid for most purposes, in some states there are some items that cannot be accomplished by using a power of attorney because these actions are so personal in nature that they cannot be delegated to another. Thus, for example, a marriage ceremony or the execution of a will usually cannot be done by power of attorney. In addition, there are times when a certain form of power of attorney is required and none other will be accepted.

6. Q. ALL THIS SOUNDS LIKE A GOOD DEAL - WHY DOESN'T EVERYONE HAVE A POWER OF ATTORNEY?

A. A power of attorney can be very useful if you have one in effect when you need it. A power of attorney can be *abused as well as used*; there can be disadvantages to having one as well as advantages. A husband who just separated from his wife might use the power of attorney she gave him to clean out her individual bank account. A well-meaning older person might give a power of attorney to a younger relative, only to discover that the relative squandered and spent the assets of the older person. A power of attorney always has the potential for being a very helpful or a very dangerous document for those reasons. The important thing to remember is that you are going to be legally responsible for the acts of your agent. Therefore, you must exercise great care in selecting the person to be your agent.

7. Q. WHAT STEPS CAN I TAKE TO PREVENT IMPROPER USE OF MY POWER OF ATTORNEY?

A. There is no way to *guarantee* your power of attorney will not be misused. Here are some guidelines and precautions that will help prevent abuse:

1. Never have a power of attorney unless you need one.

2. If you feel you might need a power of attorney, have one prepared but don't sign it until you need it.

3. Always put an expiration date on your power of attorney; never make a power of attorney that lasts indefinitely.

4. Make sure your expiration date is for a fairly short period of time. While this will vary from one person to another, periods of one, two or three years are not uncommon on powers of attorney.

5. Never use a general power of attorney when a special one will do.

6. If you want to cancel or terminate a power of attorney before it expires, you can prepare and execute a *Revocation of Power of Attorney*. Give a copy of the revocation to any person that might deal with the person to whom you gave your power of attorney. In some states you may also record the revocation in the county register of deeds office where the original power of attorney was recorded or was to be used. Just remember that it is usually *impossible* to cancel effectively a power of attorney, since the safest way to do this is to get back the original and all the copies that you have given to your agent, as all as all the photocopies that may have been made by banks, realtors, merchants, landlords and other people who are relying on the power of attorney you have signed.

8. Q. ARE THERE ANY SPECIAL REQUIREMENTS FOR POWERS OF ATTORNEY?

A. A power of attorney is often executed before a notary public. If you wish, it can be recorded at the county register of deeds office where it is to be used. When a power of attorney is used to transfer land or to do business on behalf of a person who has become incapacitated, it must be recorded. As a general rule, however, a power of attorney does not need to be recorded in order to be effective.

9. Q. DOES EVERY BUSINESS OR BANK HAVE TO ACCEPT MY POWER OF ATTORNEY?

A. No. Every business or bank is free to accept or reject a power of attorney. Some businesses or banks require that the power of attorney be recorded while others do not. Some banks will accept only a special power of attorney. The best rule is to check with the business or bank before obtaining or using a power of attorney to be sure that it will be accepted.

10. Q. DOES A POWER OF ATTORNEY EXPIRE UPON MY DEATH OR MENTAL INCAPACITY?

A. A power of attorney expires on the death of the *grantor* (the person signing it) or of the agent named in it (unless a substitute agent is named). Many people choose to have an additional clause in a power of attorney that makes provision for its continued existence in the event of mental incapacity. This type of power of attorney is called a *durable power of attorney*. Such a power of attorney must be recorded at the county register of deeds if the grantor later becomes mentally incapacitated. You should remember, however, that a valid power of attorney must be

signed while the grantor is sane and mentally competent. If the grantor wants to prepare a power of attorney that only becomes valid upon his or her incapacity, that document can also be prepared, and it is called a *springing power of attorney* because it "springs to life" upon the grantor's incapacity.

11. Q. WHAT IF I HAVE OTHER QUESTIONS OR SPECIFIC PROBLEMS I WANT HELP IN SOLVING?

A. See a legal assistance attorney or a civilian lawyer as soon as possible. Seeing a lawyer early may not only solve a problem you have; it may also resolve or avoid a problem in the future.

