DoD 7000.14 - R

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

VOLUME 7A: "MILITARY PAY POLICY - ACTIVE DUTY AND RESERVE PAY"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

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VOLUME 7A, CHAPTER 1: "BASIC PAY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2021 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
4.2.4.2. Table 1-13, Rule 10 Table 1-15, Rule 8 Table 1-15 Rule 9	Stigmatizing language was modified in accordance with the Deputy Secretary of Defense Memo, dated November 7, 2022, and Defense Finance and Accounting Service Office of General Counsel Memo, dated March 11, 2024.	Revision
Table 1-7; Table 1-8; Table 1-9; Table 1-10	Updated with the 2024 Basic Pay rates.	Revision
Table 1-7A; Table 1-8A; Table 1-9A; Table 1-10A	January 2025: Added the January 1, 2025 Basic Pay rates in accordance with Executive Order 14132 dated December 23, 2024.	Addition
Table 1-10B	January 25, 2025: Added the April 1, 2025 Basic Pay rates in accordance with Public Law 118-159, section 601, dated December 23, 2024.	Addition
References	Updated to reflect current statutes.	Revision

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CHAPTER 1

BASIC PAY

1.0 GENERAL

1.1 Purpose

This chapter prescribes the criteria for determining creditable service for military members; provides examples for computing valid creditable service; states periods of service that are not creditable for pay purposes; cites conditions for the payment of military pay entitlements; explains the computation of leave and conditions for leave accrual; and provides for situations where enlistments are not valid. Tables 1-1 through 1-15, outlining various conditions in which military pay is payable for all grades of military personnel, are at the end of this chapter. See Chapter 26 for entitlement to Basic Allowance for Housing (BAH), and Chapter 25, Table 25-1 or the ***Basic Allowance for Subsistence (BAS)*** table for payments.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 CREDITABLE SERVICE

2.1 Service Which is Creditable

2.1.1. General

2.1.1.1. The several military pay and personnel systems use a variety of dates to determine various entitlements. Among them is the date that denotes how much service a member has for the purpose of determining longevity pay rates. The Army refers to this as the "pay entry basic date," the Navy and Marine Corps refer to this as the "pay entry base date," while the Air Force calls it the "pay date." This chapter will refer to this data element as the "basic pay date," which is defined as reflecting all service that is creditable towards longevity.

2.1.1.2. The member's servicing personnel office is responsible for providing, when necessary, a statement of service that can include the basic pay date, total active federal military service date, total commissioned federal military service date, and a variety of other dates, depending on the nature of the individual member's service. This Regulation details only the computation of the basic pay date, since Military Service personnel regulations control the computation of all other dates.

2.1.2. Computation of Creditable Service. For most members who enter and serve on active duty without a break in service, the basic pay date is the date the member enters active or inactive service. If, however, there is a break in service, the time between periods of service usually is not included. Also, there are statutory periods when service in a particular component may not be counted. Conversely, there are periods for which some members are given constructive service, even though they were not actually serving on active or inactive duty. Use subparagraphs 2.1.3 through 2.1.5 to compute the basic pay date when there has been a break in service of any kind or if there is a need to include constructive service.

2.1.3. Creditable Service Periods. Include active or inactive service in any of the following components without restriction:

2.1.3.1. Regular service in the Army, Air Force, Navy, Coast Guard, and Marine Corps;

2.1.3.2. Army, Naval, Marine Corps, Air Force, and Coast Guard Reserve;

2.1.3.3. Army of the United States (service without specification of a component);

2.1.3.4. Army National Guard;

2.1.3.5. Army National Guard of the United States;

2.1.3.6. National Guard;

2.1.3.7. National Guard of the United States;

2.1.3.8. Air Force of the United States (service without specification of a component);

2.1.3.9. Air National Guard;

2.1.3.10. Air National Guard of the United States;

2.1.3.11. Nurse Corps and Nurse Corps Reserve of the Public Health Service; or

2.1.3.12. Public Health Service and Reserve Corps of the Public Health Service.

2.1.4. Other Creditable Service (with restrictions noted in this subparagraph and in subparagraph 2.2.1). Include the following periods of service:

2.1.4.1. Officer, deck officer, or junior engineer service in the National Oceanic and Atmospheric Administration, including similar periods of service in the former Corps of the Environmental Science Services Administration and the U.S. Coast and Geodetic Survey;

2.1.4.2. Service on a Military Service retired list, temporary disability retired list, or honorary retired list of any Uniformed Service or service as a member of the Fleet Reserve or Fleet Marine Corps Reserve;

2.1.4.3. Any period of service during which a member is entitled to retired, retirement, or retainer pay from any Uniformed Service;

2.1.4.4. Service as a cadet or midshipman at a military academy is always creditable service for an enlisted member who is not commissioned. For a prior service member, he/she reverts back to his/her enlisted status to complete their enlistment contract. See Table 1-1 to determine whether such service is creditable for commissioned and warrant officers;

2.1.4.5. Credit the time when an enlisted member is retained after the expiration of term of service of an Armed Force for medical care or hospitalization for disease or injury incident to service. Do not credit such periods of service if the underlying medical condition requiring medical care or hospitalization was due to the member's misconduct;

2.1.4.6. Service otherwise creditable that is performed before a member reaches the statutory age for enlistment, unless the enlistment contract was voided or invalidated for fraud;

2.1.4.7. Active service performed as a temporary member of the U.S. Coast Guard Reserve;

2.1.4.8. Service terminated by desertion or dishonorable discharge unless the enlistment was fraudulent and was voided for that reason;

2.1.4.9. Periods of service when a member is detailed to and receiving pay and allowances from any other agency of the United States, even though accruing military pay, and allowances is suspended;

2.1.4.10. Service as a member of the Army, Navy, or Air Force Reserve Officers' Training Corps (ROTC), provided the member has concurrent Selected Reserve (drilling status) for duty performed on or after August 1, 1979. Also, see subparagraph 2.1.4.14;

2.1.4.11. Service as an officer, Army field clerk, flight officer, aviation midshipman, or enlisted member of a uniformed service;

2.1.4.12. Service as an enlisted member in a Reserve Component, including Ready Reserve service (inactive and active) under the Delayed Entry (Enlistment) Program (DEP), before beginning active duty or an initial period of Active Duty Training (ADT), provided the Reserve enlistment was entered into before January 1, 1985. As of January 1, 1985, the following restrictions went into effect as and when stated:

2.1.4.12.1. For enlistments in a Reserve Component under ***Title 10, U.S.C., section 12103***(b) or (d), including enlistments under a DEP, that were entered

into between January 1, 1985, and November 28, 1989, the period served in the Reserve Component before beginning active duty or an initial period of ADT is not creditable; or

2.1.4.12.2. For enlistments entered into on or after November 29, 1989:

2.1.4.12.2.1. A period of enlisted service in a Reserve Component under 10 U.S.C. § 12103(b) or (d), including inactive service under a DEP, is creditable service only if the member performs Inactive Duty Training (IDT) before beginning active duty or an initial period of ADT; or

2.1.4.12.2.2. Service performed as an enlisted member in a Reserve Component under ***10 U.S.C. § 513***, other than a period of active duty, is not creditable service; or

2.1.4.13. Any period of service which was creditable under any federal statute in effect on January 10, 1962.

2.1.4.14. Prior provisions of law excluded the Simultaneous Membership Program from creditable service for commissioned officers, effective October 13, 1964. Title ***10 U.S.C. § 2106*** amended these provisions to provide service credit retroactive to August 1, 1979. These amendments resulted in no increase in pay, retired pay, or retainer pay before the date of enactment, September 23, 1996. Service in the program for enlisted members who retain that status remains creditable under all provisions.

2.1.5. Constructive Service

2.1.5.1. Some medical and dental officers are entitled to extra credit for longevity purposes to reflect the time spent in medical or dental school. Medical and dental officers must meet one or more of the following criteria to be entitled to the constructive credit.

2.1.5.1.1. On or before September 15, 1981, the officer already had the constructive service credit, then the credit is not lost if there is a break in service either before or after that date. This criterion is applicable to Public Health Service officers.

2.1.5.1.2. On or before September 14, 1981, the individual was enrolled in either the Armed Forces Health Professions Scholarship Program (AFHPSP) or in the Doctor of Medicine (DOM) program at the Uniformed Services University of Health Sciences (USUHS), completed that program, and was appointed as a medical or dental officer.

2.1.5.1.3. On or before September 14, 1981, the individual was participating in a program that credited years of service and led to an appointment as an officer in the Army, Navy, Air Force, or Marine Corps.

2.1.5.2. Medical and dental officers, who meet the criteria in subparagraph 2.1.5.1, are entitled to 4 years of constructive service credit. Also, those medical officers who have completed a medical internship or its equivalent, or who entered military status while serving such an internship, are entitled to a fifth year of constructive service credit.

2.1.5.3. Where a member is entitled to service credit for a period covered by the constructive credit, reduce the constructive service credit by an amount equal to the actual service credit.

Example 1: An individual completed dental school on June 11, 1977, and accepted a commission as a dental officer on August 3, 1977. The member was credited with 4 years of constructive service and a basic pay date of August 3, 1973.

Example 2: An individual completed a medical internship on June 30, 1979, and accepted a commission as a medical officer on August 11, 1979. The member was credited with 5 years of constructive service and a basic pay date of August 11, 1974.

Example 3: An individual entered medical school in 1970 and accepted a commission on January 12, 1972. He graduated from medical school on June 10, 1974, and completed a civilian residency during the period from July 1, 1974, through June 30, 1975. Compute basic pay date as follows:

First, compute dual status period, which is the period of time between the date of commission and date of graduation:

	YR	MO	DAY
Graduated:	74	06	10
Commission Date:	72	01	12
Dual Status Period:	02	04	28+1 (inclusive day)

Then, compute constructive service credit, which is the 4 years constructive credit less the time already credited as commissioned service:

Maximum Constructive Service Credit:	03	11	30 (4 years)
Less Dual Status Time:	02	04	29
Constructive Credit:	01	07	01

The member's basic pay date was 1 year, 7 months, and 1 day before his commission date of January 12, 1972, or June 11, 1970.

Example 4: The scenario is the same as in the previous subparagraph, except the member accepted a commission on July 12, 1974, after starting the internship. The member was entitled to 5 years of constructive service credit instead of 4 years:

	YR	MO	DAY
Date Finished Internship:	75	06	30
Commission Date:	74	07	12
Dual Status Period:	00	11	18+1 (inclusive day)

Maximum Constructive Service Credit:	04	11	30 (5 years)
Less Dual Status Time:	00	11	19
Constructive Credit:	04	00	11

The member's basic pay date was 4 years, no months, and 11 days before his commission date, or July 1, 1970.

Example 5: An officer commissioned on November 19, 1962, entered dental school on September 9, 1970, and graduated on May 28, 1974. To compute constructive service credit:

First, compute dual status:

	YR	MO	DAY
Graduated:	74	05	28
Started School:	70	09	09
Dual Service:	03	08	19+1 (inclusive day)

Then, deduct the dual service from the 4-year constructive credit period to arrive at net constructive service credit:

	YR	MO	DAY
Maximum Constructive Service Credit:	03	11	30 (4 years)
Less Dual Service:	03	08	20
Constructive Credit:	00	03	10

Change the member's basic pay date to 3 months and 10 days before the previous one (November 19, 1962) to August 10, 1962.

2.2 Service Not Creditable

2.2.1. General. Do not use any service that is not listed as creditable service to compute a basic pay date. The following list includes a few types of service that are not creditable:

2.2.1.1. The time served in an enlistment that is terminated, voided, or invalidated as fraudulent;

2.2.1.2. The time served as a commissioned officer in the Philippine Army;

2.2.1.3. The period of time a member was on the Emergency Officers' Retired List;

2.2.1.4. The time an individual was a member of a state, home, or territorial guard;

2.2.1.5. The time an individual was a member of the inactive National Guard. This does not apply to an individual who was a member of the National Guard Reserve and the National Guard of the United States. Time during which the individual had dual status, enlisted or commissioned, in the inactive National Guard and the National Guard of the United States is creditable;

2.2.1.6. The time, subsequent to September 14, 1981, a member serves while enrolled in the AFHPSP and Financial Assistance Program (FAP), or while a DOM student at the USUHS. Use any service creditable on the date of the officer's entry into DOM USUHS to compute the officer's basic pay for longevity purposes while a USUHS student, not to exceed the maximum rate of O-1 pay (Table 1-7) or O-1E pay (Table 1-8), as applicable, or the rate of pay of the member's former pay grade, if greater, as outlined in subparagraph 3.3.1. For the most current pay rates, see the ***Military Basic Pay*** tables on DFAS.MIL;

2.2.1.7. The time served in a Reserve Component before beginning active duty or an initial period of ADT for enlistment in a Reserve Component under 10 U.S.C. § 12103(b) or (d) that was entered into between January 1, 1985, and November 28, 1989;

2.2.1.8. For enlistments entered into on or after November 29, 1989:

2.2.1.8.1. A period of enlisted service in a Reserve Component under 10 U.S.C. § 12103(b) or (d), including inactive service under a DEP, if the member does not perform IDT before beginning active duty or an initial period of ADT; or

2.2.1.8.2. Service performed as an enlisted member in a Reserve Component under 10 U.S.C. § 513, other than a period of active duty; or

2.2.1.9. For an officer, the time served while attending a military service academy including the U.S. Merchant Marine Academy.

NOTE: The midshipmen attending the U.S. Merchant Marine Academy sign contracts to join the enlisted Navy Reserve on the day they enter the Academy. Students who attend one of the six state Merchant Marine college programs and who receive a Naval ROTC scholarship are treated the same as any Naval ROTC cadet or midshipmen. Students who attend one of the six state Merchant Marine college programs and who join the Navy after graduation from one of the programs are treated as any other member who joins the Navy.

2.2.2. Effect of Lost Time Absence From Duty on Creditable Service

2.2.2.1. Prior to February 11, 1996, a commissioned or warrant officer was entitled to credit for every day in a commissioned or warrant status, without regard to an absence of any kind, whether authorized or unauthorized, and including confinement prior to and during trial. In addition, absence during which a member was serving on active duty as an enlisted member was creditable if the enlisted member also held a commission as a Reserve officer. After February 10, 1996, a commissioned or warrant officer may not count the following periods of absence for any purpose other than that of computing length of service for basic pay:

2.2.2.1.1. Desertion;

2.2.2.1.2. Absence from organization, station, or duty for more than 1 day without proper authority, as determined by proper authority;

2.2.2.1.3. Confinement by military or civilian authorities for more than 1 day in connection with a trial, whether before, during, or after the trial; or

2.2.2.1.4. The officer's inability for more than 1 day, as determined by competent authority, to perform assigned duties because of the officer's intemperate use of drugs or alcoholic liquor, or because of disease or injury resulting from the officer's misconduct.

2.2.2.2. See Table 1-2 to determine the creditability for absence while in an enlisted status.

2.3 Active Enlisted and/or Warrant Officer Service for Members in Basic Pay Grades O-1E, O-2E, or O-3E

2.3.1. Service Counted

2.3.1.1. General. Commissioned officers with over 4 years of prior active service as an enlisted member, warrant officer, or combined service in both grades are entitled to count such service for purposes of computing basic pay for longevity purposes. Such prior service includes all active service, in either the Regular or Reserve Component or both (i.e., ADT in enlisted or warrant officer status, annual Reserve training duty, and full-time National Guard duty). Service on active duty or ADT and IDT for at least 4 years and 1 day satisfies the over 4 years of service requirement under this section.

2.3.1.2. Creditable Prior Enlisted Service. Commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of prior active service as an enlisted member are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

2.3.1.3. Creditable Prior Warrant Officer Service. Commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of prior active service as a warrant officer are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

2.3.1.4. Creditable Combined Prior Service. Effective October 1, 1993, commissioned officers in pay grades O-1, O-2, or O-3 who are credited with over 4 years (i.e., at least 4 years and 1 day) of combined prior active service as an enlisted member and warrant officer are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

2.3.1.5. Creditable Service for Certain Reserve Commissioned Officers. Effective January 1, 2002, commissioned officers in pay grades O-1, O-2, and O-3 who are paid from funds appropriated for Reserve personnel and credited with 1,460 points for retirement computed under

10 U.S.C. § 12732(a)(2) for service as a warrant officer and/or enlisted member, which requires a minimum of 50 points annually, are entitled to the special rate of basic pay for pay grade O-1E, O-2E, or O-3E.

2.3.1.6. Creditable Service for Certain Commissioned Officers. Effective November 24, 2003, the restriction that members must be paid from reserve appropriated funds to qualify for the special rate of basic pay for pay grades O-1E, O-2E, and O-3E based upon creditable service points is eliminated. Therefore, effective that date, commissioned officers in pay grades O-1 through O-3 with more than 1,460 points computed under 10 U.S.C. § 12732(a)(2) for service as a warrant officer and/or an enlisted member, which requires a minimum of 50 points annually, are entitled to the special rate of pay.

2.3.1.7. Leap Year. Reserve Component members who perform duty during a leap year earn a point for the extra day of duty in the month of February under 10 U.S.C. § 12732(a)(2). A leap year represents 1 year of service for basic pay purposes. Thus, the extra point does not qualify the member for having earned the equivalent of over 4 years of active service, and the member would not be eligible for the O-1E, O-2E, or O-3E rate of basic pay. The member would have to serve more than 4 years of active service to qualify for the special rate of basic pay.

2.3.1.8. Creditable Service While Graduate Students at USUHS. The Secretary of Defense will establish such selection procedures, service obligations, and other requirements as the Secretary considers appropriate for graduate students (other than DOM students) in a postdoctoral, postgraduate, or technological institute established pursuant to ***10 U.S.C. § 2113***(e). The subparagraph 2.2.1.8 does not apply to graduate students.

2.3.2. Service Not Counted. In computing active service, do not count:

2.3.2.1. Active service in a dual status (temporary officer/permanent enlisted) in the Navy or Marine Corps;

2.3.2.2. Service as a National Guard technician; or

2.3.2.3. Except for periods of active duty service performed while a USUHS DOM student, time served as a DOM student at USUHS. See subparagraph 2.2.1.8 and applicable notes to Tables 1-7, 1-8, and the Basic Pay tables on DFAS.MIL.

2.4 Computation of Creditable Service

2.4.1. Computing a Basic Pay Date

2.4.1.1. All basic pay date computations start from the date of the member's most recent entry on duty without a break in service. Use the following dates:

2.4.1.1.1. For enlisted members, the date of enlistment, but see subparagraph 2.1.4.12 for service under a DEP;

2.4.1.1.2. For officers, the date of acceptance of a commission. The date of acceptance for officers graduating from a Military Service academy is the date of graduation; or

2.4.1.1.3. For officers entitled to count service as an acting assistant surgeon, intern, or hospital steward in the Public Health Service or the Public Health Marine Hospital Service, the date of acceptance of the appointment. Do not count service performed before that date.

2.4.1.2. After determining initial basic pay date, compute creditable service for all service prior to that date. Use the following to compute basic pay date. If the member had any periods of service during which there was lost time, do not use those periods here. Instead, compute according to subparagraph 2.4.1.3.

2.4.1.2.1. List beginning dates of service for each separate period of service, without changing any of them, and add them together.

2.4.1.2.2. List all ending dates. If the day is the 31st day of the month, change it to 30. If the day is February 28 in a non-leap year, change it to February 30 for computation purposes. If the day is February 29, change it to February 30 for computation purposes. Do not change February 28 of a leap year to February 30. Add all ending dates together.

2.4.1.2.3. Subtract the beginning day result from the ending day result.

2.4.1.2.4. For each non-continuous period of service, add 1 day to account for inclusive days. Explanation: Any period of service is at least one day. If, for example, the member had one day of service on January 17, 2016, the computation would look like this:

Example:	YR	MO	DAY
Ending Day:	16	01	17
Less Beginning Day:	16	01	17
	00	00	00

It is necessary to add 1 day for inclusive days to avoid this erroneous answer.

2.4.1.2.5. Convert to full years, months, and days. The result is years of service creditable for pay purposes.

Example: Member served as follows:

	From:	To:
Active Duty Army (Enlisted)	Jan 1, 93	Feb 29, 96
Army National Guard (Commissioned)	Jun 1, 96	May 26, 03
Air National Guard (Commissioned)	Aug 1, 05	Mar 31, 10
U.S. Air Force (Commissioned)	Apr 1, 10	Jun 4, 17

Beginning dates:			Ending Dates:		
YR	MO	DAY	YR	MO	DAY
1993	01	01	1996	02	30
1996	06	01	2003	05	26
2005	08	01	2017	06	04
5994	15	03	6016	13	60

Convert February 29, 1996, to February 30, 1996, since 1996 was a leap year.

Convert March 31, 2010, to March 30, 2010, since the 31st day of a month does not count as an ending date, though it would count as a beginning date. The period from August 1, 2005, through June 4, 2017, is continuous, so it is all included in the third line of the computation.

Subtract total of beginning dates from the total of ending dates:

YR	MO	DAY	
6016	13	60	(total of ending dates)
6015	25	60	(borrowed 12 months from year column)
5994	15	03	
21	10	57	

Add 1 day for each of the 3 periods used in the computation. The result is 21 years, 10 months, and 60 days, which converts to exactly 22 years of creditable service.

2.4.1.3. Regarding computations involving lost time, if a member has lost time, compute the creditable service for the period served separately. Add the results to any creditable service computed separately under subparagraph 2.4.1.2.

2.4.1.3.1. When there is a period of lost time that has not been made good, compute the lost time on a 30-day month basis, but if the lost time begins on the 31st day of a month, include that day as a lost day. Compute as follows.

Determine the years, months, and days of lost time and deduct that amount from the total service during the period.

Example: A member enlisted for 4 years on July 18, 2012, but was absent without leave (AWOL) from February 10, 2015, through March 16, 2015. The member received a hardship discharge on August 10, 2015, without making up the lost time. The member reenlisted February 20, 2017. Compute creditable service and basic pay date as follows.

First compute the lost time.

	YR	MO	DAY
Ended AWOL:	15	03	16
Began AWOL:	15	02	10
Lost Time:	00	01	06+1 (inclusive day)

Then compute first period of service.

Discharged:	15	08	10
Entered Active Duty:	-12	07	18
Subtotal:	03	00	22+1 (inclusive day)
Deduct Lost Time:	-00	01	07
Creditable Service:	02	11	16

Subtract 2 years, 11 months, and 16 days from reenlistment date of February 20, 2017, to arrive at a new basic pay date of March 4, 2014.

2.4.1.3.2. A member who makes good the lost time does so on a day-to-day basis. When the member makes good on lost time and completes the enlistment or contract period, compute the period of lost time on both a 30-day month basis and a day-to-day basis and use the result that is most advantageous to the member. To illustrate, if a member is AWOL on March 30 through April 1, it would be 3 days on the day-to-day basis but only 2 days on a 30-day month basis. Compute creditable service as follows (and separately from periods of service which do not have lost time).

2.4.1.3.2.1. First step: Compute total lost time on both a 30-day basis and a day-to-day basis. Convert the day-to-day basis computation to years, months and days, and compare it to the computation on the 30-day basis. Discard the one which shows a higher total of days lost.

2.4.1.3.2.2. Second step: Compute the gross amount of service during the period by subtracting the entry date from the discharge date and adding 1 day for inclusive day.

2.4.1.3.2.3. Third step: Subtract the lost time from the result of the second step. If the result is at least as long as the enlistment contract, use that amount. If the result is less than the enlistment contract, increase it to equal the enlistment contract.

2.4.1.3.2.4. Fourth step: Add this creditable service to any other periods and use the total to figure the member's basic pay date.

Example 1: Assume the member in the example in subparagraph 2.4.1.3 had not received a hardship discharge; instead, he or she had completed the enlistment contract, including making good the lost time. He made up the 35 days of lost time computed on a day-to-day basis. The days served to make good the lost time were July 18-31, 2016 (14 days) and August 1-21, 2016 (21 days).

When the member reenlists on February 20, 2017, compute creditable service as follows:

YR	MO	DAY	
16	08	21	(ending date of the last period of service)
-12	07	18	(beginning date of the last period of service)
04	01	03	+1(inclusive day)

The result is 4 years, 1 month and 4 days before deducting lost time. Note that the lost time computed on a 30-day month basis was 37 days, but was only 35 days when computed on a day-to-day basis. Subtract the 35 days lost time from the period of service computed.

YR	MO	DAY
04	01	04
-00	01	05
03	11	29 (total service)

The result is less than the enlistment contract of 4 years, but since the member completed the enlistment contract, he or she is entitled to credit for the entire 4 years. Set basic pay date at February 20, 2013, when the member reenlists on February 20, 2017.

Example 2: A member enlisted on July 18, 2012, for 4 years. She was AWOL from July 28, 2015, through September 3, 2015, which is 38 days on a day-to-day basis (July 28-31, 4 days; August 1-31, 31 days; and September 1-3, 3 days). She is discharged on August 24, 2016, after making good the 38 days of bad time by serving July 18-31 (14 days) and August 1-24 (24 days).

Step 1. When she reenlists on February 20, 2017, compute prior service as follows:

YR	MO	DAY	
16	08	24	(ending date of the last period of service)
-12	07	18	(beginning date of the last period of service)
04	01	06+1	(inclusive day)

The result is 4 years, 1 month and 7 days before deducting lost time.

Step 2. Lost time on a day-to-day basis was 38 days. Compute lost time on a 30-day month basis as:

July 28-31, 2015,	03 days
August 1-30, 2015,	30 days
September 1-3, 2015,	03 days
Total	36 days

Step 3. Following the rule set out in step 2, deduct the lost time in the manner most beneficial to the member.

YR	MO	DAY	
04	01	07	(service before deducting lost time)
-00	01	06	(lost time)
04	00	01	

Step 4. Set the basic pay date at February 19, 2013, when the member reenlists on February 20, 2017.

2.4.1.4. Regarding adjusting the basic pay date when a member has lost time, lost time does not change an officer's basic pay date (See paragraph 2.2.2). When an enlisted person returns to duty after a period of lost time, add the number of days lost time to the member's basic pay date to reflect the lost time."

Example: An enlisted member with no prior service enlisted on July 18, 2015. He was AWOL from February 10, 2017, through March 16, 2017. When the member returns to duty status, change his basic pay date as follows:

Compute lost time:

February 10-30	21 days
March 1-16	16 days
	37 days lost time

YR	MO	DAY	
15	07	18	(original basic pay date)
+00	01	07	
15	08	25	

The new basic pay date is August 25, 2015.

2.4.2. Procedure When Basic Pay Date Falls on February 29. When basic pay date falls on February 29, entitlement to longevity increases begins on March 1 in non-leap years and on February 29 in leap years.

3.0 COMPUTATION OF PAY

3.1 Basic Pay Entitlements

3.1.1. When Entitled to Basic Pay. The pay of Military Service members is prescribed by law. Current basic pay rates are contained in Tables 1-7, 1-8, 1-9, 1-10, and on the Basic Pay tables on DFAS.MIL. Members are entitled to receive pay according to their pay grades and years of service if they are:

3.1.1.1. On active duty in a pay status; and

3.1.1.2. Not prohibited by law from receiving such pay.

3.1.2. Employment of Members in Another Capacity

3.1.2.1. Employment Under the Government

3.1.2.1.1. Unless otherwise provided by law (such as during the period a member is on terminal leave pending retirement, separation, or release from active duty under honorable conditions), a member may not be employed in another capacity by the government and receive pay, other than the pay and allowances that accrue by reason of the military status. A member may be employed, however, on a voluntary basis during off-duty hours in connection with non-appropriated fund activities.

3.1.2.1.2. Under agreements such as that between the DoD and the Agency for International Development (AID) of the Department of State, military members may be detailed to agencies such as AID for certain types of service for specified periods. As provided in pertinent agreements, members that are detailed are entitled to the pay and allowances of employees of the agency (AID Foreign Service personnel, in the case of that agency) holding comparable positions. Such members are paid by the agency in which service is performed, not by the Military Service involved.

3.1.2.2. Acceptance or Holding Civil Office

3.1.2.2.1. An officer of an Armed Force on active duty may not be employed on civil functions if the civil duties separate the member from the parent organization or interfere with the performance of military duties. This applies to employment on civil works or internal improvements, by an incorporated company, or as acting paymaster or disbursing agent of the Bureau of Indian Affairs.

3.1.2.2.2. Unless otherwise provided by law, an officer of a Regular Component of the Army, Navy, Air Force, or Marine Corps may not hold a civil office by election or appointment under the United States, a territory, possession, or state. Acceptance of such position terminates the officer's appointment and any further entitlement to receive pay and allowances whether or not the officer continues to fulfill the duties as an officer subsequent to accepting the office.

3.1.2.3. Medical Officers. Medical officers on active duty who receive any compensation or stipend payments for services they perform as interns or resident physicians in private or public institutions (state, county, municipal, or privately owned hospitals) receive such payments for the benefit of the United States. Collect these payments from medical officers for deposit to the U.S. Treasury.

3.1.3. Formal Acceptance of Appointment by Officers

3.1.3.1. Pay and allowances generally accrue from the date of acceptance of appointment as an officer. The normal method of acceptance is taking the oath of office. Commencement of travel in compliance with an order is considered acceptance for pay purposes, but payment will not be made until formal signing of the oath of office. See Table 1-3 for specifics and for graduates of the academies.

3.1.3.2. An officer need not take the oath of office upon promotion if the service has been continuous since the last oath.

Note: See Table 1-4 for other situations regarding effective dates for promotions or restoration of grade.

3.1.4. Restriction Against Dual Payments

3.1.4.1. Except as prescribed in subparagraph 3.1.4.3, a Reserve member who is entitled to disability compensation or a pension from the Department of Veterans Affairs (VA) because of earlier military service, and who performs military duty for which the member is entitled to compensation, may elect to receive either of the following for the period of military duty:

3.1.4.1.1. Payments for the VA disability compensation or pension; or

3.1.4.1.2. If the member specifically waives those payments, the pay and allowances authorized by law for the duty the member is performing.

3.1.4.2. Except as prescribed in subparagraph 3.1.4.3, a Reserve member who is entitled to retired or retainer pay because of earlier military service, and who performs military duty for which the member is entitled to compensation, may elect to receive either of the following for the period of military duty:

3.1.4.2.1. Payments of the pay and allowance authorized by law for the duty the member is performing; or

3.1.4.2.2. If the member specifically waives those payments, the retired or retainer pay to which the member is entitled.

3.1.4.3. A Reserve member who is called to active duty for a period of more than 30 days in time of war or national emergency generally ceases to be entitled to payments based on earlier military service until the period of active duty ends and is entitled to the pay and allowances authorized by law for the duty the member is performing. However, where the payments based on earlier military service exceed the payments for the active duty, the member may receive the former payments instead.

3.1.5. Posthumous Promotions. Members may be promoted posthumously. The amount of bonus, gratuity, pay, or allowances is not changed by these promotions. This payment restriction does not apply to promotions of members while in a missing status where a determination by the Secretary of the Military Department concerned is subsequently made that the member died before the date of the promotion.

3.1.6. Corrections of Military Record. Members who are separated from active service, but later retroactively restored to active duty by administrative record correction action, become entitled to retroactive military pay and allowances for the period of restoration subject to the following: The purpose of such a record correction is to restore the member to the same position the member would have had if he or she had not been separated from military service, without awarding an unearned windfall. When settling such an account, the earnings received from civilian employment during the period of restoration to active duty must be deducted from the net balance of military pay and allowances otherwise due. Any amount of civilian earnings in excess of the net balance of retroactive military pay and allowances otherwise due will not be collected so as not to place the member in debt. Additionally, amounts paid to a member for military retired pay, separation pay, severance pay, and/or VA pension or compensation during what is now a period of active duty under a record correction must be taken into account when determining the amount of retroactive military pay and allowances due, if they have not otherwise been recouped or accounted for. To the extent authorized by law and regulation, amounts found due must be reduced by the amount of any existing indebtedness to the government arising from military service.

3.2 Computing Monthly Pay

3.2.1. Monthly Pay

3.2.1.1. Service of 30 Days or More. Compute monthly compensation as if each month had 30 days. When service begins on an intermediate day of the month, pay for the actual number of days served during that calendar month, but only through the 30th day of that month. If active military service begins on the 31st day of any month, compensation does not accrue for that day. Any person who enters active service during February and serves until the end of the month is entitled to pay for 1 month (30 days), less the prorated amount for the number of days expired before entry on duty. If the service ends before the last day of February, pay the member only for the actual number of days served.

3.2.1.2. Service of Less Than 30 Days. Members of the Uniformed Services entitled to receive compensation for continuous periods of less than 1 month are entitled to pay and allowances for each day of the period at the rate of 1/30 of the monthly amount of such pay and allowances. Include the 31st day of a calendar month in the computation. Members who are obligated to serve on active duty for 30 days or more, but who were released before performing such active duty for at least 30 days, are entitled to receive pay and allowances on a day-to-day basis.

3.2.2. Absence Without Pay

3.2.2.1. Deduct 1/30 of 1 month’s pay for each day’s absence in a non-pay status.

3.2.2.2. No pay is lost for unauthorized absence on the 31st day of a month, except when it is the first day of absence or when the member is paid for the day under subparagraph 3.2.1.2.

3.2.2.3. Absence in a non-pay status on the 28th of February in a non-leap year result in loss of pay for 3 days. If the member is absent only on the 28th day of February in a leap year, deduct the pay for 1 day for the 28th. If the absence occurs on the 29th of February, deduct pay for 2 days. When payment is made under subparagraph 3.2.1.2, on the basis of each day served, deduct only for the actual period of unauthorized absence.

3.2.3. Annual Salary. Annual salary is divided into 12 equal installments. One installment represents the pay for each calendar month. The daily rate is 1/30 of the monthly rate. The instructions in subparagraph 3.2.1 for monthly pay also apply to annual salary.

3.2.4. Basic Pay Rates. Tables 1-7 through 1-10 contain monthly rates of basic pay and are listed on the Basic Pay tables on DFAS.MIL.

3.3 Saved Pay and Allowances

3.3.1. Enlisted. An enlisted member who accepts an appointment as an officer will, following appointment, be paid the greater of:

3.3.1.1. The pay and allowances to which such member would be entitled if the member had remained in the last enlisted grade held before appointment as an officer and continued to receive increases in pay and allowances authorized for that grade; or

3.3.1.2. The pay and allowances to which the member thereafter becomes entitled as an officer.

3.3.2. Warrant Officers. A warrant officer who accepts an appointment as a commissioned officer will, following appointment, be paid the greater of:

3.3.2.1. The pay and allowances to which the member thereafter becomes entitled as a commissioned officer;

3.3.2.2. The pay and allowances to which such member would be entitled if the member had remained in the last warrant officer grade held before appointment as a commissioned officer and continued to receive increases in pay and allowances authorized for that grade; or

3.3.2.3. In the case of an officer who was formerly an enlisted member, the pay and allowances to which entitled, under subparagraph 3.3.1.1, before appointment as an officer.

3.3.3. Prior Service Medical Students. Members selected to participate as DOM students at the USUHS, or in the AFHPSP and FAP, who have prior active service, including members who have had a break in service, in a pay grade with years of service greater than the rate of second lieutenant or ensign, will be authorized saved pay for the basic pay rate of the former grade. The

former basic pay rate will be increased on January 1 of each year by the average percentage increase authorized for that year. The member will continue to receive the former pay rate until the date, occurring before or after graduation or participation in the program, that the member's actual grade and years of service basic pay rate exceeds the former grade rate. This saved pay provision applies only to basic pay. The member's other pay entitlements will be paid at the member's actual grade and years of service.

3.3.4. Restrictions

3.3.4.1. Except for prior service DOM students discussed in subparagraph 3.3.3, a member entitled to saved pay is not authorized the pay for one grade and an allowance for another grade.

3.3.4.2. The saved pay amount may be reduced when the member loses entitlement to specific items. However, these specific items will be included in saved pay if the member again qualifies for such items (See subparagraph 3.3.4.7.).

3.3.4.3. In the case of the Navy or Marine Corps, a member in a temporary appointment is not entitled to saved pay because of a permanent promotion.

3.3.4.4. BAH may be continued as an item of saved pay and will be paid whenever it is not forfeited because the member is assigned to government quarters.

3.3.4.5. For enlisted members, BAS is the alternative for subsistence in kind. Since officers are not authorized subsistence in kind, a member eligible for saved pay is entitled to the appropriate BAS rate (including the "when permitted to mess separately rate" even when subsistence in kind otherwise would be provided or made available) under the conditions prevailing for enlisted members at their permanent station. Credit BAS at the "when permitted to mess separately rate" at all times, except when the member would otherwise be entitled to a different rate (See Chapter 25, paragraph 2.2.).

3.3.4.6. For appointments accepted before January 6, 2006, special duty assignment pay, incentive pay for hazardous duty, special pay for diving duty, special pay for sea duty, and hardship duty pay may be retained as an item of saved pay only for as long as the member continues to perform the duty and would be eligible to receive payment had the member remained in the former status.

3.3.4.7. For appointments accepted on or after January 6, 2006, in determining the amount of pay and allowances of a grade formerly held by an officer who was an enlisted member and accepted an appointment as an officer, the following special and incentive pays may be considered only so long as the officer continues to perform the duty that creates the entitlement to, or eligibility for, that pay and would otherwise be eligible to receive that pay in the former grade:

3.3.4.7.1. Incentive pay for hazardous duty;

3.3.4.7.2. Submarine duty pay;

3.3.4.7.3. Special pay for diving duty;

3.3.4.7.4. Hardship duty pay;

3.3.4.7.5. Career sea pay;

3.3.4.7.6. Special pay for service as a member of a Weapons of Mass Destruction Civil Support Team;

3.3.4.7.7. Assignment incentive pay;

3.3.4.7.8. Special pay for duty subject to hostile fire or imminent danger;

3.3.4.7.9. Special pay or bonus for an extension of duty at a designated overseas location;

3.3.4.7.10. Foreign language proficiency bonus; and

3.3.4.7.11. Critical skill retention bonus.

3.3.4.8. The enlisted cash clothing allowances prescribed in Chapter 29 may not be included in the saved pay computation if the officer is entitled to the initial uniform allowance prescribed in Chapter 30, section 2.0.

3.3.4.9. Family Separation for Housing (FSH) may be continued as an item of saved pay under the same conditions as BAH (see subparagraph 3.3.4.4). If the member was entitled to FSH due to an enforced separation from the member's family at the time of appointment, the allowance may be included in the computation of saved pay until the entitlement ends. FSH may be reinstated for future periods if the member again qualifies for FSH due to an enforced separation from the family. Similarly, other items of overseas station allowance and/or special or incentive pay may be reinstated if a member again qualifies for them.

3.3.4.10. Effective January 6, 2006, the following special and incentive pays are dependent on a member being in an enlisted status and may not be considered in determining the amount of pay and allowances of a grade formerly held by an officer:

3.3.4.10.1. Special duty assignment pay;

3.3.4.10.2. Reenlistment bonus;

3.3.4.10.3. Enlistment bonus; and

3.3.4.10.4. Critical skill incentive pay (see Chapter 22, section 5.0).

3.3.5. Breaks in Service. A break in service (e.g., released from active duty or discharged) does not disqualify an officer for the saved pay and allowances entitlements of this section.

3.4 Increased Basic Pay During a Period of Service Essential to the Public Interest

3.4.1. Entitlement to Increased Basic Pay. This section applies only to enlisted members of the Regular Navy or Marine Corps, or Naval or Marine Corps Reserve, whose enlistments expire while serving on a naval vessel in foreign waters.

3.4.1.1. Retention in Service. Such members may be retained on active duty until the naval vessel returns to the Continental United States (CONUS) if the period of retention is determined "service essential to the public interests." The senior officer present afloat makes this determination.

3.4.1.2. Pay and Allowances. During the period of retention, except in time of war, members are entitled to regular pay and allowances, plus a 25-percent increase in the basic pay, to which they were entitled on the day before the period of retention began.

3.4.2. Members Not Eligible for Increase

3.4.2.1. Enlisted members are not entitled to the increased basic pay if retained on active duty after the expiration of enlistment:

3.4.2.1.1. At shore stations;

3.4.2.1.2. On ships on duty in waters in or around possessions and territories of the United States;

3.4.2.1.3. On ships on duty in ports or waters within the sovereign jurisdiction of the United States;

3.4.2.1.4. Due to lack of transportation; or

3.4.2.1.5. Merely because it is desirable to continue their services, or some benefit may be derived there from.

3.4.2.2. A member of the Naval Reserve or Marine Corps Reserve is not entitled to the 25-percent increase while retained beyond the period of obligated service as distinguished from normal date of expiration of enlistment.

3.4.3. Restrictions in Use. Do not use the 25-percent increase in computing:

3.4.3.1. Cash settlement for unused leave on discharge;

3.4.3.2. Physical disability or temporary disability retired pay;

3.4.3.3. Disability severance pay; or

3.4.3.4. Reenlistment bonus.

3.4.4. Termination of Increase in Basic Pay. The 25-percent increase in basic pay continues through date of:

3.4.4.1. Discharge, if the member is discharged within 30 days after arrival in CONUS; or

3.4.4.2. Transfer to a hospital for treatment (See Table 1-5, rule 19 for the date of termination of normal pay and allowances.).

3.5 Allowable Travel Time for Reserve Members Called to or Released From Active Duty

3.5.1. Pay and Allowances Entitlement for Allowable Travel Time

3.5.1.1. Reserve members called to active duty are entitled to active duty pay and allowances for the time allowed for necessary travel from:

3.5.1.1.1. Home to a first duty station; or

3.5.1.1.2. Last duty station to home (except when released from active duty for retirement or dismissal, when discharged, or upon resignation).

3.5.1.2. Pay and allowances for allowable travel time is an earned entitlement. The payment for the return home may be made upon the member's release from such duty without regard to actual performance of the travel. If the member dies after payment, but before payment would otherwise be due, no part of the payment will be recovered by the United States.

3.5.2. Terms and Special Conditions

3.5.2.1. Allowable travel time is considered active duty for all purposes normally ascribed to active duty. The computation of allowable travel time, whether actual or constructive will:

3.5.2.1.1. For periods of active duty of 30 days or less, be based upon the rules contained in Table 1-6; or

3.5.2.1.2. For periods of active duty of more than 30 days, be based upon the rules and provisions in Chapter 57.

3.5.2.2. A member of a Reserve Component is entitled to active duty pay and allowances for allowable travel time, if any, when:

3.5.2.2.1. Ordered to perform ADT;

3.5.2.2.2. Performing authorized IDT immediately before or after ADT at or near the same site; or

3.5.2.2.3. Receiving orders that direct performance of necessary travel to and from the ADT site immediately before and after combined ADT/IDT. The travel date will be specified in the active duty orders. Full retirement point credit is earned for the period of IDT performed.

4.0 ABSENCE FROM DUTY, EFFECT ON PAY, AND ALLOWANCES

4.1 Authorized Leave

4.1.1. Authority. All Military Service members on active duty for 30 consecutive days or more are entitled to accrue leave under applicable Military Service leave regulations. While on authorized leave, they are entitled to full pay and allowances except as otherwise provided in Table 1-11.

4.1.2. Applicable Service Leave Regulations. Applicable Military Service leave regulations are:

4.1.2.1. Army - ***Army Regulation 600-8-10***;

4.1.2.2. Navy - ***Military Personnel Manual 1050-010***;

4.1.2.3. Air Force and Space Force - Department of the Air Force Instruction ***36-3003***; and

4.1.2.4. Marine Corps - ***Marine Corps Order 1050.3J***.

4.1.3. Pay and Allowances During Leave

4.1.3.1. Entitlement. See Table 1-11.

4.1.3.2. Full Pay and Allowances Defined. This term means (includes) the following:

4.1.3.2.1. Basic pay;

4.1.3.2.2. Special pays;

4.1.3.2.3. Incentive pay for hazardous duty;

4.1.3.2.4. BAS (enlisted leave rations);

4.1.3.2.5. BAH;

4.1.3.2.6. Personal money allowances;

4.1.3.2.7. Clothing maintenance allowances;

4.1.3.2.8. Family separation allowances; and

4.1.3.2.9. Station allowances (CONUS Cost of Living Allowance (See Chapter 67); and Overseas Cost of Living Allowance and Temporary Lodging Allowance (See Chapter 68).

4.1.4. Advance Leave Carryover or Change to Excess Leave (Effective November 14, 1986)

4.1.4.1. When Carryover Allowed. Members may elect to carry all or part of an advance leave balance over to a new term of service when discharged for the purpose of:

4.1.4.1.1. Reenlisting within 24 hours of discharge or extending an enlistment; or

4.1.4.1.2. Accepting an appointment as a warrant or commissioned officer of the Armed Forces. Carryover will not exceed the number of days or fraction of days the member will accrue in the new enlistment or term of service or 30 days, whichever is less.

Example 1: A member's current term of service ends April 30, 2015. The member reenlists for 6 years on March 1, 2015, and has a 5.0-day advance leave balance. The 5.0-day advance leave balance can be carried into the new term of service.

Example 2: A member's current term of service ends September 30, 2015. On May 1, 2015, the member agrees to serve a 12-month extension and has a 12.5-day advance leave balance that will be offset by leave accrual through September 30, 2015. Between May 1, 2015, and September 30, 2015, the member was charged for 30 days of leave. When the extension became operative (October 1, 2015), the member could elect to carry the 30.0-day advance leave balance into the new term of service (12-month extension).

4.1.4.2. Excess Leave. Advance leave becomes excess leave and requires collection of pay and allowances under the following conditions:

4.1.4.2.1. Discharge for the purpose of reenlisting, extending an enlistment, or accepting a warrant or commission, and advance leave exceeds 30 days;

4.1.4.2.2. Advance leave balance exceeds that which will accrue in the new enlistment or term of service (for example, enlistment or extension(s)), including when an agreement to extend is cancelled by the Military Service. If an agreement to extend is cancelled by the member for the purpose of immediate reenlistment, collect the advance under subparagraph 4.4.1.2.1, if applicable;

4.1.4.2.3. Relief from active duty;

4.1.4.2.4. Appointment as a cadet or midshipman at a Service academy;

4.1.4.2.5. Death; or

4.1.4.2.6. Return from a period of leave that was in excess of the number of days of leave and fractions thereof that the member will accrue before the normal expiration of current enlistment or term of active service. The term of an extension(s) will be considered when determining the normal expiration of current enlistment or term of active service. Extension(s) will be considered from the date the member agrees to the extension(s). Excess leave properly charged before the date a member extends a term of service (reenlistment, appointment or agrees to extend voluntarily or is involuntarily extended) will not be affected and under no circumstances will pay and allowances previously collected be refunded (See subparagraph 4.1.5 when it is known at the time leave is granted that the member will be in excess leave status).

Example 3: A member's current term of service ended on March 31, 2016. The member reenlisted for 6 years on January 1, 2015, and had a 35.5-day advance leave balance. The member carried 30.0 days of advance leave into the new term of service. The remaining 5.5-day advance leave balance changes to excess leave and requires immediate collection of pay and allowances. Subparagraph 4.1.5 applies.

Example 4: Same as example 2, except that the member took 34 days of leave between May 1, 2015, and September 30, 2015. Since a maximum of 30.0 days of advance leave could be carried into the new term of service (12-month extension), immediate collection of pay and allowances for the remaining 4.0 days was required when the leave was used. Subparagraph 4.1.5 applies.

4.1.4.3. Amount to be Collected. Compute collection under subparagraph 4.1.4.2 on the basis of pay and allowances received by the member during the period of leave involved.

4.1.5. Pay and Allowances During Excess Leave. Members on excess leave are not entitled to pay and allowances. Apply as follows.

4.1.5.1. When the complete period of leave is granted as excess leave, pay and allowance accrual will be stopped beginning with the first day of leave.

4.1.5.2. When a portion of the leave is granted as advance leave and a portion granted as excess leave, pay and allowance accrual will be stopped beginning with the first day of excess leave. Members in an excess leave status are considered to have a rate of pay.

4.1.6. Leave Pending Review of Certain Court-Martial Convictions. Under regulations prescribed by the Secretary of the Military Department concerned, members sentenced to unsuspended dismissal or unsuspended dishonorable or bad-conduct discharge by court-martial may be required to take leave pending review of their conviction as provided by the Uniform Code of Military Justice ***(UCMJ) Article 76a***,

4.1.6.1. Such leave will be charged against any accrued leave to the member's credit on the day before the day such leave begins unless the member elects to be paid for accrued leave under Chapter 35, subparagraph 2.1.2.

4.1.6.1.1. If the member does not elect to be paid for accrued leave or does not have sufficient accrued leave to cover the total period of leave required to be taken, the leave not covered by accrued leave will be charged as excess leave.

4.1.6.1.2. If the member elects to be paid for accrued leave, the entire period of leave will be charged as excess leave and pay, and allowances will not accrue for such period except under the provisions of subparagraph 4.1.6.2.

4.1.6.2. A member required to take leave under Article 76a, UCMJ, whose sentence by court-martial to dismissal or dishonorable or bad-conduct discharge is set aside or disapproved on appellate review, will accrue pay and allowances for the period of leave charged as excess leave (except for any day of accrued leave for which the member has been paid under subparagraph 4.1.6.1.2.), unless a rehearing or new trial is ordered and dismissal or dishonorable or bad-conduct discharge results from the rehearing or new trial and such dismissal or discharge is later executed.

