



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

MCO 7220.56
MPO-40
NOV 21 2006

MARINE CORPS ORDER 7220.56

From: Commandant of the Marine Corps
To: Distribution List

Subj: ENTITLEMENT TO BASIC ALLOWANCE FOR HOUSING (BAH) AT
LOCATIONS OTHER THAN PERMANENT DUTY STATION (PDS)

Ref: (a) Joint Federal Travel Regulations, Volume 1, Uniform
Service Members
(b) MCO 6320.2D

1. Situation. The authority, delegated from the Secretary of the Navy, to the Marine Corps to provide policy and instructions for the administration of the entitlement to BAH at locations other than the PDS is set forth in this Order. BAH is established in law and is regulated per reference (a). BAH varies based on pay grade, dependency status, and geographic location. Reference (a) further defines the geographic location as the member's PDS or the homeport of a member assigned to a ship or afloat unit. Reference (a) establishes other exceptions that do not require Secretarial approvals (e.g., par. U10402-B2 for Unaccompanied Tours, par. U10410 for Early Return of Dependents, par. U10404 for Acquired dependents, par. U10406 for deferred travel).

a. This Order provides the policy guidance for the submission of waiver requests to receive BAH at a location other than the PDS. Deputy Commandant for Manpower and Reserve Affairs (DC, M&RA), Manpower Management Integration and Administration (MMIA) is the secretarial authority for BAH and as such is the only agency authorized to approve waiver requests.

b. This Order provides guidance on the types of housing allowance waivers that are authorized and sets the policy that governs BAH waiver requests. Reference (a) establishes the general provisions for the BAH entitlement and sets the policy for the payment of BAH.

2. Mission. To publish policy that establishes the criteria for entitlement to BAH at locations other than the Marines PDS.

DISTRIBUTION STATEMENT A: Approved for public release;
distribution is unlimited.

3. Execution

a. BAH

(1) BAH is payable to Marines on active duty and varies according to the grade in which serving or appointed for basic pay purposes, dependency status, and the PDS assigned except as stated in reference (a).

(2) Guidelines, definitions for determining dependency status, and government quarters assigned or occupied are established in reference (a).

(3) Circumstances specifically precluded from consideration in a determination to pay BAH based on dependent location are:

(a) Continuity in dependent's education.

(b) Financial burden of relocating dependents including selling a dwelling.

(c) Waiting list for government housing.

(d) Dependent employment and/or daily commute time.

(e) Desire to retire at the prior PDS or return there on next assignment.

(f) Permanent Change of Station (PCS) funds conserved by not relocating dependents.

(4) Although BAH is generally based on one's PDS, it may be necessary for dependents to reside in a Military Housing Area (MHA) other than the one in which the PDS is located. The Marine Corps may determine that BAH based on other than the PDS is warranted in the following circumstances:

(a) Overseas Tours (Accompanied).

(b) Proximity Orders.

(c) Critical Housing Areas (CHA).

(d) PCS orders for Professional Military Education(PME)/training (12 or fewer months).

(e) Hospitalization for extended periods of time.

b. Overseas Tours (Accompanied)

(1) BAH is paid at the dependent location without requesting secretarial approval when a Marine is assigned to an unaccompanied tour. The administrative center may only approve BAH for dependent location for Marines with dependents that receive unaccompanied orders overseas or while assigned to a dependent restricted tour overseas. In order to pay BAH based on a location other than the previous PDS, dependents must have been relocated at government expense to the alternate location. The Marine is not authorized to retain the previously approved BAH rate when returned to the United States (US) for follow-on assignment.

(2) Marines with dependents on accompanied tours overseas are authorized an Overseas Housing Allowance (OHA) when government family type quarters are not assigned. Marines on unaccompanied tours are eligible for Family Separation Housing (FSH) when single type government quarters are not assigned. Regulations that pertain to the authorization of OHA/FSH are contained in Chapter 10, Part E: Assignment Situations, of reference (a).

(3) A Marine is authorized BAH paid at the previous PDS rate or a previously authorized designated location, when the delay of dependents' travel to the new OCONUS PDS is authorized by DC, M&RA (MMIA). BAH eligibility ceases upon date of arrival to oversea's duty station or when the delay of dependent travel period has expired. The Marine is eligible to receive an OHA for the OCONUS PDS when the delay of dependent travel period has ended. OHA is not payable to the Marine, if the Marine does not have any authorized OHA expenses. Marines in this situation essentially do not receive any housing allowance. Marines are directed to contact DC, M&RA (MM) for order modifications if it is necessary to change the assigned tour from accompanied to unaccompanied.