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PRESS RELEASE

April 16, 2004

TRICARE Europe Preferred Provider Network Set to Meet Beneficiary Needs

Courtesy TRICARE Europe

Sembach, GE -- While long-term deployments have decreased space availability at many Military Treatment Facilities (MTFs) in Europe beneficiaries can expect continued quality, cost effective, and accessible medical care through the TRICARE Europe Preferred Provider Network (PPN).

"MTFs will continue to see as many patients as possible, but there will be many cases when beneficiaries are referred to host nation providers," said Air Force Col. (Dr.) James Rundell, TRICARE Europe Executive Director. "Our PPN augments the military healthcare system year round - we just use host nation providers a little more when MTFs have less space available, such as during contingency operations."

Regardless of deployment activity, the procedure for making an appointment remains the same for all eligible beneficiaries. Simply contact your MTF for an appointment as you normally do. If there is no space available at that time, your local TRICARE Service Center, in coordination with your Primary Care Manager (if you have one - TRICARE Standard beneficiaries do not), will work with you to refer you to a member of TRICARE Europe's Preferred Provider Network. If you are a TRICARE Prime member, you will always need to get a referral (authorization) before seeking care outside of the MTF.

While some aspects of your experience in a host nation clinic or hospital may not be exactly the same as in the U.S., the providers in the TRICARE Europe PPN are fully qualified, quality medical providers. TRICARE Service Center staff members are available to help bridge cultural and language gaps. These personnel understand the local culture and clinical practice environment and can assist you in understanding your experience when referred for health care in your host nation.

"Facilities and processes may be different than many of us may be used to," Rundell said, "But living with cultural differences is part of serving overseas. Our goal at TRICARE Europe is that you receive quality outcomes of care."

TRICARE Europe continually monitors the quality of care provided by host nation providers in the PPN to ensure beneficiaries receive the best possible care. TRICARE Europe's quality monitoring program is based on the best network quality monitoring practices used by MTFs theater-wide. We constantly gather data about each provider in our PPN from patient surveys and other feedback tools. We use that data to make decisions about the future development of the PPN program. This quality monitoring also helps us ensure that each member of our PPN continue to meet our standards of care. If an MTF finds that a provider is not meeting standards, they have the option to discontinue the PPN agreement with that member. TRICARE Europe's PPN 'membership' agreements are reviewed for renewal on an ongoing, regular basis.

TRICARE Europe PPN providers consistently get excellent feedback through surveys and direct comments. Patient feedback is overwhelmingly positive about the network providers and matches or exceeds overall satisfaction with providers in the Continental U.S. TRICARE Europe also surveys host nation providers to get feedback from them in terms of their relationship with TRICARE. Since Sept. 11, 2001, TRICARE Europe has mailed over 6,000 host nation provider satisfaction surveys. Results to date indicate that over 90% are highly satisfied with their relationship with TRICARE and hope to continue to do business with us.

"The members of our PPN represent the best-available host nation providers in Europe, Africa, and the Middle East," Rundell said, "We're proud of the relationships we have with providers around Europe, and we're confident that our beneficiaries will be satisfied with the care they receive."

It is very important that beneficiaries complete patient customer comment cards to assist TRICARE Europe and the military MTF monitor quality of care. TRICARE Europe centrally collects patient feedback to look for trends and patterns that will help MTFs identify and best use the highest quality providers.

For more information on the TRICARE Europe Preferred Provider Network, see www.europe.tricare.osd.mil or stop by your local TRICARE Service Center.

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PRESS RELEASE

April 16, 2004

Frequently Asked Questions about Wills

Provided by the V Corps OJA

1. **Q. WHAT IS A LAST WILL AND TESTAMENT?**

A. A Last Will and Testament is the legal document which controls the disposition of your property at death and may provide for guardianship for your children after your death. A will is not effective until death. As long as you are living, your will has no effect and no property or rights to property are transferred by it.