4.1.6.2.1. Computation of Payment. The amount of gross pay and allowances accrued under this subparagraph will be reduced by the total gross income from wages, salaries, tips, other personal service income, unemployment compensation, and public assistance benefits from any government agency during the period the member is deemed to have accrued gross pay and allowances. The total gross income, however, cannot reduce the amount of gross pay and allowances to the extent that the member becomes indebted to the government.

4.1.6.2.1.1. Approved Sentence Does Not Include Reduction. Pay and allowances under this section will be paid in the pay grade held by the member on the day before the day on which the court-martial sentence was approved by the convening authority.

4.1.6.2.1.2. Approved Sentence Includes Reductions. If the pay grade of the member was reduced to a lower grade as a result of the court-martial sentence, and the reduction has not been set aside, disapproved, or otherwise vacated, pay and allowances accrued under this paragraph will be paid at the lower pay grade.

4.1.6.2.2. Time of Payment

4.1.6.2.2.1. Payment will be made within 60 days from the date of the order setting aside or disapproving the sentence by court-martial to a dismissal or a dishonorable or bad-conduct discharge if no rehearing or new trial has been ordered.

4.1.6.2.2.2. Payment will be made within 180 days from the date of the order setting aside or disapproving the sentence by court-martial to a dismissal or a dishonorable or bad-conduct discharge if a rehearing or new trial has been ordered, but charges have not been referred to a rehearing or new trial within 120 days from the date of that order.

4.1.6.2.2.3. If a rehearing or new trial has been ordered, and a dismissal or a dishonorable or bad-conduct discharge is not included in the result of the rehearing

or new trial, payment will be made within 60 days of the date of the announcement of the result of such rehearing or new trial.

4.1.6.2.2.4. If a rehearing or new trial has been ordered, and a dismissal for a dishonorable or bad-conduct discharge is included as the result of such rehearing or new trial, but such dismissal or discharge is not later executed, payment will be made within 60-days of the date of the order which set aside, disapproved, or otherwise vacated such dismissal or discharge.

4.1.6.2.2.5. If a member who is entitled to be paid under this section fails to provide sufficient information in a timely manner regarding his/her income when such information is requested under subparagraph 4.1.6.3, the periods of time prescribed in this paragraph will be extended until 30 days after the date on which the member provides the requested information.

4.1.6.3. In all cases where payment must be made under subparagraph 4.1.6.2, the member solely is responsible for providing the information as to all sources and amounts of income received by the member during periods of required appellate leave. Pay will be computed only on the basis of a written record.

4.1.6.3.1. For periods where the member was employed, information as to all sources and amounts of income should include, at a minimum, copies of all pertinent:

4.1.6.3.1.1. Federal income tax returns;

4.1.6.3.1.2. Employer statements of income earned from wages, salaries, tips; and

4.1.6.3.1.3. Documentation of other personal service income.

4.1.6.3.2. For periods where the member has been unemployed, the member must submit an affidavit or written evidence of lack of employment and, at a minimum, copies of all pertinent:

4.1.6.3.2.1. Documentation to verify the duration of unemployment compensation;

4.1.6.3.2.2. Public assistance benefits received from any government agency;

4.1.6.3.2.3. Federal income tax returns; and

4.1.6.3.2.4. Any other documentation required by the Service concerned.

NOTE: The burden of proving the existence of a valid claim against the United States is on the member asserting the claim. A member must prove by clear and convincing evidence on the written record that the U.S. DoD is liable under the law for the amount claimed.

4.2 Unauthorized Absence and Other Lost Time

4.2.1. Effect on Pay and Allowances. The types of unauthorized absences, and other lost time, and their effect on pay and allowances are shown in Table 1-12 (Compute forfeitures of pay and allowances as instructed in subparagraph 3.2.2).

4.2.2. Unauthorized Absence and Desertion

4.2.2.1. Determination by Court-Martial. A member found guilty of unauthorized absence by a court-martial, forfeits pay and allowances for the period of absence. An acquittal (or disapproval by the reviewing authority, in case of conviction) affects only the disciplinary aspects of the absence. It does not prevent an administrative determination that the member was AWOL.

4.2.2.2. Administrative Determination of Unauthorized Absence. When a member is in an unauthorized absence status, an administrative determination must be made as to whether the absence was unavoidable. Table 1-13 contains rules for determining whether the absence was unavoidable. If it is not excused as unavoidable, the member forfeits pay and allowances for the period of absence. This applies even though a court-martial finds the member not guilty of a charge of unauthorized absence, or when a finding of guilty has been disapproved by the reviewing authority.

4.2.2.3. Discharge for Desertion. A discharge for desertion is conclusive evidence of desertion for the purpose of forfeiture of pay, even in the absence of trial by court-martial.

4.2.2.4. Dropped From Rolls. A commissioned officer of the Army or Air Force, who is dropped from the rolls by the President for absence without authority for 3 months, forfeits all pay due or to become due. Pay and allowances due at the time the officer is dropped from the rolls, however, will be used to satisfy debts due the United States and its instrumentalities.

4.2.2.5. Disposition of Forfeitures as a Result of Desertion. When an enlisted member, warrant officer, or limited duty officer forfeits pay as a result of desertion, deposit the gross amount of such forfeited pay to the Armed Forces Retirement Home Trust Fund. Do not, however, deposit this pay beyond the expiration of term of enlistment for enlisted members.

4.2.3. Computing Periods of Unauthorized Absence. Unauthorized absence of 24 consecutive hours or less does not affect pay or allowances. This applies even though the absence involves parts of 2 days. When the period of unauthorized absence exceeds 24 consecutive hours, use Table 1-14 to determine the first and last day of the period of absence.

4.2.4. Absence in the Hands of Civil Authorities

4.2.4.1. General. Pay the member all pay and allowances earned through the day before the first day of unauthorized absence. If the member is delivered to civil authorities by military authorities, he or she is entitled to all pay and allowances earned through the day prior to the date of such delivery. For entitlement to pay and allowances during confinement, see Table 1-12, rules 4, 5, and 6.

* 4.2.4.2. Finding of Insanity. An administrative determination under the rules contained in Table 1-13 must be made as to whether the absence was unavoidable when a member is found not guilty by reason of insanity by a civil court and committed under applicable Federal or State law for an indefinite period of time. Table 1-12 contains rules for determining the effect of absences on pay and allowances.

4.2.4.3. Work Release Program. In some states and local jurisdictions, a person convicted and sentenced to a term of civil confinement may be released from the confinement facility to the cognizance of an employer during the normal workday. Work release, job rehabilitation, or employment retention programs of this type generally are conducted for the purpose of providing prisoners a means to continue support of their dependents and to demonstrate that they are capable of self-rehabilitation. When members are paroled to military authorities under a "work release" or similar program, they are entitled to pay and allowances for each day of full duty performed commensurate with their grade and military specialty.

4.2.5. Absence Due to Disease

4.2.5.1. When Pay Is Forfeited. See Table 1-12, rule 3.

4.2.5.2. When Pay Is Not Forfeited. Pay is not forfeited for absence from duty caused by:

4.2.5.2.1. An injury;

4.2.5.2.2. A disease, except under Table 1-12, rule 3;

4.2.5.2.3. Simple drunkenness, if not coupled with chronic alcoholism or intemperate use of habit-forming drugs; or

4.2.5.2.4. Venereal disease, whether or not due to misconduct.

4.2.5.3. Personal Expense Money. A member whose pay is forfeited under Table 1-12, rule 3 for more than 1 month is entitled to $5 for personal expenses for each full month that he or she forfeits pay. This payment will be made even though the member is indebted to the United States. The term "full month" is the period from a date in 1 month through the preceding date in the following month. For example, July 3 through August 2 is 1 month.

4.2.6. Military Confinement. Pay and allowances accrue to a member in military confinement except when:

4.2.6.1. Confined by military authorities, for civil authorities. See Table 1-12, rules 6 and 8;

4.2.6.2. Pay and allowances are forfeited by court-martial sentence. See Chapter 48 and Table 1-12, rule 10; and

4.2.6.3. The term of enlistment expires. See subparagraph 4.2.7.

4.2.7. Term of Enlistment Expires

4.2.7.1. General. Pay and allowances accrue to a member upon return to a full-duty status. Full duty is attained when a member, not in confinement, is assigned useful and productive duties (as opposed to duties prescribed by regulations for confinement facilities) on a full-time basis which are not inconsistent with the grade, length of service, and military occupational specialty (MOS). While placement in the same MOS is not essential, the decision to place a member in that MOS or to assign the member available duties consistent with the grade and service rests with the appropriate military commander.

4.2.7.2. Absentee Returned to Military Control. An absentee who surrenders or is apprehended after a term of enlistment has expired is not entitled to pay and allowances until restored to a full-duty status for the purpose of making good the lost time. While held in retention, a member may be assigned duties as prescribed by regulations governing detained prisoners without being returned to full-duty status.

4.2.7.3. Enlistment Expires Before Trial. An enlisted member retained in the Military Service for the purpose of trial by court-martial is not entitled to pay for any period after the expiration of the enlistment unless acquitted or the charges are dismissed, or the member is retained in or restored to a full-duty status.

4.2.7.4. Confined Awaiting Trial by Court-Martial. If a member is confined awaiting court-martial trial when the enlistment expires, pay and allowances end on the date the enlistment expires. If the member is acquitted when tried, pay and allowances accrue until discharge.

4.2.7.5. Confined Serving Court-Martial Sentence. If a member is confined serving a court-martial sentence when the enlistment expires, pay and allowances end on the date the enlistment expires unless the sentence is completely overturned or set aside as specified in Chapter 48. Pay and allowances will not accrue again until the date the member is restored to a full-duty status.

4.2.7.6. Confined While in a Status of Being Held in the Service to Make Up Lost Time. If confined while in a status of being held in the Military Service to make up lost time, an enlisted member continues in a pay status, except to the extent that pay may be forfeited by

court-martial, the same as during the regular enlistment period. This pay status terminates if the member is in confinement on the date the normal term of service as extended to make up lost time would have expired, even if restored to duty at a later date.

4.2.7.7. Confinement Deferred or Prisoner Restored to Duty. A prisoner in a non-pay status is entitled to pay and allowances when service of sentence to confinement is deferred or the member is restored to a full-duty status. The date restored to duty is the date the member reported present for duty.

4.2.7.8. Absentee Confined Upon Return to Military Control. An enlisted member whose term of enlistment has expired while in a status of absence without leave or desertion is not entitled to pay and allowances upon return to military control while confined awaiting trial and disposition of the case if the conviction becomes final and the member has not been returned to a full-duty status. A member, however, who is returned to military control and restored to full duty for the purpose of making good the lost time before being confined to await trial, continues in a pay status except to the extent that pay may be forfeited by court-martial, the same as during the regular enlistment period. This pay status terminates if the member is in confinement on the date the normal term of service is extended to make up lost time would have expired, even if he or she is restored to duty at a later date.

4.2.7.9. Confined Under Sentence of Death. The pay and allowances of a member, serving in confinement under sentence of death and pending completion of the appellate review of the record of trial, do not accrue after the expiration of the enlistment.

4.2.7.10. Appellate Review of Court-Martial Sentence. A confined member who is pending appellate review of his or her court-martial sentence is not entitled to pay and allowances after the expiration of term of enlistment, unless the conviction is completely overturned or set aside.

4.2.8. Reserve Officer Absent From Duty. A Reserve officer whose term of active service expires while confined as a result of court-martial action continues to be entitled to pay and allowances, except when forfeited under an approved sentence of a court-martial or a period of service is terminated by proper orders.

5.0 PAYMENT IN CASES OF VOID, VOIDABLE, OR REJECTED ENLISTMENTS OR INDUCTIONS

5.1 Voidability of Contract

A fraudulent contract of enlistment or induction is not void but is voidable at the option of the government. When the government becomes aware of the fraud, it may void the contract or waive the objection and allow the contract to stand (See Table 1-15.).

5.2 Fraudulent Enlistments – Pay and Allowances

Members under investigation, or determined to be serving in fraudulent enlistments, are due pay and allowances for periods shown in Table 1-15.

5.3 Travel Payments

See ***Joint Travel Regulation***, Chapter 5, Paragraph 051007.

5.4 Disbursing Officer Entitled to Credit

A disbursing officer is entitled to credit for proper payments to a member who fraudulently enlisted if payments were made without the knowledge of the fraud and before the government rescinded the contract.

5.5 Failure to Discover Physical Condition of Enlistee or Inductee

Failure to discover that the physical condition of an enlistee or inductee was such as would warrant rejection for military service does not deprive member of right to pay and allowances or of the status of being entitled to basic pay (See Table 1-15.).

6.0 FINANCIAL INSTITUTION CHARGES

6.1 Reimbursement

Reimbursement of financial institution charges may be authorized. Authorized reimbursements are limited to overdraft charges or minimum balance, or average balance charges levied by the financial institution because of an administrative or mechanical error on the part of the government that causes pay to be deposited late or in an incorrect manner or amount.

6.2 Non – Reimbursement

Charges by financial institutions resulting from erroneous information provided by the member or the financial institution to a military pay office are not the liability of the government and will not be reimbursed.

6.3 Definitions

6.3.1. Financial Institutions. For the purpose of this section, a financial institution is defined as a bank, savings and loan association, or similar institution or a credit union chartered by the United States or a state.

6.3.2. Pay. For the purpose of this section, pay is defined as basic pay, allowances, bonuses, special and incentive pays.

7.0 MILITARY PAYDAYS

7.1 Payday

The payday is the first calendar day of the month after the month in which the entitlement was earned. This does not preclude one payment in midmonth for any element of compensation.

7.2 Exception

Except for payrolls otherwise payable on October 1, if the payday falls on a Saturday, Sunday, or federal legal holiday, payment is authorized on the preceding workday, but not more than 3 days before the scheduled payday. This exception applies to foreign holidays recognized abroad by U.S. Forces. It also applies to payments made to members upon separation from the Military Service through retirement or discharge when the last day of active duty falls on a Saturday, Sunday, or federal legal holiday.

7.3 Determination

For payrolls otherwise payable on October 1, the DoD Comptroller will determine if the payroll may be dated in September.

Table 1-1. Service as Cadet or Midshipman - Officers

RULE	When a member currently serving as an officer has had service as a cadet or midshipman in	to which appointed	and member	then the period involved is
1	any of the military academies		held no concurrent enlisted and/or Reserve status	not creditable.
2	any of the military academies	after June 25, 1956	had an enlistment contract or period of obligated service that was not terminated	not creditable.
3	any of the military academies		concurrently retained a commission or warrant in the Army or Air Force Reserve	creditable.
4	any of the military academies	on or after January 1, 1953	concurrently retained a commission or warrant in the Naval Reserve	creditable.

Table 1-2. Absence from Duty in Enlisted Status

RULE	When the absence is	and	then the period of absence is
1	authorized leave or authorized excess leave		creditable.
2	unauthorized absence of more than 1 day (24 consecutive hours) (including detention of Army or Air Force members by or for civil authorities)	is administratively excused as unavoidable	creditable.
3	unauthorized absence of more than 1 day (24 consecutive hours) (including detention of Army or Air Force members by or for civil authorities)	is not administratively excused as unavoidable	not creditable (note 1).
4	civil detention of a Navy or Marine Corps member	occurred before July 24, 1956, and the member was not acquitted or released without trial, and without making restitution	not creditable (note 1).
5	civil detention of a Navy or Marine Corps member	occurred on or after July 24, 1956, and the member was absent under sentence or awaiting (and during) trial which resulted in conviction (note 2)	not creditable (note 1).
6	inability to perform duty for more than 1 day (24 consecutive hours) because of intemperate use of alcohol or drugs, or disease or injury resulting from misconduct		not creditable (note 1).
7	desertion		not creditable (note 1).
8	because of confinement for more than 1 day (24 consecutive hours) while awaiting trial (if the trial results in conviction) or confinement as the result of a court-martial sentence (note 3)	the member was a member of the Army or Air Force	not creditable (note 1).
9	absence of a Navy or Marine Corps member because of confinement of more than 1 day (24 consecutive hours) while awaiting trial (if the trial results in conviction) or confinement as the result of a court-martial sentence	the confinement occurred on or after July 24, 1956 (note 3)	not creditable (note 1).
10	absence of a Navy or Marine Corps member because of confinement of more than 1 day (24 consecutive hours) while awaiting trial (if the trial results in conviction) or confinement as the result of a court-martial sentence	the confinement occurred before July 24, 1956	(note 4).

Table 1-2. Absence from Duty in Enlisted Status (Continued)

NOTES:

1. Prior to February 11, 1996, absence during which a member was serving on active duty as an enlisted member and was also a Reserve officer is creditable. After February 10, 1996, a commissioned or warrant officer may not count the periods of absence for any purpose other than for computing length of service for basic pay. Also, see subparagraph 2.2.2.
2. If the member is released without trial or acquitted, or if conviction is set aside on legal grounds (as distinguished from clemency), the period of absence is creditable. If the member is released upon agreement to make restitution, or is later convicted by court-martial on the same facts, the period of absence is not creditable.
3. The period spent in confinement is creditable when the member is acquitted, or the sentence is set aside or disapproved.
4. The period of absence is not creditable only if the confinement was under general court-martial sentence and/or while waiting (and during) trial which resulted in a sentence by a general court-martial to confinement and total loss of pay and allowances.

Table 1-3. When Active Duty Pay Begins

RULE	When a person is	in the	and	then active duty pay and allowances	
				begin on:	are authorized for:
1	originally appointed as a permanent officer	Regular Army, Navy, Air Force, or Marine Corps (note 1)		the date of formal acceptance of appointment (see subparagraph 3.1.3).	
2	an enlisted member temporarily appointed to a warrant or commissioned officer grade	Navy or Marine Corps		the date of formal acceptance of appointment (see subparagraph 3.1.3).	
3	an enlisted member or warrant officer on active duty appointed to a commissioned officer grade under ***10 U.S.C. § 12201***	Reserve	continues on active duty in that commissioned officer grade	the date of formal acceptance of appointment (see subparagraph 3.1.3).	
4	enlisted, reenlisted, or inducted	Regular Army, Navy, Air Force, or Marine Corps		the date of enlistment, reenlistment, or induction.	
5	a service academy graduate commissioned as a second lieutenant or ensign	Regular Army or Air Force		the date of graduation (note 2).	
6	a service academy graduate commissioned as a second lieutenant or ensign	Regular Navy or Marine Corps		the date of formal acceptance of appointment.	
7	a reserve or retired member called or recalled to active duty	Regular Army, Navy, Air Force, or Marine Corps		the date member necessarily complies with active duty order (note 3).	

Table 1-3. When Active Duty Pay Begins (Continued)

RULE	When a person is	in the	and	then active duty pay and allowances	
				begin on:	are authorized for:
8	a temporary officer (without component) called to active duty	Army or Air Force		the date member necessarily complies with active duty orders (note 3).	
9	a reserve or retired member ordered to active duty to take a physical examination incident to being ordered to active duty for more than 30 days	Regular Army, Navy, Air Force, or Marine Corps		the date member necessarily complies with active duty orders (note 3).	period of the examination, and allowable travel time in connection therewith (notes 3, 4, 5, and 6).
10	an Army National Guard or Air National Guard member called into federal service	Army or Air Force	the period of federal service is 30 days or less	the date on which the member, in person or by authorized telephonic or electronic means, contacts the member's unit.	
11	an Army National Guard or Air National Guard member called into federal service	Army or Air Force	the period of federal service is more than 30 days or an indefinite period	the date member necessarily complies with active duty orders (notes 3 and 7).	
12	a separated Service academy cadet required to serve a period of enlisted active duty	Regular Army, Navy, Air Force, or Marine Corps		the date following date of approval of cadet’s separation from the academy.	

Table 1-3. When Active Duty Pay Begins (Continued)

NOTES:

1. Original appointments include officers appointed from warrant officer, enlisted member, or civilian status.
2. Pay accrues from date of graduation, even though appointment is issued and accepted at later date.
3. See paragraph 3.5 and Table 1-6 for allowable travel time to include in computation. Pay and allowances do not accrue if the member begins travel or reports earlier than the travel time necessary to comply with the active duty orders.
4. If member passes the physical examination, pay and allowances accrue for travel time to first duty station when later ordered to active duty for more than 30 days.
5. If the member fails the physical examination, pay and allowances accrue for period required for the examination and travel time to and from the examination.
6. If the member is ordered to active duty solely to take a physical examination, not incident to being ordered to active duty, active duty pay, and allowances do not accrue.
7. Pay status does not begin if the Army National Guard or Air National Guard member is unable to respond to the call to active duty because of illness or other reason.

Table 1-4. Increases in Pay on Promotion or Restoration of Grade

RULE	When member is a(n)	and action is	in the	and	then effective date of increase in pay and allowances
1	officer	designation of special assignment under *10 U.S.C. § 601(a)*	Army, Air Force, or Marine Corps as General or Lt General; or Navy as Admiral or Vice Admiral		is the date officer assumes the designated duty (note 1).
2	Reserve officer not on the active duty list	promotion to grade above O-2	Navy or Marine Corps		is the date officer becomes eligible for promotion to the higher grade.
3	Reserve officer not on the active duty list	promotion to grade O-2	Navy or Marine Corps		is the date of rank.
4	officer	promotion to grade above O-1	Uniformed Services		is the effective date of the promotion.
5	Reserve officer on active duty (other than for training) (but not on the active duty list)	permanent promotion to a higher Reserve grade	Army or Air Force	officer is ordered to serve on active duty in the higher permanent Reserve grade	is the effective date of orders to serve on active duty in the higher permanent Reserve grade (note 2).
6	Reserve officer on active duty (other than for training) (but not on the active duty list)	permanent promotion to a higher Reserve grade	Army or Air Force	officer is serving on active duty and assigned to a position requiring a grade equal to or higher than the grade to which promoted	is the effective date of orders or letter announcing promotion (note 3).
7	Reserve officer on active duty (other than for training) (but not on the active duty list)	temporary promotion to a higher Reserve grade	Army or Air Force	officer is serving on active duty and assigned to a position requiring a grade equal to or higher than the grade to which promoted	is the effective date of orders announcing promotion; or date shown in special orders confirming verbal orders.
8	enlisted member	advancement in rank or rating	Navy	effective date is specified in the letter authorizing the advance	is the effective date as stated, or date of the letter, whichever is later (note 4).

Table 1-4. Increases in Pay on Promotion or Restoration of Grade (Continued)

RULE	When member is a(n)	and action is	in the	and	then effective date of increase in pay and allowances
9	enlisted member	advancement in rank or rating	Navy	effective date is not stated in letter	is the date advance was actually affected, but not before date member's commander receives the authority (note 4).
10	enlisted member	advancement in rank or rating	Marine Corps	effective date is specified in the directive authorizing the advance	is the effective date as stated in the directive or date of the directive, whichever is later (note 4).
11	enlisted member	advancement in rank or rating	Marine Corps	promotion is not effected by directive	is the date certificate of appointment is signed by issuing authority (note 4).
12	enlisted member	appointment or promotion to a higher grade	Army or Air Force		1. is the date cited in orders, or date of orders, whichever is later (note 5); or 2. is the date of oral appointment or promotion, if later confirmed in writing (note 4).
13	enlisted member	restoration of former grade		reason for reduction was non-judicial punishment	may be retroactive to date of reduction.
14	enlisted member	restoration of former grade		reason for reduction was inefficiency	is the date of restoration orders.

Table 1-4. Increases in Pay on Promotion or Restoration of Grade (Continued)

NOTES:

1. If the officer's assignment is terminated because of:
   a. Assignment to another position also designated a special assignment: the officer will continue to draw the pay rate of the terminated assignment through the day before assuming the new position.
   b. Hospitalization: the officer will continue to draw the pay rate of the terminated assignment for the full period of hospitalization, but for not more than 180 days.
   c. Retirement: the officer will continue to draw the pay rate of the terminated position through the day before retirement, but for not more than 90 days.
2. A retroactive amendment of active duty orders is authority to serve in the higher grade from date of the amendment only. Increased pay and allowances are authorized from that date. Such orders do not create entitlement to increased pay and allowances for the retroactive period.
3. A retroactive promotion date is to be used only for consideration of seniority and time in grade for future promotions. Such orders do not create entitlement to increased pay and allowances for the period between the eligibility date for promotion and the effective date of the promotion order or letter. The effective date of promotion for purposes of entitlement to increased pay and allowances must not be earlier than the date the officer is assigned to a position requiring a grade equal to or higher than the grade to which promoted.
4. An appointment, promotion, or advancement to a higher grade with an effective date beyond the expiration date of the current enlistment and which is contingent upon the member's extension of enlistment or reenlistment, entitles the member to increased pay and allowances from the effective date of extension or reenlistment, whichever is later. Payment for the higher rank or rating is not authorized for a period prior to date of current enlistment.
5. This restriction does not prevent payment to enlisted members for retroactive promotions or advancements that are made pursuant to ***10 U.S.C. § 1552***(a)(2) (retroactive promotion or advancement without decision of the Board for Correction of Military Records), effective October 23, 1992.

Table 1-5. Termination or Reduction of Active Duty Pay and Allowances

RULE	If member is in the	and status is an	and action is	and reason for retention is	then pay and allowances are authorized through date
1	Regular Army, Navy, Marine Corps, or Air Force	officer holding permanent appointment	resignation, discharge, or dismissal		1. shown as official date of separation in official notice; or 2. officer receives official notice, if no official date of separation is shown (note 1).
2	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	discharge or dismissal from permanent status		of termination of appointment.
3	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	resignation		of termination of appointment.
4	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	transfer to Fleet Reserve, or Fleet Marine Corps Reserve (note 2)		before date placed on the retired list.
5	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	involuntary retirement under Officer Personnel Act of 1947		before date placed on the retired list.
6	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	retirement on last day of month after month member completed 30 years of active service		before date placed on the retired list.
7	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	retirement, other than as shown in rules 5 and 6; includes physical disability retirement		before date placed on the retired list.
8	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	permanent appointment as an officer		before date of acceptance of permanent appointment.

Table 1-5. Termination or Reduction of Active Duty Pay and Allowances (Continued)

RULE	If member is in the	and status is an	and action is	and reason for retention is	then pay and allowances are authorized through date
9	Regular Army, Navy, Marine Corps, or Air Force	officer holding temporary appointment or promotion	termination of appointment for any other reason		of termination of appointment.
10	Army, Navy, Marine Corps, or Air Force Reserve	officer or enlisted member	release from active duty		of allowable travel time after release (see Table 1-6).
11	Army, Navy, Marine Corps, or Air Force Reserve	officer or enlisted member	release from active duty for retirement		before date placed on retired list.
12	Army, Navy, Marine Corps, or Air Force Reserve	officer or enlisted member	discharge, dismissal, or a resignation		shown in official separation notice, or date member receives official notice of separation.
13	Army, Navy, Marine Corps, or Air Force	enlisted member	retirement (including physical disability retirement)		before date placed on retired list.
14	Army, Navy, Marine Corps, or Air Force	enlisted member	transfer to Fleet Reserve or Fleet Marine Corps Reserve		of transfer.
15	Army, Navy, Marine Corps, or Air Force	enlisted member	discharge		of discharge (note 3).
16	Army, Navy, Marine Corps, or Air Force	enlisted member	retention in service after expiration of term of service (note 4)	convenience of the government	of the period of retention.
17	Army, Navy, Marine Corps, or Air Force	enlisted member	retention in service after expiration of term of service (note 4)	to make good lost time	of the period of retention, if retained in full-duty status or if authorized to perform duty.

Table 1-5. Termination or Reduction of Active Duty Pay and Allowances (Continued)

RULE	If member is in the	and status is an	and action is	and reason for retention is	then pay and allowances are authorized through date
18	Army, Navy, Marine Corps, or Air Force	enlisted member		probation after confinement	of the probation period, if duty is performed during such period.
19	Army, Navy, Marine Corps, or Air Force	enlisted member		medical care or hospitalization (with member's consent)	of release from medical care or hospitalization (note 5).
20	Army, Navy, Marine Corps, or Air Force	enlisted member		service is essential to public interest (see paragraph 3.4)	of discharge (note 6).
21	Army, Navy, Marine Corps, or Air Force	enlisted member		court-martial action	see subparagraph 4.2.7.
22	Army, Navy, Marine Corps, or Air Force	enlisted member	demotion (administrative)		before date of demotion orders at the higher rate; and at the reduced rate on and after date of demotion orders.
23	Army, Navy, Marine Corps, or Air Force	officer or enlisted member	death		of death.
24	Army, Navy, Marine Corps, or Air Force	officer or enlisted member	revoking a promotion (erroneous promotion through administrative error)		before date of discovery at the higher rate; at the reduced rate on or after date of discovery (note 7).
25	Army, Navy, Marine Corps, or Air Force	officer or enlisted member	retirement	late delivery of retirement orders	retirement orders are delivered, or member is notified that retirement orders were issued.

Table 1-5. Termination or Reduction of Active Duty Pay and Allowances (Continued)

NOTES:

1. Discharge orders do not relieve the government of its obligation to an officer. The officer must have received actual or constructive notice by the effective date, unless the officer willfully avoids notice of separation. If kept in Military Service without fault, in ignorance of an order of dismissal, the officer is entitled to all salaries and benefits of the office. If held in Military Service under orders after the date shown in separation orders, the officer is entitled to pay if there is nothing in the records showing non-entitlement.
2. A member who reverts from a temporary officer appointment to a permanent enlisted or warrant officer grade is entitled, if otherwise proper, to the active duty pay and allowances of the temporary officer grade through and including the date of reversion.
3. Includes discharge for underage enlistment. Does not include discharge for fraudulent contract of enlistment (See section 5.0.).
4. A member whose enlistment is extended involuntarily by law comes under rule 15, not rules 16-21.
5. If medical care or hospitalization was due to member's misconduct, pay and allowances terminate on date of expiration of term of Military Service.
6. See subparagraph 3.4.4 for date of termination of the 25 percent increase in basic pay.
7. An erroneous promotion is later voided by revoking promotion orders (certificates of appointment or other documents used by the Military Service concerned to administratively effect promotions) from the original effective date. Payment of the pay and allowances of the higher grade through the date prior to the date of discovery is contingent, in each case, upon an administrative determination of the commander, that service performed while serving in the higher grade may be regarded as service performed in a "de facto" status; that is, the member was promoted by competent authority and performed duties of the higher grade (See procedural regulations of the Military Service concerned).

Table 1-6. Allowable Travel Time – Travel Between Places Within the United States

RULE	If order to active duty is for	and travel by (note 1)	then travel time allowed is	using (notes 3 and 4).
1	30 days or less	all transportation is reasonably available	computed on the basis of air transportation (not more than 1 day for travel between places within the CONUS) (note 2)	actual commercial air schedules and including the actual or estimated time to travel to and from air terminal(s) (but not more than 2 hours for each trip).
2	30 days or less	air transportation is not reasonably available for entire travel	computed as if actually performed by public surface transportation	actual schedules of fastest available mode.

NOTES:

1. When the air terminal is within 50 miles of the active duty station and direct or connecting flights are obtainable within 50 miles of the place from which ordered to active duty.
2. Additional time may be allowed when there is an actual delay in air travel. The delay must have been due to reasons beyond the control of the member, such as mechanical failure, adverse weather conditions, excess passenger load, cancelled flights, illness of other passengers, or other circumstances.
3. Travel is not expected to start or end between midnight and 0600.
4. Travel days will not exceed the computed travel time. In the computation of travel time, use existing commercial schedules to determine the latest departure time that would permit arrival at the duty station on the reporting date and hour. On release from active duty, use earliest schedule after release, which would permit arrival home by fastest available means, without regard to actual performance of travel. A member of a Reserve Component is entitled to active duty pay and allowances for allowable travel time per subparagraph 3.5.2 when member:
   a. is ordered to perform ADT;
   b. performs authorized IDT immediately before or after ADT at or near the same site; and
   c. receives orders, which direct performance of necessary travel to and from the ADT site immediately before and after combined ADT/IDT. The travel date will be specified in the active duty orders. Full retirement point credit is earned for the period of IDT performed.

*Table 1-7. Monthly Rates of Basic Pay – Commissioned Officers, Academy Cadets and Midshipmen and ROTC Members - Effective January 1, 2024
For the most current rates, see Basic Pay table on DFAS.MIL.

	Cumulative Years of Service (Notes 1, 2 & 3)						
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
O-10 (Note 4)							
O-9 (Note 4)							
O-8 (Note 4)	12,803.70	13,223.70	13,501.80	13,579.20	13,926.90	14,506.50	14,641.80
O-7 (Note 4)	10,638.90	11,133.00	11,361.90	11,544.00	11,872.80	12,198.30	12,574.20
O-6 (Note 5)	8,067.90	8,863.20	9,444.90	9,444.90	9,481.20	9,887.40	9,941.40
O-5 (Note 5)	6,725.70	7,576.50	8,100.90	8,199.60	8,527.20	8,722.50	9,153.00
O-4 (Note 5)	5,803.20	6,717.30	7,166.40	7,265.40	7,681.50	8,127.90	8,684.10
O-3 (Notes 5 & 6)	5,102.10	5,783.70	6,241.80	6,806.10	7,132.80	7,490.70	7,721.70
O-2 (Notes 5 & 6)	4,408.50	5,020.80	5,782.80	5,978.10	6,100.80	6,100.80	6,100.80
O-1 (Notes 5, 6 & 7)	3,826.20	3,982.80	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70

	Cumulative Years of Service (Notes 1, 2 & 3)							
Pay Grade	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**	**Over 26**
O-10 (Note 4)					18,491.70	18,491.70	18,491.70	18,491.70
O-9 (Note 4)					18,096.00	18,357.30	18,491.70	18,491.70
O-8 (Note 4)	15,192.60	15,351.30	15,825.90	16,512.90	17,145.60	17,568.60	17,568.60	17,568.60
O-7 (Note 4)	12,948.90	13,325.40	14,506.50	15,504.30	15,504.30	15,504.30	15,504.30	15,584.10
O-6 (Note 5)	9,941.40	10,506.30	11,505.00	12,091.20	12,677.10	13,010.70	13,348.50	14,002.80
O-5 (Note 5)	9,469.80	9,878.10	10,501.80	10,799.10	11,093.10	11,426.70	11,426.70	11,426.70
O-4 (Note 5)	9,116.10	9,416.70	9,589.50	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10
O-3 (Notes 5 & 6)	8,102.10	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00
O-2 (Notes 5 & 6)	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80
O-1 (Notes 5, 6 & 7)	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70

Pay Grade	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
O-10 (Note 4)	18,491.70	18,491.70	18,491.70	18,491.70	18,491.70	18,491.70	18,491.70
O-9 (Note 4)	18,491.70	18,491.70	18,491.70	18,491.70	18,491.70	18,491.70	18,491.70
O-8 (Note 4)	17,568.60	18,008.40	18,008.40	18,458.10	18,458.10	18,458.10	18,458.10
O-7 (Note 4)	15,584.10	15,895.80	15,895.80	15,895.80	15,895.80	15,895.80	15,895.80
O-6 (Note 5)	14,002.80	14,282.40	14,282.40	14,282.40	14,282.40	14,282.40	14,282.40
O-5 (Note 5)	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70	11,426.70
O-4(Note 5)	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10	9,689.10
O-3 (Notes 5 & 6)	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00	8,301.00
O-2 (Notes 5 & 6)	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80	6,100.80
O-1 (Notes 5, 6 & 7)	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70	4,814.70

Table 1-7. Monthly Rates of Basic Pay – Commissioned Officers, Academy Cadets and Midshipmen and ROTC Members - Effective January 1, 2024 (Continued)

NOTES:

1. Basic pay rate for Academy Cadets/Midshipmen and ROTC members/applicants is $1,339.50.
2. The amount of the maximum combat zone tax exclusion in effect for a qualifying month equals the sum of the basic pay for the senior enlisted member payable (Table 1-10, note 3) and the maximum amount of hostile fire or imminent danger pay ($225) actually payable to the officer for the qualifying month.
3. For rank titles, see Volume 7A Comparable Grades.
4. Basic pay is limited to the rate of basic pay for level II of the Executive Schedule in effect during calendar year 2024, which is $18,491.70 per month for officers at pay grades O-7 through O-10. This includes officers serving as:
   a. Chairman or Vice Chairman of the Joint Chiefs of Staff;
   b. Chief of Staff of the Army;
   c. Chief of Naval Operations;
   d. Chief of Staff of the Air Force;
   e. Commandant of the Marine Corps;
   f. Chief of Space Operations;
   g. Commandant of the Coast Guard;
   h. Chief of the National Guard Bureau; or
   i. Commander of a unified or specified combatant command (as defined in ***10 U.S.C. § 161(c)***).
5. Basic pay for pay grades O-6 and below is limited to the rate of basic pay for Level V of the Executive Schedule during calendar year 2024, which is $15,000.00.
6. O-1, O-2, and O-3 rates do not apply to commissioned officers who have been credited with over 4 years (i.e., at least 4 years and 1 day) of active duty service as an enlisted member or as a warrant officer or as both an enlisted member and a warrant officer.
7. These rates or, when applicable, the O-1E rates in Table 1-8 apply during periods of active service while as a DOM student of the USUHS. Also see subparagraph 2.2.1.6.

*Table 1-7A. Monthly Rates of Basic Pay – Commissioned Officers, Academy Cadets and Midshipmen and ROTC Members - Effective January 1, 2025
For the most current rates, see Basic Pay table on DFAS.MIL.

	Cumulative Years of Service (Notes 1, 2 & 3)						
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
O-10 (Note 4)							
O-9 (Note 4)							
O-8 (Note 4)	13,380.00	13,818.90	14,109.30	14,190.30	14,553.60	15,159.30	15,300.60
O-7 (Note 4)	11,117.70	11,634.00	11,873.10	12,063.60	12,407.10	12,747.30	13,140.00
O-6 (Note 5)	8,430.90	9,261.90	9,870.00	9,870.00	9,907.80	10,332.30	10,388.70
O-5 (Note 5)	7,028.40	7,917.30	8,465.40	8,568.60	8,910.90	9,114.90	9,564.90
O-4 (Note 5)	6,064.20	7,019.70	7,488.90	7,592.40	8,027.10	8,493.60	9,075.00
O-3 (Notes 5 & 6)	5,331.60	6,044.10	6,522.60	7,112.40	7,453.80	7,827.90	8,069.10
O-2 (Notes 5 & 6)	4,606.80	5,246.70	6,042.90	6,247.20	6,375.30	6,375.30	6,375.30
O-1 (Notes 5, 6 & 7)	3,998.40	4,161.90	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30

	Cumulative Years of Service (Notes 1, 2 & 3)							
Pay Grade	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**	**Over 26**
O-10 (Note 4)					18,808.20	18,808.20	18,808.20	18,808.20
O-9 (Note 4)					18,808.20	18,808.20	18,808.20	18,808.20
O-8 (Note 4)	15,876.30	16,042.20	16,538.10	17,256.00	17,917.20	18,359.10	18,359.10	18,359.10
O-7 (Note 4)	13,531.50	13,925.10	15,159.30	16,202.10	16,202.10	16,202.10	16,202.10	16,285.50
O-6 (Note 5)	10,388.70	10,979.10	12,022.80	12,635.40	13,247.70	13,596.30	13,949.10	14,632.80
O-5 (Note 5)	9,895.80	10,322.70	10,974.30	11,285.10	11,592.30	11,940.90	11,940.90	11,940.90
O-4 (Note 5)	9,526.20	9,840.60	10,020.90	10,125.00	10,125.00	10,125.00	10,125.00	10,125.00
O-3 (Notes 5 & 6)	8,466.60	8,674.50	8,674.50	8,674.50	8,674.50	8,674.50	8,674.50	8,674.50
O-2 (Notes 5 & 6)	6,375.30	6,375.30	6,375.30	6,375.30	6,375.30	6,375.30	6,375.30	6,375.30
O-1 (Notes 5, 6 & 7)	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30

Pay Grade	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
O-10 (Note 4)	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20
O-9 (Note 4)	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20
O-8 (Note 4)	18,359.10	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20	18,808.20
O-7 (Note 4)	16,285.50	16,611.00	16,611.00	16,611.00	16,611.00	16,611.00	16,611.00
O-6 (Note 5)	14,632.80	14,925.00	14,925.00	14,925.00	14,925.00	14,925.00	14,925.00
O-5 (Note 5)	11,940.90	11,940.90	11,940.90	11,940.90	11,940.90	11,940.90	11,940.90
O-4(Note 5)	10,125.00	10,125.00	10,125.00	10,125.00	10,125.00	10,125.00	10,125.00
O-3 (Notes 5 & 6)	8,674.50	8,674.50	8,674.50	8,674.50	8,674.50	8,674.50	8,674.50
O-2 (Notes 5 & 6)	6,375.30	6,375.30	6,375.30	6,375.30	6,375.30	6,375.30	6,375.30
O-1 (Notes 5, 6 & 7)	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30	5,031.30

Table 1-7A. Monthly Rates of Basic Pay – Commissioned Officers, Academy Cadets and Midshipmen and ROTC Members - Effective January 1, 2025 (Continued)

NOTES:

1. Basic pay rate for Academy Cadets/Midshipmen and ROTC members/applicants is $1,399.80.
2. The amount of the maximum combat zone tax exclusion in effect for a qualifying month equals the sum of the basic pay for the senior enlisted member payable (Table 1-10A, note 3) and the maximum amount of hostile fire or imminent danger pay ($225) actually payable to the officer for the qualifying month.
3. For rank titles, see Volume 7A Comparable Grades.
4. Basic pay is limited to the rate of basic pay for level II of the Executive Schedule in effect during calendar year 2025, which is $18,808.20 per month for officers at pay grades O-7 through O-10. This includes officers serving as:
   a. Chairman or Vice Chairman of the Joint Chiefs of Staff;
   b. Chief of Staff of the Army;
   c. Chief of Naval Operations;
   d. Chief of Staff of the Air Force;
   e. Commandant of the Marine Corps;
   f. Chief of Space Operations;
   g. Commandant of the Coast Guard;
   h. Chief of the National Guard Bureau; or
   i. Commander of a unified or specified combatant command (as defined in ***10 U.S.C. § 161(c)***).
5. Basic pay for pay grades O-6 and below is limited to the rate of basic pay for Level V of the Executive Schedule during calendar year 2025, which is $15,258.30.
6. O-1, O-2, and O-3 rates do not apply to commissioned officers who have been credited with over 4 years (i.e., at least 4 years and 1 day) of active duty service as an enlisted member or as a warrant officer or as both an enlisted member and a warrant officer.
7. These rates or, when applicable, the O-1E rates in Table 1-8 apply during periods of active service while as a DOM student of the USUHS. Also see subparagraph 2.2.1.6.

*Table 1-8. Monthly Rates of Basic Pay – Commissioned Officers Credited With Over 4 Years of Active Duty Enlisted and/or Warrant Officer Service - Effective January 1, 2024
For the most current rates, see Basic Pay table on DFAS.MIL.
Notes 1 and 2

Cumulative Years of Service (Notes 1 & 2)							
Pay Grade (Notes 3 & 4)	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
O-3E				6,806.10	7,132.80	7,490.70	7,721.70
O-2E				5,978.10	6,100.80	6,294.90	6,622.80
O-1E				4,814.70	5,141.10	5,331.30	5,525.70

Cumulative Years of Service (Notes 1 & 2)								
Pay Grade (Notes 3 & 4)	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**	**Over 26**
O-3E	8,102.10	8,423.40	8,607.90	8,859.00	8,859.00	8,859.00	8,859.00	8,859.00
O-2E	6,876.60	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00
O-1E	5,716.50	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10

Cumulative Years of Service (Notes 1 & 2)							
Pay Grade (Notes 3 & 4)	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
O-3E	8,859.00	8,859.00	8,859.00	8,859.00	8,859.00	8,859.00	8,859.00
O-2E	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00	7,065.00
O-1E	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10	5,978.10

NOTES:

1. The amount of the maximum combat zone tax exclusion in effect for a qualifying month equals the sum of the basic pay for the senior enlisted member (grade E-9) payable (Table 1-10, note 3) and the amount of hostile fire or imminent danger pay ($225) actually payable to the officer for the qualifying month.
2. For rank titles, see Volume 7A Comparable Grades.
3. Creditable service to be taken into account for purposes of this table is active service as an enlisted member or as a warrant officer or as both an enlisted member and a warrant officer, in the case of a commissioned officer on active duty who is paid from funds appropriated for active-duty personnel; or a commissioned officer on active Guard and Reserve duty. Effective November 24, 2003, creditable service to be taken into account for purposes of this table in the case of a commissioned officer is service as an enlisted member or as a warrant officer, or as both an enlisted member and a warrant officer, for which more than 1,460 points have been credited to the officer for the purposes of 10 U.S.C. § 12732(a)(2).
4. These rates do not apply to DOM students of the USUHS who do not have over 4 years (i.e., at least 4 years and 1 day) of active duty service as an enlisted member or as a warrant officer or as both an enlisted member and a warrant officer. See the Basic Pay – Officers table for applicable rates. DOM USUHS students with over 4 years of prior enlisted and/or warrant officer service are entitled to the O-1E rate of basic pay in this table during such active duty periods. Also see subparagraphs 2.2.1.6.

*Table 1-8A. Monthly Rates of Basic Pay – Commissioned Officers Credited With Over 4 Years of Active Duty Enlisted and/or Warrant Officer Service - Effective January 1, 2025
For the most current rates, see Basic Pay table on DFAS.MIL.
Notes 1 and 2

Cumulative Years of Service (Notes 1 & 2)							
Pay Grade (Notes 3 & 4)	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
O-3E				7,112.40	7,453.80	7,827.90	8,069.10
O-2E				6,247.20	6,375.30	6,578.10	6,920.70
O-1E				5,031.30	5,372.40	5,571.30	5,774.40

Cumulative Years of Service (Notes 1 & 2)								
Pay Grade (Notes 3 & 4)	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**	**Over 26**
O-3E	8,466.60	8,802.60	8,995.20	9,257.70	9,257.70	9,257.70	9,257.70	9,257.70
O-2E	7,185.90	7,383.00	7,383.00	7,383.00	7,383.00	7,383.00	7,383.00	7,383.00
O-1E	5,973.60	6,247.20	6,247.20	6,247.20	6,247.20	6,247.20	6,247.20	6,247.20

Cumulative Years of Service (Notes 1 & 2)							
Pay Grade (Notes 3 & 4)	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
O-3E	9,257.70	9,257.70	9,257.70	9,257.70	9,257.70	9,257.70	9,257.70
O-2E	7,383.00	7,383.00	7,383.00	7,383.00	7,383.00	7,383.00	7,383.00
O-1E	6,247.20	6,247.20	6,247.20	6,247.20	6,247.20	6,247.20	6,247.20

NOTES:

1. The amount of the maximum combat zone tax exclusion in effect for a qualifying month equals the sum of the basic pay for the senior enlisted member (grade E-9) payable (Table 1-10A, note 3) and the amount of hostile fire or imminent danger pay ($225) actually payable to the officer for the qualifying month.
2. For rank titles, see Volume 7A Comparable Grades.
3. Creditable service to be taken into account for purposes of this table is active service as an enlisted member or as a warrant officer or as both an enlisted member and a warrant officer, in the case of a commissioned officer on active duty who is paid from funds appropriated for active-duty personnel; or a commissioned officer on active Guard and Reserve duty. Effective November 24, 2003, creditable service to be taken into account for purposes of this table in the case of a commissioned officer is service as an enlisted member or as a warrant officer, or as both an enlisted member and a warrant officer, for which more than 1,460 points have been credited to the officer for the purposes of 10 U.S.C. § 12732(a)(2).
4. These rates do not apply to DOM students of the USUHS who do not have over 4 years (i.e., at least 4 years and 1 day) of active duty service as an enlisted member or as a warrant officer or as both an enlisted member and a warrant officer. See the Basic Pay – Officers table for applicable rates. DOM USUHS students with over 4 years of prior enlisted and/or warrant officer service are entitled to the O-1E rate of basic pay in this table during such active duty periods. Also see subparagraphs 2.2.1.6.

*Table 1-9. Monthly Rates of Basic Pay – Warrant Officers - Effective January 1, 2024
For the most current rates, see Basic Pay table on DFAS.MIL.

Cumulative Years of Service (Note)							
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
W-5							
W-4	5,273.10	5,671.50	5,834.40	5,994.60	6,270.60	6,543.60	6,820.20
W-3	4,815.60	5,015.70	5,222.10	5,289.00	5,504.40	5,928.90	6,370.80
W-2	4,260.90	4,663.80	4,787.70	4,873.20	5,149.20	5,578.50	5,791.80
W-1	3,739.80	4,143.00	4,250.70	4,479.60	4,749.90	5,148.30	5,334.30

Cumulative Years of Service (Note)								
Pay Grade	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**	**Over 26**
W-5					9,375.60	9,851.10	10,205.70	10,597.20
W-4	7,235.40	7,599.90	7,946.70	8,231.10	8,508.30	8,914.50	9,248.70	9,629.70
W-3	6,579.00	6,819.90	7,067.40	7,513.80	7,814.70	7,994.70	8,186.10	8,447.10
W-2	6,001.20	6,257.40	6,457.80	6,639.00	6,856.20	6,998.70	7,111.80	7,111.80
W-1	5,595.30	5,850.90	6,052.20	6,237.60	6,462.90	6,462.90	6,462.90	6,462.90

Cumulative Years of Service (Note)							
Pay Grade	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
W-5	10,597.20	11,128.20	11,128.20	11,683.50	11,683.50	12,269.10	12,269.10
W-4	9,629.70	9,821.70	9,821.70	9,821.70	9,821.70	9,821.70	9,821.70
W-3	8,447.10	8,447.10	8,447.10	8,447.10	8,447.10	8,447.10	8,447.10
W-2	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80	7,111.80
W-1	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90	6,462.90

NOTE:

For rank titles, see Volume 7A Comparable Grades.