c. Proximity Orders

(1) A proximity order is issued to a Marine when transferring to a permanent duty station within proximity of the current duty station where shipment of household goods at government expense is not authorized. These orders are considered unfunded orders. For example, assignments between Marine Corps Base (MCB) Quantico and the Pentagon, Camp Lejeune and Cherry Point, or Camp Pendleton and Miramar are considered proximity orders and shipment of household goods at government expense is not authorized. In cases where a Marine is stationed in a high BAH MHA and receives a proximity order to a lower BAH MHA, when shipment of household goods at government expense is not authorized, may submit a waiver request to retain the previous station rate to DC, M&RA (MMIA) for consideration. For example, if a Marine is assigned to the Pentagon which is in the Arlington, VA MHA and receives a proximity order to MCB Quantico, in the Quantico, VA MHA, the Marine is eligible to receive the higher Arlington, VA, rate of BAH when approved by DC, M&RA (MMIA).

(2) Low-High-Low PCS. A Low-High-Low PCS is defined as transferring from a PDS that has a lower BAH rate based on the Marine's paygrade and dependency status, to a PDS within proximity where the BAH rate is higher and then subsequently reassigned back to the duty station in the lower BAH payable MHA. A Marine, who is issued a proximity order between duty stations within proximity of each other, is subject to the Low-High-Low situation. For example, a Marine receives a PCS order to an original PDS of MCB Quantico, in the Quantico MHA, then three years later is reassigned by a proximity order (relocation of household goods is not authorized) to the Pentagon which is in the Washington, DC MHA. After completion of the Marine's tour at the Pentagon, the Marine is reassigned back to MCB Quantico. Because the reassignment resulted in a return to the original PDS to which shipment of household goods was originally authorized, the Marine's BAH would revert back to the Quantico MHA BAH rate and the Marine would not be authorized to retain the higher Washington DC MHA BAH rate. Below are the rates payable while transferring between Low-High-Low duty stations:

MCB Quantico = Quantico BAH rate.
Pentagon = DC BAH rate.
MCB Quantico = Quantico BAH rate.

A Marine is not authorized to retain the higher BAH rate when

the Marine relocates household goods at personal expense to the higher BAH MHA in a Low-High-Low situation. For example, the Marine is only authorized the Quantico BAH rate if the Marine returns to the initial duty station that authorized shipment of household goods. Shipment of household goods at personal expense from the Quantico MHA to the Washington DC MHA does not authorize the Marine to retain the higher Washington DC rate when reassigned back to Quantico.

d. Critical Housing Area (CHA)

(1) CHA designation is afforded to areas in which both military and private family housing is in short supply. Relocation of dependents may be delayed because of a critical housing shortage. A request to receive BAH at the previous PDS rate may be submitted to DC, M&RA (MMIA) for consideration.

(2) The Marine's CHA waiver request must include the command's endorsement and a letter from the military housing office stating that the Marine has requested housing and that housing is not available (include the estimated wait time).

(3) The approved BAH rate may be paid up to 60 days after the termination of CHA designation. The Marine continues to receive the approved BAH rate when in receipt of a PCS order that includes a planned rotation date of less than 12 months from the date of termination of CHA designation. For example, a Marine is stationed at a duty station within a CHA. CHA designation terminates in January. The Marine is in receipt of a PCS order that transfers the Marine from the CHA MHA in June of the same year. The Marine is authorized to continue to receive the previously approved rate of BAH until he reports to the next permanent duty station without requesting an extension via DC, M&RA (MMIA).

(4) The rate of BAH that is paid defaults to the locality rate for the Marine's current PDS when dependents relocate to the CHA PDS at government expense. For example, a Marine receives PCS orders to a PDS within a CHA. The Marine elects to move dependents to the current PDS. BAH will be paid at the current PDS rate once the dependents arrive at the CHA PDS.

e. PCS Order for Professional Military Education (PME)/Training (12 or fewer months)

(1) A Marine may elect to leave dependents in place rather than relocate them when a PCS assignment of 12 or fewer months is assigned for purposes of participating in PME or training. The Marine may be eligible for BAH paid at the dependent location if the dependents do not relocate to the PME or training location.

(2) A PME BAH waiver request may be submitted by the Marine to retain the previous PDS BAH rate (or previously approved dependent location BAH rate) in lieu of the BAH rate for the new PDS, i.e., school location. To qualify for a waiver, a Marine must have been receiving a rate of BAH based on the dependent's location while assigned to the previous duty station. This waiver is only available to a Marine in receipt of PCS orders from a United States (US) location to another US location.

(a) A Marine is not eligible for this waiver when the initial order contains multiple PME and/or training courses that when combined are greater than 12 months.