2. **Q. CAN MY LAST WILL AND TESTAMENT BE CHANGED?**

A. Yes. Changes to a will are made by drafting a new will and destroying the old one, or by adding a "Codicil." A Codicil is a legal document which must be signed and executed in the same manner as your will. *NEVER MAKE ANY CHANGES TO YOUR WILL* without consulting an attorney. Changes on the face of your original will may make it invalid.

3. **Q. WHAT IS MY LEGAL RESIDENCE?**

A. Your legal residence is the state in which you have your true, fixed and permanent home and to which, if you are temporarily absent, you intend to return. Voting, paying taxes, owning property, motor vehicle registration and so on, are some indicators of one's legal resident of some state. You cannot be a citizen *at large*.

4. **Q. IS MY LEGAL RESIDENCE IMPORTANT WITH REGARD TO MY WILL?**

A. Yes. Your legal residence may affect where your will is probated and the amount of state inheritance or estate tax that may be paid at death.

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5. **Q. WHAT IS MY ESTATE?**

A. Your estate consists of all of your property and personal belongings you own or are entitled to possess at the time of your death. This includes real and personal property, cash, savings and checking accounts, stocks, bonds, real estate, automobiles, etc. Although the proceeds of insurance policies may be considered part of your estate in some states, a will does not change the designated beneficiaries of an insurance policy. The proceeds of an insurance policy, although part of your estate for tax purposes in North Carolina, will normally pass to the primary or secondary beneficiary designated on the face of the policy.

6. **Q. TO WHOM SHOULD I LEAVE MY ESTATE?**

A. A person who receives property through a will is known as a *beneficiary*. You may leave all of your property to one beneficiary, or you may wish to divide your estate among several persons. You may state in your will that several different items of property or sums of money shall go to different persons. In any event, you should decide on at least two levels of beneficiaries: *PRIMARY BENEFICIARIES* -- those who will inherit your property upon your death; and *SECONDARY BENEFICIARIES* -- those who will inherit your property in the event the primary beneficiaries die before you. You may even want to select a third-level beneficiary in the event that both the primary and secondary beneficiaries die before you.

7. **Q. MAY A PERSON DISPOSE OF HIS PROPERTY IN ANY WAY?**

A. Almost, but not quite. For example, in some states, a married person cannot completely exclude a spouse. Generally, you are free to give your property to whomever you desire. However, most states have laws which entitle spouses to at least part of the other spouse's estate. This *statutory share* ranges generally from 1/3 to 1/2 of the other spouse's estate. Some states, such as Louisiana, also provide shares of the estate to children of the decedent. Insurance proceeds and jointly-owned property may be controlled by other provisions of the law. If you have questions concerning the statutory share law in your home state, you should ask a legal assistance attorney.

8. **Q. SHOULD I NAME A GUARDIAN FOR MY CHILDREN IN MY WILL?**

A. Yes. A guardian should be named in a will to ensure that the children and their estates are cared for in the event that both parents should die. Your guardian should be chosen with extreme care, as this person will be charged with the duty of raising your children and managing their legal affairs. Do not automatically assume that your parents or any other relative will be a suitable guardian. Such factors as the age of the guardian, age of the children, religion, social status, economics, and relation of the proposed guardian to the children, if any, should be considered in making your decision. Additionally, a substitute guardian should be chosen with the same care as the primary guardian just in case the primary guardian cannot serve in that capacity.

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9. **Q. I WANT MY PARENTS TO BE THE SECONDARY GUARDIANS OF OUR CHILDREN AND MY SPOUSE DISAGREES. DO WE HAVE TO AGREE ON THE APPOINTMENT OF A SECONDARY GUARDIAN?**

A. It depends. The guardianship provision is normally effective when both parents die at or about the same time. As an example, if the husband's will nominates his parents and the wife's nominates her parents and both husband and wife die at or about the same time, then *the court* will have to decide who is the proper party to be the children's guardian. That will cause undue hardship on all parties concerned as well as considerable unnecessary expense -- a large part of which your estate will have to pay. On the other hand, if the parties dies several years apart from one another, the guardianship clause in the second will to be probated is the only one that would be effective, so there would really be no conflict between the two wills if different secondary guardians were chosen by the husband and wife.