*Table 1-9A. Monthly Rates of Basic Pay – Warrant Officers - Effective January 1, 2025
For the most current rates, see Basic Pay table on DFAS.MIL.

Cumulative Years of Service (Note)							
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
W-5							
W-4	5,510.40	5,926.80	6,096.90	6,264.30	6,552.90	6,838.20	7,127.10
W-3	5,032.20	5,241.30	5,457.00	5,526.90	5,752.20	6,195.60	6,657.60
W-2	4,452.60	4,873.80	5,003.10	5,092.50	5,380.80	5,829.60	6,052.50
W-1	3,908.10	4,329.30	4,442.10	4,681.20	4,963.50	5,379.90	5,574.30

Cumulative Years of Service (Note)								
Pay Grade	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**	**Over 26**
W-5					9,797.40	10,294.50	10,665.00	11,074.20
W-4	7,560.90	7,941.90	8,304.30	8,601.60	8,891.10	9,315.60	9,664.80	10,062.90
W-3	6,875.10	7,126.80	7,385.40	7,851.90	8,166.30	8,354.40	8,554.50	8,827.20
W-2	6,271.20	6,539.10	6,748.50	6,937.80	7,164.60	7,313.70	7,431.90	7,431.90
W-1	5,847.00	6,114.30	6,324.60	6,518.40	6,753.60	6,753.60	6,753.60	6,753.60

Cumulative Years of Service (Note)							
Pay Grade	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
W-5	11,074.20	11,628.90	11,628.90	12,209.40	12,209.40	12,821.10	12,821.10
W-4	10,062.90	10,263.60	10,263.60	10,263.60	10,263.60	10,263.60	10,263.60
W-3	8,827.20	8,827.20	8,827.20	8,827.20	8,827.20	8,827.20	8,827.20
W-2	7,431.90	7,431.90	7,431.90	7,431.90	7,431.90	7,431.90	7,431.90
W-1	6,753.60	6,753.60	6,753.60	6,753.60	6,753.60	6,753.60	6,753.60

NOTE:

For rank titles, see Volume 7A Comparable Grades.

*Table 1-10. Monthly Rates of Basic Pay – Enlisted Members - Effective January 1, 2024
For the most current rates, see Basic Pay table on DFAS.MIL.

Cumulative Years of Service (Note 1)							
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
E-9 (Notes 2 & 3)							6,370.50
E-8						5,214.90	5,445.60
E-7	3,624.90	3,956.40	4,108.20	4,308.30	4,465.50	4,734.60	4,886.40
E-6	3,135.60	3,450.60	3,603.00	3,750.90	3,904.80	4,252.50	4,387.80
E-5	2,872.20	3,065.70	3,214.20	3,365.70	3,601.80	3,848.70	4,052.10
E-4	2,633.70	2,768.40	2,918.40	3,066.30	3,197.40	3,197.40	3,197.40
E-3	2,377.50	2,526.90	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20
E-2	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10
E-1 (Notes 4 & 5)	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20

Cumulative Years of Service (Note 1)							
Pay Grade	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**
E-9 (Notes 2 & 3)	6,514.80	6,696.60	6,910.50	7,127.10	7,472.10	7,765.20	8,072.70
E-8	5,588.40	5,759.40	5,944.50	6,279.30	6,449.10	6,737.40	6,897.30
E-7	5,155.20	5,379.30	5,532.30	5,694.90	5,757.90	5,969.70	6,083.10
E-6	4,649.70	4,729.80	4,788.00	4,856.40	4,856.40	4,856.40	4,856.40
E-5	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40
E-4	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40
E-3	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20
E-2	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10
E-1 (Notes 4 & 5)	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20

Cumulative Years of Service (Note 1)								
Pay Grade	**Over 26**	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
E-9 (Notes 2 & 3)	8,544.00	8,544.00	8,970.30	8,970.30	9,419.40	9,419.40	9,891.30	9,891.30
E-8	7,291.20	7,291.20	7,437.30	7,437.30	7,437.30	7,437.30	7,437.30	7,437.30
E-7	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70	6,515.70
E-6	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40	4,856.40
E-5	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40	4,076.40
E-4	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40	3,197.40
E-3	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20	2,680.20
E-2	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10	2,261.10
E-1 (Notes 4 & 5)	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20	2,017.20

Table 1-10. Monthly Rates of Basic Pay – Enlisted Members Effective January 1, 2024 (Continued)

NOTES:

1. For rank titles, see Volume 7A Comparable Grades.
2. Basic pay for senior enlisted member (grade E-9) is $10,294.80 regardless of years of service while serving as:
   a. Senior Enlisted Advisor of the Chairman, Joint Chiefs of Staff;
   b. Sergeant Major of the Army;
   c. Master Chief Petty Officer of the Navy;
   d. Chief Master Sergeant of the Air Force;
   e. Sergeant Major of the Marine Corps;
   f. Chief Master Sergeant of the Space Force;
   g. Master Chief Petty Officer of the Coast Guard; or
   h. Senior Enlisted Advisor to the Chief of the National Guard Bureau.
3. If a member is placed on terminal leave pending retirement immediately following the completion of service as the senior enlisted member of a Military Department, the member is entitled to the higher senior enlisted pay $10,294.80 up to a maximum of 60 days. If a member is hospitalized, and during or immediately before such hospitalization, completed service as the senior enlisted member of that Military Department's Armed Force, the member will continue to be entitled, for not more than 180 days while so hospitalized, to the rate of basic pay authorized for a senior enlisted member.
4. Must have 4 months of active duty or more.
5. Basic pay for an E-1 with less than 4 months of active duty is $1,865.10.

*Table 1-10A. Monthly Rates of Basic Pay – Enlisted Members - Effective January 1, 2025
For the most current rates, see Basic Pay table on DFAS.MIL.

Cumulative Years of Service (Note 1)							
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
E-9 (Notes 2 & 3)							6,657.30
E-8						5,449.50	5,690.70
E-7	3,788.10	4,134.30	4,293.00	4,502.10	4,666.50	4,947.60	5,106.30
E-6	3,276.60	3,606.00	3,765.00	3,919.80	4,080.60	4,443.90	4,585.20
E-5	3,001.50	3,203.70	3,358.80	3,517.20	3,763.80	4,021.80	4,234.50
E-4	2,752.20	2,892.90	3,049.80	3,204.30	3,341.40	3,341.40	3,341.40
E-3	2,484.60	2,640.60	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80
E-2	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80
E-1 (Notes 4 & 5)	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10

Cumulative Years of Service (Note 1)							
Pay Grade	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**
E-9 (Notes 2 & 3)	6,807.90	6,997.80	7,221.60	7,447.80	7,808.40	8,114.70	8,436.00
E-8	5,839.80	6,018.60	6,212.10	6,561.90	6,739.20	7,040.70	7,207.80
E-7	5,387.10	5,621.40	5,781.30	5,951.10	6,017.10	6,238.20	6,356.70
E-6	4,858.80	4,942.50	5,003.40	5,074.80	5,074.80	5,074.80	5,074.80
E-5	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70
E-4	3,341.40	3,341.40	3,341.40	3,341.40	3,341.40	3,341.40	3,341.40
E-3	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80
E-2	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80
E-1 (Notes 4 & 5)	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10

Cumulative Years of Service (Note 1)								
Pay Grade	**Over 26**	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
E-9 (Notes 2 & 3)	8,928.60	8,928.60	9,374.10	9,374.10	9,843.30	9,843.30	10,336.50	10,336.50
E-8	7,619.40	7,619.40	7,772.10	7,772.10	7,772.10	7,772.10	7,772.10	7,772.10
E-7	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80
E-6	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80
E-5	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70
E-4	3,341.40	3,341.40	3,341.40	3,341.40	3,341.40	3,341.40	3,341.40	3,341.40
E-3	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80	2,800.80
E-2	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80	2,362.80
E-1 (Notes 4 & 5)	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10	2,108.10

Table 1-10A. Monthly Rates of Basic Pay – Enlisted Members Effective January 1, 2025 (Continued)

NOTES:

1. For rank titles, see Volume 7A Comparable Grades.
2. Basic pay for senior enlisted member (grade E-9) is $10,758.00 regardless of years of service while serving as:
   a. Senior Enlisted Advisor of the Chairman, Joint Chiefs of Staff;
   b. Sergeant Major of the Army;
   c. Master Chief Petty Officer of the Navy;
   d. Chief Master Sergeant of the Air Force;
   e. Sergeant Major of the Marine Corps;
   f. Chief Master Sergeant of the Space Force;
   g. Master Chief Petty Officer of the Coast Guard; or
   h. Senior Enlisted Advisor to the Chief of the National Guard Bureau.
3. If a member is placed on terminal leave pending retirement immediately following the completion of service as the senior enlisted member of a Military Department, the member is entitled to the higher senior enlisted pay $10,758.00 up to a maximum of 60 days. If a member is hospitalized, and during or immediately before such hospitalization, completed service as the senior enlisted member of that Military Department's Armed Force, the member will continue to be entitled, for not more than 180 days while so hospitalized, to the rate of basic pay authorized for a senior enlisted member.
4. Must have 4 months of active duty or more.
5. Basic pay for an E-1 with less than 4 months of active duty is $1,949.10.

*Table 1-10B. Monthly Rates of Basic Pay – Enlisted Members - Effective April 1, 2025
For the most current rates, see Basic Pay table on DFAS.MIL.

Cumulative Years of Service (Note 1)							
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**
E-9 (Notes 2 & 3)							6,657.30
E-8						5,449.50	5,690.70
E-7	3,788.10	4,134.30	4,293.00	4,502.10	4,666.50	4,947.60	5,106.30
E-6	3,276.60	3,606.00	3,765.00	3,919.80	4,080.60	4,443.90	4,585.20
E-5	3,220.50	3,466.50	3,637.50	3,802.20	3,959.40	4,142.40	4,234.50
E-4	3,027.30	3,182.10	3,354.90	3,524.70	3,675.60	3,675.60	3,675.60
E-3	2,733.00	2,904.60	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00
E-2	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20
E-1 (Notes 4 & 5)	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00

Cumulative Years of Service (Note 1)							
Pay Grade	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 24**
E-9 (Notes 2 & 3)	6,807.90	6,997.80	7,221.60	7,447.80	7,808.40	8,114.70	8,436.00
E-8	5,839.80	6,018.60	6,212.10	6,561.90	6,739.20	7,040.70	7,207.80
E-7	5,387.10	5,621.40	5,781.30	5,951.10	6,017.10	6,238.20	6,356.70
E-6	4,858.80	4,942.50	5,003.40	5,074.80	5,074.80	5,074.80	5,074.80
E-5	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70
E-4	3,675.60	3,675.60	3,675.60	3,675.60	3,675.60	3,675.60	3,675.60
E-3	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00
E-2	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20
E-1 (Notes 4 & 5)	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00

Cumulative Years of Service (Note 1)								
Pay Grade	**Over 26**	**Over 28**	**Over 30**	**Over 32**	**Over 34**	**Over 36**	**Over 38**	**Over 40**
E-9 (Notes 2 & 3)	8,928.60	8,928.60	9,374.10	9,374.10	9,843.30	9,843.30	10,336.50	10,336.50
E-8	7,619.40	7,619.40	7,772.10	7,772.10	7,772.10	7,772.10	7,772.10	7,772.10
E-7	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80	6,808.80
E-6	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80	5,074.80
E-5	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70	4,259.70
E-4	3,675.60	3,675.60	3,675.60	3,675.60	3,675.60	3,675.60	3,675.60	3,675.60
E-3	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00	3,081.00
E-2	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20	2,599.20
E-1 (Notes 4 & 5)	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00	2,319.00

Table 1-10B. Monthly Rates of Basic Pay – Enlisted Members Effective April 1, 2025 (Continued)

NOTES:

1. For rank titles, see Volume 7A Comparable Grades.
2. Basic pay for senior enlisted member (grade E-9) is $10,758.00 regardless of years of service while serving as:
   a. Senior Enlisted Advisor of the Chairman, Joint Chiefs of Staff;
   b. Sergeant Major of the Army;
   c. Master Chief Petty Officer of the Navy;
   d. Chief Master Sergeant of the Air Force;
   e. Sergeant Major of the Marine Corps;
   f. Chief Master Sergeant of the Space Force;
   g. Master Chief Petty Officer of the Coast Guard; or
   h. Senior Enlisted Advisor to the Chief of the National Guard Bureau.
3. If a member is placed on terminal leave pending retirement immediately following the completion of service as the senior enlisted member of a Military Department, the member is entitled to the higher senior enlisted pay $10,758.00 up to a maximum of 60 days. If a member is hospitalized, and during or immediately before such hospitalization, completed service as the senior enlisted member of that Military Department's Armed Force, the member will continue to be entitled, for not more than 180 days while so hospitalized, to the rate of basic pay authorized for a senior enlisted member.
4. Must have 4 months of active duty or more.
5. Basic pay for an E-1 with less than 4 months of active duty is $2,144.10.

Table 1-11. Authorized Absence - Effect on Pay and Allowances

RULE	When member is absent from duty	and	then the member is	and the period of absence is
1	on authorized leave	such leave is: a. ordinary accrued leave; b. emergency leave; c. reenlistment leave; or d. delay en route	entitled to otherwise proper credit of full pay and allowances during the period of absence	charged as leave.
2	on authorized leave	such leave is advanced accrued leave	entitled to otherwise proper credit of full pay and allowances during the period of absence	charged against leave as it accrues (note 1).
3	on authorized leave	such leave is: a. graduation leave; b. sick or convalescent leave; c. pass or liberty; or d. proceed time	entitled to otherwise proper credit of full pay and allowances during the period of absence	not chargeable against leave.
4	at home on Permanent Change of Station (PCS) orders awaiting final action on physical evaluation board proceedings		entitled to pay and allowances as follows: a. basic pay; b. special pay (if a health professional officer); c. BAS for officers and enlisted (as applicable) (note 2); d. BAH (note 3); and e. clothing maintenance allowance	chargeable to leave to the extent possible (note 4).
5	on excess leave		not entitled to pay and allowances (note 5)	not chargeable to accrued leave (note 6).

Table 1-11. Authorized Absence - Effect on Pay and Allowances (Continued)

RULE	When member is absent from duty	and	then the member is	and the period of absence is
6	on authorized educational leave of absence not to exceed 2 years, or 3 years if pursuing a program of education in the health care profession		entitled to basic pay (member is not entitled to BAH, BAS, or any other pay and allowance to which member might otherwise be entitled for period of leave of absence)	not chargeable to accrued leave.
7	on authorized rest and recuperative absence for not more than 30 days for extending duty under Chapter 14, section 3.0	blank	entitled to otherwise proper credit of full pay and allowances during the period of absence (note 7)	not chargeable to accrued leave.

NOTES:

1. See subparagraph 4.1.4 for collection requirements when advance leave is changed to excess leave.
2. Enlisted members are entitled to BAS at the rate shown in Chapter 25, Table 25-1 or the Basic Allowance for Subsistence (BAS) table except for days of leave specifically authorized by the PCS orders. Pay BAS at the rate shown in Chapter 25, subparagraph 2.2.2.3 for the PCS order-authorized leave period.
3. Members without dependents are entitled to BAH as prescribed in subparagraph 4.1.3.2.5.
4. A negative leave balance, which existed prior to the member being ordered home continues until separation or retirement and will be collected as excess leave.
5. A member separating effective March 1, whose separation leave period through February 28 (or through February 29 during leap year) results in excess leave, is not entitled to pay and allowances for February 29 and 30 (or for February 30 during leap year). These days are not considered days of excess leave; however, the member is considered to be in a non-pay status through February 30. See subparagraph 3.2.2.

Table 1-11. Authorized Absence - Effect on Pay and Allowances (Continued)

NOTES (continued):

6. Under ***DoD Instruction (DoDI) 1327.06, "Leave and Liberty Policy and Procedures,"*** a member does not accrue leave during periods of excess leave (here referred to as "nonaccrual"). Computation of the number of days involved in an excess leave balance, which accounts for this nonaccrual may result in a total which includes a fraction. Effective with leave taken on or after Feb 1, 1987, the total is not rounded to eliminate the fraction when pay and allowances are collected for excess leave. The fractional one-half day is considered to occur on the first day of the excess leave involved. Collect pay and allowances for the number of days, to include fractional days.
7. Member is not entitled to special pay under Chapter 14, section 2.0.

Table 1-12. Unauthorized Absence and Other Lost Time - Effect on Pay and Allowances

RULE	When member is absent from duty	and	then the member
1	without authority, (AWOL) or excess leave, delays en route, pass or liberty	the absence is excused as unavoidable	is entitled to otherwise proper credits of pay and allowances (note 1).
2	without authority, (AWOL) or excess leave, delays en route, pass or liberty	the absence is not excused as unavoidable	is not entitled to pay and allowances (note 2).
3	for more than 24 consecutive hours as a result of a disease	the disease is caused by and immediately follows intemperate use of alcoholic liquors or habit-forming drugs	is entitled to allowances but not to basic pay, special, or incentive pay (note 3).
4	in confinement by civil authorities	is being detained as a witness before a civil court	is entitled to otherwise proper credits of pay and allowances.
5	in confinement by civil authorities	the absence is excused as unavoidable (see Table 1-13)	is entitled to otherwise proper credits of pay and allowances.
6	in confinement by civil authorities	the absence is not excused as unavoidable (see Table 1-13)	is not entitled to pay and allowances, except for that part of the period that is covered by authorized leave, liberty, or pass (note 4).
7	in confinement by military authorities for a foreign civil offense	is not considered “constructively absent” from duty (note 5)	is entitled to otherwise proper credits of pay and allowances.
8	in confinement by military authorities for a foreign civil offense	is considered “constructively absent” from duty (note 6)	is not entitled to pay and allowances except for that part of the period that is covered by authorized leave, unless the absence is excused as unavoidable (see Table 1-13).
9	in military confinement (other than for civil authorities)	is awaiting trial by court-martial or serving a sentence of confinement which did not include a forfeiture of pay	is entitled to otherwise proper credits of pay and allowances.
10	in military confinement (other than for civil authorities)	is serving a court-martial sentence which includes a forfeiture of pay and allowances	is entitled to pay and allowances accruing before the date the sentence was approved by the convening authority and to any unforfeited pay and allowances accruing after that date.

Table 1-12. Unauthorized Absence and Other Lost Time – Effect on Pay and Allowances (Continued)

RULE	When member is absent from duty	and	then the member
11	as a deserter	is found guilty of deserting by court-martial or is administratively discharged for desertion or dies prior to return to military control or while awaiting trial by court-martial for the charge of desertion	forfeits all pay and allowances including that due on the first day of desertion (note 7).
12	without authority for 3 months while serving as an Army or Air Force officer	is dropped from the rolls by the President	forfeits all pay and allowances due or to become due (note 7).

NOTES:

1. Enlisted members are entitled to BAS at the rate prescribed when permission to ration separately is granted unless they were subsisted at government expense.
2. See Chapter 26, for entitlement to BAH in a non-pay status. See Chapter 10 for entitlement to Hostile Fire Pay, which is payable in full for each month in which qualification is made.
3. A member is not entitled to pay or allowances for period of hospitalization after expiration of enlistment.
4. A member is not entitled to pay and allowances if granted a pass or liberty to serve civil confinement.
5. In any case where the commander of the military installation retains the discretionary authority to decide to incarcerate a member (or to merely restrict to the duty station and assign to perform useful and productive duties on a full-time basis), such member will not be considered as being "constructively absent" for the purposes of entitlement to pay and allowances.
6. Under existing DoD policy and Status of Forces Agreements, the U.S. Commander always retains discretionary authority to incarcerate or restrict a Military Service member to the installation when such a member is pending civil charges, even in cases where incarceration or restriction is requested by foreign authorities. Such member is not considered as being "constructively absent" for the purpose of entitlement to pay and allowances.
7. Pay and allowances due on date of desertion and on date an officer was dropped from the rolls will be used to satisfy debts due the United States and its instrumentalities.

*Table 1-13. Rules for Determining Whether Absence Is Unavoidable

RULE	When member is absent from duty	and	and	then absence may
1	in confinement by civil authorities or by military authorities for civil authorities	is tried and acquitted		be excused as unavoidable.
2	in confinement by civil authorities or by military authorities for civil authorities	charges are dismissed or member is released (or dies) without trial	it is clear that arrest and detention were not due to member's misconduct	be excused as unavoidable.
3	in confinement by civil authorities or by military authorities for civil authorities	is released without trial upon agreement to make restitution or reparation for the alleged offense	the commander determines that absence was not due to member's misconduct	be excused as unavoidable.
4	in confinement by civil authorities or by military authorities for civil authorities	is admitted to bail and trial is postponed indefinitely	it is apparent that the case will not be prosecuted	be excused as unavoidable.
5	in confinement by civil authorities or by military authorities for civil authorities	was released because the case was discontinued by the prosecutor or plaintiff or because the jury failed to agree		be excused as unavoidable.

Table 1-13. Rules for Determining Whether Absence Is Unavoidable (Continued)

RULE	When member is absent from duty	and	and	then absence may
6	in confinement by civil authorities or by military authorities for civil authorities	is tried and convicted		not be excused as unavoidable.
7	in confinement by civil authorities or by military authorities for civil authorities	is released under bond (not in a full-duty status) pending appeal of the case to a higher court	the appeal does not result in acquittal	not be excused as unavoidable.
8	in confinement by civil authorities or by military authorities for civil authorities	is discharged because of imprisonment or conviction by a civil court		not be excused as unavoidable.
9	in confinement by civil authorities or by military authorities for civil authorities	confinement is due to failure to obey a decree of a civil court		not be excused as unavoidable.
***10**	in confinement by civil authorities	is tried and found not guilty by reason of insanity	the court orders commitment of the member under applicable Federal or State law	be excused as unavoidable.
11	without authority, (AWOL) or excess leave	the absence could not have been avoided by the member or by military authorities	the absence was not due to member's misconduct	be excused as unavoidable.
12	over pass or liberty	the absence could not have been avoided by the member or by military authorities	the absence was not due to member's misconduct	be excused as unavoidable.
13	over pass or liberty	the absence could have been prevented by member or by military authorities		not be excused as unavoidable.

Table 1-14. Computing Periods of Unauthorized Absence

RULE	When a member	and he/she is in the	and the hour of expiration of leave, pass, or liberty, or authorized travel	and the member	then
1	leaves the post of duty, place of service, or organization without authority	Army, Air Force, Navy or Marine Corps		remains absent more than 24 consecutive hours	the day of departure will be counted as the first day of unauthorized absence.
2	fails to report to the organization or post of duty on the last day of authorized leave, pass, or liberty, or authorized travel time	Navy, or Marine Corps	is before 2400 hours as specified in leave orders	does not report on or before the specified hour of the following day	the last day of leave, pass, or liberty, or authorized travel time is the first day of unauthorized absence.
3	fails to report to the organization or post of duty on the last day of authorized leave, pass, or liberty, or authorized travel time	Navy, or Marine Corps	is 2400 hours as specified in leave orders		the day following the last day of leave, pass, or liberty, or authorized travel time is the first day of unauthorized absence.
4	fails to report to the organization or post of duty on the last day of authorized leave, pass, or liberty	Navy, or Marine Corps	is not specified in leave orders	does not report before normal duty hours of the following day (note)	the day following the last day of leave, pass, or liberty is the first day of unauthorized absence.
5	fails to report to the organization or post of duty on the last day of authorized leave, pass, or liberty	Army or Air Force	is not specified in leave orders	does not report before normal duty hours of the following day (note)	the day following the last day of leave, pass, or liberty is the first day of unauthorized absence.

Table 1-14. Computing Periods of Unauthorized Absence (Continued)

RULE	When a member	and he/she is in the	and the hour of expiration of leave, pass, or liberty, or authorized travel	and the member	then
6	fails to report to the organization or post of duty by 2400 hours on the last day of authorized travel time	Army, Air Force, Navy, or Marine Corps	is not specified in orders		the day following the last day of authorized travel time is the first day of unauthorized absence.
7	is AWOL	Army, Air Force, Navy, or Marine Corps		returns to the place of duty, or organization, or otherwise to the jurisdiction of the Armed Forces	the day before the member's return is the last day of unauthorized absence.

NOTE:

The unauthorized absence begins at the normal duty hour. No unauthorized absence exists unless the member remains absent for more than 24 hours after the beginning of the normal duty hour.

*Table 1-15. Void, Voidable, or Rejected Enlistments or Inductions – Pay and Allowances

RULE	When an individual	and	then pay and allowances
1	is under investigation for a fraudulent enlistment or induction		will continue to be paid until a determination of fraud is made.
2	is determined to be serving under a fraudulent enlistment or induction; or enlists in the Army or Air Force before 17, and the government discovers the defect after the member reaches minimum age; or enlists in the Army or Air Force while 17 without parent's or guardian's consent	the government neither voids the enlistment or induction nor waives the fraud (or defect)	are suspended (including unpaid pay and allowances) from the date the disbursing officer is notified of the determination of fraud until the government either voids the enlistment or induction or allows it to stand.
3	is determined to be serving under a fraudulent enlistment or induction; or enlists in the Army or Air Force before 17, and the government discovers the defect after the member reaches minimum age; or enlists in the Army or Air Force while 17 without parent's or guardian's consent	the government voids the enlistment or induction	will not be paid (note 1).
4	is determined to be serving under a fraudulent enlistment or induction; or enlists in the Army or Air Force before 17, and the government discovers the defect after the member reaches minimum age; or enlists in the Army or Air Force while 17 without parent's or guardian's consent	the government waives the fraud (or defect)	continue and the service is as valid as that of any other member.
5	enlists in the Army or Air Force before 17 , and the government discovers the defect before the member reaches minimum age		do not accrue between date of notification to disbursing officer and date of discharge (note 1).
6	enlists in the Army or Air Force while 17 , without parent's or guardian's consent	is discharged upon application of parent or guardian	accrue to include the date of discharge or release.

*Table 1-15. Void, Voidable, or Rejected Enlistments or Inductions – Pay and Allowances (Continued)

RULE	When an individual	and	then pay and allowances
7	enlists in the Navy or Marine Corps while under the minimum statutory age (17)		accrue to include the date of discharge or release.
***8**	was judicially declared to have been mentally incapacitated before entry on active duty	is released from military control for such reason	do not accrue for any part of the period involved (note 2).
***9**	was not judicially declared to be mentally incapacitated before entry on active duty but is later found to have been mentally incapacitated at the time of entry on active duty	is released from military control for such reason	accrue from the time of entry on active duty until release from military control.
10	enlisted or inducted into the Military Service is discovered by Military Service medical authorities to have been medically unfit for induction at the time of entrance into the Military Service		accrue from the time of entry on active duty through the date of release from military control.

NOTES:

1. Individual retains amounts received before disbursing officer is notified, if otherwise proper.
2. Individual retains amounts received while performing active duty before release from military control.

*REFERENCES

CHAPTER 1 – BASIC PAY

2.0 – CREDITABLE SERVICE

2.1	37 U.S.C. §§ 201(e), 203(d), 205,
	27 Comptroller General (Comp Gen) 530
	24 Comp Gen 829
	25 Comp Gen 680
	10 U.S.C. §§ 507, 1038, 2106(c), 2107(g)
	62 Statutes (Stat) 1082
	37 Comp Gen 838
	1 Comp Gen 668
	45 Comp Gen 149
	Comp Gen B-195448, April 3, 1980
	42 Comp Gen 296
	45 Comp Gen 103
	38 Comp Gen 68
2.1.4.4.	10 U.S.C. §§ 516, 971
2.1.4.10.	10 U.S.C. § 2106(c)
2.1.4.11.	37 U.S.C. § 205(e)
2.1.4.12.	37 U.S.C. § 205(e)
	10 U.S.C. § 513
2.1.4.13.	10 U.S.C. § 2106
2.1.4.14.	10 U.S.C. § 2106
2.1.4.5.	37 U.S.C. § 205(a)
2.2	36 Comp Gen 146
	37 Comp Gen 237
	37 U.S.C. §§ 205, 205(b) (d) (e)
	Comp Gen B-221944.2
	1 Comp Gen 511
	1 Comp Gen 668
	3 Comp Gen 61
	22 Comp Gen 987
	25 Comp Gen 718
	45 Comp Gen 103
	22 Comp Gen 907
	23 Comp Gen 755
	10 U.S.C. §§ 2114(b), 2126
	38 Comp Gen 553
	38 Comp Gen 352
2.2.1.6.	10 U.S.C. § 2114(b)
2.2.1.8.	10 U.S.C. §§ 513, 12103(b) & (d)
	37 U.S.C. §§ 205, 205(e)
2.2.1.9.	10 U.S.C. §§ 516, 971

Note	46 U.S.C. §§ 513, 515 Title 46, Code of Federal Regulations, Part 310, Subparts A & C
2.2.2.	10 U.S.C. § 972(b) 37 U.S.C. § 205(a) 38 Comp Gen 352 38 Comp Gen 553
2.3	37 U.S.C. § 203(d) 38 Comp Gen 68
2.3.1.1.	10 U.S.C. § 2114(b)
2.3.1.2.	37 U.S.C. § 203(d)
2.3.1.3.	37 U.S.C. § 907
2.3.1.4.	37 U.S.C. § 203(d)
2.3.1.5.	37 U.S.C. § 203(d)
2.3.1.8.	10 U.S.C. §2114
2.3.2.	32 U.S.C. § 709
2.4	5 U.S.C. § 5505 38 Comp Gen 824 37 Comp Gen 455
2.4.1.	5 U.S.C. § 5505 38 Comp Gen 824 37 Comp Gen 455
2.4.1.1.	10 U.S.C. §§ 513, 12103(b) & (d) 37 U.S.C. § 205(e)
2.4.2.	5 U.S.C. § 5505 38 Comp Gen 824 37 Comp Gen 455

3.0 – COMPUTATION OF PAY

3.1.2.1.	5 U.S.C. §§ 5534a, 5536 3 Comp Gen 40 17 Comp Gen 1049 18 Comp Gen 213 46 Comp Gen 400 52 Comp Gen 471 Comp Gen B-214919, March 22, 1985
3.1.2.1.2.	22 U.S.C. § 2385(d)
3.1.2.2.2.	10 U.S.C. § 973 5 U.S.C. § 5534a
3.1.3.1.	21 Comp Gen 819
3.1.3.2.	10 U.S.C. §§ 3394, 5792, 8394, 8312, 8451
3.1.4.	10 U.S.C. § 12316
3.1.5.	10 U.S.C. § 1523 37 U.S.C. § 552(a)

3.1.6.	Comp Gen B-195129, April 28, 1980
	63 Comp Gen 385
	Comp Gen B-224946, September 25, 1987
	Comp Gen B-252140, June 3, 1993
	38 U.S.C. § 5304
3.2.1.1.	5 U.S.C. § 5505
	13 Comp Dec 75
	4 Comp Gen 757
	20 Comp Dec 165
	45 Comp Gen 395
	54 Comp Gen 952
	5 Comp Gen 935
	10 Comp Gen 11
3.2.1.2.	37 U.S.C. § 1004
	46 Comp Gen 100
	54 Comp Gen 952
	62 Comp Gen 266
3.2.2.	5 U.S.C. § 5505
	37 U.S.C. § 503
3.2.2.1.	5 U.S.C. § 5505
3.2.3.	5 U.S.C. § 5505
3.3.1.1.	37 U.S.C. § 907
3.3.1.2.	Comp Gen B-232042, July 7, 1989
3.3.3.	10 U.S.C. §§ 2114, 2121
3.3.4.	45 Comp Gen 763
3.3.4.1.	46 Comp Gen 57
3.3.4.2.	46 Comp Gen 804
3.3.4.3.	Secretary of the Navy Instruction 1421.3M December 17, 2019
3.3.4.9.	46 Comp Gen 57
3.3.5.	61 Comp Gen 296
3.4.1.	10 U.S.C. § 5540
3.5.1.	Executive Order (EO) 12683, July 21, 1989
	7 U.S.C. § 204(b)
	Comp Gen B-146551, December 13, 1961
3.5.1.2.	37 U.S.C. § 204(e)
3.5.2.1.	37 U.S.C. § 204(b)
	EO 12683, July 21, 1989
3.5.2.2.	48 Comp Gen 78

4.0 – ABSENCE FROM DUTY, EFFECT ON PAY AND ALLOWANCES

4.1.1.	10 U.S.C. § 701(a)
4.1.3.2.9.	Comp Gen B-181710, April 2, 1975
4.1.4.1.	37 U.S.C. § 502(a)
4.1.4.2.	10 U.S.C. § 701

4.1.4.3.	60 Comp Gen 51
4.1.5.	50 U.S.C., App 2205
4.1.6.	10 U.S.C. § 707
4.1.6.2.	Comp Gen B-213883, May 30, 1984
4.1.6.3.	10 U.S.C. § 707(c)
Note	DoDI 1340.21, May 12, 2004, paragraph E5.7
4.2.2.1.	50 U.S.C., App 2205 Comp Gen B-147334, November 6, 1961
4.2.2.3.	9 Comp Dec 517, 518
4.2.2.5.	10 U.S.C. § 2772
4.2.4.1.	Comp Gen B-169366, April 8, 1970
4.2.4.2.	52 Comp Gen 317 DFAS Office of General Counsel (OGC) Memo, March 11, 2024
4.2.4.3.	Comp Gen B-194949, November 7, 1979
4.2.5.1.	14 Comp Gen 710
4.2.6.1.1.	Comp Gen B-169366, April 8, 1970
4.2.7.1.	54 Comp Gen 862
4.2.7.2.	9 Comp Gen 323 Comp Gen B-23804, February 21, 1942 Comp Gen B-113109, January 30, 1953 54 Comp Gen 862
4.2.7.3.	Comp Gen B-131446, June 26, 1957
4.2.7.4.	30 Comp Gen 449
4.2.7.5.	11 Comp Gen 342 54 Comp Gen 862
4.2.7.6.	37 Comp Gen 488 47 Comp Gen 487
4.2.7.8.	37 Comp Gen 380 9 Comp Gen 323 3 Comp Dec 676
4.2.7.9.	33 Comp Gen 195
4.2.7.10.	59 Comp Gen 12
4.2.8.	Comp Gen B-171865, March 25, 1971

5.0 – PAYMENT IN CASES OF VOID, VOIDABLE, OR REJECTED ENLISTMENTS OR INDUCTIONS

5.1	12 Comp Dec 445 3 Comp Gen 61 9 Comp Gen 26 54 Comp Gen 291
5.4	11 Comp Dec 710 47 Comp Gen 671
5.5	48 Comp Gen 377

6.0 – FINANCIAL INSTITUTION CHARGES

10 U.S.C. § 1035

7.0 – MILITARY PAYDAYS

10 U.S.C. § 1014

Table 1-1 – SERVICE AS CADET OR MIDSHIPMAN – OFFICERS

Rule 1	10 U.S.C. § 971(b)
	30 Comp Gen 228
Rule 2	10 U.S.C. §§ 516, 971(a)
Rules 3 and 4	32 Comp Gen 548

Table 1-2 – ABSENCE FROM DUTY IN ENLISTED STATUS

Rule 1	55 Comp Gen 1244
Rule 2, 3, 5, 6, 8 and 9	10 U.S.C. § 972
Note 2	38 Comp Gen 553

Table 1-3 – WHEN ACTIVE DUTY PAY BEGINS

Rule 5	37 U.S.C. § 204(f)
Rule 8	37 U.S.C. § 204(b)
Rule 9	Comp Gen B-181762, July 18, 1975
	19 Comp Gen 282
Rule 10	37 U.S.C. § 204(c)
Rule 11	43 Comp Gen 293

Table 1-4 – INCREASES IN PAY ON PROMOTION OR RESTORATION OF GRADE

Rule 1	10 U.S.C. § 601(a)
Rule 2	37 U.S.C. § 905(a)
Rule 3	37 U.S.C. § 905(b)
Rule 4	37 U.S.C. § 1010
Rules 5 & 6	10 U.S.C. §§ 3380, 8380
Rule 11	Comp Gen B-208043, January 18, 1983
Rule 12	10 U.S.C. § 1552(a)(2)
Rule 13	36 Comp Gen 137
Note 1	10 U.S.C. § 601(b)
Note 2	Comp Gen B-143510, September 29, 1960
	42 Comp Gen 445
Note 3	Comp Gen B-107486, November 15, 1966
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37 U.S.C. §§ 203, 1009
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EO 14113, December 21, 2023

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Rule 8	39 Comp Gen 742 Deputy Secretary of Defense Memo, November 7, 2022 DFAS OGC Memo, March 11, 2024
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VOLUME 7A, CHAPTER 2: "REPAYMENT OF UNEARNED PORTION OF BONUSES AND OTHER BENEFITS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated May 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
3.4	Updated "Conditions Under Review by the Secretary of the Military Department" for clarity.	Revision
References	Updated to reflect current statutes and supporting references.	Revision

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CHAPTER 2

REPAYMENT OF UNEARNED PORTION OF BONUSES AND OTHER BENEFITS

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to the repayment of unearned portions of bonuses and other benefits. A member who enters into a written agreement with specified service conditions for receipt of a bonus, special or incentive pay, educational benefits, stipend, or similar payment (hereinafter referred to as "pay or benefit") is entitled to the full amount of the pay or benefit if the member fulfills the required conditions. Failure to fulfill the conditions specified in the written agreement will result in termination of the agreement, and the member will be required to repay the unearned portion of the pay or benefit. Such repayment will be pursued unless the member's failure to fulfill the specified conditions is due to circumstances determined reasonably beyond the member's control. Conditions under which repayment will not be sought are set forth in section 3.0.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), Title 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 POLICY

2.1 Payment Disposition

The Secretary of the Military Department concerned may establish, by regulation, procedures for determining the amount of the repayment required. Service regulations will apply the rules in Table 2-1 for disposition of unearned portions of the pay or benefit.

2.2 Use of Separation Designator Codes (SPD) in Effecting the Repayment of Unearned Portion of Bonuses and Other Benefits

SPD codes are used to track and analyze the reasons that Service members separate from military service and to assist in the review, development, and monitoring of separation policies and programs. Additionally, SPD codes are used to ensure standardized pay actions are consistent with separation policies. While automated processes are critical, it is also important to recognize and allow Secretaries of the Military Departments to exercise their delegated authority to change pay actions on a case-by-case basis. Therefore, when the Secretary of a Military Department concerned wishes to exercise delegated authority to change a pay action for the designated SPD code assigned to the member's DoD (DD) Form 214, the Secretary concerned submits the

requested exception to policy (ETP) to the Director of Military Compensation in the Office of the Assistant Secretary of Defense (OASD) for Manpower and Reserve Affairs (M&RA) for approval. The approved ETP is submitted to the Defense Finance and Accounting Service (DFAS) for processing. It is important for the Military Departments to treat Service members similarly at separation, so this authority to change the designated pay action should be used sparingly.

2.3 Definition

The term "service," as used in this chapter, refers to an obligation willingly undertaken by a member of the uniformed services in exchange for a pay or benefit offered by the Secretary of Defense or the Secretary of the Military Department concerned to do one or more of the following:

2.3.1. Remain on active duty;

2.3.2. Remain in an active status in a Reserve Component;

2.3.3. Perform duty in a specified skill, with or without a specified qualification or credential;

2.3.4. Perform duty at a specified location; or

2.3.5. Perform duty for a specified period of time.

2.4 Bankruptcy

An obligation to repay a pay or benefit to the United States is, for all purposes, a debt owed to the United States. A discharge in bankruptcy does not discharge a person from such debt if the discharge order is entered less than 5 years after:

2.4.1. The date of the termination of the agreement or contract on which the debt is based; or

2.4.2. The date of the termination of service on which the debt is based, in the absence of such agreement or contract.

3.0 REPAYMENT AND NON-REPAYMENT CONDITIONS

3.1 Conditions Under Which Repayment Will Be Sought

3.1.1. When the conditions of a written agreement are not fulfilled and repayment is determined appropriate, the member will be required to repay the United States the unearned portion of a pay or benefit. In cases other than death of a member, the Secretary of the Military Department concerned will advise DFAS of the disposition of any unearned portion of a pay or benefit.

3.1.2. Repayment will be sought, and any unpaid balances may not be paid to members who incur a disability because of their misconduct.

3.2 Delegation of Authority

The Secretary of the Military Department concerned may, through regulation, delegate the authority to make repayment determinations consistent with the criteria set forth in section 3.0, but not below the O-6 or equivalent level. If delegated, then the Military Departments will specify the level and the scope of the authorized delegation in implementing regulations.

3.3 Conditions Under Which Repayment Will Not Be Sought

As a general rule, repayment action may not be pursued in situations in which the member's inability to fulfill specified service conditions related to a pay or benefit is due to circumstances determined reasonably beyond the member's control. Payment of any unpaid portion of pay or benefit will be subject to the rules in Table 2-1, which in appropriate circumstances provide discretion to the Secretary of the Military Department concerned to pay unearned portions based on case-by-case determinations.

3.3.1. Repayment will not be sought, and any remaining unpaid portion of a pay or benefit due to a member under a written agreement that existed at the time of the member's death, which was not the result of the member's misconduct, is payable as a lump sum in the settlement of the decedent's final military pay entitlements.

3.3.2. Repayment will not be sought and any remaining unpaid portion of a pay or benefit due to a member under a written agreement will be paid at the time of separation or retirement for a disability incurred in the line of duty in a combat zone designated by the President of the United States or the Secretary of Defense, or in a combat-related operation designated by the Secretary of Defense, and/or for a combat-related disability.

3.3.3. Subject to the enlistment authorities and the relevant regulations of the Secretary of the Military Department concerned, a member who was paid a bonus or special pay for a period of enlistment in a Military Department, who is discharged for immediate reenlistment or appointment in a Military Department for which no bonus or special pay is paid, may be considered to have completed the full term of service specified in the former enlistment contract, provided the term of the latter reenlistment or appointment includes the remaining period of service from the former enlistment. The member's enlistment bonus or special pay entitlements will be addressed prior to discharge from a Military Department.

3.3.4. Repayment will not be sought, and the Secretary of the Military Department concerned will not pay any remaining unpaid portion of a pay or benefit under the following circumstances, unless otherwise authorized by the Secretary of the Military Department concerned under subparagraph 3.4.2.

3.3.4.1. The member's employment in another military specialty or assignment rotation is directed;

3.3.4.2. The member's military specialty or assignment is phased out or eliminated;

3.3.4.3. The member's military specialty or assignment is otherwise affected by force structure or other mission essential requirements; or

3.3.4.4. The member is separated from service under a hardship separation or sole survivor discharge.

3.3.5. Pursuant to ***Title 10, U.S.C. section 1171***, enlisted members who are discharged within 12 months before the expiration of an enlistment, reenlistment, or extension of enlistment are considered to have completed the terms of the enlistment, reenlistment, or extension of enlistment for which the bonus was paid. Thus, recoupment is not required for the unearned portion of the pay or benefit arising from the early discharge. The Military Departments are responsible for determining whether a member's early discharge is made pursuant to 10 U.S.C. § 1171 and advising DFAS of the determination.

*3.4 Conditions Under Review by the Secretary of the Military Department

3.4.1. In instances involving a member's separation for medical reasons, not falling under ***10 U.S.C. Chapter 61*** or ***section 1413a(e)***, which were not the result of the member's misconduct, the Secretary of the Military Department concerned has the discretion to determine whether to require repayment of the unearned portion of pay or benefit or to pay an unpaid balance of a pay or benefit.

3.4.2. Under circumstances not specifically mentioned in this chapter, if a member under a written agreement for a pay or benefit does not fulfill the service conditions for the pay or benefit, repayment of unearned portions will be sought, and any unpaid portion will not be paid. However, the Secretary of the Military Department concerned has the discretion to, at some point in the process, grant an exception based on a case-by-case determination that requiring repayment of an unearned portion, or refraining from paying any unpaid portion would be:

3.4.2.1. Contrary to a personnel policy or management objective;

3.4.2.2. Against equity and good conscience; or

3.4.2.3. Contrary to the best interest of the United States.

Table 2-1. Disposition of Unearned Portions of Bonuses, Special Pay, Educational Benefits, or Stipends

RULE	If a member under a written agreement for a pay or benefit	and	then repayment of the unearned portion of the pay or benefit	and	any unpaid pay, or benefit under 10 U.S.C. or 37 U.S.C.
1	Dies, through no misconduct of the member		will not be sought		will be paid in the member's final pay.
2	Incurs an injury or illness, through no misconduct of the member, that precludes the member from fulfilling the service conditions specified in the written agreement	the member is separated or retired for disability under *10 U.S.C., Chapter 61*	will not be sought	if such separation or retirement is for a disability incurred in the line of duty in a combat zone designated by the President of the United States or the Secretary of Defense, or in a combat-related operation designated by the Secretary of Defense, and/or involves a combat-related disability as defined in *10 U.S.C. § 1413a(e)*	will be paid to the member upon separation.
3	Incurs an injury or illness, through no misconduct of the member, that precludes the member from fulfilling the service conditions specified in the written agreement	the member is separated, other than as described in Rule 2, for medical reasons as a result of an injury or illness	will not be sought, unless the Secretary of the Military Department concerned determines that repayment of the unearned portion is appropriate due to a personnel policy or management objective, equity or good conscience, or it is in the best interest of the United States		will not be paid, unless the Secretary of the Military Department concerned makes a determination consistent with Rule 9, Column E.
4	Incurs an injury or illness, through no misconduct of the member, that precludes the member from fulfilling the service conditions specified in the written agreement	the member continues in service in another capacity	will not be sought if the Secretary of the Military Department concerned determines that to recoup the unearned portion would be contrary to a personnel policy or management objective, equity or good conscience, or contrary to the best interest of the United States		will not be paid, unless the Secretary of the Military Department concerned makes a determination consistent with Rule 9, Column E.

Table 2-1. Disposition of Unearned Portions of Bonuses, Special Pay, Educational Benefits, or Stipends (Continued)

RULE	If a member under a written agreement for a pay or benefit	and	then repayment of the unearned portion of the pay or benefit	and	any unpaid pay, or benefit under 10 U.S.C. or 37 U.S.C.
5	Is an enlisted member paid a bonus or special pay and is discharged for immediate reenlistment or appointment in a Military Department for which no bonus or special pay is paid	the term of the latter reenlistment or appointment includes the remaining period of service from the former enlistment	will not be sought if the Secretary of the Military Department concerned determines that to recoup the unearned portion would be contrary to a personnel policy or management objective, against equity or good conscience, or contrary to the best interest of the United States		will not be paid unless the Secretary of the Military Department concerned makes a determination consistent with Rule 9, Column E. *(In this case, the member may be considered to have completed the full term of service on the former enlistment contract.)*
6	Is directed by the Service concerned to transfer into another military specialty or assignment rotation		will not be sought		will not be paid, unless the Secretary of the Military Department concerned makes a determination consistent with Rule 9, Column E.
7	Is in a military occupational specialty or assignment that is phased out or eliminated, or otherwise affected by a force structure or other mission essential requirement		will not be sought		will not be paid, unless the Secretary of the Military Department concerned makes a determination consistent with Rule 9, Column E.
8	Is separated from service under a hardship separation or a sole survivor discharge		will not be sought		will not be paid, unless the Secretary of the Military Department concerned makes a determination consistent with Rule 9, Column E.

Table 2-1. Disposition of Unearned Portions of Bonuses, Special Pay, Educational Benefits, or Stipends (Continued)

RULE	If a member under a written agreement for a pay or benefit	and	then repayment of the unearned portion of the pay or benefit	and	any unpaid pay, or benefit under 10 U.S.C. or 37 U.S.C.
9	Does not fulfill the service conditions for the pay or benefit under any other circumstances		will be sought, unless the Secretary of the Military Department concerned, at some point in the process makes a case-by-case determination that to require repayment of an unearned portion of the pay or benefit would be contrary to a personnel policy or management objective, against equity or good conscience, or contrary to the best interest of the United States		will not be paid unless the Secretary of the Military Department concerned, at some point in the process, makes a case-by-case determination that to refrain from paying an unpaid portion of the pay, benefit, or student loan would be contrary to a personnel policy or management objective, against equity or good conscience, or contrary to the best interest of the United States.