(b) A Marine issued an order for follow-on PME or training during an existing PME/training waiver period, when combined exceeds 12 months, must request an extension of the waiver via DC M&RA (MMIA). For example, a Marine assigned to Command and Staff College. The Marine requests a waiver and receives approval to retain BAH at the previous duty station. During the course of instruction, the Marine receives orders to the School of Advanced Warfighting. The Marine is eligible to receive an extension of the BAH waiver; however, the Marine must submit a request to DC M&RA (MMIA) for consideration.

(c) A Marine is not eligible for a waiver if the family resides in government quarters at either the school location or the previous permanent duty location. For BAH purposes, public private venture quarters are not considered government quarters.

(d) An active duty Marine with dependents participating in the Marine Enlisted Commissioning Education Program (MECEP), upon receipt of commission and follow on

assignment for training at The Basic School (TBS) in Quantico, VA, may submit a request for a PME/training waiver to DC, M&RA (MMIA) to retain BAH at the school location rate. For example, an active duty Marine who completes MECEP and receives PCS orders to TBS for initial training as a second lieutenant, may request to retain the previously authorized rate of BAH while in training at TBS.

(e) Upon reporting to the school or training command, the Marine must submit the PME/training waiver request to DC, M&RA (MMIA) via the chain of command. The waiver must include:

1. A copy of the PCS order from the previous duty station (PCS assignment prior to those sending the Marine to school).

2. A copy of the PCS order to the school PDS location.

3. A memo signed by the Marine requesting the BAH waiver. The memo must include the following statement:

"I, (Rank, First and Last Name, Last four of SSN), request a PME and training BAH waiver to receive BAH at the with-dependent rate based on my previous duty station or previously approved dependent's location (note: one is not authorized to receive this waiver if, in fact, BAH is not currently received). I understand that should I move my family at government expense, the BAH rate must be adjusted to reflect that of my school PDS."

f. Hospitalization for Extended Periods of Time

(1) When a Marine is transferred by service record book to a Military Treatment Facility (MTF) for an extended period of time for treatment of injury or illness, the Marine or the designated representative may request a BAH waiver for the previous duty station.

(2) To qualify for this waiver, A Marine must have been in receipt of BAH at the with-dependent rate while assigned to the previous duty station assignment prior to hospitalization.

(3) A Marine is not eligible for a waiver if the family

resides in government quarters. For BAH purposes, public private venture quarters are not considered government quarters.

(4) Upon reporting to the MTF or the associated Marine Corps activity, the gaining unit must liaison with the hospitalized Marine or the designee and per the Marine's or designee's request, submit a BAH waiver request based on hospitalization, to DC, M&RA (MMIA) via the chain of command. The waiver requests must include:

(a) A copy of the PCS order to the MTF PDS location or Naval Message directing the transfer.

(b) A memo signed by the Marine, next of kin or designated power of attorney representative requesting a BAH waiver in this situation. Include the statement:

"I, (Rank, First and Last Name, Last four of SSN), request a Hospitalization BAH waiver to receive BAH at the with-dependent rate based on my previous duty station or previously approved dependent's location (note: one is not authorized to receive this waiver if, in fact, BAH is not currently received). I understand that should I move my family at government expense, the BAH rate must be adjusted to reflect that of my current duty station or hospitalized location."

4. Administration and Logistics

a. Commands may mail BAH waiver requests to: DC, M&RA (MMIA), 3280 Russell Road, Quantico, VA 22134-5143. Alternate means of transmittal to DC, M&RA (MMIA) are Naval Message, Fax 703-784-9838 (DSN 312-278-9838) or electronically (scan signed and dated correspondence). Upon approval/disapproval, DC, M&RA (MMIA) will either respond via Naval Message, Fax, or send a signed copy electronically to the point of contact listed on the command's request.

b. A Marine in a hospitalized status may refer to reference (b), Administration and Processing of Hospitalized Marines for contact information on which Marine Corps activity supports the hospital that the Marine is assigned to for treatment.

MCO 7220.56
NOV 21 2006

c. Guidance on disposition of the allowance for BAH not covered in this Order should be requested from DC, M&RA (MPO-40).

d. Recommendations concerning the contents of this Order are invited. Submit recommendations to DC, M&RA (MPO-40) via the appropriate chain of command.

5. Command and Signal

a. Command. This Order is effective the date signed. This Order is applicable to the Marine Corps Total Force.

b. Signal. Ensure widest dissemination of the contents of this Order.



R. S. COLEMAN
Deputy Commandant for
Manpower and Reserve Affairs

DISTRIBUTION: PCN 10209914100

Copy to: 7000110 (55)
700099, 144/8145001 (1)