10. **Q. WHAT IS AN EXECUTOR?**

A. An executor is the person who will manage and settle your estate according to the will. You should also consider naming a substitute executor in the event that the named executor is unable or unwilling to act as the executor of your estate. By the wording of your will, you can require that your executor or substitute executor be required to post bond or other security, or you can waive this requirement, thereby saving expense to your estate. The choice is yours.

11. **Q. WHAT IF I WANT TO SET UP A TRUST?**

A. The resources are available in Legal Assistance Offices to permit the drafting of simple trust agreements. Consult with your legal assistance attorney for further details.

12. **Q. HOW LONG IS A WILL VALID?**

A. A properly drawn and executed will remains valid until it is changed or revoked. However, changes in circumstances after a will has been made, such as tax laws, marriage, birth of children or even a substantial change in the nature or amount of a person's estate, can affect whether your will is still adequate or whether your property will still pass in the manner you chose. All changes in circumstances require a careful analysis and reconsideration of the provisions of a will and may make it wise to change the will with the help of your legal assistance attorney.

13. **Q. DOES A WILL INCREASE PROBATE EXPENSE?**

A. No. It usually costs less to administer an estate when a person leaves a will than when there is no will. A properly drafted will may reduce the expense of administration in a number of ways. Provisions can be placed in wills which take full advantage of the federal and state tax laws. Drawing a will can avoid the expense of posting bond or appointing a guardian for your children. A will can save money for you and your family if it is properly drafted.

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14. **Q. HOW LARGE AN ESTATE IS NECESSARY TO JUSTIFY A WILL?**

A. Everyone who owns any real or personal property should have a will regardless of the present amount of his estate. Your estate grows daily in value through the repayment of mortgages, appreciation of real estate, stocks and other securities, inheritances from relatives and other factors.

15. **Q. WHAT HAPPENS WHEN YOU DON'T MAKE A WILL?**

A. When a person dies without a will (or dies *intestate*, as the law calls it), the property of the deceased is distributed according to a formula fixed by law. In other words, if you don't make a will, you don't have any say as to how your property will be divided. Take the case of a North Carolina resident dying without a will. If this person dies leaving children, the surviving spouse would share the estate with the children. With no will, the surviving spouse receives the first $30,000 of personal property and half of the remaining estate when there is only one child; if there were two or more children, then the widow or widower would get 1/3 of the remainder and the children 2/3 of same. Now usually a person would prefer that all of his estate, if it is not large, go to the surviving spouse. If there are any children under 18, the property cannot be delivered to them and a guardian must be appointed for them. A guardian will require considerable expense and could create legal problems that might have been avoided with a will. Most important for mothers and fathers, however, is not the disposition of their property after their death but rather the proper care and custody of their minor children. Grandparents, other family members and godparents do not automatically receive custody of children who do not have a surviving parent. Your will should specify the individual, as well as an alternate, you would like to designate as the guardian of your children. This decision on your part will be of great assistance to the court in determining who will receive the custody of your children.

16. **Q. WHAT HAPPENS TO PROPERTY HELD IN THE NAMES OF BOTH HUSBAND AND WIFE AS JOINT TENANTS WITH THE RIGHTS OF SURVIVORSHIP?**

A. Joint bank accounts and real property held in the names of both husband and wife with right of survivorship usually pass to the survivor by law and not by the terms of the deceased's will. There are many cases, however, in which it is not to your advantage to hold property in this manner.

17. **Q. IS A LIFE INSURANCE PROGRAM A SUBSTITUTE FOR A WILL?**

A. No. Life insurance is only one kind of property which a person may own. If a life insurance policy is payable to an individual, the will of the insured has no effect on the proceeds. If the policy is payable to the estate of the insured, the payment of the proceeds may be directed by a will. The careful person will have a lawyer and life insurance counselor work together on a life insurance program, as one important aspect of estate planning.

18. **Q. WHAT IF I STILL HAVE QUESTIONS REGARDING MY WILL?**

A. Ask them while your legal assistance attorney is preparing your will. Be sure that you convey accurately your wishes for the distribution of your property.