*REFERENCES

CHAPTER 2 – REPAYMENT OF UNEARNED PORTION OF BONUSES AND OTHER BENEFITS

1.0 – GENERAL

Office of the Under Secretary of Defense (OUSD) Personnel and Readiness (P&R) Memo, May 21, 2008
Under Secretary of Defense (USD) (P&R) Memo, February 6, 2009
DoD Instruction (DoDI) 1304.29, December 15, 2004, Incorporating Change 1, July 11, 2016

2.0 – POLICY

37 U.S.C. §§ 303a(e) and 373
OUSD (P&R) Memo, May 21, 2008
USD (P&R) Memo, February 6, 2009

2.2 DoDI 1336.01, February 17, 2022
OASD M&RA Memo, January 13, 2017

2.3 37 U.S.C. §§ 303a(e) and 373(d)(2)

3.0 – REPAYMENT AND NON-REPAYMENT CONDITIONS

OUSD (P&R) Memo, May 21, 2008
USD (P&R) Memo, February 6, 2009

3.1.2. 10 U.S.C. § 1207
3.3.2. 10 U.S.C., Chapter 61
10 U.S.C. § 1413a(e)
3.3.5. 10 U.S.C. § 1171
3.4.1. 10 U.S.C., Chapter 61

Table 2-1 OUSD (P&R) Memo, May 21, 2008
USD (P&R) Memo, February 6, 2009

Rule 2 10 U.S.C., Chapter 61
10 U.S.C. § 1413a(e)

VOLUME 7A, CHAPTER 3: "SPECIAL PAY – OFFICERS ONLY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated July 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
7.1	Updated the Nuclear Officer Accession Bonus to $75,000.	Revision
7.2	Updated the Nuclear Officer Continuation Bonus to $75,000.	Revision
References	Updated to reflect current statutes and supporting references.	Revision

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CHAPTER 3

SPECIAL PAY – OFFICERS ONLY

1.0 GENERAL

1.1 Purpose

The Secretaries of the Military Departments may pay a bonus or special pay to persons or officers, as appropriate, to support accession and retention efforts for a designated military specialty, career field, unit, grade, or to meet some other condition or conditions of service imposed by the Secretary of the Military Department concerned. This chapter establishes policy pertaining to the payments of bonuses or special pay in support of accession and retention efforts.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 GENERAL BONUS AUTHORITY FOR OFFICERS

2.1 Authority

Title 37, U.S.C., section 332 (***37 U.S.C. § 332***) and the DoD Instruction (DoDI) 1304.34, General Bonus Authority for Officers, dated July 11, 2016, provides the general bonus authority for bonuses referenced in sections 3.0, 4.0, 5.0, and 6.0. The Secretaries concerned may pay these bonuses to a person, member, or officer in the Military Services who:

2.1.1. Accepts a commission or appointment as an officer in a Military Service;

2.1.2. Affiliates as an officer with a Reserve Component (RC) of a Military Service;

2.1.3. Agrees to remain on active duty (AD) or in an active status for a specified period as an officer in a Military Service;

2.1.4. Transfers between the Regular Component and the Ready Reserve of the same Military Service, or vice versa; or

2.1.5. Transfers from a Regular Component or the Ready Reserve of a Military Service to a Regular Component or the Ready Reserve of another Military Service, subject to the approval of the Secretary with jurisdiction over the Military Service to which the member is transferring.

2.2 Eligibility

In accordance with paragraph 2.1, the Secretary concerned may only pay a bonus to a person or officer who:

2.2.1. Signs a written agreement with the Secretary concerned to serve for a specified period in a designated career field, skill, unit, or grade, or meets some other condition or conditions of service imposed by the Secretary;

2.2.2. Successfully completes training and becomes qualified in a designated skill or career field, if completion of such training and technical qualification forms the basis for which the bonus is paid;

2.2.3. Qualifies pursuant to any additional criteria prescribed by the Secretary concerned;

2.2.4. Meets any additional eligibility criteria outlined in sections 3.0, 4.0, 5.0, and 6.0;

2.2.5. Is not in receipt of an accession, retention, reserve affiliation, or transfer bonus, in accordance with ***37 U.S.C. Chapter 5, Subchapter I***, for the same activity, skill, or period of service;

2.2.6. Will not exceed the mandatory retirement or high-year tenure date during the specified period of obligated service for which the bonus is paid; and

2.2.7. Is not serving a service obligation, except as noted in paragraph 2.8.

2.3 Additional Guidelines

2.3.1. An officer is not eligible for a bonus, under DoDI 1304.34, if previously discharged or released from AD or military service in an active status based on a determination of misconduct, substandard duty performance, or moral or professional dereliction.

2.3.2. In accordance with ***37 U.S.C. § 371***, an officer may not receive a bonus or incentive pay under 37 U.S.C. Chapter 5, Subchapter I and ***37 U.S.C. Chapter 5, Subchapter II***, for the same activity, skill, or period of military service.

2.3.3. An officer may receive only one bonus pursuant to paragraph 2.1 for the duration of the service obligation period, unless explicitly exempt in statute or DoDI 1304.34.

2.3.4. An officer may not receive more than $300,000 (or $150,000, in the case of a non-Active Guard Reserve officer in the RC) in combined bonus payments authorized under DoDI 1304.34 during the course of the officer's career. The Military Service may not exceed these payment caps unless specifically authorized by the Assistant Secretary of Defense for Manpower and Reserve Affairs (ASD (M&RA)).

2.3.5. An officer receiving pre-commissioning compensation in accordance with ***10 U.S.C. § 2106***, and ***10 U.S.C. § 2107*** and ***10 U.S.C. § 2107a***, or financial assistance through a loan repayment program under ***10 U.S.C. § 16201***, ***10 U.S.C. § 16301***, ***10 U.S.C. § 16302***, or ***10 U.S.C. § 16303***, is not eligible for a bonus pursuant to DoDI 1304.34 until the military service obligation (MSO) is completed.

2.3.6. An officer receiving a bonus in accordance with ***37 U.S.C. § 333*** and ***37 U.S.C. § 334***, is not eligible for a bonus pursuant to DoDI 1304.34 for the same skill and period of service.

2.3.7. An officer receiving a bonus in accordance with ***37 U.S.C. § 335***, is not eligible for a bonus pursuant to DoDI 1304.34 for the same period of obligated service.

2.3.8. Existing bonus contracts under 37 U.S.C. Chapter 5, Subchapter I, will remain in effect through the preexisting termination dates.

2.4 Payment Method

2.4.1. The Secretary concerned will establish the method of payment for the bonus (i.e., lump sum or periodic installments).

2.4.2. The Secretary concerned may make payment based on training milestones, proportional length of service, or lump sum. However, the Secretary will not pay an officer any portion of a skill bonus before awarding of the military skill specialty, if completion of such training and technical qualification forms the basis for which the bonus is paid.

2.4.3. Officers will receive their initial bonus payments based on the terms and conditions of their bonus agreements.

2.5 Amount

The bonus amount paid by the Secretary concerned will be fixed on acceptance of the agreement by the Secretary and may only be paid prospectively. The bonus paid may not exceed the following amounts, unless otherwise approved by the ASD (M&RA):

2.5.1. $60,000 for a minimum 4-year service obligation for an officer or person who accepts a commission or appointment as an officer in a Military Service, as described in subparagraph 2.1.1;

2.5.2. $10,000 for a minimum 3-year service obligation for an officer, as described in subparagraph 2.1.2;

2.5.3. $25,000 for each year of obligated service as an officer in a Regular Component for retention, as described in subparagraph 2.1.3;

2.5.4. $12,000 for each year of obligated service as an officer in an RC for retention, as described in subparagraph 2.1.3; or

2.5.5. $10,000 for a transfer, as described in subparagraphs 2.1.4 and 2.1.5.

2.6 Specific Rule for Designated Military Skills or Career Fields

The following are specific procedures, requirements, and conditions related to an accession, affiliation, retention, or transfer bonus paid to an officer for a period of obligated service in a designated military skill or career field:

2.6.1. The period of obligated service will include normal skill progression, as defined by the Secretary concerned (e.g., attending courses in professional military education) and any other advanced training or education related to a designated military skill.

2.6.2. The Secretary concerned may pay a conversion bonus to an officer who agrees to convert to a designated military skill in which there is a shortage of trained and qualified officers. The bonus may be payable in a lump sum upon approval and completion of the conversion training by the Secretary concerned.

2.6.2.1. The officer must agree to serve for not less than 3 years on AD or in an active status in the Selective Reserve (SELRES) in that military skill or career field.

2.6.2.2. The officer must serve in the pay grade of O-3 or below with no more than 8 years of commissioned military service at the time the officer enters into the conversion contract, as computed in accordance with ***37 U.S.C. § 205***.

2.6.2.3. The officer must have completed all service obligations previously incurred for receipt of an accession or retention bonus, in accordance with 37 U.S.C. § 332, or critical skills retention bonus, in accordance with ***37 U.S.C. § 355***, at the time the officer begins training for conversion to the new skill.

2.6.2.4. The bonus amount may not exceed the retention bonus amounts listed in paragraph 5.4.

2.6.3. Officers receiving skill-based bonuses are expected to serve in an assignment for which the skill is required. For service obligations of at least 36 months, the Secretary concerned may curtail the assignment requirements to a period of 2 years based on the needs of the Military Service. The Secretary concerned will establish assignment criteria and procedures that limit the circumstances in which such a period of obligated military service may be curtailed and will specify such other appropriate conditions of military service, consistent with 37 U.S.C. § 332(b)(2) and paragraph 2.2. Additionally, the Secretary will:

2.6.3.1. Ensure that military personnel centers identify, monitor, and review such obligated military service curtailments;

2.6.3.2. Approve any curtailment of the assignment criteria that involves more than one consecutive assignment in a military skill other than that which was designated for purposes of the bonus. This responsibility may be delegated no lower than the grade of major general or rear admiral (upper half); and

2.6.3.3. Ensure that any request for curtailment is:

2.6.3.3.1. Clearly justified based on the needs of the Military Department concerned; and

2.6.3.3.2. Not granted on a routine basis.

2.7 Repayment

A person or officer who receives a bonus in accordance with 37 U.S.C. § 332, and fails to complete the period of obligated service or other conditions of service specified in the written agreement for which the bonus is paid, must repay any unearned portion of the bonus in accordance with the provisions of ***37 U.S.C. § 373*** and Chapter 2.

2.8 Service Obligations

2.8.1. An officer who has a service obligation is not eligible for a bonus under DoDI 1304.34, except when the officer:

2.8.1.1. Serves his or her initial service obligation incurred at time of commissioning or appointment in accordance with DoDI 1304.25, "Fulfilling the Military Service Obligation (MSO);"

2.8.1.2. Incurs a service obligation due to a permanent change in duty station or promotion;

2.8.1.3. Incurs a service obligation for attending and completing professional military education or government-funded education courses (this exception does not apply to undergraduate education); or

2.8.1.4. Incurs a service obligation as a result of transferring Post 9-11 GI Bill benefits.

2.8.2. For the situations described in subparagraphs 2.8.1.1 through 2.8.1.3, the service obligations may run concurrently for bonuses offered under DoDI 1304.34. For subparagraph 2.8.1.4, the Secretary concerned will determine if the service obligation is concurrent or consecutive.

2.8.3. Excluding the situations described in subparagraph 2.8.1:

2.8.3.1. The Military Department may offer a bonus under DoDI 1304.34 up to 1 year from completion of an officer's service obligation.

2.8.3.2. The bonus may not be paid until completion of the previous service obligation.

2.8.3.3. The service obligation for a new bonus will begin on the date of the agreement or completion of a previous service obligation, whichever date is later.

2.9 Non-Availability

2.9.1. Officers of the SELRES who incur a period of authorized absence approved by the Secretary concerned or are transferred to the Standby Reserve in accordance with DoD Directive 1200.7, will have their bonuses suspended during this period and will not be entitled to bonus payments. The Secretary concerned will determine this period of time on a case-by-case basis.

2.9.2. The Secretary concerned may reinstate RC officers in the bonus program who are subsequently reassigned in the SELRES to a skill for which they had previously contracted, if they extend their MSO so they are able to serve the full original bonus agreement period.

2.9.3. Officers' entitlement to subsequent payments will resume on the adjusted anniversary date of satisfactory and creditable SELRES service, as appropriate. The Secretary concerned will adjust the anniversary date for periods of authorized absence. Failure to meet reinstatement criteria in a capacity that was previously agreed on will result in termination of the bonus and in repayment, as appropriate.

3.0 ACCESSION BONUS

3.1 General

An accession bonus offers a monetary incentive for a person (including a Service member) to accept a commission or appointment as an officer and serve for a specified period on AD or in an active status in a Military Service.

3.1.1. An accession bonus is authorized when an individual executes a written agreement and agrees to serve for a minimum 4-year period in:

3.1.1.1. A designated military skill or career field;

3.1.1.2. A unit;

3.1.1.3. A grade; or

3.1.1.4. Some other role that meets a condition or conditions imposed by the Secretary concerned.

3.1.2. The procedures described in sections 2.0 and 3.0, as well as any additional conditions and requirements prescribed by the Secretary concerned, govern the award and administration of an accession bonus.

3.2 Additional Accession Bonus Eligibility Requirements

In addition to meeting the minimum eligibility requirements listed in paragraph 2.2, an eligible person must:

3.2.1. Meet the qualification standards listed in DoDI 1304.26 for a commission or appointment;

3.2.2. Be an initial recipient of a commission or appointment in a Regular Component or RC;

3.2.3. Have completed all previous service obligations incurred as a result of receiving a bonus or special pay while serving as an enlisted Service member or Reserve Officer Training Course cadet or midshipmen;

3.2.4. Not have received:

3.2.4.1. Pre-commissioning compensation under 10 U.S.C. §§ 2106, 2107, and 2107a;

3.2.4.2. Financial assistance through a loan repayment program in accordance with 10 U.S.C. §§ 16201, 16301, 16302, or 16303; or

3.2.4.3. An accession bonus in accordance with ***37 U.S.C. § 324*** and ***37 U.S.C. § 330***; and

3.2.5. Accept a service obligation on AD or in the SELRES for at least 4 years.

3.3 Restrictions

3.3.1. An officer may receive only one officer accession bonus during a career. An officer accessed from the enlisted ranks is eligible for an accession bonus as an officer or warrant officer.

3.3.2. An officer reappointed in a Military Service after resignation or termination of a commission or appointment from an earlier period of military service is not eligible for an accession bonus.

3.3.3. An officer may not receive an accession bonus and a transfer bonus for the same period of military service.

3.3.4. An officer may not receive an accession bonus and an affiliation bonus for the same period of military service.

3.4 Amount

The amount of an accession bonus under DoDI 1304.34 may not exceed $60,000 for a minimum 4-year period of obligated service, nor may it exceed an annual amount of $15,000.

3.5 Payment Method

The method of payment will be consistent with paragraph 2.5.

3.6 Non-Availability

In the event an RC officer becomes unavailable, the provisions in paragraph 2.9 will apply.

3.7 Duration of Authority

Unless reauthorized by Congress, an officer accession bonus may not be paid after the date listed on the ***Duration of Authority*** table, located on DFAS.MIL, unless an officer accession agreement was entered into prior to the date on the table.

4.0 RC AFFILIATION BONUS

4.1 General

The RC affiliation bonus offers a monetary incentive for an officer to affiliate with the SELRES of a Military Service.

4.1.1. The bonus is authorized when an officer affiliates with the SELRES of a Military Service and agrees to serve for a specified period of not less than 3 years of obligated service in a military skill designated critical by the Secretary concerned or not less than 3 years of obligated service in a specific SELRES unit or officer pay grade to meet manpower shortages in the specific SELRES unit or officer pay grade. Additionally, the Secretary concerned may, with the officer's consent, convert the officer to a designated career field or military skill in which there is a shortage of trained and qualified personnel.

4.1.2. The procedures described in sections 2.0 and 4.0, as well as any additional conditions and requirements prescribed by the Secretary concerned, govern the award and administration of an RC affiliation bonus.

4.2 Additional RC Affiliation Bonus Eligibility Requirements

In addition to meeting the minimum eligibility requirements in paragraph 2.2, an eligible officer must execute an agreement to serve as an officer in the SELRES for a service obligation of at least 3 years and have fewer than 15 years of qualifying military service towards a regular or non-regular retirement, in accordance with DoDI 1215.07. The officer must also:

4.2.1. Be serving in the Ready Reserve or Standby Reserve of a Military Service; or

4.2.2. Be serving or have served in the Regular Component for a period of more than 30 days and have been released under honorable conditions.

4.3 Additional Guidelines

4.3.1. Individuals may receive more than one affiliation bonus in a career, though not for the same military skill, grade, or unit.

4.3.2. An officer may receive an affiliation bonus and transfer bonus as long as the officer serves the service obligations for each bonus consecutively. See section 6.0 for additional information on transfer bonuses.

4.3.3. Officers signing up for an affiliation bonus and a transfer bonus at the same time will incur an additional 12-month service obligation rather than an additional 24-month service obligation, as otherwise prescribed. The minimum service obligation for an officer receiving both bonuses is 4 years.

4.4 Amount

The maximum affiliation bonus may not exceed $10,000 for a minimum 3-year service obligation.

4.5 Payment Method

4.5.1. The method of payment will be consistent with paragraph 2.5.

4.5.2. An affiliation bonus begins to accrue on the date the eligible officer is assigned to a unit or position in the SELRES.

4.6 Non-Availability

In the event an RC officer becomes unavailable, the provisions in paragraph 2.9 will apply.

4.7 Duration of Authority

Unless reauthorized by Congress, an officer affiliation bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless an officer affiliation agreement was entered into prior to the date on the table.

5.0 RETENTION BONUS

5.1 General

A retention bonus under DoDI 1304.34 provides a monetary incentive that may be offered by the Military Department to retain adequate numbers of qualified officers.

5.1.1. Specifically, the bonus may be used by the Military Department to obtain the voluntary extension of an officer's service in exchange for an agreement to serve for a specified period in a designated military skill, career field, unit, or grade or to meet some other condition or conditions imposed by the Military Department concerned.

5.1.2. The procedures described in sections 2.0 and 5.0, as well as additional conditions and requirements prescribed by the Secretary concerned, govern the award and administration of the retention bonus.

5.1.3. In order to meet the designated military skill or career field criteria, the Secretary concerned may, with the officer's consent, convert the officer to a designated career field or military skill in which there is a shortage of trained and qualified personnel.

5.1.4. Officers appointed into a Military Service after a period of disenrollment, discharge, or separation who meet the eligibility requirements in paragraphs 2.2 and 5.2 may be eligible for a retention bonus.

5.2 Additional Retention Bonus Eligibility Requirements

In addition to the eligibility requirements in paragraph 2.2, an eligible officer must:

5.2.1. Have completed a minimum of 4 years of active commission service or qualifying service for an RC officer, in accordance with DoDI 1215.07; and

5.2.2. Agree to remain on AD or in an active status for a period of at least 2 years.

5.3 Restrictions

5.3.1. An officer is not eligible for a retention bonus if, at the start of the period of additional obligated service, the officer:

5.3.1.1. Has between 16 and 19 years of active commissioned service or qualifying service, in accordance with DoDI 1215.07 for an RC officer; or

5.3.1.2. Is retirement eligible with more than 22 years of active commissioned service or qualifying service in accordance with DoDI 1215.07.

5.3.2. The service obligation for a retention bonus may not extend an officer's service beyond 25 years of active commissioned service or qualifying service, in accordance with DoDI 1215.07 for an RC officer.

5.3.3. Officers who have transferred their Post-9/11 GI Bill or Montgomery GI Bill-SELRES education benefits to a dependent or spouse in accordance with DoDI 1341.13, are eligible for a retention bonus as specified in DoDI 1304.34. The Secretary concerned will determine if the service obligation for both the retention bonus and GI Bill transfer is served concurrently or consecutively.

5.4 Amount

The Secretary of the Military Department may prorate bonus amounts for retention requests greater than 2 years. The additional service time will be calculated on a monthly basis at a rate equal to 1/12th the annual amount. The maximum retention bonus may not exceed:

5.4.1. $25,000 for each year of obligated service in a Regular Component; or

5.4.2. $12,000 for each year of obligated service in an RC.

5.5 Payment Method

The method of payment will be consistent with paragraph 2.5.

5.6 Non-Availability

In the event an RC officer becomes unavailable, the provisions of paragraph 2.9 will apply.

5.7 Duration of Authority

Unless reauthorized by Congress, an officer retention bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless an officer retention agreement was entered into prior to the date on the table.

6.0 TRANSFER BONUSES

6.1 Intra-Service Transfer

The Intra-Service transfer bonus provides a monetary incentive for an officer to transfer from the Regular Component of a Military Service to the Ready Reserve (and vice versa, however mobilization does not constitute an intra-service transfer) of the same Service to meet manning requirements. The Secretaries concerned may pay a bonus to an officer who agrees to transfer from the Regular Component to the Ready Reserve (and vice versa) and agrees to serve for a specified period in a designated military skill, career field, unit, or grade, or to meet other conditions imposed by the Secretary concerned.

6.1.1. The procedures described in section 2.0 and paragraph 6.1, as well as any additional conditions and requirements prescribed by the Secretary of the Military Department concerned, govern the award and administration of the transfer bonus.

6.1.2. All transfers among Military Service components will be conducted in accordance with DoDI 1300.04.

6.1.3. To be eligible for an intra-service transfer bonus, an officer must meet the following additional eligibility requirements:

6.1.3.1. The officer has fulfilled all service obligations satisfactorily within the officer's current Regular Component or RC;

6.1.3.2. The officer meets the qualification criteria for the transfer bonus of the Regular Component or RC of the Military Service to which the officer is transferring;

6.1.3.3. The officer must agree to remain in the component of the Military Service for which the transfer bonus is offered for a minimum of 2 years; and

6.1.3.4. The officer must have fewer than 15 years of active time.

6.1.4. Affiliation and Transfer Bonus

6.1.4.1. The Secretaries concerned may offer an intra-service transfer bonus in conjunction with an affiliation bonus.

6.1.4.2. Officers receiving both bonuses incur an additional 12-month service obligation for a minimum service obligation of 4 years.

6.1.4.3. Table 3-1 lists the intra-service transfers for which the Military Departments may offer a bonus.

6.2 Inter-Service Transfer

The Inter-Service transfer bonus provides a monetary incentive for an officer to transfer to another Military Service to meet manning requirements of that Military Service. The Secretaries concerned may pay a bonus to an officer who agrees to transfer to and serve in another Military Service for a specified period in a designated military skill, career field, unit, or grade or to meet some other condition(s) imposed by the Secretary of the gaining Military Department.

6.2.1. The procedures described in section 2.0 and paragraph 6.2, as well as any additional conditions and requirements prescribed by the Secretary of the Military Department concerned, govern the award and administration of the transfer bonus.

6.2.2. Transfers between Military Services include officers transferring from the Regular Component or the Ready Reserve of a Military Service to the Regular Component or the Ready Reserve of a different Military Service.

6.2.3. Officer transfers between Military Services will be conducted in accordance with DoDI 1300.04.

6.2.4. In order to successfully transfer, an officer must:

6.2.4.1. Qualify for retention in the Military Service to which the officer is transferring;

6.2.4.2. Have fulfilled all MSOs satisfactorily within the officer's current Regular Component or RC;

6.2.4.3. Meet the qualification criteria established by the Secretary of the Military Department with jurisdiction over the Military Service to which the officer is transferring;

6.2.4.4. Agree to sign a written agreement to remain in the Military Service for which the transfer bonus is offered for a minimum 3-year period; and

6.2.4.5. Have fewer than 15 years of active service time.

6.2.5. Affiliation and Transfer Bonus

6.2.5.1. The Secretary concerned may offer an inter-service transfer bonus in conjunction with an affiliation bonus.

6.2.5.2. Officers receiving both bonuses incur an additional 12-month service obligation for a minimum MSO of 4 years.

6.2.5.3. Table 3-2 lists the inter-service transfers for which a bonus may be offered.

6.3 Restrictions

An officer receiving separation pay in accordance with ***10 U.S.C., Chapter 59***, is not eligible for a transfer bonus.

6.4 Amount

A transfer bonus may not exceed $10,000.

6.5 Payment Method

The method of payment will be consistent with paragraph 2.5.

6.6 Non-Availability

In the event an RC officer becomes unavailable, the provisions of paragraph 2.9 will apply.

6.7 Duration of Authority

Unless reauthorized by Congress, an officer transfer bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless an officer transfer agreement was entered into prior to the date on the table.

7.0 SPECIAL PAYS FOR NUCLEAR-QUALIFIED OFFICERS (NAVY ONLY)

*7.1 Nuclear Power Accession Bonus Program

7.1.1. Eligibility

7.1.1.1. Nuclear Officer Accession Bonus. An accession bonus is payable to officers or prospective officers who are selected for officer naval nuclear- propulsion training and execute a written agreement to participate in a program of training for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants. Payment is authorized upon acceptance of the written agreement.

7.1.1.2. Nuclear Career Accession Bonus. Officers who are on AD and who successfully complete the nuclear propulsion-training program, leading to qualification for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants, are eligible for payment of the nuclear career accession bonus.

7.1.2. Payment. Payment procedures and bonus rates for this program are contained in Chief of Naval Operations Instruction (OPNAVINST) 7220.11J paragraph 7.c, paragraph 8.b, and enclosure 1 paragraphs 1.a and 1.b.

7.1.3. Repayment. An officer, who receives an accession bonus and does not commence or satisfactorily complete the nuclear power training, will be subject to the repayment provisions of 37 U.S.C. § 373, and Chapter 2.

7.1.4. Duration of Authority. A nuclear power accession bonus may not be paid to any person after the date on the Duration of Authority table. No payments will be made after the termination date unless the entitlement commenced prior to that date.

*7.2 Nuclear Officer Continuation Bonus (COBO)

7.2.1. Entitlement. The Secretary of the Navy may pay Nuclear Officer COBO to nuclear-qualified officers who agree to remain on AD for a specified period beyond their existing service obligation.

7.2.2. Eligibility. Officers who meet the criteria defined in OPNAVINST 7220.11J are eligible to receive COBO upon acceptance of their written agreement to remain on AD in connection with supervision, operation, and maintenance of naval nuclear propulsion plants.

7.2.3. Payment. The amount payable may not exceed $75,000 for each 12-month period. The payment procedures, rates and effective dates are contained in the governing regulation, OPNAVINST 7220.11J, paragraph 9.c and enclosure 1 paragraph 1.c.

7.2.4. Repayment. An officer who receives a bonus and fails to complete the period of obligated service or other conditions of service specified in the written agreement for which the

bonus is paid, may be subject to repayment of any unearned portion of the bonus in accordance with the provisions of 37 U.S.C. § 373, Chapter 2, and OPNAVINST 7220.11J.

7.2.5. Duration of Authority. A nuclear officer continuation bonus may not be paid to any person after the date on the Duration of Authority table. No payments will be made after the termination date unless the entitlement commenced prior to that date.

7.3 Nuclear Career Annual Incentive Pay (AIP)

7.3.1. Purpose. The Secretary of the Navy may pay Nuclear Career AIP to nuclear-trained and nuclear-qualified officers who are on AD and who complete their initial service requirement, and to nuclear-trained and nuclear-qualified limited duty and warrant officers who serve in an assignment with duties in connection with direct supervision, operation, or maintenance of naval nuclear propulsion plants.

7.3.2. Eligibility. AIP is paid annually to nuclear-trained and qualified officers who remain on AD for a specified period and who meet the eligibility criteria set forth in OPNAVINST 7220.11J.

7.3.2.1. Warrant Officers in pay grades W-2 through W-5 and Officers in pay grades O-1 through O-6 are eligible for AIP. Officers serving in a period of obligated service associated with paragraph 7.2 are not eligible for AIP during that period of their obligated service.

7.3.2.2. In order to be eligible for AIP (or a pro rata portion thereof), for any nuclear service year, an officer must be qualified for duties in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants on 30 September.

7.3.3. Payment. Under 37 U.S.C. § 333(d)(1)(B), Nuclear Career AIP may not exceed $25,000 for each 12-month period of qualifying service. The current payment procedures and rates are contained in the governing regulation, OPNAVINST 7220.11J paragraph 10.c and enclosure 1 paragraph 1.d.

NOTE: An officer of the U.S. Navy who is not on AD on the last day of a nuclear service year may be paid AIP on a pro rata basis if otherwise qualified, unless termination of AD or loss of qualifications was voluntary or was the result of his own misconduct.

7.4 Prototype Shift Engineer Incentive Pay (SEIP)

7.4.1. Entitlement. The Secretary of the Navy may pay SEIP to nuclear-trained and nuclear-qualified officers who have completed their initial service requirement and remain on AD for a specified period while maintaining current technical qualifications, as approved by the Secretary, for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants.

7.4.2. Eligibility. Nuclear-trained submarine and surface warfare officers who meet the criteria defined in OPNAVINST 7220.11J, are eligible to receive SEIP while assigned to a

qualifying billet and qualified for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants.

7.4.3. Payment. Officers who meet the eligibility criteria for SEIP in OPNAVINST 7220.11J paragraph 11.a are eligible for SEIP at the start of their shift engineer tour. The payment procedures and monthly rate is specified in OPNAVINST 7220.11J, paragraph 11.b and enclosure 1 paragraph 1.e.

7.4.4. Repayment. An officer, who fails to commence or satisfactorily complete a shift engineer tour will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2. Specific exclusions from recoupment are listed in OPNAVINST 7220.11J.

8.0 COMMAND PAY

8.1 Purpose

Command pay is designed to recognize officers assigned as commanding officers in operational leadership positions of unusual responsibility which are of a critical nature to a Military Service. The Secretary concerned may designate positions under his or her jurisdiction that are authorized command pay.

8.2 Eligibility

Secretaries concerned will establish eligibility criteria based on Service-specific needs but will consider paygrade, level of responsibility, and the operational nature of the assignment.

8.3 Amount

Secretaries of the Military Departments concerned will establish monthly rates, but the amount of command pay per month will not exceed $150.

8.4 Restrictions

8.4.1. No more than 10 percent of the number of officers on AD in a Military Service in paygrades O-4 through O-6 may be paid command pay.

8.4.2. Command pay is not authorized for more than one officer per unit, except for the dates of assumption of and relief from command.

Table 3-1. Intra-Service Transfers that Allow Bonuses

Intra-Service Transfer			Bonus		Service Obligation
FROM	**TO**	**YOS**	**Transfer**	**Affiliation**	**Years**
AC	IRR	>8	Yes	No	2
AC	IRR	<8	No	No	N/A
AC	SELRES	N/A	Yes	Yes	4
IRR	SELRES	N/A	No	Yes	3
IRR	AC	N/A	Yes	No	2
SELRES	AC	N/A	Yes	No	2
SELRES	IRR	Any	No	No	N/A
SELRES	SELRES	N/A	No	Yes	3
AC – Active Component IRR – Individual Ready Reserve YOS – Total Years of military service					

Table 3-2. Inter-Service Transfers that Allow Bonuses

Inter-Service Transfer			Bonus		Service Obligation
FROM	**TO**	**YOS**	**Transfer**	**Affiliation**	**Years**
AC	AC	<15	Yes	No	3
AC	IRR	>8	Yes	No	3
AC	IRR	<8	No	No	N/A
AC	SELRES	N/A	Yes	Yes	4
IRR	SELRES	N/A	Yes	Yes	4
IRR	AC	N/A	Yes	No	3
SELRES	AC	N/A	Yes	No	3
SELRES	IRR	Any	No	No	N/A
SELRES	SELRES	N/A	Yes	Yes	4
AC – Active Component IRR – Individual Ready Reserve YOS – Total Years of military service					

*REFERENCES

CHAPTER 03 – SPECIAL PAY – OFFICERS ONLY

1.0 – GENERAL

37 U.S.C. § 332(a)

2.0 – GENERAL BONUS AUTHORITY FOR OFFICERS

37 U.S.C. § 332(a)
DoDI 1304.34, July 11, 2016, paragraph 3.1
2.7 37 U.S.C. § 373

3.0 – ACCESSION BONUS

37 U.S.C. § 332(a)(1)
DoDI 1304.34, July 11, 2016, paragraph 3.2

4.0 – RC AFFILIATION BONUS

37 U.S.C. § 332(a)(2)
DoDI 1304.34, July 11, 2016, paragraph 3.3

5.0 – RETENTION BONUS

37 U.S.C. § 332(a)(3)
DoDI 1304.34, July 11, 2016, paragraph 3.4

6.0 – TRANSFER BONUSES

37 U.S.C. § 327
37 U.S.C. § 332(a)(4) & (5)
6.1 DoDI 1304.34, July 11, 2016, paragraph 3.5(a)
DoDI 1300.04, July 25, 2017, paragraph 3.1
6.2 DoDI 1304.34, July 11, 2016, paragraph 3.5(b)
DoDI 1300.04, July 25, 2017, paragraph 3.2
6.3 10 U.S.C., Chapter 59

7.0 – SPECIAL PAYS FOR NUCLEAR-QUALIFIED OFFICERS

7.1 37 U.S.C. § 333(a)(1)
OPNAVINST 7220.11J, April 25, 2023, paragraph 8
7.1.2 37 U.S.C. § 333(d)(1)(A)
7.2 37 U.S.C. § 333(a)(2)
OPNAVINST 7220.11J, April 25, 2023, paragraph 9

7.3	37 U.S.C. § 333(b) OPNAVINST 7220.11J, April 25, 2023, paragraph 10
7.4	37 U.S.C. § 333(b) OPNAVINST 7220.11J April 25, 2023, paragraph 11

8.0 – COMMAND PAY

	37 U.S.C. § 352 DoDI 1340.26, Incorporating Change 1, January 11, 2019, paragraph 4.2
Table 3-1	DoDI 1304.34, July 11, 2016, Table 1
Table 3-2	DoDI 1304.34, July 11, 2016, Table 2

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 4: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

VOLUME 7A, CHAPTER 5: "HEALTH PROFESSIONS OFFICER (HPO) SPECIAL AND INCENTIVE PAY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by *bold, italic, blue, and underlined font*.

The previous version dated April 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
2.1 2.2.2 (Previous Edition)	Remove reference to Legacy Special Pays and renumbered subsequent paragraphs accordingly.	Deletion
7.2	Updated Eligibility for Retention Bonus to include 6-year option in accordance with the Assistant Secretary of Defense – Health Affairs Memo, July 25, 2024, for Fiscal Year 2025.	Revision
Table 5-1 through Table 5-10	Updated to reflect the current rates established in the Assistant Secretary of Defense – Health Affairs Memo, July 25, 2024, for Fiscal Year 2025.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 5

HEALTH PROFESSIONS OFFICER (HPO) SPECIAL AND INCENTIVE PAY

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to establish policy pertaining to Health Professions Special and Incentive (HPS&I) Pay.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the ***DoD Instruction (DoDI) 6000.13***. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 PROVISIONS

Each HPS&I pay is in addition to any other pay or allowance to which an HPO is eligible except as specified in sections 3.0 through 8.0.

2.1 Consolidated Special Pays (CSP)

HPOs may be paid special pay at the rate for the specialty for which they are fully qualified. The specialty or subspecialty must be the same for all pays received. The HPO may only receive Incentive Pay (IP) and a Retention Bonus (RB) for one specialty, even if the HPO holds qualifications in two or more specialties. The IP and RB must be effective on the same date. The eligibility for each HPS&I pay is described in sections 3.0 through 8.0.

2.2 Restrictions

2.2.1. The amount of HPS&I pay is not included in computing the amount of any increase in pay or in computing retired, separation, severance, or readjustment pays.

2.2.2. An officer receiving a health profession bonus is not eligible to receive a payment pursuant to ***Title 37, United States Code (U.S.C.), section 332*** for the same period of obligated service.

2.2.3. An officer receiving health professions IP is not eligible to receive a payment pursuant to ***37 U.S.C. § 353*** for the same skill and period of service.

2.2.4. An officer receiving Board Certification Pay (BCP) is not eligible to receive a payment pursuant to 37 U.S.C. § 353(b) for the same skill and period of service covered by the certification.

2.3 Eligibility

To be eligible to participate in the CSP, an HPO must:

2.3.1. Not have reached the mandatory retirement or removal date due to age or years of service and complete any additional service obligation incurred before the individual's mandatory retirement or removal date, unless granted a waiver;

2.3.2. Have a current, valid, and unrestricted license or approved waiver;

2.3.3. Maintain all licensing, credentialing, and specialty qualifications;

2.3.4. Meet privileging requirements; and

2.3.5. Sign a service agreement indicating:

2.3.5.1. The amount of bonus or pay;

2.3.5.2. The method of payment of the bonus or pay;

2.3.5.3. The period of obligated service for the bonus or pay;

2.3.5.4. Whether the service will be performed on Active Duty (AD) or in active status in a Reserve Component (RC);

2.3.5.5. The type or conditions of the service; and

2.3.5.6. The circumstances that may result in termination of the agreement and repayment of any unearned portion of the bonus or pay if the officer fails to fulfill the conditions of the bonus or pay, to include an unfulfilled service obligation or eligibility requirement.

3.0 ACCESSION BONUS (AB)

3.1 Eligibility

To be eligible for an AB, an individual must:

3.1.1. Meet the eligibility criteria itemized in paragraph 2.3;

3.1.2. Be a graduate of an accredited school in a health profession;

3.1.3. Be qualified for an appointment as a commissioned officer in a regular or RC of a Uniformed Service (an individual must accept an appointment as an HPO before the bonus will be paid);

3.1.4. Execute a written agreement to accept an appointment as an HPO of the Army, Navy, or Air Force to serve on AD in a regular component or in an active status in a RC in a health profession for a specified period;

3.1.5. When appointed, have completed the service obligation for receipt of financial assistance from the DoD to pursue a course of study in a health profession. This includes, but is not limited to, participants and former participants of the:

3.1.5.1. Reserve Officers' Training Corps;

3.1.5.2. Armed Forces Health Professions Scholarship Program;

3.1.5.3. Financial Assistance Program;

3.1.5.4. Uniformed Services University of the Health Sciences; and

3.1.5.5. Other commissioning programs;

3.1.6. Have been honorably discharged or released from any prior service;

3.1.7. Be qualified in the specialty to which appointed; and

3.1.8. Have been discharged from any Uniformed Service at least 24 months before execution of the written agreement to receive an AB, and no longer hold an appointment, if a former HPO.

3.2 Amounts

AB amounts are listed in Table 5-1. For the most current rates, see the ***HPO AB*** table on DFAS.MIL.

4.0 CRITICALLY SHORT WARTIME SKILLS ACCESSION BONUS (CSWSAB)

4.1 Eligibility

To be eligible for CSWSAB, an individual must:

4.1.1. Meet the eligibility criteria itemized in subparagraphs 3.1.1 through 3.1.8;

4.1.2. Be fully qualified in the critically short wartime specialty to which appointed; and

4.1.3. Have been discharged from any Uniformed Service at least 24 months before execution of the written agreement to receive a CSWSAB, and no longer hold an appointment, if a former HPO.

4.2 Amounts

CSWSAB amounts are listed in Table 5-2. For the most current rates, see the ***CSWSAB*** table on DFAS.MIL.

5.0 BCP

5.1 Eligibility

5.1.1. HPOs must:

5.1.1.1. Meet the eligibility criteria itemized in paragraph 2.3;

5.1.1.2. Be serving in an Active Component (AC) or RC of a Military Service and entitled to basic pay under ***37 U.S.C. § 204*** or compensation pursuant to ***37 U.S.C. § 206***;

5.1.1.3. Be serving on AD or in an active Reserve status in a designated health professional clinical specialty;

5.1.1.4. Have a post-baccalaureate degree in a clinical specialty (a post master's certificate acceptable to the Secretary concerned can satisfy this requirement); and

5.1.1.5. Be certified by a professional board in a designated health profession clinical specialty.

5.1.2. All Officers, to include General/Flag officers at the rank of O-7 and above, are eligible for the BCP.

5.2 Amount

The annual amount payable is $8,000, to be prorated monthly.

6.0 IP

6.1 General Provisions

6.1.1. IP When Not Participating in an RB Agreement. Subject to acceptance by the Secretary concerned, an HPO who is eligible for and not in an existing RB agreement, and who is no longer obligated pursuant to a previous IP agreement, may enter into a new 1-year IP agreement at the rate in the HPS&I pay plan. IP agreements must be for at least 1 year and cannot be prorated. If, during the IP agreement, the HPO becomes eligible for a higher IP, the HPO may terminate and renegotiate at that higher rate, obligating for at least a year from the date of renegotiation.

6.1.2. IP When Participating in an RB Agreement. An HPO who enters into an RB contract may also be eligible for IP for the same specialty at the amount in the HPS&I pay plan. An HPO who elects this option will continue IP eligibility, at the rate in effect at the time the RB agreement is effective, for each active year of the RB contract. Any renegotiation of either the RB or IP will require signing a new RB contract at the annual rate in effect at the time of signature, with an obligation that ends after the obligation of the original agreement.

6.1.3. Effective Date. The effective date of the IP agreement will be calculated from the date the member completes the qualifying training plus 3 months.

6.2 Eligibility

6.2.1. To be eligible for IP, an HPO must be:

6.2.1.1. Serving in an AC or RC of a Military Service and entitled to basic pay under 37 U.S.C. § 204 or compensation pursuant to 37 U.S.C. § 206;

6.2.1.2. Serving on AD or in an active Reserve status in a designated health professional specialty; and

6.2.1.3. Eligible as prescribed in paragraph 2.3;

6.2.2. Medical Corps and Dental Corps Officers at the rank of O-7 and above are eligible for the HPO IP at the General Medical Officer (GMO) or General Dental Officer rate, respectively. All other General/Flag officers are authorized the HPO IP rate for their credentialed specialty.

6.3 Amounts

Annual payment amounts for IP contracts are listed in Tables 5-3 through 5-6 and paid in equal monthly payments. For the most current IP rates, see the ***Dental Corps BCP IP/RB***, ***Medical Corps BCP IP/RB***, ***Nurse Corps BCP IP/RB***, and ***Specialty IP/RB*** tables on DFAS.MIL.

7.0 RB

7.1 General Provisions

7.1.1. Subject to acceptance by the Secretary concerned, an HPO with an RB contract pursuant to ***37 U.S.C. Chapter 5, Subchapter II***, may request termination of that contract to enter into a new RB contract with an equal or longer obligation at the RB annual rate in effect at the time of execution of the new contract. The new obligation period will not retroactively cover any portion or period that was executed in accordance with the prior contract.

7.1.2. The Secretary concerned may pay an RB to HPOs based on their clinical specialty or subspecialty regardless of their ability to spend appropriate time in a clinical setting.

*7.2 Eligibility

The Secretary concerned may pay an RB to HPOs based on their clinical specialty or subspecialty regardless of their ability to spend appropriate time in a clinical setting. To be eligible for an RB, an HPO must:

7.2.1. Meet the eligibility criteria itemized in paragraph 2.3;

7.2.2. Have completed qualifications for the specialty or subspecialty for which the RB is being paid before the beginning of the fiscal year during which a written agreement is executed;

7.2.3. Enter into a written agreement, accepted by the Secretary concerned, to remain on AD or in an active status in an RC as an HPO for 2, 3, 4, or 6 years;

7.2.4. Be below the grade of O-7; and

7.2.5. Meet one of the following requirements:

7.2.5.1. Have completed any AD or reserve duty service commitment incurred for any and all pre-commissioning education and training; or

7.2.5.2. Have completed the service obligation for an AB (an individual eligible for an AB may decline the AB and accept the RB).

7.3 Amounts

Annual payment amounts for AC RB contracts are listed in Tables 5-3 through 5-6. For the most current AC RB rates, see the ***Dental Corps RC AB/RB***, ***Medical Corps RC AB/RB***, ***Nurse Corps RC AB/RB***, and ***Specialties RC AB/RB*** tables on DFAS.MIL.

8.0 RC

8.1 AB

8.1.1. To be eligible for an AB, a RC participant must:

8.1.1.1. Execute a written agreement to remain a satisfactory participant in the Selected Reserves (SELRES) in accordance with ***DoDI 1215.13***;

8.1.1.2. Be qualified in a critical skill identified on the RC HPS&I Pay Plan; and

8.1.1.3. Meet the provisions outlined in paragraphs 2.3 and 3.1.

NOTE: An HPO in the SELRES who transfers to the Individual Ready Reserve or Standby Ready Reserve is not eligible for payments and will have the special pay suspended during this period.

8.1.2. Payment amounts for RC AB contracts are listed in Tables 5-7 through 5-10. For the most current RC AB rates, see the Dental Corps RC AB/RB, Medical Corps RC AB/RB, Nurse Corps RC AB/RB, and Specialties RC AB/RB tables on DFAS.MIL.

8.2 Affiliation Bonus for RC (AFBRC)

8.2.1. Eligibility

To be eligible for an AFBRC, an HPO must:

8.2.1.1. Meet the eligibility criteria itemized in paragraph 2.3;

8.2.1.2. Be serving on AD, or have served on AD, and have a DoD (DD) Form 214, "Certificate of Release or Discharge from Active Duty," that verifies an honorable discharge or release;

8.2.1.3. Provide the original DD 214 (copy 1 or copy 4), or a reproduction with a certified true-copy stamp, and the appropriate Federal Government authenticating seal imprinted for each period of service;

8.2.1.4. Be qualified to hold an appointment as an HPO;

8.2.1.5. Be qualified in the specialty in which they agree to serve;

8.2.1.6. Execute a written agreement to serve 3 years in the SELRES; and

8.2.1.7. Not have previously received an AB in the SELRES, unless granted a waiver.

8.2.2. Amount

The Secretary concerned may pay an AFBRC up to $10,000 to eligible officers.

8.2.3. Restrictions

An officer receiving a health profession bonus is not eligible to receive a payment pursuant to 37 U.S.C. § 332 for the same period of obligated service.

8.3 BCP

8.3.1. Eligibility

An HPO must meet the provisions outlined in paragraph 5.1.

8.3.2. Payment

If eligible, a RC member will be paid at the daily rate of one-thirtieth of the BCP monthly rate as defined in paragraph 5.2 for any period in which the member is entitled to basic pay under 37 U.S.C. § 204 or compensation pursuant to 37 U.S.C. § 206.

8.4 IP

8.4.1. Eligibility

An HPO must meet the provisions outlined in paragraph 6.2.

8.4.2. Payment

If eligible, an RC member will be paid at the daily rate of one-thirtieth of the IP monthly rate for any period in which the member is entitled to basic pay under 37 U.S.C. § 204 or compensation pursuant to 37 U.S.C. § 206. See paragraph 6.3.

8.5 RB

8.5.1. Eligibility

To be eligible for an RB, an HPO must meet the provisions outlined in paragraph 7.1.

8.5.2. Payment

Payment amounts for RC RB contracts are listed in Tables 5-7, through 5-10. For the most current RC RB rates, see the Dental Corps RC AB/RB, Medical Corps RC AB/RB, Nurse Corps RC AB/RB, and Specialties RC AB/RB tables on DFAS.MIL.

9.0 TERMINATION

9.1 Reasons

The Secretary concerned may terminate, at any time, an HPO special pay agreement. The Secretary concerned will establish regulations that specify the conditions and procedures for termination, and they will be included in the written service agreement for the specific special pay. Reasons for termination may include, but are not necessarily limited to:

9.1.1. Loss of privileges;

9.1.2. Court-martial conviction;

9.1.3. Failure to maintain a current, valid, and unrestricted license or approved waiver; or

9.1.4. Reasons that are in the best interest of the Military Department.

9.2 Proration

If an agreement for one or more special pays is terminated, the HPO will be paid on a pro-rata basis for the portion served until the official date of termination.

9.3 Repayment

An HPO who fails to maintain the eligibility requirements for a special pay, does not complete the obligation period for the pay, or whose pay is terminated by the Secretary concerned, as described in paragraph 8.1, will be subject to the repayment provisions of ***37 U.S.C. § 373*** and Chapter 2. These repayment authorities will be stipulated in the written service agreement.

9.4 Reinstatement

If an HPO's special pay is terminated due to failure to maintain a valid license, the member can become eligible for special pays again. Once the HPO's license is reinstated and eligibility is re-established, the HPO may negotiate new contractual special pay agreements. Regardless of whether the HPO receives special pays, the HPO will be held responsible for the original contracted special pay service obligation until completed or until involuntary separation from military service occurs.

9.5 Duration of Authority

Unless reauthorized by Congress, a special pay or incentive pay set forth in this chapter may not be paid for service provided after the date listed on the ***Duration of Authority table*** unless a written agreement for the special pay or incentive pay was entered into prior to the date on the table.

*Table 5-1. AB Effective October 1, 2024
For the most current rates, see the Health Professions AB table on DFAS.MIL.

NURSE	AB 3-Year Obligation	AB 4-Year Obligation
Any Specialty	$30,000	$50,000
Obstetrics/Gynecology Nursing	Not Applicable (N/A)	$40,000
SPECIALTY	**AB 3-Year Obligation**	**AB 4-Year Obligation**
Dietician	N/A	$30,000
Medical Lab Technologist	N/A	$30,000
Occupational Therapy	N/A	$30,000
Optometrists	$20,000	$30,000
Pharmacist	N/A	$30,000
Physical Therapist	N/A	$30,000
Physician Assistant	$37,500	$60,000
Public Health Officer (Air Force)	$22,500	$40,000
Social Worker	$18,750	$30,000
Veterinary Officer	N/A	$20,000

*Table 5-2. CSWSAB Effective October 1, 2024
For the most current rates, see the CSWSAB table on DFAS.MIL.

DENTAL SPECIALTY	CSWSAB 4-YEAR OBLIGATION	
Comprehensive Dentistry	$400,000	
General Dentistry	$150,000	
Oral and Maxillofacial Surgery	$600,000	
Prosthodontics	$300,000	
MEDICAL SPECIALTY	CSWSAB **4-YEAR OBLIGATION**	
Aerospace Medicine	$300,000	
Anesthesia	$600,000	
Cardiology	$325,000	
Cardio-Thoracic Surgery	$600,000	
Diagnostic Radiology	$375,000	
Emergency Medicine	$400,000	
Family Practice	$275,000	
General Surgery	$600,000	
Infectious Diseases	$200,000	
Internal Medicine	$250,000	
Neurosurgery	$600,000	
Ophthalmology	$225,000	
Orthopedics	$600,000	
Preventive Medicine	$300,000	
Psychiatry	$600,000	
Pulmonary Medicine	$400,000	
Trauma/Critical Care Surgery	$600,000	
Urology	$300,000	
Vascular Surgery	$600,000	
NURSE SPECIALTY	**CSWSAB 4-YEAR OBLIGATION**	
Certified Registered Nurse Anesthetist	$250,000	
Critical Care Nursing	$100,000	
Mental Health Nurse Practitioner	$120,000	
SPECIALTY CSWSAB	**3-YEAR OBLIGATION**	**4-Year OBLIGATION**
Clinical Psychologist	$42,500	$65,000

*Table 5-3. Dental Corps IP and RB Effective October 1, 2024
For the most current rates, see the Dental Corps BCP IP/RB table on DFAS.MIL.

DENTAL CORPS	Fully Qualified IP Rate (prorated monthly)	RB Rate (paid annually) 2-year	RB Rate (paid annually) 3-year	RB Rate (paid annually) 4-year	RB Rate (paid annually) 6-year
Advance Clinical Practice: Endodontics; Exodontia; General Dentistry; Periodontics; and Prosthodontics	$25,000	$23,000	$32,000	$40,000	$50,000
Comprehensive Dentistry	$25,000	$28,000	$41,000	$60,000	$75,000
Dental Research	$25,000	$28,000	$41,000	$55,000	$65,000
Endodontics	$25,000	$28,000	$41,000	$55,000	$65,000
General Dentistry	$20,000	$16,000	$22,000	$30,000	$40,000
Operative Dentistry	$25,000	$28,000	$41,000	$55,000	$65,000
Oral: Diagnosis; Medicine; Pathology; Radiology	$25,000	$28,000	$41,000	$55,000	$65,000
Oral Maxillofacial Surgery	$55,000	$55,000	$65,000	$95,000	$115,000
Orthodontics	$25,000	$28,000	$41,000	$55,000	$65,000
Pediatric Dentistry	$25,000	$28,000	$41,000	$55,000	$65,000
Periodontics	$25,000	$28,000	$41,000	$55,000	$65,000
Prosthodontics	$25,000	$28,000	$41,000	$55,000	$65,000
Public Health Dentistry	$25,000	$28,000	$41,000	$55,000	$65,000
Temporomandibular Dysfunction/Orofacial Pain	$25,000	$28,000	$41,000	$55,000	$65,000

*Table 5-4. Medical Corps IP and RB Effective October 1, 2024
For the most current rates, see the Medical Corps BCP IP/RB table on DFAS.MIL.

MEDICAL CORPS	IP 1-YEAR RATE (PRORATED MONTHLY)
General Medical Officer (GMO)	$20,000
GMO with Aerospace Medicine or Undersea Medical Officer Training (Note 1)	$25,000
Internship (First Year of Graduate Medical Education)	$1,200
Initial Residency (Post-Graduate Year 2)	$8,000

Post Resident or Fellow Graduate (initial residency is the first residency completed)	Fully Qualified IP Rate (prorated monthly)	RB Rate (paid annually) 2-year	RB Rate (paid annually) 3-year	RB Rate (paid annually) 4-year	RB Rate (paid annually) 6-year
Anesthesiology	$59,000	$40,000	$55,000	$105,000	$125,000
Cardiology-Adult/Pediatric	$59,000	$26,000	$39,000	$76,000	$95,000
Dermatology	$43,000	$17,000	$25,000	$43,000	N/A
Emergency Medicine	$49,000	$26,000	$39,000	$76,000	$95,000
Family Medicine	$43,000	$20,000	$28,000	$48,000	$60,000
Flight Surgery/ Aerospace Medicine Primary Course (AMP), Other Residency Trained	Note 2	Note 2	Note 2	Note 2	Note 2
Gastroenterology Adult/ Pediatrics	$49,000	$25,000	$36,000	$58,000	N/A
General Internal Medicine	$43,000	$13,000	$23,000	$40,000	N/A
General Surgery	$57,000	$50,000	$65,000	$105,000	$125,000
Gynecological Surgery and Obstetrics	$54,000	$20,000	$30,000	$46,000	$58,000
Neonatology	$50,000	$24,000	$34,000	$63,000	$78,000
Neurology Adult/ Pediatrics	$43,000	$13,000	$19,000	$30,000	$40,000
Neurosurgery (Note 3)	$65,000	$75,000	$100,000	$150,000	N/A
Ophthalmology	$51,000	$15,000	$21,000	$32,000	N/A
Orthopedics	$59,000	$43,000	$58,000	$95,000	$115,000
Otolaryngology	$53,000	$22,000	$30,000	$43,000	N/A
Pathology	$43,000	$13,000	$20,000	$35,000	N/A
Pediatrics	$43,000	$15,000	$20,000	$35,000	N/A
Physiatrist/Physical Medicine	$43,000	$12,000	$13,000	$20,000	N/A
Preventative/Occupational Medicine	$43,000	$13,000	$20,000	$35,000	N/A

Table 5-4. Medical Corps IP and RB (Continued)

Post Resident Or Fellow Graduate (initial residency is the first residency completed)	Fully Qualified IP Rate (prorated monthly)	RB Rate (paid annually) 2-year	RB Rate (paid annually) 3-year	RB Rate (paid annually) 4-year	RB Rate (paid annually) 6-year
Psychiatry Adult/ Pediatrics	$43,000	$19,000	$31,000	$65,000	$85,000
Pulmonary/Critical Care Medicine	$50,000	$27,000	$37,000	$63,000	$78,000
Radiology Diagnostic/Therapeutic	$59,000	$34,000	$49,000	$76,000	N/A
Residency in Aerospace Medicine (RAM)	$43,000	$20,000	$30,000	$40,000	N/A
RAM (Other Residency Trained)	Note 4	Note 4	Note 4	Note 4	Note 4
Subspecialty Category I (Note 5)	$59,000	$50,000	$65,000	$110,000	$130,000
Subspecialty Category II (Note 6)	$51,000	$12,000	$18,000	$32,000	N/A
Subspecialty Category III (Note 7)	$46,000	$18,000	$25,000	$43,000	$55,000
Subspecialty Category IV (Note 8)	$46,000	$20,000	$28,000	$48,000	$60,000
Subspecialty Category V (Note 9)	$59,000	$26,000	$36,000	$55,000	N/A
Urology	$51,000	$20,000	$30,000	$55,000	N/A

NOTES:

1. GMO aerospace medicine training: Physicians who have completed the AMP courses.
2. Physicians who are trained in a primary specialty and have completed the AMP Course (AMP, United States Air Force) or Undersea Medical Officer Training (United States Navy) are eligible for a $3,000 increase in IP and RB above their primary specialty rates.
3. The annual IP amount for the 4-year Neurosurgery retention agreement is $80,000.
4. Physicians who are trained in a primary specialty and have completed RAM are eligible for a $5,000 increase in IP and RB above their primary specialty rates.
5. Requires primary specialty in General Surgery or as listed:
   a. Cardio Thoracic Surgery;
   b. Colon Rectal Surgery;
   c. Fellowship trained Orthopedic Surgeons;
   d. Oncology Surgery;
   e. Organ Transplant;

Table 5-4. Medical Corps IP and RB (Continued)

f. Pediatric Surgery;
g. Plastic Surgery;
h. Trauma/Critical Care Surgery; or
i. Vascular Surgery.

6. Internal medicine nuclear medicine physicians only.
7. All internal medicine/pediatric fellowship-trained subspecialties not listed separately.
8. All family medicine fellowship trained subspecialties.
9. Physicians who are fellowship trained in:
   a Ophthalmology;
   b. Otolaryngology;
   c. Obstetrics/gynecology; and
   d. Urology.

*Table 5-5. Nurse Corps IP and RB Effective October 1, 2024
For the most current rates, see the Nurse Corps BCP IP/RB table on DFAS.MIL.

NURSE CORPS	Fully Qualified IP Only 1 Year Rate (prorated monthly)	RB Rate paid annually 2-Year	RB Rate paid annually 3-Year	RB Rate paid annually 4-Year	RB Rate paid annually 6- Year
Certified Registered Nurse Anesthetist	$15,000	$10,000	$20,000	$40,000	$60,000
Community/Public Health Nursing	N/A	$10,000	$15,000	$20,000	$35,000
Critical Care Nursing	N/A	$10,000	$15,000	$20,000	$35,000
Emergency Nursing	N/A	$10,000	$15,000	$20,000	$35,000
Flight Nurse	N/A	$10,000	$15,000	$20,000	$35,000
General/Clinical Nursing (Note)	N/A	$10,000	$15,000	$20,000	$35,000
Medical-Surgical Nursing	N/A	$10,000	$15,000	$25,000	$35,000
Mental Health Nurse Practitioners	N/A	$20,000	$30,000	$40,000	$60,000
Neonatal Intensive Care	N/A	$10,000	$15,000	$25,000	$35,000
Nurse Midwife	N/A	$15,000	$20,000	$30,000	$45,000
Obstetrics/Gynecology Nursing	N/A	$10,000	$15,000	$25,000	$35,000
Pediatric Nursing	N/A	$10,000	$15,000	$20,000	N/A
Perioperative Nursing	N/A	$10,000	$15,000	$20,000	$35,000
Psychiatric/Mental Health Nursing	N/A	$10,000	$15,000	$20,000	$35,000
All Other Nurse Practitioners	N/A	$10,000	$15,000	$20,000	$35,000

NOTES:

This RB is intended for nurses who are not eligibility for the specialty nurse RBs.

*Table 5-6. Biomedical Services, Medical Services, Specialists, and Veterinary Corps IP and RB
Effective October 1, 2024
For the most current rates, see the Specialty IP/RB table on DFAS.MIL.

	PAID ANNUALLY				
SPECIALTY	**Fully Qualified IP Rate/Year (with or without RB)**	**RB Rate 2-Year**	**RB Rate 3-Year**	**RB Rate 4-Year**	**RB Rate 6-Year**
Laboratory Officer	N/A	N/A	N/A	$10,000	N/A
Occupational Therapist	N/A	N/A	N/A	$7,500	N/A
Optometrist	$5,000	$5,000	$10,000	$15,000	$20,000
Pharmacist	N/A	$15,000	$15,000	$20,000	N/A
Physician Assistant	$5,000	$10,000	$15,000	$25,000	$35,000
Podiatrist	$5,000	$10,000	$15,000	$25,000	N/A
Psychologist	$5,000	$15,000	$20,000	$30,000	$40,000
Public Health Officer (Air Force)	$5,000	$5,000	$6,250	$7,500	N/A
Registered Dietician	N/A	N/A	N/A	$7,500	N/A
Social Worker	$2,500	$10,000	$18,000	$20,000	$25,000
Veterinary Biomedical Scientist Officer (Army, PhD Complete Only)	$5,000	$7,000	$11,000	$15,000	N/A
Veterinarians (Army) Preventive Medicine	$5,000	$5,000	$6,250	$7,500	N/A
Veterinary Officer	$5,000	$2,500	$3,750	$5,000	N/A

*Table 5-7. Dental RC AB and RB Effective October 1, 2024
(See Note)
For the most current rates, see the Dental RC AB/RB table on DFAS.MIL.

DENTAL CORPS	AB (Note)	RB (Note)
Dental Officer, Clinical/General	$25,000	$25,000
Dentist, Comprehensive	$30,000	$30,000
Oral & Maxillofacial Surgeon	$45,000	$45,000
Prosthodontist	$30,000	$30,000
Public Health Dentist	$30,000	$30,000

NOTE:

The amount listed for AB and RB represents the annual amount authorized for new agreements signed during the period of the pay plan. The length of the contracts will be subject to the current law, DoDI 6000.13, and service policy existing at the time the contracts were signed. These amounts are paid annually.

*Table 5-8. Medical RC AB and RB Effective October 1, 2024
For the most current rates, see the Medical RC AB/RB table on DFAS.MIL.

MEDICAL CORPS	AB (Note)	RB (Note)
Aerospace Medicine Specialist	$40,000	$40,000
Anesthesiology	$50,000	$50,000
Critical Care Pulmonary Disease Medicine/Cardiology	$60,000	$60,000
Emergency Medicine Emergency Services	$50,000	$50,000
Family Medicine/ Family Practice	$25,000	$25,000
Field Surgeon Aeromedical Physician General Practice Medicine	$25,000	$25,000
Flight Surgeon; Aviation/Aerospace GMO; Aviation/Aerospace; Residence Trained	$40,000	$40,000
Infectious Disease	$25,000	$25,000
Internist	$25,000	$25,000
Nephrology	$25,000	$25,000
Nuclear Medicine	$25,000	$25.000
Obstetrician and Gynecologist	$25,000	$25,000
Occupational Medical Officer	$40,000	$40,000
Ophthalmology	$25,000	$25,000
Otolaryngologist	$25,000	$25,000
Pediatrician	$25,000	$25,000
Preventive Medicine	$40,000	$40,000
Psychiatrist	$25,000	$25,000
Radiologist, Diagnostic	$45,000	$45,000
Surgeon Colon Rectal	$75,000	$75,000
Surgeon Critical Care Trauma	$75,000	$75,000
Surgeon, General	$75,000	$75,000
Surgeon, Neurological	$50,000	$50,000
Surgeon Orthopedic	$75,000	$75,000
Surgeon, Plastic	$50,000	$50,000
Surgeon, Thoracic Cardiovascular	$75,000	$75,000
Surgeon Vascular Peripheral	$50,000	$50,000
Undersea Medicine	$25,000	$25,000
Urologist	$45,000	$45,000

Table 5-8. Medical RC AB and RB (Continued)

NOTE:

The amount listed for AB and RB represents the annual amount authorized for new agreements signed during the period of the pay plan. The length of the contracts will be subject to the current law, DoDI 6000.13, and service policy existing at the time the contracts were signed. These amounts are paid annually.

*Table 5-9. Nurse Corps RC AB and RB Effective October 1, 2024
(See Note)
For the most current rates, see the Nurse Corps RC AB/RB table on DFAS.MIL.

NURSE CORPS	AB (Note)	RB (Note)
Clinical Nurse, Critical Care	$35,000	$35,000
Flight Nurse	$20,000	$20,000
Maternal Infant Nurse	$15,000	$15,000
Medical/Surgical Nurse	$25,000	$25,000
Mental Health Nurse	$17,500	$17,500
Midwife	$15,000	$15,000
Nurse, Anesthetist	$30,000	$30,000
Nurse, Neonatal Intensive Care	$15,000	$15,000
Nurse, Practitioner, Family	$20,000	$20,000
Nurse, Practitioner, Mental Health	$20,000	$20,000
Nurse, Practitioner, Pediatric	$15,000	$15,000
Operating Room Nurse	$25,000	$25,000
Trauma Nurse /Emergency	$25,000	$25,000

NOTE:

The amount listed for AB and RB represents the annual amount authorized for new agreements signed during the period of the pay plan. The length of the contracts will be subject to the current law, DoDI 6000.13, and service policy existing at the time the contracts were signed. These amounts are paid annually.

*Table 5-10. Biomedical Services, Medical Services, Specialists, and Veterinary Corps Specialties RC AB and RB Effective October 1, 2024
(See Note)
For the most current rates, see the Specialties RC AB/RB table on DFAS.MIL.

SPECIALTIES	AB (Note)	RB (Note)
Aeromedical Evacuation Officer	$20,000	$20,000
Aerospace Physiology	$10,000	$10,000
Bioenvironmental Engineer	$10,000	$10,000
Clinical Laboratory/ Biomedical Laboratory Science	$10,000	$10,000
Clinical Psychologist	$20,000	$20,000
Entomologist/Public Health	$15,000	$15,000
Health Services Administration	$10,000	$10,000
Information Systems	$10,000	$10,000
Medical Logistics Management	$15,000	$15,000
Microbiologist	$10,000	$10,000
Optometrist	$20,000	$20,000
Physician Assistant	$25,000	$25,000
Plans/Operations/Medical Intelligence	$15,000	$15,000
Social Worker	$15,000	$15,000
VETERINARY CORPS	**AB**	**RB**
Clinical Medicine	$25,000	$25,000
Preventive Medicine	$20,000	$20,000
Service Officer	$15,000	$15,000

NOTE:

The amount listed for AB and RB represents the annual amount authorized for new agreements signed during the period of the pay plan. The length of the contracts will be subject to the current law, DoDI 6000.13, and service policy existing at the time the contracts were signed. These amounts are paid annually.

*REFERENCES

CHAPTER 5: - HEALTH PROFESSIONS OFFICER (HPO) SPECIAL AND INCENTIVE PAY

2.0 – PROVISIONS

DoDI 6000.13, December 30, 2015, Incorporating Change 1, Effective May 3, 2016

3.0 – AB

DoDI 6000.13, December 30, 2015, Incorporating Change 1, Effective May 3, 2016

5.0 – BCP

DoDI 6000.13, December 30, 2015, Incorporating Change 1, Effective May 3, 2016

5.2 Assistant Secretary of Defense Health Affairs (ASD HA) Memo, September 6, 2022

6.0 – IP

DoDI 6000.13, December 30, 2015, Incorporating Change 1, Effective May 3, 2016

6.2.2 ASD HA Memo, September 6, 2022

7.0 – RB

DoDI 6000.13, December 30, 2015, Incorporating Change 1, Effective May 3, 2016

8.0 – RC

DoDI 6000.13, December 30, 2015, Incorporating Change 1, Effective May 3, 2016

8.1.1.1 DoDI 1215.13, May 5, 2015

8.2.1.6 DoDI 1304.34, July 11, 2016, paragraph 3.1 e(2)(a)

9.0 – TERMINATION

DoDI 6000.13, December 30, 2015, Incorporating Change 1, Effective May 3, 2016

9.5 37 U.S.C. §§ 332, 335, 353

REFERENCES (Continued)

Table 5-1 – AB

ASD HA Memo, July 25, 2024

Table 5-2 – CSWSAB

ASD HA Memo, July 25, 2024

Table 5-3 – DENTAL CORPS IP

ASD HA Memo, July 25, 2024

Table 5-4 – MEDICAL CORPS IP

ASD HA Memo, July 25, 2024

Table 5-5 – NURSE CORPS IP AND RB

ASD HA Memo, July 25, 2024

Table 5-6 – BIOMEDICAL SERVICES, MEDICAL SERVICES, SPECIALISTS, AND VETERINARY CORPS INCENTIVE PAY & RETENTION BONUS

ASD HA Memo, July 25, 2024

Table 5-7 – DENTAL RC AB AND RB

ASD HA Memo, July 25, 2024

Table 5-8 – MEDICAL RC AB AND RB

ASD HA Memo, July 25, 2024

Table 5-9 – NURSE CORPS RC AB AND RB

ASD HA Memo, July 25, 2024

Table 5-10 – BIOMEDICAL SERVICES, MEDICAL SERVICES, SPECIALISTS, AND VETERINARY CORPS RC AB AND RB

ASD HA Memo, July 25, 2024

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 6: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 7: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

VOLUME 7A, CHAPTER 8: "SPECIAL PAY - SPECIAL DUTY ASSIGNMENT PAY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated August 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
References	Updated supporting Service instruction references.	Revision

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CHAPTER 8

SPECIAL PAY - SPECIAL DUTY ASSIGNMENT PAY

1.0 GENERAL

1.1 Purpose

Special Duty Assignment Pay (SDAP) may be awarded to Service members for the performance of duty in an assignment, location, or unit designated, where the assigned duties are determined to be extremely demanding, involving an unusual degree of responsibility or difficulty, or requiring special qualifications.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), Title 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 SDAP

2.1 Eligibility

The Secretaries of the Military Departments concerned will establish eligibility criteria based on Service-specific needs and will consider paygrade, level of responsibility, and the operational nature of the assignment.

2.1.1. Army. See the Army SDAP message ALARACT 084/2021 – Corrected Fiscal Year 2022 SDAP Biennial Review Results, October 22, 2021.

2.1.2. Navy. See Chief of Naval Operations Instructions ***(OPNAVINST) 1160.6C***.

2.1.3. Air Force and Space Force. See Air Force Instruction ***(AFI) 36-3012***.

2.1.4. Marine Corps. See Marine Corps Order ***(MCO) 7220.12R***.

2.2 Additional Guidelines

2.2.1. The Secretary of the Military Department may pay a special duty pay to a member of the Active or Reserve Component of the Uniformed Service who:

2.2.1.1. Is entitled to basic pay under ***37 U.S.C. § 204***, or compensation under ***37 U.S.C. § 206***; and

2.2.1.2. Performs duties in an assignment, location, or unit designated, and under the conditions of service specified by the Secretary concerned.

2.2.2. SDAP will be in addition to any other pay or allowances a Service member may be receiving, except where otherwise stated.

2.2.3. Awarding new agreements for assignment and special duty pays under 37 U.S.C., Chapter 5, Subchapter I, was discontinued after October 1, 2017. Existing agreements under 37 U.S.C., Chapter 5, Subchapter I, will remain in effect and payments may continue through the agreed-upon date.

2.3 Restrictions

2.3.1. A member of a Reserve Component entitled to pay under 37 U.S.C. § 206 and authorized for special duty pay may be paid an amount of SDAP that is proportionate to the compensation received by the member for inactive duty training. The member may be awarded an amount at $1/30^{th}$ of the prescribed monthly rate of the special duty pay for the performance of each authorized period of inactive duty training with pay.

2.3.2. The Secretary of the Military Department concerned may increase, decrease, or abolish SDAP for any skill or assignment at any time and will establish restrictions and limitations to the pay through Service regulations.

2.3.3. Assignment and special duty pays are not to be continuous in nature and should be for a specified period. However, back-to-back assignment and special duty pays are authorized as long as the Service member continues to meet Service regulations and perform duties in assignments designated for the pay.

2.3.4. A member may receive multiple assignment and special duty pays. However, a Service member may not receive multiple pays for the same purpose and period of service.

2.4 Amount

2.4.1. Assignment and special duty pays may be paid in monthly, installment, or lump sum amounts, but may not exceed the amount listed in subparagraph 2.4.2. The combination of assignment and special duty pays may not exceed an average monthly amount of $3,500, unless otherwise authorized by the Assistant Secretary of Defense for Manpower and Reserve Affairs.

2.4.2. The Secretaries of the Military Departments concerned will establish monthly rates, but the maximum amount of SDAP per month will not exceed $750.

2.5 Repayment

A member who receives SDAP in accordance with ***37 U.S.C. § 352***, and fails to fulfill the eligibility requirements for receipt of such pay, will be subject to the repayment provisions of ***37 U.S.C. § 373***.

3.0 ENTITLEMENT

3.1 Service Designations

Designations of military specialties and assignments for SDAP are in the applicable regulations of the Military Service concerned.

3.2 Written Agreement

3.2.1. Discretionary for Monthly Payments. The Secretary of the Military Department concerned may require a Service member to enter into a written agreement with the Secretary in order to qualify for the payment of assignment pay or special duty pay on a monthly basis. If used, the written agreement will specify the period for which the assignment pay, or special duty pay will be paid and the monthly rate.

3.2.2. Non-discretionary for Installment or Lump Sum Payments. The Secretary of the Military Department concerned will require a Service member to enter into a written agreement with the Secretary in order to qualify for installment or lump sum payments of assignment pay or special duty pay. The written agreement will specify the period for which the Service member will receive assignment pay or special duty pay, the amount of each periodic installment or lump sum, and the repayment policy under paragraph 2.5.

4.0 CONDITIONS OF ENTITLEMENT

4.1 Effect of SDAP on Other Computations

SDAP is not used in the computation for an enlistment bonus, severance pay, separation pay, or cash settlement of accrued leave.

4.2 Tax

SDAP is subject to withholding of income tax, but not subject to withholding of Federal Insurance Contributions Act taxes.

4.3 Duration of Authority

Unless reauthorized by Congress, SDAP may not be paid for service provided after the date listed on the ***Duration of Authority*** table for SDAP unless an SDAP agreement was entered into prior to the date on the table.

*REFERENCES

CHAPTER 8 - SPECIAL PAY - SPECIAL DUTY ASSIGNMENT PAY

1.0 – GENERAL

37 U.S.C. § 352
DoD Instruction (DoDI) 1340.26, September 25, 2017, Incorporating Change 1, Effective January 11, 2019, paragraph 1.2

2.0 – SDAP

2.1	DoDI 1340.26, September 25, 2017, Incorporating Change 1, Effective January 11, 2019, paragraph 4.1.b
2.1.1.	ALARACT 084/2021 Corrected Fiscal Year 2022 Special Duty Assignment Pay (SDAP) Biennial Review Results, October 22, 2021
2.1.2.	OPNAVINST 1160.6C, October 5, 2017
2.1.3.	AFI 36-3012, August 23, 2019, chapter 3
2.1.4.	MCO 7220.12R, August 6, 2013
2.2	DoDI 1340.26, September 25, 2017, Incorporating Change 1, Effective January 11, 2019, paragraph 3.1.a
2.3	DoDI 1340.26, September 25, 2017, Incorporating Change 1, Effective January 11, 2019, paragraph 3.1.b
2.4	DoDI 1340.26, September 25, 2017, Incorporating Change 1, Effective January 11, 2019, paragraph 3.1.d

3.0 – ENTITLEMENT

3.2	DoDI 1340.26, September 25, 2017, Incorporating Change 1, Effective January 11, 2019, paragraph 3.3

4.0 – CONDITIONS OF ENTITLEMENT

4.3	37 U.S.C. § 352(g)

VOLUME 7A, CHAPTER 9: "ACTIVE-DUTY ENLISTED MEMBERS ENLISTMENT, REENLISTMENT, AND RETENTION BONUSES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated August 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
2.2	Updated to increase the enlistment bonus maximum amount to $75,000 effective January 11, 2024, through January 10, 2027.	Revision
3.3	Updated to reflect the maximum statutory increase to $50,000 for each year of obligation.	Revision
9.0	Removed obsolete Voluntary Extension Retention Bonus.	Deletion
References	Updated to reflect current statutes and other supporting references.	Revision

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CHAPTER 9

ACTIVE-DUTY ENLISTED MEMBERS ENLISTMENT, REENLISTMENT AND RETENTION BONUSES

1.0 GENERAL

1.1 Purpose

This chapter establishes DoD policy guidance pertaining to active-duty enlistment, reenlistment, and retention bonuses.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.), section 331 (***37 U.S.C. § 331***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

1.3 Repayment

1.3.1 For each of the bonuses described in this chapter, a member who does not complete the agreed term of service or who does not otherwise meet the conditions of service for the bonus will be subject to the repayment provisions of Chapter 2.

1.3.2. A member who is discharged 12 months or less before the expiration of enlistment or extension of enlistment in accordance with ***10 U.S.C. § 1171*** may be considered to have completed the terms of enlistment or extension of enlistment for which the bonus was paid. For all other early discharges, the Military Departments will determine and advise when repayment is not required.

1.4 Duration of Authority

Unless reauthorized by Congress, no bonus described in this chapter may be paid for service provided after the date listed on the ***Duration of Authority*** table for that bonus unless an agreement was entered into prior to the date on the table.

2.0 ENLISTMENT BONUS

2.1 Eligibility

An enlistment bonus is authorized for individuals who enlist in a Military Service for a specific period and, if applicable, for service in a military skill that is experiencing critical personnel shortages as designated by the Secretary of the Military Department concerned. The individual must meet the qualifications listed in subparagraphs 2.1.1 through 2.1.8:

2.1.1. Possess a high school diploma, a completion or attendance certificate in lieu of a high school diploma, or a General Educational Development program certificate;

2.1.2. The individual must be an initial enlistee who enlists in a Regular Component of the Military Service. An initial enlistee is a person who has either never served or has served and was released from such service before completing the basic training requirements of the Service of which the person was a member, and the service was characterized as either honorable or uncharacterized;

2.1.3. Enlist for at least 2 years or extend an initial period of obligated service to a total of at least 2 years in a Regular Component of a Military Service and serve for a specified period of obligated service in at least one of the following categories:

2.1.3.1. A designated military skill,

2.1.3.2. Career field,

2.1.3.3. Unit,

2.1.3.4. Grade, or

2.1.3.5. Other condition or conditions imposed by the Under Secretary of Defense (Personnel and Readiness) (USD (P&R)) or the Secretary of the Military Department concerned;

2.1.4. Execute a written agreement with the Secretary of the Military Department concerned that specifies the:

2.1.4.1. Amount of the bonus;

2.1.4.2. Method of bonus payment - lump sum amount or periodic installments;

2.1.4.3. Period of obligated service; and

2.1.4.4. Designated military skill or specialty, career field, unit, grade, or such other condition or conditions of service imposed by the Secretary of the Military Department concerned;

2.1.5. Not have previously received an enlistment bonus, a retention bonus, an affiliation bonus, or a transfer bonus for the same period of service;

2.1.6. Not have previously received and not be eligible to receive a Selective Retention Bonus (SRB) under section 3.0 or a Critical Skill Retention Bonus (CSRB) under section 4.0;

2.1.7. Successfully complete training and become technically qualified in a designated skill if completion of such training and technical qualification forms the basis under which the bonus is paid; and

2.1.8. Meet any additional military service specific eligibility criteria and quality standards established by the Secretary of the Military Department concerned.

*2.2 Amount

The Secretary of the Military Department concerned will determine the amount of the enlistment bonus awarded for a designated military skill. The bonus payment for a designated military skill or cumulative amount of enlistment bonuses to any individual is not to exceed $75,000 for a minimum 2-year service obligation. This amount is authorized from January 11, 2024, to January 10, 2027.

2.3 Computation

The Secretaries of the Military Departments are required to establish rules of computation for enlistment bonuses.

2.4 Method of Payment

2.4.1. The bonus may be paid either in periodic installments or a single lump sum. The timing of the initial payment is at the discretion of the Secretary of the Military Department concerned, except that it must not be paid before the member completes basic recruit training. For individuals enlisted for specialties requiring formal training, the Service concerned may withhold the initial payment until the individual completes the training and qualifies in the military skill, so the bonus serves as an incentive to complete the training needed to qualify in the skill.

2.4.2. If paid in installments, after the initial payment, the remainder of the bonus must be paid in equal, periodic installments.

3.0 SRB

3.1 Eligibility

The Secretary of the Military Department concerned may designate a unit, grade, or impose such other condition or conditions of service with respect to the SRB, as determined necessary to mitigate a significant current or projected personnel shortage or changing force structure requirements. An SRB based on unit, grade, or such other condition or conditions of service are subject to USD (P&R) approval. The member must:

3.1.1. Serve in a pay grade E-3 or higher;

3.1.2. Reenlist for a period of at least 3 years or voluntarily extend an enlistment for a period of at least 1 year on active duty;

3.1.3. Execute a written agreement with the Secretary of the Military Department concerned that specifies the:

3.1.3.1. Amount of the bonus;

3.1.3.2. Method of bonus payment - lump sum amount or periodic installments;

3.1.3.3. Period of obligated service; and

3.1.3.4. Designated military skill, career field, unit, or grade, or such other condition or conditions of service imposed by the Secretary of the Military Department concerned;

3.1.4. Agree to serve for a specified period in at least one of the following reenlistment or extension categories:

3.1.4.1. A designated military skill,

3.1.4.2. Career field,

3.1.4.3. Unit,

3.1.4.4. Grade, or

3.1.4.5. Other condition or conditions imposed by the Secretary of the Military Department concerned;

3.1.5. Meet skill qualification prior to payment of the SRB for a member transferring into a designated military skill;

3.1.6. Qualify under any additional eligibility criteria prescribed by the Secretary of the Military Department concerned;

3.1.7. Not be in receipt of an enlistment bonus, a retention bonus, an affiliation bonus, or a transfer bonus for the same period of service; and

3.1.8. In addition to the eligibility requirements in subparagraphs 3.1.1 through 3.1.7, an enlisted service member serving under an indefinite reenlistment must:

3.1.8.1. Be in the pay grade of E-5 or above;

3.1.8.2. Have 10 or more years of military service; and

3.1.8.3. Sign an agreement to remain on active duty for a period of at least 3 years.

3.2 Limitations

3.2.1. A re-entry or reenlistment must occur no later than 3 months (or within a lesser period if so prescribed by the Secretary of the Military Department concerned) after the date of discharge or release from active duty.

3.2.2. Veterans with more than a 3-month but less than a 4-year break in active duty may qualify for a broken service, or a prior service re-entry, SRB program in accordance with regulations prescribed by the Secretary of the Military Department concerned.

3.2.3. Re-enlistees reentering active duty must provide documentation of a break in active-duty service greater than 24 hours. Acceptable documentation of the break in service includes the original DoD (DD) Form 214, Certificate of Release or Discharge from Active Duty, (copy 1 or copy 4) or a reproduction of the DD 214, with a certified true-copy stamp and appropriate Federal Government authenticating seal imprinted thereon, or other official documentation verifying the member's satisfactory participation for all periods of prior service. The 24-hour period begins on the day following the date of discharge or separation.

3.2.4. Members with prior enlisted service and subsequent service as an officer, who were discharged or released from active duty and who, within 3 months after discharge or release from active duty as an officer, reenlist in the same Regular Component of a Military Service in which they previously served as an enlisted member may be eligible for an SRB. The individual must meet all other requirements established in paragraphs 3.1 and 3.2.

3.2.5. Service members may be eligible for an SRB if they extend their existing service obligation for a minimum of 12 months.

3.2.6. Members who reenlist or voluntarily extend an enlistment to obtain sufficient obligated service to participate in a program leading to commissioned or warrant officer status are not eligible for an SRB.

3.2.7. A member is not eligible for an SRB if the member was discharged or released from active duty or service in an active status based upon a determination of misconduct, substandard duty performance, or moral or professional dereliction.

3.2.8. An SRB may be paid to an enlisted member up to 28 years of active duty or service The Deputy Assistant Secretary of Defense for Military Personnel Policy may waive this restriction based upon a request and justification submitted by the Secretary of the Military Department concerned.

3.2.9. Generally, a member may not use any preexisting period of obligated service to satisfy an obligated service requirement under an SRB agreement, unless such service is determined by the Secretary of the Military Department concerned to be consistent with the requirements of ***37 U.S.C. § 371***; and

3.2.9.1. Such preexisting period of obligated service is necessary for the member to qualify for continuous submarine duty incentive pay and is service for which no bonus was previously authorized or payable; or

3.2.9.2. Such preexisting period of obligated service includes no more than a 2-year period of an unserved voluntary extension of enlistment for which no bonus was previously

authorized or payable, and the member agrees to an additional 2-year period of obligated service in connection with the SRB.

*3.3 Amount

The SRB may not exceed $30,000 for each year of obligated service in a Regular Component. The maximum amount for an SRB is $180,000. The statutory limit was increased to $50,000 for each year of obligated service. However, pursuant to DoD policy, the SRB amount is limited to $30,000 for each obligated year of service.

3.3.1. The Secretary of the Military Department concerned must determine the amount of the SRB based on a business case model that targets the retention of adequate levels of enlisted personnel in a reenlistment or extension category.

3.3.2. Members may receive more than one SRB for a career, but the total combined SRB payments over a career must not exceed $360,000.

3.3.3. SRB amounts may be prorated for extension requests greater than one year and reenlistments greater than 3 years. The additional service time will be calculated on a monthly basis at a rate equal to 1/12th the annual amount.

3.4 Computation

The Secretaries of the Military Departments are required to establish and publish the rules for computing the SRB.

3.5 Method of Payment

The bonus may be paid either in periodic installments or a single lump sum. If the Secretary of the Military Department concerned elects to pay SRBs in installments:

3.5.1. The installment amount will be at the discretion of the Secretary of the Military Department concerned, and may be paid at the time of reenlistment, or at the beginning of the member's service commitment for the voluntary extension of enlistment. All payments must be made before the member completes a total of 28 years of service.

3.5.2. An initial installment to a member who reenlists after a break in active-duty service greater than 24 hours is to be made no earlier than 30 days after arrival at the first permanent duty station following reenlistment.

3.5.3. Where there is lost time, the subsequent installment payments will be delayed by the number of days of lost time.

3.5.4. Discharge for the purpose of immediate reenlistment does not affect a member's entitlement to subsequent SRB installment payments.

3.6 Additional Obligated Service

Additional obligated service is defined as any active service commitment beyond an existing contractual service agreement. Existing contractual service agreements include enlistments, extensions of enlistment, and reenlistments.

3.7 Changes and Termination of Awards

3.7.1. The Military Departments will notify USD (P&R) of any changes to a Military Department's SRB guidance under the enlisted bonus program. The Secretary of the Military Department concerned will issue an announcement that fully describes the change along with an effective date. The amount of the SRB offered after the date of such change may not exceed that authorized under 37 U.S.C. § 331(c).

3.7.2. Members agreeing to retrain and reenlist for a different specialty may be paid a bonus in the amount offered at the time of the agreement or upon completion of the training, whichever is greater. If after completion of the training a bonus is no longer offered for the skill, the bonus amount at the time of the agreement will be awarded to the Service member.

4.0 CSRB

4.1 Eligibility

An enlisted member of the Armed Forces, who is serving on active duty in a Regular Component and is qualified in a critical military skill designated by the Secretary of Defense, may be paid a retention bonus as provided in this section, if the member is not serving on an indefinite enlistment and reenlists or voluntarily extends the enlistment for at least 1 year.

4.2 Limitations

4.2.1. A retention bonus may not be given under paragraph 4.1 to a member of the Armed Forces who has completed more than 25 years of active duty or who will complete the 25th year before the end of the period of active duty or active status for which the bonus is offered. This limitation does not apply with respect to a member who is qualified in a skill related to special operations forces.

4.2.2. The USD (P&R) or the Principal Deputy, USD (PDUSD) (P&R) may waive the 25-year service limitation on eligibility with respect to a member who, during a period of active duty or service in an active status in a Reserve Component for which the bonus is being offered, is assigned duties in a skill designated as critical.

4.2.3. CSRB payments may not be made before the start of the active-duty service period for which the CSRB is being awarded, unless specifically authorized by the PDUSD (P&R).

4.3 Amount

4.3.1. A member may enter into an agreement, reenlist, or voluntarily extend enlistment more than once in order to receive a bonus under this section. However, a member may not receive a total of more than $200,000 in payments under this section.

4.3.2. A CSRB amount may not exceed $30,000, annually unless PDUSD (P&R) has granted an exception.

NOTE: The combined total of CSRB and Selective Reenlistment Bonus, in accordance with, ***DoD Directive (DoDD) 1304.21***, Policy on Enlistment Bonuses, Accession Bonuses for New Officers In Critical Skills, Selective Reenlistment Bonuses, and Critical Skills Retention Bonuses for Active Members, during an individual's career, shall not exceed $200,000, unless the PDUSD (P&R) authorizes it for the skill concerned as an exception to policy.

4.4 Method of Payment

A bonus under this section may be paid in a single lump sum or periodic installments.

5.0 PRIOR SERVICE REENLISTMENT BONUS

5.1 Eligibility

The Secretary of the Military Department concerned may pay an individual who reenlists in a regular component of a military service after a break in active duty. An individual must:

5.1.1. Not have previously received, or currently be entitled to, and SRB under section 3.0; or a CSRB under section 4.0;

5.1.2. Not have more than 16 years of total military service and have received an honorable discharge at the conclusion of all previous periods of service;

5.1.3. Not have been released, or currently be released, from active duty for the purpose of enlistment in a Reserve Component;

5.1.4. Provide either:

5.1.4.1. The original DD Form 214 (copy 1 or copy 4);

5.1.4.2. A reproduction of the DD Form 214 with a certified true-copy stamp and the appropriate Federal Government authenticating seal imprinted on the reproduction for any period of previous military service; or

5.1.4.3. Other official documentation verifying member's satisfactory participation for all periods of previous service in the Active Component and Selected Reserve;

5.1.5. Successfully complete any additional training or re-training required to become technically qualified in a designated critical skill for which the member is projected to occupy;

5.1.6. Reenlist for at least 3 years; and

5.1.7. Execute an agreement to serve as an enlisted member in the Regular or Reserve Component of a Military Service for a period of not less than 3 years upon acceptance of the agreement by the Secretary of the Military Department concerned that specifies the:

5.1.7.1. Amount of the bonus;

5.1.7.2. Method of bonus payment - lump sum amount or periodic installments;

5.1.7.3. Period of obligated service; and

5.1.7.4. Designated:

5.1.7.4.1. Military skill or specialty;

5.1.7.4.2. Career field;

5.1.7.4.3. Unit;

5.1.7.4.4. Grade; or

5.1.7.4.5. Such other condition or conditions of service imposed by the Secretary of the Military Department concerned.

5.2 Amount

The Prior Service Reenlistment Bonus amount must not exceed $20,000 for each year of obligated service in a Regular Component.

5.3 Method of Payment

5.3.1. The Secretary of the Military Department concerned must establish a method of payment for the bonus (lump sum or periodic installments). Payment should be disbursed based on training milestones, amounts, and length of enlistment. The Secretary of the Military Department concerned must not pay a person or member any portion of the bonus prior to completion of training.

5.3.2. Members already technically qualified in the skill for which the bonus is being paid will receive their first installment no earlier than 30 days after arrival at the first permanent duty station. The 30 days will start following entry into a Regular Component.

6.0 CONVERSION BONUS

6.1 Eligibility

The Secretary of the Military Department concerned may pay a conversion bonus to a member of the Armed Forces who executes a written agreement to convert to, and serve for, a period of not less than three years in, a designated military skill for which there is a shortage of trained and qualified personnel. The member must:

6.1.1. At the time the agreement is executed, be serving in a pay grade E-6 or below, with no more than 12 years of service as computed in accordance with ***37 U.S.C. § 205***.

6.1.2. Have completed all service obligations incurred for receipt of an enlistment bonus as prescribed in section 2.0, a retention bonus as prescribed in section 3.0, or CSRB as prescribed in section 4.0;

6.1.3. Meet all eligibility requirements prescribed in section 2.1;

6.1.4. Extend the existing enlistment contract to qualify for the bonus if he or she has less than 3 years of active duty or duty in an active status in the Selected Reserve.

6.1.5. Execute a written agreement with the Secretary of the Military Department concerned that specifies the:

6.1.5.1. Amount of the bonus;

6.1.5.2. Method of bonus payment - lump sum amount or periodic installments;

6.1.5.3. Period of obligated service; and

6.1.5.4. Designated military skill, career field, unit, grade, or such other condition or conditions of service imposed by the Secretary of the Military Department concerned; and

6.1.6. Not be in receipt of an enlistment bonus, a retention bonus, an affiliation bonus, or a transfer bonus for the same period of service.

6.2 Amount

The bonus payment will not exceed $10,000.

6.3 Method of Payment

6.3.1. The conversion bonus may be paid in a lump sum or periodic installments.

6.3.2. The Secretary of the Military Department concerned must not pay a member any portion of the bonus before completion of the conversion training.

7.0 BONUS FOR TRANSFER BETWEEN MILITARY SERVICES

7.1 Eligibility

The Secretary of the gaining Military Department may pay a bonus to an enlisted member who agrees to transfer and serve in another Military Service, for a specified period in a designated military skill, career field, unit, grade, or to meet some other condition or conditions imposed by the Secretary of the gaining Military Department. The member must:

7.1.1. Execute a written agreement with the Secretary of the Military Department concerned that specifies the:

7.1.1.1. Amount of the bonus;

7.1.1.2. Method of bonus payment - lump sum amount or periodic installments;

7.1.1.3. Period of obligated service, which must be for a minimum 3-year period; and

7.1.1.4. Designated military skill, career field, unit, grade, or such other condition or conditions of service imposed by the Secretary of the Military Department concerned;

7.1.2. Agree to serve for a specified period in at least one of the following reenlistment or extension categories:

7.1.2.1. A designated military skill,

7.1.2.2. Career field,

7.1.2.3. Unit,

7.1.2.4. Grade, or

7.1.2.5. Other condition or conditions imposed by the Secretary of the Military Department concerned;

7.1.3. Have satisfactorily completed any term of enlistment in a Military Service;

7.1.4. Qualify for reenlistment in the Regular Component of the Military Service to which the member is transferring;

7.1.5. Prior to the transfer, fulfill the requirements established by the Secretary with jurisdiction over the Military Service to which the member is transferring;

7.1.6. Not be in receipt of an enlistment bonus, retention bonus, an affiliation bonus, or a transfer bonus for the same period of service;

7.1.7. Not be in receipt of separation pay in accordance with 10 U.S.C. Chapter 59; and

7.1.8. Meet any additional military service specific eligibility criteria and quality standards established by the Secretary of the Military Department to which the member is transferring.

7.2 Amount and Method of Payment

The Secretary of the gaining Military Department may pay the transfer bonus in one $10,000 lump sum amount upon approval of the transfer by the Secretary of that Military Department. Alternatively, the bonus may be paid in annual installments, the total of which may not exceed $10,000.

8.0 BONUS FOR TRANSFER BETWEEN COMPONENTS OF A MILITARY SERVICE

8.1 Eligibility

The Secretary of the Military Department concerned may pay a bonus to an enlisted member who agrees to transfer from the Regular Component to the Ready Reserve or vice versa of the same service. The member must:

8.1.1. Execute a written agreement with the Secretary of the Military Department concerned that specifies the:

8.1.1.1. Amount of the bonus;

8.1.1.2. Method of bonus payment - lump sum amount or periodic installments;

8.1.1.3. Period of obligated service; and

8.1.1.4. Designated military skill, career field, unit, grade, or such other condition or conditions of service imposed by the Secretary of the Military Department concerned;

8.1.2. Agree to serve for a specified period in at least one of the following reenlistment or extension categories:

8.1.2.1. A designated military skill,

8.1.2.2. Career field,

8.1.2.3. Unit,

8.1.2.4. Grade, or

8.1.2.5. Other condition or conditions imposed by the Secretary of the Military Department concerned;

8.1.3. Not be in receipt of an enlistment bonus, retention bonus, an affiliation bonus, or a transfer bonus for the same period of service;

8.1.4. Have satisfactorily completed all terms of enlistment within their current component;

8.1.5. Qualify for reenlistment in the Regular Component of the Military Service to which the member is transferring;

8.1.6. Agree to remain in the component for which the transfer bonus is offered for a minimum 2-year period;

8.1.7. Have fewer than 15 years of active service time; and

8.1.8. Meet any additional military service specific eligibility criteria and quality standards established by the Secretary of the Military Department concerned.

8.2 Amount and Method of Payment

The Secretary of the Military Department concerned must establish the amount and method of payment for the bonus (lump sum or periodic installments). The bonus for transfer between components of a Military Service may not exceed $10,000 and is payable upon approval of the Secretary concerned.

*REFERENCES

CHAPTER 9 – ACTIVE-DUTY ENLISTED MEMBERS ENLISTMENT, REENLISTMENT, AND RETENTION BONUSES

2.0 – ENLISTMENT BONUS

	37 U.S.C. § 331(a)(1)
2.1	DoD Instruction (DoDI) 1304.31, November 5, 2020, paragraph 3.1.b and 4.1.c
2.2	DoDI 1304.31, November 5, 2020, paragraph 4.1.e
	Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs Memo, January 11, 2024
2.4	DoDI 1304.31, November 5, 2020, paragraph 3.1.e

3.0 – SRB

3.1	37 U.S.C. § 331(a)(3)
3.2	DoDI 1304.31, November 5, 2020, paragraph 4.4.d(1)(b)
3.2.8.	DoDI 1304.31, November 5, 2020, paragraph 4.4.d(3)
3.3	37 U.S.C. § 331(c)(1)(B)
	DoDI 1304.31, November 5, 2020, paragraph 4.4.d(4)(a).1
3.5	DoDI 1304.31, November 5, 2020, paragraph 4.5
3.7.1.	DoDI 1304.31, November 5, 2020, paragraph 4.1.h and 4.4.d(6)

4.0 – CSRB

4.1	37 U.S.C. § 355
	DoDD 1304.21, January 31, 2005, paragraph E1.5.1
4.2	DoDD 1304.21, January 31, 2005, paragraph E1.5.3.1
	37 U.S.C. § 355(e)
4.3	37 U.S.C. § 355(d)
4.3.2. Note	DoDD 1304.21, January 31, 2005, paragraph E1.5.3.2

5.0 – PRIOR SERVICE REENLISTMENT BONUS

5.1	37 U.S.C. § 331(a)(3)(B)
	DoDI 1304.31, November 5, 2020, paragraph 4.3
5.2	DoDI 1304.31, November 5, 2020, paragraph 4.3.c
5.3	DoDI 1304.31, November 5, 2020, paragraph 4.3.d

6.0 – CONVERSION BONUS

6.1	37 U.S.C. § 331(a)(3)(B) DoDI 1304.31, November 5, 2020, paragraph 4.4.e
6.2	DoDI 1304.31, November 5, 2020, paragraph 4.4.e(2)
6.3	DoDI 1304.31, November 5, 2020, paragraph 4.4.e(3)

7.0 – BONUS FOR TRANSFER BETWEEN MILITARY SERVICES

7.1	37 U.S.C. § 331(a)(5) DoDI 1304.31, November 5, 2020, paragraph 4.5.b
7.2	DoDI 1304.31, November 5, 2020, paragraph 4.5.b(5)

8.0 – BONUS FOR TRANSFER BETWEEN COMPONENTS OF A MILITARY SERVICE

8.1	37 U.S.C. § 331(a)(4) DoDI 1304.31, November 5, 2020, paragraph 4.5.a
8.2	DoDI 1304.31, November 5, 2020, paragraph 4.5.a(5)

VOLUME 7A, CHAPTER 10: "SPECIAL PAY - DUTY SUBJECT TO HOSTILE FIRE OR IMMINENT DANGER"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated October 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
Table 10-1	Added Ukraine as an Imminent Danger Pay area in accordance with the Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, dated June 13, 2023.	Addition
Table 10-1	January 2025: Added the Bab-al-Mandeb Strait, Gulf of Aden and Red Sea in accordance with the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, dated December 18, 2024.	Addition
Table 10-1	May 2025: Added the Gaza Strip and Israel's Mediterranean Territorial Seas in accordance with the Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, dated May 7, 2025	Addition
References	Updated statutes and references.	Revision

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CHAPTER 10

SPECIAL PAY - DUTY SUBJECT TO HOSTILE FIRE OR IMMINENT DANGER

1.0 GENERAL

1.1 Purpose

This chapter establishes DoD policy for payment of Hostile Fire Pay (HFP) and Imminent Danger Pay (IDP) and lists the areas where members are authorized to receive these entitlements.

1.2 Authoritative Guidance

The HFP and IDP policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code, section 351 (***37 U.S.C. § 351***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ENTITLEMENT PROVISIONS

2.1 Policy

A member may be paid special pay for duty subject to hostile fire or imminent danger for any month when the member, while entitled to basic pay for active duty or compensation for inactive duty, also meets the qualifying criteria of this chapter. A member is not authorized to receive concurrent payments for hostile fire and imminent danger duty.

2.1.1. HFP. This entitlement is paid at the rate of $225 per month when, as certified by the appropriate commander, a member is subjected to hostile fire, explosion of hostile mines, or other hostile action (a hostile fire event) and who:

2.1.1.1. Performs duty in a hostile fire area;

2.1.1.2. Is exposed to a hostile fire event;

2.1.1.3. Is on duty during a month in an area in which a hostile event occurred that placed the member in grave danger of physical injury; or

2.1.1.4. Is killed, injured, or wounded by a hostile fire event.

2.1.2. IDP. This entitlement is paid on a daily prorated basis, not to exceed $225 per month, when a member is on official duty in a designated IDP area. IDP may be paid to a service member who is subject to the threat of physical harm or imminent danger based on civil insurrection, civil war, terrorism, or wartime conditions in a designated foreign area. See Table 10-1, or for the most current listings ***Imminent Danger Pay*** table on DFAS.MIL.

2.2 Payment

IDP is payable on a prorated daily basis not to exceed a monthly rate of $225. It is payable in addition to all other pays or allowances, except when receiving HFP, as stated in paragraph 2.1. The proration does not apply to the 31st of a month for Active and Reserve component members who are on active duty for 30 days or more. HFP will not be prorated. Members will receive the maximum monthly rate of special pay for the month in which the hostile fire or hostile fire mine explosion event occurred. Payment will be made for the full month, if a member is exposed to hostile fire or a hostile mine explosion on the 31st day of a month, and the member has not already received credit for the full monthly allowance. The following examples for payment on the 31st are provided:

Example 1: A member on active duty for more than 30 days in an IDP area for the period March 31 through April 29 will receive IDP only for the period April 1 through 29.

Example 2: A member on active duty for more than 30 days in an IDP area for the period March 31 through April 29, and who is exposed to hostile fire or a hostile mine explosion on March 31, will be entitled to HFP for the entire month of March and IDP for the period April 1 through 29.

Example 3: A member on active duty for less than 30 days in an IDP area for the period March 29 through April 20 will be entitled to IDP for the period March 29 through 31 and April 1 through 20 for a total of 23 days.

Example 4: A member on active duty for less than 30 days in an IDP area for the period March 29 through April 20, and who is exposed to hostile fire or a hostile mine explosion on March 31, will be entitled to the full monthly amount of HFP of $225 for the month of March, and daily IDP for the period April 1 through 20.

3.0 DETERMINATIONS OF FACT

3.1 Eligibility – HFP

The appropriate commander will certify that the member has met the requirements for entitlement to HFP for a given month. A death certificate or injury report may be substituted in place of the certification, if the document establishes the cause of the death or injury was due to hostile fire or a hostile fire event.

3.1.1. Certification of entitlement will be made at the lowest level of command that includes all the vessels, aircraft, or units subjected to the hostile fire or explosion of hostile mine incident. For example, in the case of a single vessel subjected to hostile fire or explosion of hostile mines, the vessel's commanding officer should certify payment eligibility for all members on board. If two or more vessels are involved, then the commanding officer of the unit that includes all of the vessels should certify eligibility.

3.1.2. Certification will include the name and appropriate payroll identification number of each member entitled to the HFP, a brief description of the incident, and when and where it occurred. The certification should be forwarded directly to the servicing financial support office, via the geographic Combatant Commander exercising operational control over the Service member(s) at the time of the hostile fire event.

3.2 Eligibility – IDP

3.2.1. When the airspace is specifically included in an IDP area designation, members who perform official duty while flying over the area are eligible for IDP, even if they do not land in the area. When airspace is not specifically designated, members who perform duty over the area are not entitled to IDP unless they land in the area.

3.2.2. A member who performs duty on a vessel performing operational duty while in an area designated for IDP is eligible for IDP payments.

3.2.3. A member is not considered to be on official duty in a designated IDP area, and therefore, is not eligible for IDP pay, if the member is in the area:

3.2.3.1. While on leave from a duty station outside the IDP area, even if the outside location is another IDP area;

3.2.3.2. While merely transiting (as distinguished from performing official duty) by any means (including vessel, aircraft, and land conveyance) through the IDP area as a consequence of traveling between two points, both outside the IDP area; or

3.2.3.3. Solely for personal convenience.

3.3 Administration

Any determinations of fact made by commanders in the certification of hostile fire are conclusive. Such determinations are not subject to review by any officer or agency of the government, unless there has been fraud or gross negligence. Such determinations, however, may be changed based on new evidence or for other good cause.

4.0 SPECIAL SITUATIONS

4.1 Member Captured or Missing

A member entitled to HFP and/or IDP immediately before entering a status of missing, missing-in-action, interned in a foreign country or captured by a hostile force will continue to be credited with HFP and/or IDP for each month while in such a status. See Chapter 34 for additional information.

4.2 Hospitalization

A member entitled to HFP and/or IDP who in the line of duty incurs a wound, injury or illness while serving in a combat operation or a combat zone; while serving in a hostile fire area; or while exposed to a hostile fire event (regardless of location), and who is hospitalized for the treatment of such a wound, injury, or illness, may continue to receive HFP and/or IDP. Members may be paid HFP and/or IDP for up to 12 months from the date of hospitalization under the Pay and Allowance Continuation (PAC) Program. See Chapter 13 for PAC entitlement eligibility.

4.3 Absences

The following examples are provided for absences from the IDP area:

4.3.1. A member who takes leave in the IDP designated area that the member is assigned for duty remains entitled to the payment of IDP.

4.3.2. A member who takes leave in an IDP area that the member is not assigned for duty is not eligible for the payment of IDP. See subparagraph 3.1.6.1.

4.3.3. A member who takes leave in an area not designated as an IDP area is not eligible for the payment of IDP for the period of the absence.

4.3.4. A member assigned for duty in an IDP area who performs temporary duty in an area not designated as an IDP area is not eligible for the payment of IDP for the period of absence.

5.0 Duration of Authority

HFP or IDP may not be paid to any person after the date on the through date in Table 10-1. No payments will be made after the termination date unless the person's entitlement to the HFP or IDP commenced prior to that date.

*Table 10-1. IDP Areas
For the most current listings, see the IDP table on DFAS.MIL.
NOTES 1, 2, 3 and 4

Designated Locations Country	Designated Locations Province (State), City or Region	Areas			Effective From	Through
		Air Space	Land	Water		
Afghanistan		X	X		Nov 1, 1988	
Algeria			X		Mar 7, 1995	
Azerbaijan			X		Jun 9, 1995	
*Bab-al-Mandeb Strait		X		X	Oct 19, 2023	
Burkina Faso			X		Feb 1, 2022	
Burma (Myanmar)	Rangoon		X		Jun 22, 2022	
Burundi			X		Nov 29, 1996	
Cameroon	Far North		X		Jun 7, 2017	
	North		X		Jun 7, 2017	
Chad			X		Aug 11, 2008	
Colombia			X		Jun 1, 1985	
Cote D'Ivoire			X		Feb 27, 2003	May 31, 2020
Cuba	(Note 5)				Dec 26, 2006	
Democratic Republic of the Congo			X		Nov 29, 1996	
Djibouti			X		Jul 31, 2002	
Egypt			X		Jan 29, 1997	
Eritrea			X		Jul 31, 2002	May 31, 2020
Ethiopia			X		Sep 13, 1999	
*Gaza Strip	Mediterranean Territorial Seas	X		X	Mar 16, 2023	
Greece	(Note 6)		X		Mar 27, 2007	Nov 30, 2017
*Gulf of Aden		X		X	Oct 19, 2023	
Haiti			X		Jan 8, 2020	
Indonesia (City)	Jakarta		X		Jun 1, 2014	May 31, 2020
Indonesia (Provinces)	Central Java		X		Jun 1, 2014	May 31, 2020
	East Kalimantan		X		Jun 1, 2014	May 31, 2020
	Central Sulawesi		X		Jun 1, 2014	
	Papua		X		Jun 1, 2014	
	Aceh		X		Jun 1, 2014	May 31, 2020

*Table 10-1. IDP Areas (Continued)
For the most current listings, see the IDP table on DFAS.MIL.
NOTES 1, 2, 3 and 4

Designated Locations Country	Designated Locations Province (State), City or Region	Areas			Effective From	Through
		Air Space	Land	Water		
Iran			X		Nov 4, 1979	
Iraq		X	X		Sep 17, 1990	
Israel			X		Jan 31, 2002	
	Mediterranean Territorial Seas	X		X	Mar 16, 2023	
Jordan			X		Jan 29, 1997	
Kenya			X		Jul 31, 2002	
Kosovo		X	X		Jun 22, 1992	
Lebanon			X		Oct 1, 1983	
Libya		X	X		Mar 19, 2011	
Malaysia	Sabah		X		Jun 1, 2014	
Mali			X		Jun 7, 2017	
Mediterranean Sea	(Note 7)			X	Mar 19, 2011	
Niger			X		Jun 7, 2017	
Pakistan			X		Nov 29, 1996	
Philippines	Mindanao		X		Oct 5, 2017	
Philippines	Sulu Archipelago		X		Oct 5, 2017	
*Red Sea		X		X	Oct 19, 2023	
Saudi Arabia			X		Sep 14, 2019	
Somalia		X	X		Sep 28, 1992	
Somalia Basin	(Note 8)			X	Dec 26, 2006	
South Sudan		X	X		Jul 9, 2011	
Sudan		X	X		Oct 4, 1993	
Syria			X		Jul 31, 2003	
Syria		X			Sep 21, 2014	
Tunisia		X	X		Mar 19, 2011	
Turkey	(Note 9)		X		Jan 29, 1997	
Turkey	(Note 10)	X			Mar 1, 1998	
*Ukraine		X	X		April 24, 2022	
Uganda			X		Jan 19, 2000	
Yemen			X		May 25, 1999	

*Table 10-1. IDP Areas (Continued)
NOTES:

1. The designation of a land area encompasses all internal waters, unless otherwise noted. For HFP and/or IDP purposes, the term "internal waters" is defined as waters landward of the baseline, drawn in accordance with international law.
2. The designation of a water area (such as the Persian Gulf) includes the territorial seas of those waters, but not the internal waters of the coastal lands. For example, all waters of the Persian Gulf seaward of the baseline of the coastal states, drawn in accordance with international law, would be included in the Persian Gulf designation.
3. Unless otherwise specifically indicated, airspace is NOT part of the included area. When airspace is specifically included, it will normally be that space directly vertically above the approved land or sea area.
4. This table reflects all designated areas, which were active within the last six years.
5. Limited to Service members performing duties within the Joint Task Force Guantanamo Bay Detention Facilities.
6. Land area within a 20-kilometer radius from the center of Athens (38° 01' N, 23° 44' E).
7. Water area of the Mediterranean Sea extending from the North African Coast northward into the Mediterranean Sea, bounded on the east at: 26° 00' E longitude; extending north to: 34° 35' N latitude; and extending west to the East Coast of Tunisia.
8. Water area of the Somalia Basin with coordinates:
   -11°10'N-51°15'E;
   -06°00'N-48°30'E;
   -05°00'N-50°30'E;
   -11°30'N-53°34'E;
   -05°00'N-50°30'E;
   -01°00'N-47°00'E;
   -03°00'S-43°00'E;
   -01°00'S-41°00'E; and
   -06°00'N-48°30'E.
9. Excluding Izmir and the Turkish Straits (i.e., the Dardanelles; the Sea of Marmara; and the Bosporus Straits).
10. Airspace: south of 37°45'N; and east of 43°00'E.

*REFERENCES

CHAPTER 10 - SPECIAL PAY - DUTY SUBJECT TO HOSTILE FIRE OR IMMINENT DANGER

2.0 – ENTITLEMENT PROVISIONS

	37 U.S.C. § 351(a)(1) and (a)(3)
2.1	DoD Instruction (DoDI) 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.1.b(3)
2.1.1.1	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.1.a.(1)(a)1
2.1.1.2	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.1.a.(1)(a)2
2.1.1.3	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.1.a.(1)(a)3
2.1.1.4	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.1.a.(1)(a)4
2.1.2	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.1.a.(1)(b)
2.2	37 U.S.C. § 351(c)(2)(C) Under Secretary of Defense (USD) Personnel and Readiness (P&R) Memo, January 31, 2012

3.0 – DETERMINATIONS OF FACT

3.1	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.2.b
3.1.1	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.2.b
3.1.2	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.2.b.(1) and (2)
3.2.1	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.3.a(1)(a)
3.2.2	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.3.a(1)(b)
3.2.3	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.3.a(2)

4.0 – SPECIAL SITUATIONS

4.1	37 U.S.C. § 552(a)(1)
4.2	37 U.S.C. § 372(a) DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.1.a(3)

4.3	DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.3.a(2)

5.0 – DURATION OF AUTHORITY

37 U.S.C. § 351(h)
DoDI 1340.09, January 26, 2018, Incorporating Change 1, February 2, 2024, paragraph 3.3.a(3)

Table 10-1

Afghanistan	DoD Office of General Counsel Memo, October 25, 1988 Office of the USD (OUSD) (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Algeria	Assistant Secretary of Defense (ASD) Force Management Policy (FMP) Memo, March 7, 1995 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Azerbaijan	ASD (FMP) Memo, June 9, 1995 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Bab al-Mandeb Strait	Assistant Secretary of Defense Manpower and Reserve Affairs Memo, dated December 18, 2024
Burkina Faso	ASD Manpower & Reserve Affairs (M&RA) Memo, March 29, 2023
Burma (Myanmar)	ASD (M&RA) Memo, May 31, 2023
Burundi	ASD (FMP) Memo, November 29, 1996 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Cameroon	
Far North	USD (P&R) Memo, March 5, 2018
North	USD (P&R) Memo, March 5, 2018
Chad	OUSD (P&R) Memo, August 11, 2008 USD (P&R) Memo, December 31, 2013
Colombia	ASD Manpower Installations and Logistics Memo, May 8, 1985

	OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Cote D'Ivoire	USD (P&R) Memo, February 27, 2003 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, April 21, 2020
Cuba	OUSD (P&R) Memo, February 15, 2007
Democratic Republic of the Congo	ASD (FMP) Memo, November 29, 1996 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Djibouti	ASD (FMP) Memo, July 31, 2002 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Egypt	ASD (FMP) Memo, January 29, 1997 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Eritrea	ASD (FMP) Memo, July 31, 2002 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, April 21, 2020
Ethiopia	ASD (FMP) Memo, September 13, 1999 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Greece	OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013 ASD M&RA Memo, September 1, 2017
Gaza Strip	Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, May 7, 2025
Gulf of Aden	Assistant Secretary of Defense Manpower and Reserve Affairs Memo, dated December 18, 2024
Haiti	ASD M&RA Memo, December 16, 2020

Indonesia	ASD (FMP) Memo, October 31, 2001 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, April 21, 2020
Iran	Office of the ASD (OASD) (M&RA) Memo, January 23, 1981 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Iraq	Office of the Secretary of Defense Memo, September 17, 1990 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Israel	ASD (FMP) Memo, January 31, 2002 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013 Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, May 7, 2025
Jordan	ASD (FMP) Memo, January 29, 1997 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Kenya	ASD (FMP) Memo, July 31, 2002 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Kosovo	ASD (FMP) Memo, June 22, 1992 OUSD (P&R) Memo, March 27, 2007 OUSD (P&R) Memo, March 26, 2009 USD (P&R) Memo, December 31, 2013
Lebanon	OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Liberia	ASD (FMP) Memo, August 6, 1990 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Libya	OUSD (P&R) Memo, April 26, 2011 USD (P&R) Memo, December 31, 2013
Malaysia	ASD (FMP) Memo, October 31, 2001 USD (P&R) Memo, December 31, 2013

Mali	OUSD (P&R) Memo, February 19, 2014 USD (P&R) Memo, March 5, 2018
Mediterranean Sea	OUSD (P&R) Memo, April 26, 2011 USD (P&R) Memo, December 31, 2013
Niger	USD (P&R) Memo, March 5, 2018
Pakistan	ASD (FMP) Memo, November 29, 1996 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Philippines	ASD (FMP) Memo, October 31, 2001 USD (P&R) Memo, December 31, 2013 OASD (M&RA) Memo, December 31, 2015 ASD (M&RA) Memo, October 1, 2018
Red Sea	Assistant Secretary of Defense Manpower and Reserve Affairs Memo, dated December 18, 2024
Saudi Arabia	ASD (M&RA) Memo, June 4, 2020
Somalia	ASD (FMP) Memo, September 28, 1992 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Somalia Basin	OUSD (P&R) Memo, March 27, 2007
South Sudan	OASD (M&RA) Memo, July 31, 2015
Sudan	ASD (P&R) Memo, October 4, 1993 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Syria	ASD (FMP) Memo, July 31, 2003 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013 OASD Readiness and Force Management (R&FM) Memo, December 8, 2014
Tunisia	OUSD (P&R) Memo, April 26, 2011 USD (P&R) Memo, December 31, 2013

Turkey	ASD (FMP) Memo, January 29, 1997 ASD (FMP) Memo, February 4, 1998 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Izmir	ASD (R&FM) Memo, October 24, 2014
Uganda	ASD (FMP) Memo, January 19, 2000 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013
Ukraine	OASD (M&RA) Memo, July 13, 2023
Yemen	ASD (FMP) Memo, May 25, 1999 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013

VOLUME 7A, CHAPTER 11: "SPECIAL PAY – DIVING DUTY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated September 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
2.3	Removed obsolete "Suspension" subparagraph and renumbered subsequent subparagraphs accordingly.	Deletion
2.5	Updated the "Rates Payable" paragraph in accordance with the DoD Instruction 1340.09, dated January 26, 2018, Change 1, February 2, 2024.	Revision
2.8	Updated the termination date for the "Duration of Authority" table on DFAS.MIL in accordance with Title 37, United States Code (U.S.C.), Section 351(h).	Revision
3.7	Updated the termination date for the "Duration of Authority" table on DFAS.MIL in accordance with the Title 37, U.S.C., Section 353(i).	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 11

SPECIAL PAY - DIVING DUTY

1.0 GENERAL

1.1 Purpose

This chapter provides the policy governing special pay entitlements applicable to diving duty for all of the Military Services.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.). The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 DIVING DUTY HAZARDOUS DUTY INCENTIVE PAY (HDIP)

2.1 Entitlement

The Secretary concerned may pay HDIP to Service members required by competent orders to participate in diving duty as part of their primary duty.

2.2 Requirements

Service members entitled to basic pay may be eligible for HDIP for diving duty for periods during which they are:

2.2.1. Assigned by competent orders to the duty of diving,

2.2.2. Required to maintain proficiency as a diver by frequent and regular dives, and

2.2.3. They are either:

2.2.3.1. Actually performing diving duty while serving in an assignment for which diving is a primary duty, or

2.2.3.2. Meeting the requirements to maintain proficiency as a diver by frequent and regular dives while serving in an assignment that includes diving other than as a primary duty.

2.3 Conditions

See Table 11-1 for conditions which further affect entitlement to diving duty pay. Additional conditions of service may be imposed by the Secretary concerned.

2.4 Qualifications for Diving Duty

2.4.1. Army

Except as noted in Tables 11-2 and 11-3, an Army member must be a rated diver in accordance with ***Army Regulation (AR) 611-75*** and be assigned to:

2.4.1.1. A Table of Organization and Equipment or Table of Distribution and Allowance position in Skill Classification/Military Occupational Specialty, Special Qualification Identifier, or Additional Skill Identifier (ASI) specified in AR 611-75; or

2.4.1.2. A position designated as diving duty by the Deputy Chief of Staff Personnel.

2.4.2. Navy and Marine Corps

Members must be designated divers, assigned to diving duty under competent orders, and maintain their qualifications for diving.

2.4.3. Air Force

Service members must:

2.4.3.1. Successfully complete an approved DoD course for underwater swimmers,

2.4.3.2. Be under orders for diving duty as authorized by their Major Command, and

2.4.3.3. Meet the other qualification standards prescribed by current Air Force Instructions.

*2.5 Rates Payable

Service members who meet the eligibility criteria, but who do not participate in a full calendar month of dive duty, will receive a prorated HDIP payment, unless in accordance with DoDI 1340.09, paragraph 2.1.k, the Service Secretary concerned has requested to specifically designate the performance of this duty during the month as entitling the Service member to the full monthly rate of HDIP regardless of the duration of qualifying service during the month and such request has been approved by ASD (M&RA).

2.5.1. Service members assigned to diving duty are entitled to special pay for diving duty at a rate of not more than $240 per month.

2.5.2. Service regulations may not vary criteria or rates for payment of diving duty HDIP for officers and enlisted members.

2.6 Specific Rates Payable

See Tables 11-2 through 11-9. The most current rates are in the ***Diving Duty Pay Rates*** table on DFAS.MIL.

2.7 Restrictions on Payment

2.7.1. Although a Service member may perform more than three hazardous duties in a month, a Service member may not receive simultaneous payments for more than three HDIP duties in a month. Therefore, if a member receives diving duty incentive pay in a month, they may not receive more than two other HDIP payments from the hazardous duties listed in Chapter 22 and Chapter 24.

2.7.2. No member is entitled to receive special pay for performing diving duty after diving qualifications have lapsed. Upon requalification, no payments will be made for the period of the lapsed qualification.

*2.8 Duration of Authority

Unless authorized by Congress, no diving duty HDIP payment may be paid after the termination date on the ***Duration of Authority*** table.

3.0 MASTER DIVER SKILL INCENTIVE PAY (MDSIP)

3.1 Authority

Title 37, U.S.C. § 353 and the Under Secretary of Defense (Personnel and Readiness) (USD(P&R)) Memorandum, Master Diver Skill Incentive Pay, dated January 26, 2018, provides the authority for the Secretaries of the Military Departments to offer MDSIP to Service members who:

3.1.1. Are qualified in a critical diving specialty, and

3.1.2. Maintains proficiency as a diver through frequent and regular dives.

3.2 Eligibility

The Secretaries of the Military Departments may pay MDSIP to qualified Service members serving in critical diving specialties designated by the Secretary concerned. Qualifying Service members must be proficient in performance of one of the following critical diving skill areas:

3.2.1. Supervision and training of members who are qualified in the full spectrum of diving apparatus and gas mixtures;

3.2.2. Diving, salvage, and ship underwater repair operations;

3.2.3. Surface and underwater demolition operations for salvage, ship husbandry, or underwater construction operations;

3.2.4. Operation, maintenance, and certification of deep dive systems and equipment; or

3.2.5. Operation of special operations underwater vehicles requiring the use of an underwater breathing apparatus.

3.3 Additional Guidelines

3.3.1. In addition to being qualified in one of the critical skill areas listed in paragraph 3.2, a Regular or Reserve Component Service member must meet the eligibility criteria for diving duty (HDIP) outlined in section 2.0, and any additional criteria prescribed by the Secretary concerned.

3.3.2. Service members qualified solely in the use of a self-contained underwater breathing apparatus are not authorized MDSIP.

3.3.3. Reserve Component members entitled to compensation pursuant to ***37 U.S.C. § 206*** are eligible for MDSIP at the discretion of the Secretary of the Military Department concerned. The amount authorized will be equal to 1/30th of the monthly MDSIP authorized by the Military Department concerned for each period of inactive duty training.

3.4 Payment Method and Amount

3.4.1. Rates. In accordance with paragraph 3.1, the Military Departments may pay monthly MDSIP to qualified Service members who meet the MDSIP eligibility requirements. The amount may not exceed:

3.4.1.1. $340 per month for enlisted members, or

3.4.1.2. $240 per month for officers.

3.4.2. Multiple Payments.

3.4.2.1. Under the provisions of 37 U.S.C. § 353, a Service member may not be paid more than one skill incentive pay in any month for the same period of service or skill.

3.4.2.2. A member may not be paid a skill incentive pay under 37 U.S.C. § 353, and hazardous duty pay under ***37 U.S.C. § 351***, for the same period of service in the same career field or skill for which the payment is made.

3.4.3. Proration. If a Service member does not satisfy the eligibility requirements for MDSIP for an entire month, the Secretary concerned will prorate the payment to reflect the duration of the member's actual qualifying service during the month.

3.4.4. Repayment. Repayment of any unearned portion or overpayment will be in accordance with the provisions of Chapter 2; Volume 16, Chapter 3; and ***37 U.S.C. § 373***.

3.5 Restrictions

3.5.1. Service members temporarily unable to perform diving duty due to a physical or medical condition, not the result of the member's own misconduct, may continue to receive MDSIP for up to 6 months. After 6 months, MDSIP will be terminated and may not be reinstated until the condition resulting in the physical or medical restriction is corrected and the member is again certified for diving duty by a competent Medical Officer.

3.5.2. Service members permanently disqualified or otherwise determined to be no longer eligible to perform diving duty are not eligible for MDSIP in accordance with paragraph 3.1 or any additional criteria prescribed by the Military Departments concerned.

3.5.3. Service members are not authorized MDSIP for any period of unauthorized absences.

3.5.4. Service members who receive MDSIP and fail to satisfy the eligibility requirements for receipt of pay will be subject to having the pay terminated.

3.6 Written Agreement

The Secretary of the Military Department concerned will establish Service specific instructions for the administration of MDSIP in accordance with paragraph 3.1. The instructions may require a member to enter into a written agreement in order to qualify for MDSIP. The written agreement must specify the period for which the Service member will receive the skill incentive pay and the monthly rate of the pay.

*3.7 Duration of Authority

Unless authorized by Congress, no MDSIP payment may be entered into after the date on the Duration of Authority table.

Table 11-1. Diving Duty HDIP and MDSIP - Conditions of Entitlement

RULE	When a member entitled to diving duty pay	and	then diving duty pay
1	is removed from diving duty or the member's diving qualifications lapse		ceases on the date of removal or lapse.
2	is hospitalized as a result of a diving accident		may continue for a period of up to 6 months.
3	is hospitalized not as a result of a diving accident due to an injury or an illness that is not the result of the member's own misconduct		may continue for a period of up to 6 months.
4	is on leave in a pay status		accrues for the first 30 days
5	is on Temporary Additional Duty (TAD)/Temporary Duty (TDY) other than diving duty		accrues for the first 30 days
6	is on TAD/TDY for diving duty purposes		continues to accrue (note 1).
7	is in confinement awaiting trial by court-martial	is subsequently acquitted or charges are dismissed	accrues retroactively to date of confinement.
8	is in confinement awaiting trial by court-martial	is subsequently convicted	does not accrue from first day of confinement through the day before the date restored to a full duty status.
9	is in confinement under sentence of a court-martial		does not accrue from first day of confinement through the day before the date restored to a full duty status.
10	is reassigned Permanent Change of Station (PCS) and no TAD/TDY is required enroute to the new duty station	is ordered to and actually performs diving duty at the new duty station	continues to accrue (notes 1 and 2).
11	is reassigned PCS and no TAD/TDY is required enroute to the new duty station	is not ordered to diving duty at the new duty station	accrues through the date of detachment from the old duty station.
12	is reassigned PCS and TAD/TDY is required enroute to the new duty station	PCS orders require diving duty at the TAD/TDY station and new duty station, and actually performs diving duty	continues to accrue (notes 1 and 2).

Table 11-1. Diving Duty Pay - Conditions of Entitlement (Continued)

RULE	When a member entitled to diving duty pay	and	then diving duty pay
13	is reassigned PCS and TAD/TDY is required enroute to the new duty station	PCS orders require diving duty at the TAD/TDY station but not the new duty station	continues to accrue through the date of detachment from the TAD/TDY station (notes 1 and 2).
14	is reassigned PCS and TAD/TDY is required enroute to the new duty station	PCS orders do not require diving duty at TAD/TDY station	accrues through the date of detachment from the old duty station.
15	is a member of a Reserve Component	is released from active duty	ceases not later than the date the member departs for home from the last duty station.
16	is discharged and immediately reenlists at the same station without a break in service	diving duty orders are not specifically terminated	continues to accrue.
17	is discharged and immediately reenlists at the same station without a break in service	diving duty orders are specifically terminated	ceases on the date stated in the orders.

NOTES:

1. If the member is removed from diving duty, or the member's qualifications lapse during this period, then the member's entitlement to diving duty pay terminates on the date removed from diving duty or the date qualifications lapse.
2. If a member is reassigned PCS and takes leave enroute, then diving duty pay will continue to accrue up to 30 days, if the member has otherwise met the requirements for diving duty pay.

Table 11-2. Diving Duty Pay Rates - Army Enlisted

RULE	If an Army enlisted member is (note 1)	then the member may receive diving duty pay at the monthly rate of
1	assigned to diving duty under instruction at an approved Armed Services diving school (note 2)	$110
2	Master Diver	$340
3	Diver First Class	$215
4	Salvage Diver	$175
5	Diver Second Class	$150
6	Combat Diver (note 3)	$215

NOTES:
1. Except as otherwise noted, eligibility commences on the date of assignment to diving duty under a listed category after graduation from the requisite diving course.
2. Eligibility commences on the date of first dive and continues through the date dropped from the course or the date of graduation, whichever is earlier.
3. The combat diver rating applies to members serving primarily in Special Operations Forces (SOF) units who are assigned to positions that require Special Forces Underwater Operations Systems qualifications and hold a combat diver rating in accordance with AR 611-75.

Table 11-3. Diving Duty Pay Rates - Army Officers

RULE	If an Army officer is (note 1)	and has a special identifying code	then the officer may receive diving duty pay at the monthly rate of
1	assigned to diving duty under instruction at an approved Armed Services diving school (note 2)		$110
2	Marine Diving Officer	ASI 5V	$240
3	Combat Diver (note 3)		$215
4	Diving Medical Officer		$215

NOTES:
1. Except as otherwise noted, eligibility commences on the date of assignment to diving duty under a listed category after graduation from the requisite diving course.
2. Eligibility commences on the date of first dive and continues through the date dropped from the course or the date of graduation, whichever is earlier.
3. The combat diver rating applies to members serving primarily in SOF units who are assigned to positions that require Special Forces Underwater Operations Systems qualifications and hold a combat diver rating in accordance with AR 611-75.

Table 11-4. Diving Duty Pay Rates - Navy Enlisted

RULE	If a Navy enlisted member is (note 1)	with a Navy Enlisted Classification of	then the member may receive diving duty pay at the monthly rate of
Dive HDIP			
1	assigned to diving duty under instruction at an approved Armed Services diving school (note 2)		$150
2	Underwater Construction Technician Advanced	B16A	$215
3	Underwater Construction Technician Basic	B17A	$150
4	Second Class Diver	M2DV	$215
5	Self-Contained Underwater Breathing Apparatus (SCUBA) Diver	840A	$150
6	Fleet Marine Force (FMF) Reconnaissance Independent Duty Corpsman	L02A	$215
7	FMF Reconnaissance Corpsman	L11A	$215
8	Deep Sea Medical Technician	L27A	$215
9	Deep Sea Technician Independent Duty Corpsman	L28A	$215
10	Explosive Ordnance Disposal (EOD) Mobile Unit Apprentice	M06A	$150
11	Basic EOD Technician	M02A	$215
12	Special Warfare Operator	O26A	$215
13	Special Warfare Operator (SEAL) Candidate	O20A	$150
14	Senior EOD Technician	M03A	$215
15	Master EOD Technician	M04A	$215
MSDSIP			
16	Master Diver	MMDV	$340
17	Master Underwater Construction Diver	B18A	$340
18	First Class Diver	M1DV	$315
19	Seal Delivery Vehicle Operator	O23A	$340

NOTES:

1. Except as otherwise noted, eligibility commences on the date of graduation from the requisite diving course, with assignment to diving duty under a listed category.
2. Eligibility commences on the date of first dive.

Table 11-5. Diving Duty Pay Rates - Navy Officers

RULE	If a Navy officer is	and has a designator of	then the officer may receive diving duty pay at the monthly rate of
1	assigned to diving duty under instruction at an approved Armed Services diving school (note 1)	various	$150
2	Diving Officer (SCUBA) (note 2)	various	$150
3	Diving Officer (note 3)	various	$240
4	EOD Officer (note 4)	114X, 119X, 648X, 748X	$240
5	Special Warfare Officer (note 5)	113X, 715X	$240
6	Special Warfare Officer – Student (note 1)	118X	$150
7	Medical (Diving Undersea) Officer (note 4)	210X	$240
8	Diving Chief Warrant Officer (note 5)	720X	$240

NOTES:
1. Eligibility commences on the date of first dive.
2. Must have completed SCUBA course of instruction, Course Identification Number A 433-0023.
3. Eligibility commences in accordance with paragraph 2.1.
4. Except as otherwise noted, entitlement commences on the date of graduation from the requisite diving course, with assignment to diving duty under a listed category.
5. Eligibility commences on assignment of the designator.

Table 11-6. Diving Duty Pay Rates - Marine Corps Enlisted

RULE	If a Marine Corps enlisted member is (note 1)	and has a special identifying code of	then the member may receive diving duty pay at the monthly rate of
1	assigned to diving duty under instruction at an approved Armed Services diving school (note 2)		$150
2	Combatant Diver	0324/0326/8024/ 8026	$215

NOTES:
1. Except as otherwise noted, eligibility commences on the date of assignment to diving duty under a listed category after graduation from the Combatant Diver course.
2. Eligibility commences on the date of first dive and continues through the date dropped from the course or the date of graduation, whichever is earlier.

Table 11-7. Diving Duty Pay Rates - Marine Corps Officers

RULE	If a Marine Corps officer is (note 1)	and has a special identifying code of	then the member may receive diving duty pay at the monthly rate of
1	assigned to diving duty under instruction at an approved Armed Services diving school (note 2)		$150
2	Combatant Diver	8024/8026	$215

NOTES:
1. Except as otherwise noted, eligibility commences on the date of assignment to diving duty under a listed category after graduation from the Combatant Diver course.
2. Eligibility commences on the date of first dive and continues through the date dropped from the course or the date of graduation, whichever is earlier.

Table 11-8. Diving Duty Pay Rates - Air Force Enlisted

RULE	If an Air Force enlisted member is	then the member may receive diving duty pay at the monthly rate of
1	SCUBA Diver	$110
2	Para rescue Diver	$150

Table 11-9. Diving Duty Pay Rates - Air Force Officers

RULE	If an Air Force Officer is	then the officer may receive diving duty pay at the monthly rate of
1	assigned to diving duty	$150

*REFERENCES

SPECIAL PAY - DIVING DUTY

2.0 – DIVING DUTY HDIP

	DoD Instruction (DoDI) 1340.09, paragraph 3.4.o, January 26, 2018, Change 1, February 2, 2024
	37 U.S.C. § 351
2.6	DoDI 1340.09, paragraph 3.4.o(4), January 26, 2018, Change 1, February 2, 2024
	37 U.S.C. § 351(g)
2.8	37 U.S.C. § 351(f)(2)
2.9	37 U.S.C. § 351(h)
	National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2024, Public Law (PL) 118-31, section 613(d)(6), December 22, 2023

3.0 – MASTER DIVER SKILL INCENTIVE PAY

	USD (P&R) Memorandum, January 26, 2018
	37 U.S.C. § 353
	37 U.S.C. § 351
3.4	USD (P&R) Memorandum, January 26, 2018
3.7	37 U.S.C. § 353(i)
	NDAA for FY 2023, PL 118-31, section 611 (d)(8), December 22, 2023

Table 11-1

	DoDI 1340.09, paragraph 3.4.a(3), January 26, 2018, Change 1, February 2, 2024
	USD (P&R) Memorandum, January 26, 2018

Table 11-3

Rule 4	Department of the Army (DA), Office of the Deputy Chief of Staff (ODCS) G-1 Memo, May 10, 2007
	DA ODCS G-1 Memo, May 24, 2007
	AR 611-75, October 11, 2024

Table 11-5

	Department of the Navy, Bureau of Naval Personnel (BUPERS), 7220 Series BUPERS - 3/377, June 18, 2009

References (Continued)

Naval Military Personnel Manual 1220-260 CH-64, August 2, 2018
MILPERSMAN 7220-090, CH-78, March 28, 2022

Table 11-7

Marines Administrative Message 449/18, August 22, 2018

VOLUME 7A, CHAPTER 12: "PURPORTED MARRIAGES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Update formatting and hyperlink to comply with current administrative instructions.	Revision

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CHAPTER 12

PURPORTED MARRIAGES

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to establish policy for purported marriages and the related impact to military pay.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in the reference section at the end of the chapter.

2.0 VALIDATION OF PAYMENTS BASED ON PURPORTED MARRIAGES

2.1 Authority for Validation

A payment of an allowance based on a purported marriage that is made under ***37 U.S.C. § 423*** or prior laws, before the marriage is annulled or terminated is valid if:

2.1.1. A court of competent jurisdiction adjudges or decrees that the military member entered the marriage in good faith; or

2.1.2. In the absence of such judgment or decree, the Secretary of the Military Department concerned or a person designated by the Secretary of the Military Department concerned makes a finding of good faith.

2.2 Responsibility for Validation

Findings of good faith under subparagraph 2.1.2 are submitted to the offices listed in Chapter 26, Table 26-11. Purported marriages requiring such findings are listed in Chapter 26.

2.3 Payments Not Validated

Payments based on invalid marriages are erroneous payments or overpayments unless validated.

REFERENCES

CHAPTER 12 – PURPORTED MARRIAGES

2.0 – VALIDATION OF PAYMENTS BASED ON PURPORTED MARRIAGES

37 U.S.C. § 423

VOLUME 7A, CHAPTER 13: "ILLNESS OR INJURY PAYMENT PROGRAMS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

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The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
2.0	Added clarifying language to the "Pay and Allowance Continuation Program" section.	Revision
3.0	Added clarifying language to the "Special Compensation for Assistance with Activities of Daily Living" section. Renumbered subsequent subparagraphs.	Revision

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CHAPTER 13

ILLNESS OR INJURY PAYMENT PROGRAMS

1.0 GENERAL

1.1 Purpose

This chapter describes the payment programs authorized for military personnel, who, while serving in the line of duty, are either injured, wounded, or became ill, or who have a permanent catastrophic injury or illness and require a caregiver.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

*2.0 PAY AND ALLOWANCE CONTINUATION (PAC) PROGRAM

2.1 General

Effective May 15, 2008, the Secretary of Defense authorized the PAC Program for Service members of the Regular or Reserve Components (RC) pursuant to ***37 U.S.C. § 372***.

2.2 Eligibility

2.2.1. To be eligible for the PAC Program, Service members must have been wounded, ill, or injured in a combat zone, a hostile fire area, or while exposed to a hostile fire event, and hospitalized, as defined in subparagraph 2.3.2 for treatment of such wound, injury, or illness.

2.2.2. Paragraph 2.2.1 includes Service members who are assigned to a medical or patient unit based on orders that confirm the assignment and who are determined as not fully fit to perform full military duties.

2.3 Entitlement

2.3.1. Service members of the Regular or RC who incur a wound, injury, or illness in the line of duty while serving in a combat operation or a combat zone, while serving in a hostile fire area, or while exposed to a hostile fire event (regardless of location), and are hospitalized for treatment of the wound, injury, or illness, will continue to receive the pay and allowances the member was receiving at the time of hospitalization. These pay and allowances include special and incentive pays, bonuses, and the daily incidental expense portion of the temporary duty allowance authorized for members deployed in a combat operation or combat zone.

2.3.2. Circumstances Involving Hospitalization:

2.3.2.1. A member who is evacuated for medical treatment will be considered "first hospitalized for treatment" at the time of the evacuation for the purposes of determining PAC eligibility.

2.3.2.2. After first hospitalization for treatment, a Service member may remain eligible for PAC during follow-on outpatient treatment and/or rehabilitation until triggering one of the three terminating reasons listed in paragraph 2.5.

2.3.2.3. The member may be authorized PAC beginning on the first day of the month following the date they were first hospitalized for treatment, and it may continue for up to 12 subsequent consecutive months.

2.3.3. For purposes of Hardship Duty Pay – Location (HDP-L), Service members serving on a temporary deployment, or attached duty of more than 30 days in a designated hardship duty location, and who are wounded, injured, or become ill within the first 30 days of serving in the designated area, will be considered eligible for HDP-L at the time the wound, injury or illness is incurred.

2.4 Commencement of Payment

Continuation of pay and allowances under the PAC Program begins on May 15, 2008, or the date of the member's eligibility, whichever occurs later. Begin PAC payment on the first month after hospitalization.

Example: If a member was medically evacuated from Iraq to Germany in July, August is the "first month" of PAC.

2.5 Termination of Entitlement

The pay and allowances for Service members that meet the PAC Program eligibility requirements will continue until the end of the first month beginning after the earliest of the following dates:

2.5.1. The date on which the Service member is returned for assignment to other than a medical or patient unit for duty (Note: The return to assignment is based on a determination that the member is fully fit to perform full military duties);

2.5.2. The date on which the Service member is discharged, separated, or retired (including temporary disability retirement) from the Uniformed Services; or

2.5.3. One year after the date on which the Service member is first hospitalized for the treatment of the wound, injury, or illness. The Principal Deputy Under Secretary of Defense (USD) for Personnel and Readiness (P&R) may extend the termination date in 6-month increments under extraordinary circumstances.

*3.0 SPECIAL COMPENSATION FOR ASSISTANCE WITH ACTIVITIES OF DAILY LIVING (SCAADL)

3.1 General

The provisions of the SCAADL Program apply only to those Service members with qualifying injuries or illnesses incurred on or after August 31, 2011. The Secretary concerned may pay special compensation to eligible Service members of the Active or RC who have incurred or aggravated a permanent catastrophic illness or injury in the line of duty, and require a caregiver who provides non-medical care, support, and assistance to the member. The DoD Instruction ***(DoDI) 1341.12***, "Special Compensation for Assistance with Activities of Daily Living Program," dated October 31, 2019, contains detailed instructions and procedures for initiating the SCAADL entitlement.

3.2 Eligibility

3.2.1. To receive the SCAADL compensation, the Service member:

3.2.1.1. Injury has been determined to have been incurred/aggravated in the line of duty;

3.2.1.2. Must have a certification made, by a licensed DoD physician or a Veterans Affairs (VA)-licensed physician, that the member has a permanent catastrophic injury and needs assistance from another person to perform the personal functions required by everyday living;

3.2.1.3. Must have a certification made, by a DoD or a VA-licensed physician, that the member requires hospitalization, nursing home care, or other residential institutional care in the absence of such assistance;

3.2.1.4. Be an outpatient and have identified a designated primary caregiver. The designated primary caregiver:

3.2.1.4.1. May be a Service member assigned to a RC and not serving on active duty. If the Service member designates a member of a RC as their primary caregiver, an alternate caregiver must also be designated. Members of the Active Component and RC assigned to active duty will not serve as designated primary caregivers;

3.2.1.4.2. Must not be receiving the VA Program of Comprehensive Assistance Caregivers stipend, or VA Aid and Attendance compensation, in accordance with subparagraphs 3.3.1.2 and 3.3.1.3;

3.2.1.4.3. May still be eligible to receive the respite benefit if they are qualified in accordance with TRICARE Operations Manual ***(TOM) 6010.56-M***; and

3.2.1.4.4. Must be at least 18 years of age. The exception to this requirement is if the Service member's spouse is under 18 years of age, he or she may be the primary or alternate caregiver;

3.2.1.5. Be an outpatient and not receiving federally funded in-home services (other than respite care), including TRICARE, to assist with activities of daily living (ADL) or provide supervision to avoid harm to self or others.

3.2.2. Service member receiving other home health services in accordance with TOM 6010.56-M remain eligible to receive SCAADL compensation, except as described in paragraph 3.3.

3.3 Restrictions

3.3.1. SCAADL is not paid to a Service member:

3.3.1.1. If any other federal agency is providing outpatient or in-home services to assist the member with ADL or provide supervision to avoid the Service member from harming themselves or others;

3.3.1.2. Who is a former member (veteran) and receives special monthly compensation from the VA in accordance with ***38 U.S.C. § 1114(r)(2)***;

3.3.1.3. If the Service member's primary caregiver receives a monthly caregiver stipend from the VA's Comprehensive Assistance for Family Caregivers Program;

3.3.1.4. If the Service member qualifies for and accepts in-home assistance with ADL, supervisory, or protection needs paid with supplemental health care program funds and provided by a TRICARE-authorized home health agency;

3.3.1.5. If the Service member enters hospice care. In accordance with TRICARE ***Reimbursement Manual 6010.61-M***, TRICARE will cover hospice care for those members. However, Service members in hospice care for the management of medication still qualify for the SCAADL Program; or

3.3.1.6. On the last day of the month during which a 90-day period ends after the Service member begins separation or retirement, even though the member has not begun to receive compensation pursuant to 38 U.S.C. § 1114(r)(2) before the end of such period.

3.3.2. Service member will be removed from the SCAADL Program:

3.3.2.1. If the Service member is returned to duty through rehabilitation, or is found fit by a Service physical evaluation board, or otherwise returned to duty status as unfit, but retained on active duty. The Service member will be removed from the SCAADL program in accordance with the Military Department's regulations. Termination effective date will be the last day of the month the Service member is no longer eligible under this provision; or

3.3.2.2. Pursuant to ***37 U.S.C. § 373***, Service members no longer satisfying SCAADL eligibility requirements will repay any SCAADL allowances received after the member is returned to duty or removed from the SCAADL program, except when:

3.3.2.2.1. The Secretary of the Military Departments concerned determines that the imposition of the repayment with regard to a Service member would be contrary to a personnel policy or management objective, would be against equity and good conscience, or would be contrary to the best interest of the United States;

3.3.2.2.2. The Service member dies or is retired or separated with a combat-related disability; or

3.3.2.2.3. The Service member receives sole survivorship discharge.

3.3.3. Service members or their designated representatives may appeal disapproval to receive SCAADL in accordance with respective Military Service appeal guidelines.

3.3.4. Qualifying payments to Service members, who receive SCAADL, in accordance with paragraph 2.3, will terminate as detailed in subparagraph 3.5.3.

3.3.5. Service members must complete a re-evaluation and recertification every 180-calendar days of eligibility for the SCAADL benefit.

3.3.6. Service members in receipt of SCAADL will recertify compensation upon a change in clinical status or geographical location.

3.3.7. All Service members hospitalized for 16 cumulative days or more of a month will be required to recertify upon release from the hospital.

3.4 Monthly Compensation

An online ***SCAADL Calculator*** is available to compute the approximate monthly SCAADL compensation. The military services will use the DoD ***(DD) Form 2948***, "Application for Special Compensation for Assistance with Activities of Daily Living (SCAADL) Eligibility," to document the Service member's eligibility for SCAADL. The following guidelines apply:

3.4.1. Monthly compensation is computed based on the Bureau of Labor Statistics (BLS) wage rate for a home health aide, using the 75th percentile of the hourly wage rate in the Service member's geographic area of residence. The BLS wage rates are updated annually and published effective January of each year. The amount of monthly compensation is calculated using the zip code of the geographic location where the Service member currently resides and the Service member's dependence level.

3.4.2. A three-tier system recognizing the variation in complexity of care required by the Service member and provided by the caregiver determines the monthly compensation. The

member's Primary Care Manager (PCM) will assess the Service member's dependency level and assign a point value corresponding to the number of hours of care the member requires each week.

3.4.2.1. High Tier. It is presumed that a Service member who scores 21 or higher will require at least 40 hours per week of caregiver assistance.

3.4.2.2. Medium Tier. It is presumed that a Service member who scores 13-20 will require at least 25 hours per week of caregiver assistance.

3.4.2.3. Low Tier. It is presumed that a Service member who scores 1-12 will require at least 10 hours per week of caregiver assistance.

3.4.3. Service members or their designated representatives may appeal a PCM's determination of dependency level to their Service headquarters. The dependency level may also change if the Service member's condition changes and a reevaluation of the member's level of dependency is conducted.

3.5 Payment Period

The following guidelines apply to the period that the SCAADL entitlement may be paid:

3.5.1. Service members become eligible for the SCAADL entitlement on the date a licensed DoD or VA physician certifies that the member meets the eligibility criteria. If the certification is not on the first of the month, and the entitlement is continuous for more than 1 month, the first month will be prorated based on a 30-day month computation. The 31st day of the first month will be excluded.

3.5.2. Service members entitled to SCAADL for a continuous period of less than 1 month will receive payment for the actual number of days at the rate of 1/30th of the monthly amount. The 31st day of a calendar month may not be excluded from this computation.

3.5.3. SCAADL entitlement stops on:

3.5.3.1. The last day of the month in which a 90-day period ends after the date the Service member separates or retires. (For example, March 15 (separation date) plus 90 days equals June 13 (last day of entitlement is June 30));

3.5.3.2. The last day of the month during which a Service member dies (See Note);

3.5.3.3. The last day of the month a physician determines that a Service member no longer meets the eligibility requirements for SCAADL; or

3.5.3.4. The last day of the month preceding the month during which the Service member begins receiving aid and attendance from the VA under 38 U.S.C. § 1114(r)(2), or the Service member's primary caregiver begins receiving a monthly caregiver stipend from the VA under ***38 U.S.C. § 1720G***.

Note: This last SCAADL payment should be paid to the beneficiary in the unpaid pay and allowances described in Chapter 36, section 3.0.

REFERENCES

ILLNESS OR INJURY PAYMENT PROGRAMS

2.0 - PAY AND ALLOWANCE CONTINUATION (PAC) PROGRAM

37 U.S.C. § 372
Office of the USD (P&R) Memo, July 16, 2009
National Defense Authorization Act for Fiscal Year, 2020
Public Law 116-92, section 601, December 20, 2019

3.0 - SPECIAL COMPENSATION FOR ASSISTANCE WITH ACTIVITIES OF DAILY LIVING (SCAADL)

37 U.S.C. § 439
37 U.S.C. § 373
DoDI 1341.12, October 31, 2019

VOLUME 7A, CHAPTER 14: "INCENTIVE FOR QUALIFIED MEMBERS EXTENDING DUTY AT DESIGNATED LOCATIONS OVERSEAS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated July 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 14

INCENTIVE FOR QUALIFIED MEMBERS EXTENDING DUTY AT DESIGNATED LOCATIONS OVERSEAS

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to the incentive for qualified members extending duty at designated locations overseas.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 10 and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 SPECIAL PAY OR BONUS

2.1 Eligibility

Members of the Armed Forces may be entitled to a special pay or bonus if they:

2.1.1. Are entitled to basic pay;

2.1.2. Have a specialty that is designated by the Secretary of the Military Department concerned for the purposes of this entitlement;

2.1.3. Have completed a tour of duty (as defined in accordance with regulations prescribed by the Secretary concerned) at a location outside the Continental United States (OCONUS) that is designated by the Secretary of the Military Department concerned for the purposes of this entitlement; and

2.1.4. At the end of the tour of duty, execute an agreement to extend that tour for a period of not less than 1 year.

2.2 Amount

When the Secretary of the Military Department concerned accepts the member's agreement to extend the tour of duty, the member becomes entitled, subject to the restrictions identified in paragraph 2.5, to receive one of the following benefits:

2.2.1. Special pay in monthly installments in an amount prescribed by the Secretary, but not to exceed $80 per month; or

2.2.2. An annual bonus in an amount prescribed by the Secretary, but not to exceed $2,000 per year. The Secretary may pay a bonus in either a lump sum or monthly installments.

2.3 Selection

Not later than the date the Secretary of the Military Department concerned accepts the agreement described in subparagraph 2.1.4 providing for the extension of a member's tour of duty, the Secretary of the Military Department concerned will notify the member regarding whether the member will receive special pay or bonus. The payment rate for the special pay or bonus will be fixed at the time of the agreement and may not be changed during the period of the extended tour of duty.

2.4 Repayment

A member who, having entered into a written agreement to extend a tour of duty described in subparagraph 2.1.4, and who receives a bonus payment but does not complete the obligated service in accordance with the agreement will be subject to the repayment provisions of Chapter 2.

2.5 Restriction

A member, who elects to receive one of the benefits specified in section 3.0 as part of the extension of a tour of duty is not entitled to the special pay or bonus authorized in this section for the period of extension of duty for which the benefit is provided.

3.0 SPECIAL REST AND RECUPERATIVE (SR&R) ABSENCE

3.1 Eligibility

A member who meets the eligibility requirements defined in paragraph 2.1 may in lieu of receiving the special pay or bonus, elect to receive one of the entitlements described in paragraph 3.2.

3.2 Entitlement

A member may elect, in lieu of a special pay or bonus, either:

3.2.1. A period of SR&R absence for not more than 30 days; or

3.2.2. A period of SR&R absence for not more than 15 days for members whose qualifying tour of duty is 12 months or less, and round-trip transportation at Government expense from the location of the extended tour of duty to the nearest port in the 48 contiguous States and return, or to an alternative destination and return at a cost not to exceed the cost of round-trip transportation from the location of the extended tour of duty to such nearest port; or

3.2.3. A period of SR&R absence for not more than 20 days for members whose qualifying tour of duty is longer than 12 months, and round-trip transportation at Government expense from the location of the extended tour of duty to the nearest port in the 48 contiguous States and return, or to an alternative destination and return at a cost not to exceed the cost of round-trip transportation from the location of the extended tour of duty to such nearest port.

NOTE: The provisions of SR&R are not effective unless the Secretary concerned determines that the application will not adversely affect combat or unit readiness.

3.3 Travel Time

Travel time from the CONUS port, or alternate destination, to the SR&R absence point, and return is included in the 15-day or 20-day SR&R absence. This period will begin the day after the member arrives at the aerial port of debarkation and continue until the day before the member returns to the designated port. The non-chargeable leave period will continue until the day before the date of return to the designated port. Travel time to or from the CONUS port, or alternate destination, and overseas location is non-chargeable and not included in the 15-day or 20-day SR&R.

3.4 Limitations

The 15-day or 20-day SR&R absence and round-trip transportation option may not be combined with any temporary duty or transportation entitlement that would result in the cost of the round-trip portion of the option exceeding the round-trip cost from the member's tour of duty station to the nearest CONUS port.

4.0 SERVICE REGULATIONS

The following paragraphs provide hyperlinks for service entitlements, policies, and procedures for the previous prescribed incentives:

4.1 Army

Army Regulation 614-30, Chapter 6, section 6-3

4.2 Navy

Naval Military Personnel Manual 1306-300

4.3 Air Force and Space Force

Air Force Instruction 36-2110, Chapter 6

4.4 Marine Corps

Marine Corps Order 1300.8, Chapter 6, section 13

*REFERENCES

CHAPTER 14 - INCENTIVE FOR QUALIFIED MEMBERS EXTENDING DUTY AT DESIGNATED LOCATIONS OVERSEAS

2.0 – SPECIAL PAY OR BONUS

37 U.S.C., section 352
DoD Instruction (DoDI) 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023
DoDI 1340.26, September 25, 2017, Incorporating Change 1, January 11, 2019
DoDI 1315.18, October 28, 2015, Incorporating Change 3, June 24, 2019

3.0 – SPECIAL REST AND RECUPERATIVE (SR&R) ABSENCE

10 U.S.C. § 705
DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023

4.0 – SERVICE REGULATIONS

National Defense Authorization Act for Fiscal Year 2020, Public Law 116-92, section 952, December 20, 2019

VOLUME 7A, CHAPTER 15: "SPECIAL PAY – ASSIGNMENT INCENTIVE PAY (AIP)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated September 2021 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
2.5	Removed obsolete Limitation and Restrictions information from subparagraphs 2.5.2 and 2.5.5 and renumbered subsequent subparagraphs accordingly.	Deletion
3.4	Inserted Department of the Army Select Recruiter Tour Extension Program AIP and renumbered the subsequent paragraphs accordingly.	Addition
3.9	Inserted Department of the Army National Training Center AIP and renumbered the subsequent paragraphs accordingly.	Addition
3.10	Inserted Department of the Army Nominative Assignment Program AIP and renumbered the subsequent paragraphs accordingly.	Addition
3.12	Inserted Department of the Army Recruiting Duty Volunteer Program AIP and renumbered the subsequent paragraphs accordingly.	Addition
3.13.2	Updated payment information to include amounts from Table 15-1.	Addition
3.14	Updated the Army Security Force Assistance Brigade AIP.	Revision
3.15.2	Updated the payment information for U.S. Army Special Operations Command AIP.	Revision
5.1	Inserted U.S. Air Force AIP for 306 Fighter Squadron, Atlantic City, NJ and renumbered the subsequent paragraphs accordingly.	Addition
5.3	Inserted U.S. Air Force AIP for the 491st Attack Squadron Hancock Filed Air National Guard Base, NY and 492nd Attack Squadron March Air Reserve Base, CA.	Addition
5.12	Updated the U.S. Air Force and Space Force Turkey AIP.	Revision

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
7.0	Removed obsolete AIP for Involuntary Extensions and renumbered subsequent section accordingly.	Deletion
7.4.1.3	Updated the Mobilization-to-Dwell Ratio for Reserve Component members to 1:4.	Revision
Table 15-1	Removed and incorporated amounts into subparagraph 3.13.2.5.	Deletion
References	Updated statutes and references.	Revision

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CHAPTER 15

SPECIAL PAY – ASSIGNMENT INCENTIVE PAY (AIP)

1.0 GENERAL

1.1 Purpose

This chapter prescribes guidance applicable to the payment of AIP.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with (IAW) the United States Code (U.S.C.), including Titles 10 and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 DoD AIP CRITERIA

2.1 Entitlement

The DoD may give AIP to eligible Active/Regular and Reserve Component (RC) Service members IAW ***37 U.S.C. § 352***, the ***DoD Instruction (DoDI) 1340.26***, "Assignment and Special Duty Pays," and regulations published by the Secretary of the Military Department concerned. The ability of the Secretary of the Military Department concerned to enter into a new agreement with a Service member for AIP is subject to the extension of such authority under 37 U.S.C. § 352.

2.2 Eligibility

The Secretary of the Military Department concerned may pay AIP to a member of an Active/Regular or RC who is entitled to basic pay under ***37 U.S.C. § 204***, or compensation under ***37 U.S.C. § 206***. The Secretaries of Military Departments will establish eligibility criteria based on Service-specific needs. Personnel shortages and the ability of a unit to meet mission requirements should be given primary consideration.

2.3 Written Agreement

2.3.1. Discretionary for Monthly Payments. The Secretary concerned may require a Service member to enter into a written agreement with the Secretary in order to qualify for the AIP payment on a monthly basis. If used, the agreement will specify the period for which the AIP will be paid and the monthly rate of the AIP.

2.3.2. Non-discretionary for Installment or Lump Sum Payments. The Secretary concerned will require a Service member to enter into a written agreement with the Secretary in order to qualify for installment or lump sum payments of AIP. The written agreement will specify

the period for which the Service member will receive AIP, the amount of each periodic installment or lump sum, and the repayment policy cited in ***37 USC § 373***.

2.4 Payment

AIP, paid under this section, is in addition to any other pay or allowance to which the Service member is entitled, except where otherwise stated in DoDI 1340.26 and 37 U.S.C.

*2.5 Limitations and Restrictions

The following limitations and restrictions, which affect the entitlement to AIP, apply to all programs listed in this chapter.

2.5.1. The Secretary of the Military Department concerned may increase, decrease, or abolish AIP for any assignment, location, or unit at any time and will establish restrictions and limitations to the pay through Military Service regulations. Payment of AIP in combination with other special duty pays may not exceed an average monthly amount of $3,500 unless authorized by the Assistant Secretary of Defense (ASD) for Manpower and Reserve Affairs (M&RA).

2.5.2. A member is not entitled to AIP during a period of terminal leave which ends upon discharge or release of the member from Active-Duty (AD).

2.5.3. Service members are not authorized to receive more than one AIP simultaneously for the same period of service. If a Service member is eligible for more than one AIP, the higher dollar value AIP will be paid.

2.5.4. The Secretary of the Military Department concerned will establish payment levels to be either monthly payments, installments, or a lump sum amount not to exceed a maximum monthly average of $1,500.

2.6 Special Provisions

The service of a member in a designated assignment will be considered continuous in any period of temporary absence during which the member is performing temporary duty pursuant to orders or on authorized leave other than transition leave.

3.0 ARMY AIP PROGRAMS

The Headquarters, Department of the Army (HQDA), Office of the Deputy Chief of Staff (ODCS) G-1 authorizes AIP programs. All HQDA authorized programs have a termination date. No new agreements may be entered into without DA reauthorization of the programs. The programs listed in paragraphs 3.1 through 3.15 are DA programs and fall under these guidelines. See applicable memorandums contained in the references for restrictions specific to a particular Army AIP described in paragraphs 3.1 through 3.15.

3.1 14th Missile Defense Battery (MDB)

3.1.1. Eligibility. Soldiers must:

3.1.1.1. Be permanently assigned to the 14th MDB at Kyogamisaki, Japan; and

3.1.1.2. Sign a written agreement acknowledging the limitations and restrictions as a condition to receive AIP. The agreement will specify the period for which the AIP will be paid and the amount of the monthly rate.

3.1.2. Payment

The maximum monthly rate payable to Soldiers serving in an approved assignment will not exceed $1,500.

3.1.3. Termination

3.1.3.1. The 14th MDB will terminate once the Life Support Area is established, or Soldiers are being subsisted (Government meals are provided) by or on behalf of the Government.

3.1.3.2. Unless reauthorized by Congress, AIP may not be paid after the date listed on the ***Duration of Authority*** table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.2 Army Cyber (ARCYBER) Command

3.2.1. Eligibility. Enlisted Soldiers, Warrant Officers, and Commissioned Officers must be fully trained and certified in a U.S. Cyber Command or ARCYBER work role. Soldiers must:

3.2.1.1. Have completed the appropriate training and have been awarded the appropriate certifications located inside the Cyber Mission Force (CMF) or those directly executing strategic to tactical level cyber missions required outside of the CMF; and

3.2.1.2. Enter into a written agreement to serve 1 to 3 years in an ARCYBER approved billet. The written agreement will specify the period for which the AIP will be paid and the amount of the monthly rate of the AIP.

3.2.2. Payment. The maximum monthly rate payable to any Soldier serving as a:

3.2.2.1. Basic under the ARCYBER AIP program will start at $200 and will not exceed $1,000;

3.2.2.2. Senior under the ARCYBER AIP program will start at $300 and will not exceed $1,250; and

3.2.2.3. Master under the ARCYBER AIP program will start at $500 and will not exceed $1,500.

3.2.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.3 Computer Network Operations (CNO)

3.3.1. Eligibility

3.3.1.1. Enlisted Soldiers, Warrant Officers, and Commissioned Officers must be fully certified in an U.S. Army Intelligence and Security Command (INSCOM) work role, assigned to a designated billet in support of the National Security Agency.

3.3.1.2. Soldiers must enter into a written agreement in order to qualify for CNO AIP. The written agreement will specify the period for which the AIP will be paid and the amount of the monthly rate of the CNO AIP.

3.3.1.3. Soldiers must not be permanently non-deployable per DoDI 1332.45. For this memorandum, "deployment" is defined as the movement of personnel into and out of an operational area or in support of operations. Deployment encompasses all activities from origin or home station through destination, specifically including inter-theater, and intra-theater movement legs, staging and holding areas.

3.3.2. Payment. The monthly rate payable to any Soldier serving as a:

3.3.2.1. Basic under this CNO AIP program will start at $200.00 and will not exceed $1,000.00;

3.3.2.2. Senior under this CNO AIP program will start at $300.00 and will not exceed $1,250.00; and

3.3.2.3. Master under this CNO AIP program will start at $500.00 and will not exceed $1,500.00.

3.3.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

*3.4 Department of the Army Select Recruiter (DASR) Tour Extension Program

3.4.1. Eligibility. All Soldiers must meet all the eligibility requirements below.

3.4.1.1. Must be permanently assigned to the U.S. Army Training and Doctrine Command as an on-production DASR assigned to the U.S. Army Recruiting Command (USAREC).

3.4.1.2. Must be serving on an initial 36-month tour as a DASR that is scheduled to end between October 26, 2023, and December 31, 2024.

3.4.1.3. Must be recommended for and selected for extension by their battalion and brigade chain-of-command.

3.4.1.4. Must be a high performing recruiting non-commissioned officer producing 11 or more contracts in Fiscal Year 23 and recommended for and selected for extension by their battalion and brigade chain-of-command.

3.4.1.5. Soldiers must be in good standing and not flagged for adverse action under ***AR 600-8-2***, "Suspension of Favorable Personnel Actions (Flag)," and must meet Army standards for retention (to include Army fitness and body composition program minimum standards) at the time of payment. Soldiers who are later cleared of any misconduct will be paid all AIP payments to which they might otherwise be entitled but were not paid while flagged for adverse action.

3.4.1.6. Must not have requested or been approved to convert to Military Occupational Specialty (MOS) 79R. Requests to convert to MOS 79R may be submitted upon completion of the extension period unless the Soldier voluntarily requests to terminate AIP entitlement under this program.

3.4.2. Payment

3.4.2.1. A Soldier who is extended under this program will be paid $1,500.00 per month.

3.4.2.2. AIP is only payable for the period of the extension. Extension and payments will begin on the first day of the month following the Soldier's original tour ending date.

3.4.2.3. Soldiers are not authorized to receive more than 12 monthly payments under this AIP program or previous DASR Tour Extension programs.

3.4.2.4. Payments will terminate on the day prior to an authorized leave period that ends with the discharge or release of the Soldier from active-duty, a permanent change of station outside of USAREC.

3.4.2.5. Payments will be suspended when the Recruiter fails to contract at least one Soldier during the recruiting month. Payments will resume after the Recruiter contracts an

applicant into the Army. Written agreements will be terminated when the Recruiter fails to write a contract for 3 months during the extension period.

3.4.2.6. In the event of misconduct, payments will terminate on the day the Soldier loses qualification to perform the duty to which they are receiving AIP.

3.4.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.5 Detachment Alpha (DET-A) at the Joint Defense Facility Pine Gap (JDFPG), Alice Springs, Australia

3.5.1. Eligibility. Soldiers permanently assigned to DET-A JDFPG who are authorized AIP must be:

3.5.1.1. Serving on AD;

3.5.1.2. In the grade of O-6 or below;

3.5.1.3. Permanently assigned to DET-A, JDFPG;

3.5.1.4. Within the first 90 days of arrival to the duty station; and

3.5.1.5. Must agree to serve the prescribed tour length (more than 24 months).

3.5.2. Payment. The monthly rates payable to any Soldier serving under this AIP program will be as follows:

3.5.2.1. Soldiers with MOS 42A and current Top-Secret clearance: $200 monthly;

3.5.2.2. Soldiers with MOS 35N/35S and no Additional Skill Identifier (ASI): $200 monthly;

3.5.2.3. Soldiers with MOS 35S with ASI Z8: $250 monthly;

3.5.2.4. Soldiers with MOS 35S with ASI M7: $275 monthly;

3.5.2.5. Soldiers with MOS 35S with ASI K2: $300 monthly;

3.5.2.6. Soldiers with MOS 352S: $200 monthly; and

3.5.2.7. Soldiers with MOS 35G: $200 monthly.

3.5.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.6 Drill Sergeant (DS)

3.6.1. Eligibility. All Soldiers must be:

3.6.1.1. Permanently assigned to the Training and Doctrine Command as DS in a Basic Combat Training, One Station Unit Training; Advance Individual Training, or Drill Sergeant Academy.

3.6.1.2. In their current position for a minimum of 6 months, but not more than 12 months under this program; and

3.6.1.3. Be recommended for and selected for extension by their battalion and brigade chain-of-command.

3.6.2. Payment

3.6.2.1. The maximum monthly rate payable to a DS will be $500.

3.6.2.2. AIP is only payable for the period of the extension. Payments begin on the first day of the month following the Soldier's original tour ending date.

3.6.2.3. Soldiers are not authorized to receive more than 12 monthly payments under this program.

3.6.2.4. AIP payments will terminate on the day prior to an authorized leave period that ends with the Soldier's discharge or release from AD.

3.6.2.5. In the event of misconduct, AIP payments will terminate on the day the Soldier loses qualification to perform the duty to which he or she is receiving AIP.

3.6.3. Repayment

Soldiers, with the exception of sole survivor discharges and those who die or are retired or separated with a combat-related disability, will repay an amount equal to the unearned portion of AIP if the Soldier fails to complete the extension period. Soldiers who fail to complete the extension period will not receive any unpaid AIP amounts.

3.6.4. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.7 Joint Special Operations Command (JSOC) Special Mission Unit (SMU)

3.7.1. Eligibility

3.7.1.1. Soldiers, including RC, must be permanently assigned to a JSOC SMU Operator billet.

3.7.1.2. Soldiers must be in good standing and not be under UCMJ action at the time of approval and must remain in good standing throughout the AIP tour.

3.7.1.3. Soldiers must have less than 35 years of active federal service in order to qualify for continued payment.

3.7.1.4. Soldiers must sign a written agreement to serve 1 to 3 years in a JSOC SMU Operator assignment. The written agreement will specify the period for which the AIP will be paid and the amount of AIP payment.

3.7.2. Payment

3.7.2.1. SMU Operators with less than 25 years of active federal service may apply for the following:

3.7.2.1.1. SMU Operators with less than 3 years of service in a SMU Operator billet may be paid $750 per month; or

3.7.2.1.2. SMU Operators with 3 years or more of service in a SMU Operator billet may be paid $1,000 per month.

3.7.2.2. SMU Operators with 25 years or more of active federal service may apply for the following:

3.7.2.2.1. SMU Operators with 3 years or more of service in a SMU Operator billet may be paid $500 per month. Agreements will terminate at 28 years of active federal service; or

3.7.2.2.2. SMU Operators serving in a specified Key Leadership/Development position may be paid $1,000 per month. Agreements will terminate at 35 years of active federal service.

3.7.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.8 Korea AIP (KAIP)

3.8.1. Eligibility. Soldiers:

3.8.1.1. Must be permanently assigned to Republic of Korea in the grades of O-3 and below.

3.8.1.2. Must not be serving in command select list positions.

3.8.1.3. Must be in good standing and not be under UCMJ action at the time of approval and must remain in good standing throughout the AIP tour.

3.8.1.4. Assigned to Korea for more than 40 months at the end of their current tour are not eligible to apply.

3.8.1.5. Serving on their initial assignment after graduating from initial entry training or newly appointed officers are not authorized to apply. Soldiers must be in a documented and authorized position by MOS and skill level and must remain in that position for the duration of the extension in order to qualify for KAIP.

3.8.2. Payment

3.8.2.1. The maximum monthly rate payable is $500. Payment will be made in a lump sum, payable upon approval of the AIP agreement extending the Soldier's assignment.

3.8.2.2. Soldiers are limited to a maximum 24-month extension under this AIP program. Payment for an extension beyond 24 months or a subsequent extension when combined with a previous extension(s) that exceeds 24 months is not authorized.

3.8.2.3. The commander determines the payment rate based on the needs of the Army and may be different for Soldiers serving in the same location but will not exceed the monthly rate of $500.

3.8.2.4. Lump sum payments will not exceed the maximum monthly rate authorized by the Commander at the time the Soldier enters into the written agreement multiplied by the number of continuous months in the period for which the AIP is authorized. Lump sum payments will be paid on the first date of the extension of the Soldier's assignment.

3.8.3. Written Agreements

3.8.3.1. Approval authorities will require a Soldier to enter into a written agreement in order to qualify for AIP. The agreement will specify the period for which the AIP will be paid and the amount of the lump sum AIP payment.

3.8.3.2. New AIP written agreements must adhere to this policy. Any approved AIP agreement in existence prior to October 2, 2023, will remain valid under its terms until the effective termination date of the agreement.

3.8.4. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

*3.9 National Training Center (NTC)

3.9.1. Eligibility

Soldiers permanently assigned to the NTC and Fort Irwin may request AIP provided they meet the following eligibility criteria.

3.9.1.1. Must be serving on active-duty.

3.9.1.2. Must be in the grade of O-6 or below.

3.9.1.3. Must be permanently assigned to the NTC and Fort Irwin as their first choice in the Assignment Interactive Module (AIM) and Assignment Satisfaction Key - Enlisted Module (ASK-EM) marketplaces to include those under U.S. Army Forces Command, Medical Department Activity, Dental Activity, and Army Materiel Command from a previous duty station other than Fort Irwin.

3.9.1.4. Must be within the first 90 days of arrival to the duty station.

3.9.1.5. Must be in good standing and not under the UCMJ process (to include Article 15 or courts-martial proceedings), investigations, and must meet Army standards for retention (to include Army Combat Fitness Test and Army Body Composition Program) at the time of approval and must remain in good standing throughout the AIP tour; and

3.9.1.6. Must not be permanently non-deployable per DoDI 1332.45. “Deployment” is defined as the movement of personnel into and out of an operational area or in support of operations. Deployment encompasses all activities from origin or home station through destination, specifically including inter-theater, and intra-theater movement legs, staging and holding areas.

3.9.2. Payment

Payment will be in the lump sum amount of $4,800, to be paid upon in-processing at Fort Irwin for any Officer or Non-Commissioned Officer that preferences NTC and Fort Irwin as their first choice of duty assignment in the AIM or ASK-EM marketplace.

3.9.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

*3.10 Nominative Assignment Program AIP

3.10.1. Eligibility

Soldiers must be approved for Commander, INSCOM designated military intelligence nominative assignment workforce (enlisted personnel, warrant officers, and commissioned officers) performing strategic-level duties in service of Army, DoD, or Intelligence Community efforts.

3.10.2. Payment

The following levels for this AIP program are based upon years of assigned in the nominative workforce.

3.10.2.1. Level 1 (3 years or less) - $900 per month.

3.10.2.2. Level 2 (3 years or more but less than 6 years) - $1,200 per month.

3.10.2.3. Level 3 (6 years or more) - $1,500 per month.

3.10.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.11 Operational Deployments (OD)

3.11.1. Eligibility

AD Soldiers who physically deploy and perform duties as part of a rotational force away from their permanent duty stations to U.S. Army Europe (USAREUR) and U.S. Army Pacific (USARPAC) areas of responsibility may be entitled to AIP-OD, subject to the criteria outlined in subparagraphs 3.11.1 through 3.11.7.

3.11.2. Payment

3.11.2.1. AIP-OD will be paid in monthly installments (lump sums are not authorized).

3.11.2.2. AIP-OD will be prorated for Soldiers who do not satisfy the eligibility requirement for an entire month to reflect the duration of the Soldier's actual qualifying service during the month. For Soldiers eligible to receive AIP-OD, proration will not apply to the 31st day of a month with more than 30 days.

3.11.2.3. Atlantic Resolve, Joint Multi-National Training Group Ukraine, and other qualifying deployments for a Soldier who is serving on Operation Force Rotations (OFR) in a field duty status are authorized $195 per month. Soldiers serving on OFR in a regular temporary duty status are not authorized AIP-OD.

3.11.2.4. Korea Rotational Force Soldiers serving on OFR in a field duty status are authorized $195 per month.

3.11.2.5. Soldiers serving on OFR in a regular temporary duty status are not authorized AIP-OD.

3.11.3. Absences

3.11.3.1. AIP-OD for USAREUR and USARPAC will continue when a Soldier is on authorized leave, other than leave authorized for a period ending upon the Soldier's discharge or release from AD.

3.11.3.2. When a Soldier entitled to AIP-OD is absent without leave (AWOL), AIP-OD payments will stop on the first day of AWOL through the day before the date the Soldier is restored to full duty, provided the Soldier remained eligible for AIP-OD.

3.11.4. Hospitalization

3.11.4.1. A Soldier who is deployed and requires hospitalization away from the permanent duty station is still considered operationally deployed and remains entitled to AIP-OD.

3.11.4.2. A Soldier who is deployed and requires hospitalization at the permanent duty station is not eligible for payment of AIP-OD for the period of hospitalization, unless otherwise qualified to receive the pay under 37 U.S.C. § 372.

3.11.4.3. If a line of duty investigation determines that the Soldier's injuries are due to his or her own misconduct, AIP-OD payments will stop on the first day of hospitalization through the day before the date the Soldier is restored to full duty, provided the Soldier remained otherwise eligible for AIP-OD.

3.11.4.4. If the member is wounded/injured/ill from a combat zone, combat operation, hostile file pay area, or as a result of hostile fire, reference Chapter 13.

3.11.5. Confinement

3.11.5.1. When a Soldier entitled to AIP is confined awaiting trial by court-martial, AIP-OD payments stop on the first day of confinement through the day before the date the Soldier is restored to full duty, provided the Soldier remained eligible for AIP-OD.

3.11.5.2. When a Soldier confined awaiting trial by court-martial is acquitted, or has charges dismissed, the Soldier will be entitled to AIP-OD retroactive to the first day of confinement, provided the Soldier remained eligible for AIP-OD.

3.11.6. Captured or Missing Status

A Soldier entitled to AIP-OD immediately before entering a status of missing, missing-in-action, interned in a foreign country, or captured by a hostile force will continue to be credited with AIP-OD for each month while in such a status.

3.11.7. Termination

The AIP-OD program is subject to congressional annual reauthorization of 37 USC § 352; therefore, no orders will be issued to start an AIP-OD payment after the termination date on the Duration of Authority table.

*3.12 Recruiting Duty Volunteer Program AIP

3.12.1. Eligibility. All Soldiers must meet all the eligibility requirements below.

3.12.1.1. Must volunteer for recruiting duty by completing a volunteer recruiter packet and submitting though Recruit the Recruiter program.

3.12.1.2. Must be fully eligible for and selected for recruiting duty.

3.12.1.3. Must ship to the Army Recruiter Course (ARC) before February 2024 and successfully graduate from the ARC.

3.12.1.4. Must successfully complete the Advanced Training Program (ATP) IAW ***USAREC Regulation 350-1***, Training and Leader Development, within the first 120 days of assignment to a recruiting station.

3.12.1.5. Must receive a satisfactory ATP quality score from the New Recruiter NCO Board IAW USAREC Regulation 350-1, Training and Leader Development.

3.12.1.6. Soldiers must be in good standing and not flagged for adverse action under AR 600-8-2 and must meet Army standards for retention (to include Army fitness and body composition program minimum standards) at the time of payment.

3.12.2. Payment

A Soldier who meets all the eligibility criteria listed in subparagraph 3.12.1 will be paid a one-time lump sum payment of $5,000.

3.12.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.13 Remote and Austere Conditions AIP (RAC-AIP)

3.13.1. Eligibility. All AD and RC Soldiers who are assigned to an approved RAC-AIP assignment may request RAC-AIP provided the Soldier meets the following eligibility criteria:

3.13.1.1. Must be in the grade of O-6 or below;

3.13.1.2. Must be permanently assigned;

3.13.1.3. Must be within the first 90 days of arrival to the assignment;

3.13.1.4. Must agree to serve the prescribed tour;

3.13.1.5. Must have not previously received RAC-AIP during the current tour or a previous tour within the last six years (Soldiers who extend their tour or agree to serve a consecutive overseas tour in a subsequent RAC-AIP assignment are not eligible);

3.13.1.6. Must enter into a written agreement in order to qualify for RAC-AIP. The written agreement will include an acknowledgement of the additional personal costs associated with the conditions of the remote and austere assignment, the specific terms and conditions for maintaining eligibility for RAC-AIP, the period for which the RAC-AIP will be paid, and the amount of the RAC-AIP.

NOTE: Members may file an exception to policy (ETP) for any of the eligibility requirements stated in subparagraph 3.13.1. The approval authority for the ETP is the Deputy Chief of Staff, G-1 and/or his/her designee.

* 3.13.2. Payment

3.13.2.1. RAC-AIP will be paid in a lump sum payment; monthly payments are not authorized. RAC-AIP is taxable.

3.13.2.2. The maximum lump sum payment will vary based on each assignment. The Army G-1 will approve RAC-AIP payment levels based on the additional costs one is reasonably expected to incur to prepare themselves, their family members, and their personal property for a remote and austere assignment outside the 48 contiguous United States.

3.13.2.3. RAC-AIP is authorized in addition to any other AIP program for which the Soldier may be eligible; however, in no case may a Soldier's AIP payments exceed the $18,000 annual AIP payment limit as set forth by the Under Secretary of Defense for Personnel and Readiness in DoDI 1340.26.

3.13.2.4. RAC-AIP will not be paid retroactively. The approval authority will base the RAC-AIP payment rate on the Soldier's eligibility at the time of approval.

* 3.13.2.5. Amounts are:

3.13.2.5.1. Level 1:

3.13.2.5.1.1. Without command sponsorship dependents, $500;

3.13.2.5.1.2. With command sponsorship dependents, $1,000;

3.13.2.5.2. Level 2:

3.13.2.5.2.1. Without command sponsorship dependents, $1,000;

3.13.2.5.2.2. With command sponsorship dependents, $2,000;

3.13.2.5.3. Level 3:

3.13.2.5.3.1. Without command sponsorship dependents, $1,500;

3.13.2.5.3.2. With command sponsorship dependents, $3,000;

3.13.2.5.4. Level 4:

3.13.2.5.4.1. Without command sponsorship dependents, $2,000;

3.13.2.5.4.2. With command sponsorship dependents, $4,000;

3.13.2.5.5. Level 5:

3.13.2.5.5.1. Without command sponsorship dependents, $2,500;

3.13.2.5.5.2. With command sponsorship dependents, $5,000;

3.13.3. Repayment

3.13.3.1. If the Soldier's commander determines that there is adverse information (as defined in Army Regulation 15-6) regarding the Soldier, the Soldier must repay their AIP for the prorated period that they were not in good standing.

3.13.3.2. Soldiers, with the exception of sole survivor discharges and those who die or are retired or separated with a combat-related disability, will repay an amount equal to the unearned portion of RAC-AIP, if the Soldier fails to complete the extension period.

3.13.4. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

*3.14 Security Force Assistance Brigade (SFAB)

3.14.1. Eligibility

3.14.1.1. Enlisted Soldiers who are fully trained and certified, are authorized AIP for assignments at their permanent duty stations.

3.14.1.2. Soldiers must enter into a written agreement to serve a minimum of 24 months in an SFAB approved billet. The written agreement will specify the period for which the AIP will be paid and the amount of AIP payment.

3.14.2. Payment

The maximum payment under this program is $5,000 for a minimum 24-month assignment to an SFAB.

3.14.3. Repayment

Soldiers, with the exception of sole survivor discharges and those who die or are retired or separated with a combat-related disability, will repay an amount equal to the unearned portion of AIP if the Soldier fails to complete the AIP period. Soldiers who fail to complete the AIP period will not receive any unpaid AIP amounts.

3.14.4. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

3.15 U.S. Army Special Operations Command (USASOC)

On September 18, 2020, the DA ODCS G-1 reauthorized USASOC AIP.

3.15.1. Eligibility

3.15.1.1. Soldiers must be permanently assigned to an authorized Major Force Protection-11 billet in the grade of E-5 and above.

3.15.1.2. Soldiers must be in good standing and not be under UCMJ action at the time of approval and must remain in good standing throughout the AIP tour.

3.15.1.3. Soldier must have less than 35 years of active federal service in order to qualify for continued payment.

* 3.15.2. Payment

3.15.2.1. The maximum monthly rate payable to a Soldier assigned to USASOC under this AIP program is $1,250.00 and the maximum monthly rate payable to a Soldier assigned to a Special Mission Unit (SMU) is $1,500. Payment under this program may be made in lump sum or monthly payments.

3.15.2.2. Payment rates are determined by the commander based on the needs of the Army and may be different for Soldiers in similar positions at the same location but will not exceed the amount authorized in 3.15.2.1.

3.15.2.3. Lump sum payments will not exceed the maximum monthly rate authorized by the commander at the time the Soldier enters into the written agreement, multiplied by the number of continuous months in the period for which the AIP will be paid, pursuant to the agreement. Lump sum payment will be paid on the approval of the AIP agreement.

3.15.3. Written Agreements

Approval authorities will require a Soldier to enter into a written agreement in order to qualify for AIP. The agreement will specify the period for which the AIP will be paid and the amount of the lump sum AIP payment.

3.15.4. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

4.0 NAVY AIP PROGRAMS

Consult the MyNavy HR website for a list of ***US Navy AIP***s.

5.0 AIR FORCE AND SPACE FORCE AIP PROGRAMS

*5.1 306 Fighter Squadron (FS), Atlantic City, NJ

5.1.1. Eligibility

Effective December 22, 2023, all members assigned to the 306 FS Atlantic City, NJ will receive AIP.

5.1.2. Payment

The monthly rate is $400.

5.1.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.2 315 FS, 367 FS, and 378 FS

5.2.1. Eligibility

The Secretary of the Air Force (SAF) authorized AIP for the members assigned to 315 FS Burlington, VT, 367 FS Homestead, FL, and 378 FS Madison, WI.

5.2.2. Payment. The monthly rates are as follows:

5.2.2.1. 315 FS Burlington, VT is $400;

5.2.2.2. 367 FS Homestead, FL is $500; and

5.2.2.3. 378 FS Madison, WI is $400.

5.2.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

*5.3 491st and 492nd Attack Squadrons (ATKS)

5.3.1. The SAF authorized AIP for the regular Air Force officers and enlisted airmen assigned to the 491st ATKS Air National Guard Base Hancock Field, NY and 492nd ATKS March Air Reserve Base, CA, effective January 18, 2024.

5.3.2. The monthly rate is $500.

5.3.3. Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.4 724th Special Tactics Group Incentive Program

5.4.1. Eligibility

Enlisted SMU members are eligible for this program.

5.4.2. Payment. Effective July 1, 2021

5.4.2.1. $750 per month for SMU Operators who have graduated and have a cumulative assignment time of less than 12 months;

5.4.2.2. $1,000 per month for SMU Operators who have a cumulative assignment time of 12-72 months;

5.4.2.3. $750 per month for SMU Operators who have a cumulative assignment time of 73-96 months;

5.4.2.4. $500 per month for SMU Operators who have a cumulative assignment time of 97-108 months; and

5.4.2.5. $0 per month for SMU Operators who have a cumulative assignment time of 109 months or more.

5.4.3. Restrictions. At any time during the authorized period, the SAF (M&RA) may terminate the 724th Special Tactics Group Incentive program if it is no longer required.

5.4.4. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.5 Air Force Special Operations Command (AFSOC), BP0VFX3H, Program

The SAF established an AIP program for enlisted and officers when assigned to the AFSOC unit designated by the Personnel Accounting Symbol (PAS) code BP0VFX3H. The SAF authorized the program for a period of 5 years subject to annual congressional approval of the pay authority, 37 U.S.C § 352. No AIP will be initially awarded (initial eligibility start date) after this date unless the program is officially extended/authorized beyond the date on the Duration of Authority table by an appropriate approving authority.

5.5.1. Eligibility Requirements

5.5.1.1. Officers and enlisted members must be assigned to operator positions within the PAS code BP0VFX3H.

5.5.1.2. Members must have successfully completed the unit's required operator training and certification.

5.5.2. Payment. Eligible personnel will be paid:

5.5.2.1. $750 per month for personnel who have a post-training cumulative unit assignment time of less than 36 months; or

5.5.2.2. $500 per month for personnel who have a post-training cumulative unit assignment time of 36 months or more.

5.5.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.6 Alice Springs, Australia

5.6.1. Eligibility

Air Force Officers and enlisted Airmen assigned to Alice Springs, Australia are eligible to receive AIP.

5.6.2. Payment

The monthly rate is $500.

5.6.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.7 Cavalier Space Force Station, ND

5.7.1. Eligibility

Regular Air Force Officers and enlisted Airmen, and Guardians assigned to the 10th Space Warning Squadron at Cavalier Space Force Station, ND are eligible to receive AIP.

5.7.2. Payment

The monthly rate is $700.

5.7.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.8 Extended Training Service Specialists (ETSS)

5.8.1. IAW DoDI 1340.26, and subject to annual congressional authorization and the availability of appropriated funds, Airmen assigned to identified hard-to-fill billets in the ETSS program support to Foreign Military Sales activities are eligible to receive AIP.

5.8.2. Airmen filling these billets will receive AIP at a rate of $1,500 per month, subject to the AIP rate ceiling established by the Deputy ASD for Military Personnel Policy.

5.8.3. Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.9 Intercontinental Ballistic Missile Field Operations Program

The SAF established an AIP program for officers assigned to Minot Air Force Base (AFB), Malmstrom AFB, or F.E. Warren AFB.

5.9.1. Eligibility Requirements

5.9.1.1. Missile and Nuclear Operations (13N), Missile Maintenance (21M), and Security Forces (31P) officers who are qualified to perform nuclear position duties are eligible.

5.9.1.2. Officers who are assigned to qualifying positions at Minot AFB, Malmstrom AFB, or F.E. Warren AFB and regularly perform duties in missile fields at these locations are eligible.

5.9.1.3. Officers whose “regular performance of duties” requires dispatch on orders to a missile field for a minimum number of hours within a 90-day calendar quarter (example: 210 hours out of a 90-day period) are eligible. This pay is not intended for those who go to the missile field sporadically.

5.9.2. Payment

Officers meeting the requirements will receive $300 per month. The unit commander will sign the AIP roster certifying the officer has met all the requirements.

5.9.3. Termination

Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.10 Kingsley Field, Klamath Falls, Oregon

5.10.1. Regular Air Force and Active Guard Reserve (AGR) Airmen permanently assigned to the 173rd Fighter Wing, Kingsley Field, Klamath Falls, Oregon will be eligible to receive AIP under 37 U.S.C. § 352. Air Force and AGR Airmen assigned to the 173rd Fighter Wing in a student status are not eligible for AIP.

5.10.2. Members who meet the eligibility provisions outlined in 5.8.1., will be authorized $400 AIP per month.

5.10.3. AIP must be terminated immediately if the member is AWOL, placed in confinement, or removed from field duties by the commander for cause. For officers, the termination is effective the day prior to promotion to the grade of Major. The effective date of termination is the last day the Airman met the requirements before removal.

5.10.4. AIP must terminate upon Permanent Change of Station to a location other than the 173rd Fighter Wing, Kingsley Field, Klamath Falls, Oregon or upon starting permissive leave in conjunction with terminal leave status.

5.10.5. Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.11 KAIP

5.11.1. All officers and enlisted personnel are eligible to receive KAIP under 37 USC § 352. Members will continue to receive AIP payments until the end-date specified in their agreements or their departure from Korea.

5.11.1.1. Airmen who are:

5.11.1.1.1. Selected for a 12-month unaccompanied tour in the Republic of Korea, and who execute a written agreement to serve either an additional 12- or 24-month unaccompanied tour, will receive $300.00 per month regardless of rank or Air Force Specialty Code (AFSC); or

5.11.1.1.2. Offered and have accepted a Command Sponsorship Program billet in the Republic of Korea and execute a written agreement to serve the 36-month accompanied tour, will receive $300.00 per month regardless of rank or AFSC.

5.11.1.2. The SAF reauthorized the continuance of KAIP through the termination date on the Duration of Authority table.

5.11.1.3. The AIP will be stopped upon termination of the contract or curtailment of the agreed tour of duty for any reason, either voluntary or involuntary. The entitlement to AIP will be terminated if the member is AWOL or enters confinement.

5.11.1.4. Airmen who elect AIP for Korea will not be eligible for Home Basing, Follow-on Assignment, or concurrent Overseas Tour Extension Incentive Program or In-Place Consecutive Overseas Tour.

5.11.2. The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) memorandum establishes three categories of assignments applicable for AIP payments. All categories require a written agreement by the member. The categories are:

5.11.2.1. Members who volunteer for a 36-month initial assignment to Pyeongtaek, Osan, Daegu, Chinhae, or Seoul may be paid $300 per month in AIP, to be paid on a monthly basis, upon commencement of the assignment.

5.11.2.2. Members who volunteer for a 24-month initial assignment to Uijongbu or Dongducheon may be paid $300 per month in AIP, to be paid on a monthly basis, upon commencement of the assignment.

5.11.2.3. Members who accept an initial tour to Korea in any location and later elect to extend their assignment length for 12 or 24 months may be paid $300 per month, to be paid on a monthly basis, upon commencement of the tour with an extension agreement, or entering the extension, whichever is earlier.

5.11.3. Restrictions. At any time during the authorized period, the SAF (M&RA) may terminate the KAIP program if it is no longer required.

5.11.4. Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

*5.12 Turkey

5.12.1. Active-duty Airmen and Guardians assigned to Turkey serving an unaccompanied tour of 12-months who agree to serve a total of 24-months in Turkey, may elect, and will receive Turkey (TAIP) at a rate of $1,000.00 per month.

5.12.2. Members who meet the eligibility provisions outlined in 5.11.1 will receive TAIP at a rate of $1,000 per month effective on:

5.12.2.1. The effective date of payment for Airmen and Guardians electing TAIP at their losing base will equal:

5.12.2.1.1. Their Date Arrived Station; or

5.12.2.1.2. December 29, 2022, whichever is later.

5.12.2.2. The effective date of payment for Airmen and Guardians electing TAIP after arriving in Turkey will equal the date:

5.12.2.2.1. They sign the TAIP agreement; or

5.12.2.2.2. December 29, 2022, whichever is later.

5.12.3. Unless reauthorized by Congress, AIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless the AIP agreement was entered into prior to the date on the table.

6.0 MARINE CORPS AIP PROGRAMS

Consult with Headquarters Marine Corps Manpower and Reserve Affairs for a list of ***USMC AIP***s.

*7.0 AIP IN LIEU OF POST-DEPLOYMENT MOBILIZATION RESPITE ABSENCE (PDMRA) PROGRAM

The Secretary of Defense directed on January 19, 2007, that a program be established to recognize members who mobilize or deploy more frequently than established rotation policy goals. The PDMRA program was established to allow a member to earn days of administrative absence, not chargeable to the member's accrued leave account, dependent on the length of time the member deployed beyond the rotation policy goals. Effective May 24, 2007, the program also allowed members to receive monetary compensation in lieu of administrative absence days in certain situations. The authority to pay monetary compensation terminated October 1, 2014. Paragraphs 7.1 – 7.6 are included for historical information only.

7.1 USD (P&R) Memorandum, May 24, 2007

The USD (P&R) authorized the Secretary concerned to offer the option of payment of AIP in lieu of taking administrative absence under the PDMRA program in certain situations. RC members (as described in subparagraph 7.1.1) may elect to receive AIP for PDMRA days earned instead of taking the administrative absence. The programs are not effective until the Services publish their implementation instructions.

7.1.1. Eligible Members. RC members who are also federal, state, or local government civilian employees and precluded by law from being paid by two entities for simultaneously serving in an RC status and in their civilian government jobs may elect the payment of AIP instead of taking administrative absence.

7.1.2. Requirement. The member must elect to receive the AIP instead of the PDMRA administrative absence days before the PDMRA days are earned.

7.1.3. Payment. Members electing to be paid the AIP will receive $200 for each PDMRA day earned. Members are not authorized to be paid for any PDMRA days earned before an election is made.

7.1.4. Restrictions

7.1.4.1. Payment of the AIP will not exceed the monthly limit of $1,500.

7.1.4.2. The PDMRA payment benefit is not eligible for combat zone tax exclusion (CZTE).

7.1.5. Service Instructions. Effective dates for the implementation are:

7.1.5.1. Marine Corps: July 27, 2007;

7.1.5.2. Navy: August 2, 2007;

7.1.5.3. Army: August 7, 2007; and

7.1.5.4. Air Force: October 1, 2007.

7.2 Authority

Public Law 111-84, section 604, dated October 28, 2009, authorized the Secretary of Defense to prescribe regulations allowing the Secretary concerned to provide current and former members with payment for administrative absence days earned under the PDMRA program during the period January 19, 2007, through the date the Service implemented their respective PDMRA program. The USD (P&R) issued guidance on February 1, 2010, authorizing the Secretary concerned to issue implementing guidance. The authority expired on October 28, 2010.

7.2.1. Eligible Members

7.2.1.1. Former members who were discharged or released from the Armed Forces under honorable conditions are eligible.

7.2.1.2. Current Active Component (AC) and RC members, who qualified for PDMRA days during the period described in paragraph 7.2, are eligible.

7.2.2. Payment

7.2.2.1. Former members may receive $200 for each PDMRA day earned.

7.2.2.2. Current members, who earned PDMRA days during the period of January 19, 2007, through the date the member's service implemented the PDMRA benefits as stated in subparagraph 7.1.5., may receive either one day of administrative absence for each

PDMRA day earned or payment of $200 per day during that time frame as directed by the Secretary concerned.

7.2.2.3. Payment may be paid in a lump sum or installments, at the election of the Secretary concerned.

7.2.3. Restrictions

7.2.3.1. Payment of the AIP will not exceed the monthly limit of $1,500.

7.2.3.2. The PDMRA payment benefit is not eligible for CZTE.

7.3 Qualifying Deployments and Mobilizations on or After January 19, 2007

The following is the program guidance for qualifying deployment and mobilizations on or after January 19, 2007, but before October 1, 2011.

7.3.1. Frequency Thresholds

7.3.1.1. AC members deployed in excess of 12 months during the most recent 36-month period qualify for PDMRA.

7.3.1.2. RC members mobilized in excess of 12 months during the most recent 72-month period qualify for PDMRA.

7.3.2. Creditable Time

7.3.2.1. Creditable time for AC members includes the day of the member's arrival at the deployed location through departure of BoG.

7.3.2.2. Creditable time for RC members includes mobilizations under ***10 U.S.C. § 12301(a)***, ***10 U.S.C. § 12302***, or ***10 U.S.C. § 12304***. Mobilization for this purpose includes the day the member is mobilized through the date the mobilization is terminated.

7.3.2.3. The Secretary concerned may include other deployments or mobilizations in conjunction with an expanded program for the Service concerned.

7.3.2.4. For AC members, computation of creditable time commences 36 months prior to the member's deployment and continues during the deployment.

7.3.2.5. For RC members, computation of creditable time commences 72 months prior to the member's mobilization and continues during the deployment.

7.3.2.6. The Secretary concerned will establish policy on the crediting of time when court-martial or other adverse administrative actions have been initiated.

7.3.2.7. PDMRA days are authorized for each month or portion of a month that a member is deployed (AC) or mobilized (RC) beyond the frequency thresholds at subparagraph 7.3.1. The number of PDMRA days awarded to AC and RC members are:

7.3.2.7.1. One day of administrative absence per month in excess of 12 months during the qualifying period;

7.3.2.7.2. Two days of administrative absence per month in excess of 18 months during the qualifying period; or

7.3.2.7.3. Four days of administrative absence per month in excess of 24 months during the qualifying period.

7.3.2.8. The Secretary concerned may develop supplementary tables, including other non-monetary recognition programs, delivering comparable or greater benefits to members meeting the frequency thresholds at subparagraph 7.3.1.

7.3.2.9. RC members must be on AD during the days they take their earned PDMRA days.

7.3.3. Payment

7.3.3.1. Under current law, RC members who are also federal, state, or local government civilian employees are not permitted to receive their civilian pay on the same days they are serving on AD. Affected members may elect to receive AIP at $200 for each day of absence that otherwise would have been authorized, not to exceed $1,500 monthly, in lieu of being awarded administrative absence days.

7.3.3.2. There is no option to cash in administrative absence days already earned. The AIP election must be made by the affected RC member prior to the days being earned.

7.4 Qualifying Deployments and Mobilizations on or After October 1, 2011

The following is program guidance for qualifying deployments and mobilizations on or after October 1, 2011, including that portion of an ongoing deployment or mobilization that occurs on or after October 1, 2011.

7.4.1. Deployment and Mobilization Frequency Requirements and/or Thresholds

7.4.1.1. AC members, who on the first day of their current deployment, had deployed in excess of 12 months out of the previous 36 months, and who meet the other eligibility criteria contained in this section, qualify for PDMRA days.

7.4.1.2. RC members, who on the first day of their current qualifying mobilization, had been mobilized pursuant to 10 U.S.C. §§ 12301(a), 12302, or 12304 in excess of 12 months out of the previous 72 months, and who meet the other eligibility criteria contained in this section,

qualify for PDMRA days. The 12-month qualifying period may include service pursuant to 10 U.S.C. § 12301(d) when designated by the Secretary concerned.

* 7.4.1.3. The Secretary concerned may utilize the deployment-to-dwell ratio of 1:2 for AC members or mobilization-to-dwell ratio of 1:4 for RC members as the qualifying threshold for providing PDMRA benefits, as opposed to the requirements contained in subparagraphs 7.3.1 and 7.3.2.

7.4.2. Two Days PDMRA Accrual Conditions

7.4.2.1. AC Service members accrue 2 administrative absence days per month when the deployment threshold established in subparagraph 7.4.1 is exceeded, and the AC member is:

7.4.2.1.1. Deployed to Iraq or Afghanistan; or

7.4.2.1.2. Deployed to a CZTE area when the area has been designated as a 2-day per month PDMRA accrual location by the Secretary concerned.

7.4.2.2. RC Service members accrue 2 administrative absence days per month when the mobilization threshold established in subparagraph 7.4.1 is exceeded, and the RC member is serving:

7.4.2.2.1. In Iraq or Afghanistan pursuant to 10 U.S.C. §§ 12301(a), 12302, or 12304;

7.4.2.2.2. In Iraq or Afghanistan pursuant to 10 U.S.C § 12301(d) when designated by the Secretary concerned; or

7.4.2.2.3. In a CZTE area under the authority of 10 U.S.C. §§ 12301(a), 12301(d), 12302, or 12304 when the CZTE area has been designated as a 2-day per month PDMRA accrual location by the Secretary concerned.

7.4.3. One Day PDMRA Accrual Conditions

7.4.3.1. AC members accrue 1 administrative absence day per month when the deployment threshold established in subparagraph 7.4.1 is exceeded for deployments to a qualifying CZTE area when the CZTE area has been designated as a 1-day per month PDMRA accrual location by the Secretary concerned.

7.4.3.2. RC members accrue 1 administrative absence day per month when the mobilization threshold established in subparagraph 7.4.1 is exceeded, and the RC member is serving:

7.4.3.2.1. Outside of the United States pursuant to 10 U.S.C. § 12301(a), 10 U.S.C. § 12302, or 10 U.S.C. § 12304;

7.4.3.2.2. Outside of the United States pursuant to 10 U.S.C. § 12301(d) when designated by the Secretary concerned; or

7.4.3.2.3. In a CZTE area pursuant to 10 U.S.C. § 12301(d) when the CZTE area has been designated as a 1-day per month PDMRA accrual location by the Secretary concerned.

7.4.4. PDMRA Accrual Conditions

7.4.4.1. Service members, at a minimum, must meet PDMRA eligibility criteria contained in paragraphs 7.3 and 7.4 for 30 consecutive days in order to begin accruing PDMRA days.

7.4.4.1.1. PDMRA accrual for AC members includes the day that the member arrives at the deployed location through the day that the member redeploys.

7.4.4.1.2. PDMRA accrual for RC members includes the day that the member is ordered to duty pursuant to 10 U.S.C. §§ 12301(a), 12302, or 12304 through the date that the member's service is terminated under that same authority.

7.4.4.2. When designated as qualifying for PDMRA by the Secretary concerned pursuant to subparagraphs 7.4.2.2.2, 7.4.2.2.3, 7.4.3.2.1, or 7.4.3.2.2 include the day that the member enters service pursuant to 10 U.S.C. § 12301(d) through the date that the member's service is terminated under that same authority.

7.4.5. Extensions of Mobilization Orders to Utilize Accrued PDMRA Days. The Secretary concerned may extend the mobilization orders of RC Service members, within statutory limitations, to allow these members to utilize PDMRA days accrued during the mobilization. RC members do not accrue PDMRA days during the time that mobilization orders are extended for the purpose of utilizing PDMRA days.

7.4.6. Election of Payment for PDMRA Days

7.4.6.1. Under current law, RC members who are also federal, state, or local government civilian employees are not permitted to receive their civilian pay while on AD utilizing accrued PDMRA days.

7.4.6.2. To resolve this pay restriction, the Secretary concerned may offer such RC members a special PDMRA payment, which permits such members to elect to receive AIP in lieu of being awarded PDMRA administrative absence days.

7.4.6.3. If this option is offered, the AIP election must be made by the RC Service member prior to earning PDMRA days. The AIP would be valued at a rate of $200 for each day of administrative absence that otherwise would have been authorized under the PDMRA program, not to exceed the $1,500 monthly maximum limit of AIP. This option may not be used to cash in administrative absence days already earned.

7.4.7. Crediting PDMRA Time. The Secretary concerned will establish policy on crediting PDMRA time when court-martial or other adverse administrative actions have been initiated.

7.4.8. RC Use of Administrative Absence Days. RC members must be serving pursuant to 10 U.S.C. §§ 12301(a), 12301(d), 12302, or 12304 in order to utilize the administrative absence days accrued under the PDMRA program.

7.5 Public Law 112-120, Dated May 25, 2012

7.5.1. Public Law 112-120 clarified the entitlement to PDMRA days for RC members. The law allows for the Secretary of Defense to determine that provisions of entitlement outlined in ***DoDI 1327.06***, "Leave and Liberty Policy and Procedures" will not apply to RC members whose qualified mobilization commenced before October 1, 2011, and continued on and after that date until the date the mobilization terminated.

7.5.2. The USD (P&R) issued implementation guidance for Public Law 112-120 on July 11, 2012. The guidance stipulated that:

7.5.2.1. Each Secretary concerned will publish implementing guidance and establish an application process to allow qualifying current and former RC members to apply for benefits authorized by Public Law 112-120.

7.5.2.2. Benefits are only authorized for RC members who deployed Outside the Continental United States and whose qualified mobilization commenced before October 1, 2011.

7.5.2.3. Each Secretary concerned will provide qualifying applicants with a PDMRA day, or a payment of $200 for each PDMRA day that the individual would have qualified for had the October 1, 2011, guidance changes not applied to the individual.

7.5.2.4. Each Service's application for benefits will require qualifying RC members to elect to receive either a PDMRA day or payment of $200 for each qualifying PDMRA day. The application will caution members who are no longer mobilized in a status where they can use the PDMRA days and elect PDMRA days in lieu of payment that:

7.5.2.4.1. The PDMRA days will be banked and cannot be used until the next qualifying period of service; and

7.5.2.4.2. Banked PDMRA days will be lost if the member is separated from the military prior to using the PDMRA days. Banked PDMRA days cannot be subsequently sold.

7.5.2.5. Qualifying former RC members will only receive $200 per day for each PDMRA day.

7.5.2.6. Former RC members who were discharged or released from the Armed Forces under other than honorable conditions are not eligible for benefits.

7.5.2.7. Each Secretary concerned may elect to pay qualifying individuals a lump sum payment or installments.

7.5.2.8. The authority to provided benefits under Public Law 112-120 expires on October 1, 2014. This expiration does not affect PDMRA days earned prior to but used or paid for after October 1, 2014. The member must have elected the payment option before October 1, 2014.

7.6 Public Law 112-239, Dated January 2, 2013

7.6.1. Public Law 112-239 allows for the payment of $200 per day to individuals who were eligible to participate as a member of the Armed Forces in the PDMRA program, but who did not participate in 1 or more days in the program due to Government error. Those individuals must apply for payment of PDMRA days with an application for the correction of their military records pursuant to ***10 U.S.C. § 1552***, or other process as prescribed by the Secretary concerned.

7.6.2. A claim for a deceased individual, who would have been authorized to apply for the payment of $200 in subparagraph 8.6.1, may be submitted by the deceased individual's legal representative. Payment for a deceased member will be made pursuant to 10 U.S.C. § 1552 (c)(2), or other process as determined by the Secretary concerned.

*REFERENCES

CHAPTER 15 – SPECIAL PAY – ASSIGNMENT INCENTIVE PAY (AIP)

2.0 –DoD AIP CRITERIA

37 U.S.C. § 352
DoDI 1332.45, July 30, 2018, Change 1 April 27, 2021
DoDI 1340.26, September 25, 2017, Change 1
January 11, 2019

3.0 – ARMY AIP PROGRAMS

3.1	DA, ODCS, G-1 Memo, September 18, 2020
3.2	DA, ODCS, G-1 Memo, September 28, 2022
3.3	DA, OAS M&RA Memo, September 28, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
3.4	DA, ODCS, G-1 Memo, October 26, 2023
3.5	DA, ODCS, G-1 Memo, September 28, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
3.6	DA, ODCS, G-1 Memo, September 23, 2020
	DA, ODCS, G-1 Memo, January 12, 2024
3.7	DA, ODCS, G-1 Memo, September 30, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
3.8	DA, ODCS, G-1 Memo, October 11, 2022
	DA, ODCS, G-1 Memo, October 31, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
3.9	DA, ODCS, G-1 Memo, September 28, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
3.10	DA, ODCS, G-1 Memo, September 28, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
3.11	DA, ODCS, G-1 Memo, September 28, 2022
	DA, ODCS, G-1 Memo, September 28, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
	DA, ODCS, G-1 Memo, October 2, 2023
3.12	DA, OAS M&RA Memo, October 31, 2023
3.13	DA, ODCS, G-1 Memo, September 30, 2022
	DA, ODCS, G-1 Memo, October 2, 2023
3.14	DA, ODCS, G-1 Memo, September 30, 2022
	DA, ODCS, G-1 Memo, October 5, 2023
3.15	DA, ODCS, G-1 Memo, September 30, 2022
	DA, ODCS, G-1 Memo, October 2, 2023

5.0 – AIR FORCE AIP PROGRAMS

5.1	Department of the Air Force Office of the Assistant Secretary (DAF OAS) December 22, 2023
5.2.	DAF OAS Memo, December 20, 2023(378 FS) DAF OAS Memo, December 21, 2023(315 FS and 367 FS) DAF OAS Memo, December 21, 2021
5.3	DAF OAS Memo, January 18, 2024
5.4	DAF OAS Memo, October 23, 2020 DAF OAS Memo, December 22, 2014
5.5	DAF OAS Memo, December 23, 2019 DAF Headquarters Air Force Personnel Center Memo, October 31, 2014
5.6	DAF OAS Memo, December 21, 2021
5.7	DAF OAS Memo, December 21, 2021 DAF OAS Memo, December 27, 2023
5.8	DAF OAS Memo, August 23, 2023 DAF OAS Memo, December 3, 2020
5.9	DAF OAS Memo, December 4, 2020 SAF Memo March 15, 2018
5.10	DAF OAS Memo, January 27, 2022 SAF Memo, July 27, 2017
5.11	DAF OAS Memo, October 23, 2023 DAF OAS Memo, August 31, 2020
5.12	DAF OAS Memo, March 30, 2023 DAF OAS Memo, October 23, 2023 DAF OAS Memo December 18, 2020

7.0 –AIP IN LIEU OF POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE (PDMRA)

	USD (P&R) Memo, April 18, 2007
7.1	USD (P&R) Memo, May 24, 2007 DoDI 1340.26, September 25, 2017, Change 1 January 11, 2019
7.2	USD (P&R) Memo, February 1, 2010
7.3	DoDI 1327.06, June 16, 2009, Change 5, August 26, 2023
7.3.3.	37 U.S.C. § 352
7.4	DoDI 1327.06, June 16, 2009, Change 5, August 26, 2023, Enclosure 4, paragraph 3.a(3) USD (P&R) Memo, August 16, 2021
7.5	Public Law 112-120, May 25, 2012 USD (P&R) Memo, July 11, 2012
7.6	Public Law 112-239, section 605, January 2, 2013 10 U.S.C. § 1552

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 16: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

VOLUME 7A, CHAPTER 17: "SPECIAL PAY – HARDSHIP DUTY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated December 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
Table 17-1	Updated Burkina Faso rates in accordance with the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, March 19, 2023.	Revision
	Updated Rangoon, Burma rates in accordance with the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, May 31, 2023.	Revision
	Updated Ukraine rates in accordance with the Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, July 13, 2023.	Revision
	August 2025: Updated table to include the Hardship Duty Pay – Locations in accordance with the Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, August 15, 2025.	Revision
References	Updated to reflect current statutes and policy memos.	Revision

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CHAPTER 17

SPECIAL PAY – HARDSHIP DUTY

1.0 GENERAL

1.1 Purpose

This chapter prescribes the policy for payment of Hardship Duty Pay (HDP) and lists the areas where members are authorized to receive these entitlements.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code, section 352 (***37 U.S.C. § 352***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 HDP

2.1 HDP – Location (HDP – L)

2.1.1. Purpose. HDP – L is designed to recognize service at locations where living conditions are substantially below those normally found within the continental United States and to provide equity across DoD for Service members assigned to these locations. Locations are contained in Table 17-1, and are listed on the ***Hardship Duty Pay - Locations*** table on DFAS.MIL.

2.1.2. Eligibility. All Service members permanently assigned or serving in a temporary additional duty/temporary duty (TAD/TDY), deployed, or attached status for over 30 consecutive days in a designated area, will receive HDP – L. Service members on permanent reassignment to the area are eligible for HDP – L from the day of arrival at the new station. The conditions for HDP – L are set forth in Table 17-2. The Assistant Secretary of Defense – Manpower and Reserve Affairs (ASD (M&RA)) will promulgate any additional eligibility criteria by issuing a policy decision memorandum.

2.1.3. Locations and Amounts. The ASD (M&RA) will promulgate locations and specific amounts for HDP – L at the rates shown in Table 17-1.

2.1.4. Restrictions. Service members performing duty temporarily in a designated area are not eligible for HDP – L during the first 30 days of consecutive duty in the area. On the 31st day, HDP – L is payable to the member retroactive to the date the member reported for duty at the location. The ASD (M&RA) will promulgate any additional restrictions for HDP – L.

2.1.5. Termination. HDP – L entitlement ends on:

2.1.5.1. The day the member departs the station as a result of Permanent Change of Station (PCS) reassignment; or

2.1.5.2. The last day of the effective period as stated in Table 17-1; or

2.1.5.3. The day specified in Table 17-1 for specific situations.

2.2 HDP – Mission (HDP – M)

2.2.1. Purpose. HDP – M is designed to recognize permanent or temporary assignment of Service members when conditions are deemed particularly arduous or require Service members to perform duties outside of normal military operations.

2.2.2. Eligibility. Eligibility criteria will be established by the ASD (M&RA) for Service members permanently or temporarily assigned to a designated mission. A member assigned to, on TAD/TDY with, or otherwise under the operational control of the Defense Prisoner of War/Missing Personnel Office, the Joint Task Force-Full Accounting, or the Central Identification Lab-Hawaii, may qualify for HDP – M based on performance of a hardship mission. Eligible members are entitled to receive HDP – M for each month in which they perform investigative or remains recovery duty in a remote, isolated area (including, but not limited to, areas in Laos, Cambodia, Vietnam, North Korea, Albania, Bulgaria, Bosnia-Herzegovina, Croatia, Egypt, Italy, Romania, Servia, Slovenia, and Yugoslavia) in the recovery of U.S. Service member remains.

2.2.3. Maximum Amount. HDP – M is payable to all members at the rate of $150 per month. HDP – M is payable at the full monthly rate, without prorating or reduction, for each month, during any part of which, the member performs a specified mission.

2.3 HDP – Tempo (HDP – T)

2.3.1. Purpose. HDP – T is designed to recognize extended or excessive amounts of time outside of a Service member's permanent duty station (PDS).

2.3.2. Eligibility. Secretaries of the Military Departments concerned will establish eligibility criteria based on Service-specific needs but will consider retention, quality of life, family separation, and other factors that contribute to a Service member's dissatisfaction when spending extended or excessive amounts of time away from the Service member's PDS.

2.3.3. Amount. Secretaries of the Military Departments concerned will establish monthly rates, but the maximum amount of HDP – T per month will not exceed $500.

2.3.4. Restrictions. The Secretary of the Military Departments concerned will prorate the monthly amount of HDP – T for a member who does not satisfy the eligibility requirements for an entire month.

NOTE: For periods of absence, consult with Service regulations to determine eligibility.

2.4 HDP – Restriction of Movement (HDP – ROM)

2.4.1. Purpose. HDP – ROM is designed for Service members ordered by their command to restriction of movement for self-monitoring due to exposure or suspected exposure to COVID-19.

2.4.2. Eligibility. Effective March 13, 2020, Service members ordered by their command:

2.4.2.1. To restriction of movement for self-monitoring due to exposure or suspected exposure to COVID-19; or

2.4.2.2. To restriction of movement for self-monitoring due to travel to, from or through a Center for Disease Control and Prevention Level 3 Travel Health Notice country;

2.4.2.3. That are directed to do so at a facility that is neither provided by the U.S. Government nor is their personal residence at the member's PDS; and

2.4.2.4. Are required to pay for the cost of their lodging without full or partial reimbursement.

2.4.3. Amount. HDP – ROM will be paid at the rate of $100 per day not to exceed $1,500 per month.

3.0 RESTRICTIONS ON PAYMENT

3.1 General Restrictions

When a member is in receipt of Hostile Fire Pay (HFP) or Imminent Danger Pay (IDP), then the maximum amount of HDP – L is $100. The total entitlement of HDP – L plus HFP or IDP in any 1 month may not exceed $325.

3.2 Concurrent Payments

The combination of HDP – M, HDP – L, and HDP – T entitlements and other assignment and special duty pays may not exceed an average monthly amount of $3,500 unless otherwise authorized by ASD (M&RA).

NOTE: As of the March 13, 2020, memorandum from ASD (M&RA), HDP – ROM may be paid in addition to all other HDPs and assignment and special duty pays such that the total combined HDP and assignment and special duty pays may not exceed the average monthly amount of $5,000 as prescribed in 37 USC § 352(b)(2).

*Table 17-1. Hardship Duty Pay - Location
For the most current locations, see Hardship Duty Pay – Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
Afghanistan	Note 3	$100	Nov 1, 2001	
Albania		$150	Apr 1, 2002	
Algeria	Note 3	$100	Sep 1, 2007	
American Samoa		$50	Jun 15, 2005	
Angola		$150	Sept 1, 2007	
Antarctic Region Posts	below 60° S latitude	$150	Jan 1, 2001	
Antigua AS		$50	Apr 18, 2002	
Arctic Circle Posts	above 66°33’ N latitude	$150	Jan 1, 2001	
Argentina	Buenos Aires	$50	Oct 1, 2017	
	Other	$0	Oct 1, 2017	
*Armenia		$100	Jan 1, 2026	
		$150	Jan 1, 2001	Dec 31, 2025
Aruba		$50	Jan 1, 2022	
Ascension AAF		$150	Apr 18, 2002	
Australia	Alice Springs	$50	Jan 1, 2001	
	Other	$0	Jan 1, 2001	
Azerbaijan Note 3	Note 3	$100	Oct 31, 2007	
Bahamas		$50	Oct 1, 2017	
Bahrain		$100	Oct 1, 2017	
Bangladesh		$150	Jan 1, 2001	
Barbados		$50	Oct 1, 2017	
*Belarus		$150	Sep 1, 2025	
		$100	Jan 1, 2018	Aug 31, 2025
*Belize		$150	Sep 1, 2025	
		$100	Mar 1, 2022	Aug 31, 2025
Benin		$150	Jan 1, 2001	
*Bermuda		$50	Sep 1, 2025	
*Bolivia	Cochabamba	$0	Mar 1, 2022	
	La Paz	$150	Sep 1, 2025	
		$100	Mar 1, 2022	Aug 31, 2025
	Santa Cruz	$0	Mar 1, 2022	
	Other	$150	Sep 1, 2025	
		$100	Mar 1, 2022	Aug 31, 2025
Bosnia-Herzegovina	Banja Luka	$150	Jan 1, 2022	
	Other	$100	Jan 1, 2018	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
*Botswana	Selebi-Phikwe	$50	Sep 1, 2025	
	Other	$100	Sep 1, 2025	
		$50	Apr 1, 2012	Aug 31, 2025
*Brazil	Campinas	$0	Jan 1, 2022	
	Fortaleza	$0	Mar 1, 2022	
	Recife, Pernambuco	$150	Sep 1, 2025	
		$100	Jan 1, 2002	Aug 31, 2025
	Other	$50	Jan 1, 2022	
Brunei		$100	Jan 1, 2022	
Bulgaria		$50	Jun 1, 2012	
Burkina Faso	Note 3	$100	Mar 29, 2023	
Burma	Rangoon (Note 3)	$100	May 31, 2023	
	Other	$150	Jan 1, 2001	
Burundi (Note 3)		$100	May 10, 2005	
Cambodia		$150	Oct 11, 2001	
*Cameroon (Note 3)	Far North Regions	$100	Jun 7, 2017	
	North Region	$100	Jun 7, 2017	
	*Other (Note 4)	$150	Sep 1, 2025	
		$100	Mar 1, 2022	Aug 31, 2025
Canada	Northwest Territory	$150	Jan 1, 2001	
	Other	$0	Jan 1, 2001	
Cape Verde		$150	Jan 1, 2001	
Central African Republic		$150	Jan 1, 2001	
Chad	Note 3	$100	Aug 11, 2008	
Chagos Archipelago		$50	Jan 1, 2001	
Chile		$50	Jan 1, 2022	
*China	Beijing	$150	Jan 1, 2022	
	Guangzhou	$150	Sep 1, 2025	
		$50	Mar 1, 2022	Aug 31, 2025
	Hong Kong	$50	Jan 1, 2022	
	Kunming	$0	Jan 1, 2018	
	Shanghai	$100	Sep 1, 2025	
		$50	Jan 1, 2018	Aug 31, 2025
	Other	$150	Feb 1, 2004	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
*Colombia	Note 3	$100	Sep 1, 2025	
		$50	Mar 1, 2022	Aug 31, 2025
Cook Island	Rarotonga	$50	Jan 1, 2001	
	Other	$100	Jan 1, 2001	
Costa Rica	San Jose	$0	Dec 1, 2007	
	Other	$50	Jan 1, 2001	
Cote D'Ivoire		$150	Jun 1, 2020	
Cuba	Guantanamo Bay (Other)	$50	Mar 1, 2022	
	Joint Task Force Guantanamo Bay	$150	Oct 4, 2006	
	Joint Task Force Guantanamo Bay, (Detention Detail)(Note 3 & 5)	$100	Dec 26, 2006	
	Havana	$150	Jan 1, 2001	
	Other	$50	Jan 1, 2001	
Curacao		$50	Jan 1, 2022	
Democratic Republic of the Congo	Note 3	$100	June 7, 2005	
Djibouti	Note 3	$100	Aug 1, 2002	
Dominican Republic		$100	Sep 1, 2025	
		$50	Mar 1, 2022	Aug 31, 2025
East Timor		$150	Jun 1, 2014	
*Ecuador	Guayaquil	$150	Sep 1, 2025	
	Quito	$100	Sep 1, 2025	
	Other	$100	Oct 1, 2017	
Egypt	Note 3	$100	Apr 1, 2012	
El Salvador		$100	Jun 1, 2012	
Equatorial Guinea		$150	Sep 1, 2007	
Eritrea		$150	Jun 1, 2020	
*Estonia		$50	Sep 1, 2025	
		$0	Mar 1, 2022	Aug 31, 2025
Eswatini		$100	Jan 1, 2022	
Ethiopia	Note 3	$100	Jan 18, 2002	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
*Fiji		$150	Sep 1, 2025	
		$100	Jan 1, 2018	Aug 31, 2025
Gabon		$150	Oct 1, 2017	
Gambia		$150	Jan 1, 2001	
*Georgia		$100	Sep 1, 2025	
		$50	Mar 1, 2022	Aug 31, 2025
Ghana		$150	Jan 1, 2001	
Greece	Other	$0	Jan 1, 2001	
Greenland		$150	Jan 1, 2001	
Grenada		$50	Jan 1, 2001	
Guatemala	Guatemala City	$100	Apr 1, 2012	
	Other	$150	Apr 1, 2012	
Guinea		$150	Jan 1, 2001	
*Guinea Bissau	Bissau	$0	Jan 1, 2026	
	Other	$150	Jan 1, 2001	
Guyana		$150	Jan 1, 2001	
Haiti	Note 3	$100	Jan 8, 2020	
Honduras		$150	Oct 1, 2017	
Hong Kong		$50	Jan 1, 2022	
Hungary	Budapest	$0	Jan 1, 2001	
	Other	$50	Jan 1, 2001	
Iceland	Keflavik-Grindavik	$50	Jan 1, 2022	
	Other	$50	Oct 1, 2017	
India		$150	Feb 1, 2004	
*Indonesia	Central Sulawesi (Note 3)	$100	Oct 1, 2017	
	Papua (Note 3)	$100	Oct 1, 2017	
	Other (Note 4)	$150	Oct 1, 2017	
*Israel (Note 3)	Jerusalem	$100	Jan 1, 2022	
	West Bank	$100	Jan 1, 2022	
	Other	$50	Oct 1, 2017	
Jamaica	Kingston	$150	Oct 1, 2017	
	Other	$0	Jan 1, 2001	
Jordan	Note 3	$100	Jun 28, 2016	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
*Kazakhstan	Almaty	$150	Sep 1, 2025	
		$100	Jan 1, 2018	Aug 31, 2025
	Other	$100	Mar 1, 2022	
		$150	Jan 1, 2018	Feb 28, 2022
Kenya	Note 3	$100	May 23, 2002	
*Kiribati, Republic of	Kiritimati (Christmas Island)	$0	Mar 1, 2022	
	Other	$0	Feb 8, 2011	
Korea, Democratic Republic of	North Korea	$150	Jan 1, 2001	
*Korea Republic of (South Korea)	Area 1(Note 6)	$150	Jan 1, 2001	
	Busan	$0	Feb 28, 2022	
	Camp Carroll	$50	Sep 1, 2025	
	Changwon	$0	Feb 28, 2022	
	Chinhae	$0	Feb 28, 2022	
	Gwang Ju AB	$50	Sep 1, 2025	
	K-16	$0	Feb 28, 2022	
	Kimhae	$0	Feb 28, 2022	
	Kimpo Airfield	$0	Feb 28, 2022	
	Kunsan	$50	Sep 1, 2025	
	Kwangju	$50	Sep 1, 2025	
	Osan AB	$0	Feb 28, 2022	
	Pohang	$50	Mar 1, 2022	
	Pyongtaek	$0	Feb 28, 2022	
	Seoul	$0	Feb 28, 2022	
	Suwon	$0	Feb 28, 2022	
	Taegu	$0	Feb 28, 2022	
	Waegwan	$50	Sep 1, 2025	
	Other (Note 7)	$50	Jan 1, 2001	
Kosovo	Note 3	$100	Sep 1, 2007	
*Kuwait		$100	Sep 1, 2025	
		$50	Jun 1, 2012	Aug 31, 2025
Kyrgyzstan		$150	Jun 1, 2014	
Laos		$150	Jan 1, 2001	
*Latvia		$0	Mar 1, 2022	
Lebanon	Note 3	$100	Dec 1, 2004	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
Lesotho		$150	Jan 1, 2022	
Liberia		$150	Jan 1, 2022	
Libya	Note 3	$100	Apr 26, 2011	
Lithuania		$50	Apr 1, 2012	
Madagascar		$150	Jan 1, 2001	
Malawi		$150	Dec 1, 2004	
*Malaysia	Sabah (Note 3)	$50	Jan 1, 2026	
	Other (Note 4)	$50	Jan 1, 2026	
		$100	Jan 1, 2022	Dec 31, 2025
*Maldives	Male	$150	Sep 1, 2025	
	Other	$0	Sep 1, 2025	
Mali	Note 3	$100	Jun 7, 2017	
Malta		$50	Sep 1, 2007	
Marshall Islands	Majuro	$150	Apr 1, 2012	
	Other	$50	Jan 1, 2001	
Mauritania		$150	Jan 1, 2001	
*Mauritius		$50	Sep 1, 2025	
		$0	Mar 1, 2022	Aug 31, 2025
*Mexico	Ciudad Juarez	$150	Oct 1, 2017	
	Cuernavaca	$0	Feb 28, 2022	
	Guadalajara	$100	Oct 1, 2017	
	Hermosillo	$100	Apr 1, 2012	
	Matamoros	$150	Oct 1, 2017	
	Mazatlan	$100	Sep 1, 2025	
		$50	Apr 1, 2012	Aug 31, 2025
	Merida	$50	Mar 1, 2022	
	Metapa	$100	Sep 1, 2025	
		$50	Mar 1, 2022	Aug 31, 2025
	Mexico City D.F.	$100	Feb 1, 2004	
	Monterrey	$50	Mar 1, 2022	
	Nogales	$150	Jan 1, 2022	
	Nuevo Laredo	$150	Oct 1, 2017	
	Tijuana	$150	Jan 1, 2022	
	Veracruz	$0	Mar 1, 2022	
	Other	$100	Sep 1, 2025	
		$50	Jan 1, 2001	Aug 31, 2025

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
Micronesia, Federated States of		$150	Dec 1, 2004	
Moldova		$100	Jan 1, 2018	
Mongolia		$150	Jan 1, 2001	
*Montenegro	Podgorica	$50	Jan 1, 2026	
		$100	Jan 1, 2018	Dec 31, 2025
	Other	$50	Jun 1, 2012	
Morocco	Casablanca	$100	Jan 1, 2022	
	Rabat	$50	Oct 1, 2017	
	Other	$0	Apr 1, 2012	
Mozambique		$150	Jan 1, 2001	
Namibia		$50	Sep 1, 2007	
Nepal		$150	Jan 1, 2001	
Nicaragua		$150	Oct 1, 2017	
Niger	Note 3	$100	Jun 7, 2017	
Nigeria		$150	Jan 1, 2001	
*North Macedonia		$100	Sep 1, 2025	
*Norway	Tromso	$50	Sep 1, 2025	
	Other	$0	Sep 1, 2025	
Oman	Muscat	$50	Oct 1, 2017	
	Other	$100	Jan 1, 2018	
Pakistan (Note 3)		$100	Nov 1, 2001	
*Palau		$150	Sep 1, 2025	
		$50	Jan 1, 2001	Aug 31, 2025
Panama		$50	Oct 1, 2017	
Papua New Guinea		$150	Jan 1, 2001	
Paraguay		$50	Jan 1, 2001	
Peru		$100	Jun 1, 2012	
Philippines	Davao City	$0	Jan 1, 2018	
	Island of Mindanao (Note 3)	$100	Jan 1, 2022	
	Sulu Archipelago (Note 3)	$100	Jan 1, 2022	
	Other	$100	Jan 1, 2018	
*Portugal	Ponta Delgada	$50	Jan 1, 2022	
	Other	$0	Jan 1, 2022	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
*Qatar	Al Udeid AB	$50	Apr 1, 2002	
	Camp As Syliyah	$50	Apr 1, 2002	
	Camp Snoopy	$50	Jan 1, 2022	Dec 31, 2025
	Doha	$50	Oct 1, 2017	
	Other	$100	Oct 1, 2017	
Republic of Cabo Verde		$150	Jan 1, 2001	
Republic of the Congo		$150	Apr 1, 2012	
Romania		$50	Jun 1, 2012	
*Russia	Moscow	$150	Sep 1 , 2025	
		$100	Mar 1, 2022	Aug 31, 2025
	St. Petersburg	$150	Sep 1, 2025	
		$100	Mar 1, 2022	Aug 31, 2025
	Other	$150	Oct 1, 2017	
Rwanda		$100	Jan 1, 2018	
Samoa		$150	Apr 1, 2012	
Sao Tome and Principe		$150	Jan 1, 2001	
Saudi Arabia	Note 3	$100	Sep 14, 2019	
Senegal		$150	Apr 1, 2012	
Serbia	Belgrade	$100	Jan 1, 2022	
	Other	$150	Jan 1, 2022	
*Seychelles		$150	Sep 1, 2025	
Sierra Leone		$150	Nov 1, 2007	
*Singapore		$0	Sep 1, 2025	
Slovakia		$0	Mar 1, 2022	
*Slovenia		$0	Sep 1, 2025	
Solomon Islands		$150	Jan 1, 2022	
Somalia	Note 3	$100	Apr 1, 2012	
*South Africa	Johannesburg	$150	Sep 1, 2025	
	Pretoria	$100	Sep 1, 2025	
	Other	$100	Sep 1, 2025	
		$50	Sep 1, 2007	Aug 31, 2025
South Sudan	Note 3	$100	Apr 1, 2012	
Sri Lanka		$100	Jan 1, 2018	
St. Lucia		$50	Jan 1, 2022	
Sudan	Note 3	$100	Apr 1, 2012	
Suriname		$150	Jan 1, 2022	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
Syria	Note 3	$100	July 31, 2003	
Taiwan	Kaohsiung	$0	Mar 1, 2022	
	Taipei	$0	Jan 1, 2018	
	Other	$50	Jan 1, 2018	
Tajikistan		$150	Jun 1, 2014	
Tanzania		$150	Feb 1, 2004	
*Thailand	Bangkok	$50	Jan 1, 2001	
	Chiang Mai	$100	Jan 1, 2022	
	Songkhla	$150	Jan 1, 2022	Dec 31, 2025
	Other	$100	Jan 1, 2018	
Togo		$150	Jan 1, 2001	
*Tonga		$150	Sep 1, 2025	
Trinidad and Tobago		$150	Jan 1, 2022	
Tunisia	Note 3	$100	Oct 1, 2017	
*Turkey (Note 3)	Afyon	$50	Mar 1, 2022	
	Adana-Incirlik	$100	Jan 1, 2022	
	Ankara	$50	Jan 1, 2022	
	Batman	$50	Mar 1, 2022	
	Corlu	$50	Mar 1, 2022	
	Diyarbakir	$50	Mar 1, 2022	
	Eskisehir	$50	May 23, 2002	
	Gaziantep	$100	Aug 5, 2003	
	Iskendrun	$50	Mar 1, 2022	
	Izmir-Cigli (Note 4)	$50	Jan 1, 2022	
	Konya	$50	Mar 1, 2022	
	Kurecik (Kepez)	$50	Mar 1, 2022	
	Mardin	$50	Mar 1, 2022	
	Mersin	$50	Mar 1, 2022	
	Nusaybin	$50	Mar 1, 2022	
	Oguzeli	$50	Mar 1, 2022	
	Pirinclik	$50	Mar 1, 2022	
	Sabiha Gokcen	$50	Mar 1, 2022	
	Sanliurfa	$50	Mar 1, 2022	
	Tasucu	$50	Mar 1, 2022	
	Other	$50	Jan 1, 2022	

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

Designated Locations		Monthly Rates	Effective Date	
Country	Province (State), City or Region		From	Through
Turkmenistan		$150	Jan 1, 2001	
Uganda	Note 3	$100	Jun 23, 2004	
Ukraine	Note 3	$100	July 13, 2023	
United Arab Emirates	Abu Dhabi	$50	Oct 1, 2017	
	Dubai	$50	Oct 1, 2017	
	Other	$50	Mar 1, 2022	
United States of America	Annette Island, AK	$150	Jul 11, 2002	
	Clear, AK	$150	Jul 28, 2008	
	Cordova, AK	$150	Feb 23, 2006	
	Eareckson AS, AK	$150	Jul 1, 2002	
	Fort Greely, AK	$150	Oct 1, 2002	
	Unalaska, AK	$150	Nov 1, 2001	
	Other, AK	$0	Nov 1, 2001	
Uruguay	Montevideo	$50	Jan 1, 2022	
	Other	$0	Jan 1, 2001	
Uzbekistan		$150	Jun 1, 2004	
*Vanuatu	Port Vila	$150	Sep 1, 2025	
		$100	Sep 1, 2007	Aug 31, 2025
	Other	$0	Sep 1, 2007	
Venezuela		$150	Nov 28, 2008	
Vietnam		$150	Jan 1, 2001	
Wake Island		$50	Nov 22, 2017	
Western Sahara		$150	Jan 1, 2022	
Yemen	Note 3	$100	Feb 1, 2004	
*Zambia	Lusaka	$150	Sep 1, 2025	
		$50	Mar 1, 2022	Feb 28, 2022
	Other	$150	Sep 1, 2025	
		$100	Mar 1, 2022	Aug 31, 2025
*Zimbabwe		$150	Sep 1, 2025	
		$100	Mar 1, 2022	Aug 31, 2025

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

NOTES:

1. All members on qualifying duty at places within the listed country, state, or region are entitled to HDP – L. Only land areas are designated for hardship duty, except for any installations located on an ice shelf inside the Antarctic or Arctic Circle Regions are also included in the designation for that area.
2. The special pay is currently payable when ending date is not shown in "Through" column.
3. The HDP – L monthly entitlement decreases to a maximum payment of $100 when Service members are authorized a concurrent payment of $225 for HFP or IDP. See paragraph 3.1.
4. IDP has been removed or is not authorized.
5. When required to perform duties within the detention facility.
6. Includes:

Alamo ASA (Det L);
Bayonet Training Area;
Bull's Eye #1 & #2;
Camp Bonifas;
Camp Casey;
Camp Castle;
Camp Edwards;
Camp Essayons;
Camp Falling Water;
Camp Garry Owen North;
Camp Giant;
Camp Greaves;
Camp Hovey;
Camp Howze;
Camp Jackson;
Camp Kwang Sa-Ri
Camp Kyle;
Camp Mobile;
Camp Nimble;
Camp Page;
Camp Red Cloud;
Camp Sears;
Camp Stanley;
Camp Stanton (H-112);
Charlie Block;
Chunchon
Concord;
Demilitarized Zone (DMZ) South Half;
Freedom Bridge;
Gimbols Gun Training Area;

Table 17-1. Hardship Duty Pay – Location (Continued)
For the most current locations, see Hardship Duty Pay - Location table on DFAS.MIL.
Notes 1 and 2

NOTES (Continued):

Hwaakson Evn ATC;
Joint Security Area Swiss-Swede Camp;
Kamaksan ASA (Det M), H220 Heliport,
La Guardia;
Liberty Bell;
Munsan;
Papyonsan ATC;
Shinbuk Relay (Hill 754);
Tongduchon;
Uijongbu;
Warrior Base;
Watkins Range;
Yongpyong (Indian Head TC).

7. Korea, South "other" rate includes Ammo Depot #9 and Camp Yongin.

Table 17-2. Hardship Duty Pay - Location Pay - Conditions of Entitlement

RULE	When a member	and	and	then hardship duty location pay
1	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area		reports PCS to the area	starts on day of arrival for duty (note 1).
2	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area		leaves the area permanently	continues through day of departure (note 2).
3	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area		is discharged and immediately re-enlists at the same duty station	continues to accrue.
4	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area		is on authorized leave and remains within the area	continues to accrue.
5	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area		is also entitled to payment of HFP/IDP during the same month	is limited to a maximum entitlement of $100 for that month.
6	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area	official status is accompanied	leaves the area temporarily to perform more than 30 days of operational flight duty, TAD/TDY, or for hospitalization in one or more HDP – L areas	accrues at the higher area rate during the temporary assignment until return to the PDS (note 3).
7	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area	official status is unaccompanied	leaves the area temporarily to perform more than 30 days of operational flight duty, TAD/TDY, or for hospitalization in one or more HDP – L areas	accrues at the higher area rate during the first 30 days at the temporary assignment and at the temporary area rate until return to the PDS (note 3).

Table 17-2. Hardship Duty Pay - Location Pay - Conditions of Entitlement (Continued)

RULE	When a member	and	and	then hardship duty location pay
8	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area	official status is accompanied	leaves the area temporarily for reasons other than to perform more than 30 days of operational flight duty, TAD/TDY, or for hospitalization in one or more HDP – L areas	continues to accrue.
9	is assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area	official status is unaccompanied	leaves the area temporarily for reasons other than to perform more than 30 days of operational flight duty, TAD/TDY, or for hospitalization in one or more HDP – L areas	continues for first 30 days.
10	is not assigned to permanent duty in a location listed in Table 17-1 as a hardship duty area		is on operational flight duty, TAD/TDY, or hospitalized in one or more HDP – L areas for a continuous period of more than 30 days (including date of arrival and date of departure)	accrues at the applicable area rate retroactive from the date of arrival (notes 1 and 4). Entitlement is limited to $100 when HFP or IDP is payable during the same month.
11	is entitled to hardship duty location pay for temporary assignment in an area listed in Table 17-1		leaves the area temporarily to perform more than 30 days of operational flight duty, TAD/TDY, or for hospitalization in one or more HDP – L areas	accrues at the higher area rate during the first 30 days at the follow-on assignment and then continues at the follow-on area rate until return to the original temporary area or through day of departure, if not returning (notes 3 and 4).
12	is entitled to hardship duty location pay for temporary assignment in an area listed in Table 17-1		leaves the area temporarily for reasons other than to perform more than 30 days of operational flight duty, TAD/TDY, or for hospitalization in one or more HDP – L areas	continues for first 30 days.

RULE	When a member	and	and	then hardship duty location pay
13	is entitled to hardship duty location pay for temporary assignment in an area listed in Table 17-1		leaves the area permanently	continues through day of departure (note 2).

Table 17-2. Hardship Duty Pay - Location Pay - Conditions of Entitlement (Continued)

RULE	When a member	and	and	then hardship duty location pay
14	is otherwise entitled to hardship duty location pay for assignment in an area listed in Table 17-1 as a hardship duty area		is in confinement awaiting trial by court-martial and is acquitted or has charges dismissed	accrues retroactive to first day of confinement.
15	is otherwise entitled to hardship duty location pay for assignment in an area listed in Table 17-1 as a hardship duty area		is in confinement awaiting trial by court-martial and is convicted	does not accrue from first day of confinement through the day before the date restored to full duty (note 5).
16	is otherwise entitled to hardship duty location pay for assignment in an area listed in Table 17-1 as a hardship duty area		is in confinement as result of court-martial sentence	does not accrue from first day of confinement through the day before the date restored to full duty (note 5).

Table 17-2. Hardship Duty Pay - Location Pay - Conditions of Entitlement (Continued)

NOTES:

1. If already in a location designated a hardship duty area, the day of designation starts pay for those on permanent duty. Absences from an HDP-L area of less than 24 hours do not break continuity. A member, on operational flight duty, TAD/TDY, or hospitalized in an area on the date it becomes designated for HDP – L, may count the number of consecutive days already served in that area immediately preceding the date of designation. Additionally, the member may count the number of consecutive days served in a different designated area or areas, if the member served in such area(s) immediately preceding arrival in the newly designated area. In any case, entitlement to payment for HDP – L cannot accrue for any area prior to the date it is designated.
2. Rule 3 applies when a medical evacuee has been reassigned on PCS from the designated area for medical treatment.
3. Any enroute TAD/TDY, travel time, or leave will accrue HDP-L at the PDS/prevailing area rate. HDP terminates if more than 30 days pass before a member (other than a member with accompanied status at an HDP – L PDS) reports for duty in another designated area.
4. If time from more than one designated area is combined to meet the 30-day qualifying criteria, pay the rate for the area at which the greatest time was earned during the first 30 days. After the first 30 days pay the applicable rate for the area in which duty is served, prorated if necessary.
5. Non-judicial punishment does not result in loss of HDP.

*REFERENCES

CHAPTER 17 - SPECIAL PAY - HARDSHIP DUTY

2.0 ENTITLEMENT

	37 U.S.C. § 352(a)(2)
2.1.1. through 2.1.4	DoD Instruction (DoDI) 1340.26, September 25, 2017, Change 1, Effective January 11, 2019, paragraph 4.4.a through d
	ASD (M&RA) Memo, September 26, 2017
2.2.1. through 2.2.3.	DoDI 1340.26, September 25, 2017, Change 1, Effective January 11, 2019, paragraph 4.5.a through c
	ASD (M&RA) Memo, September 26, 2017
2.3.	DoDI 1340.26, September 25, 2017, Change 1, Effective January 11, 2019, paragraph 4.6.a through c
	Department of the Army Office of the Assistant Secretary (M&RA) Memo, April 13, 2022
	Assistant Secretary of the Navy (M&RA) Memo, September 26, 2023
2.4	ASD (M&RA) Memo, March 13, 2020

3.0 RESTRICTIONS ON PAYMENT

3.1	ASD (M&RA) Memo, September 26, 2017
3.2	37 U.S.C. § 352(b)(2)
	DoDI 1340.26, September 25, 2017, Change 1, Effective January 11, 2019
	ASD (M&RA) Memo, March 13, 2020

Table 17-1 – HARDSHIP DUTY PAY - LOCATION

Afghanistan	ASD (FMP) Memo, October 31, 2001
Albania	ASD (FMP) Memo, March 13, 2002
Algeria	Office of the Under Secretary of Defense (USD) Personnel and Readiness (OUSD (P&R)) Memo, August 29, 2007
American Samoa	OUSD (P&R) Memo, June 15, 2005
Angola	OUSD (P&R) Memo, March 27, 2007 OUSD (P&R) Memo, August 29, 2007
Antarctic Region	ASD (FMP) Memo, December 21, 2000

Antigua Air Station	ASD (FMP) Memo, April 18, 2002
Arctic Circle Region	ASD (FMP) Memo, December 21, 2000
Argentina	ASD (M&RA) Memo, September 26, 2017
Armenia	ASD (FMP) Memo, December 21, 2000
Aruba	ASD (M&RA) Memo, December 10, 2021
Ascension AAF	ASD (FMP) Memo, April 18, 2002
Australia	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, July 11, 2002 USD (P&R) Memo, March 7, 2012
Azerbaijan	OUSD (P&R) Memo, October 31, 2007
Azores, Portugal	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD P&R Memo, January 28, 2004 ASD (M&RA) Memo, September 26, 2017
Bahamas	ASD (FMP) Memo, December 21, 2000 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017
Bahrain	USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, September 26, 2017
Bangladesh	ASD (FMP) Memo, December 21, 2000
Barbados	ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, September 26, 2017
Belarus	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, September 26, 2017
Belize	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, January 28, 2004 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Benin	ASD (FMP) Memo, December 21, 2000

Bolivia	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Bosnia-Herzegovina	USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Botswana	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 17, 2004 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, December 10, 2021
Brazil	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, January 28, 2004 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Brunei	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Bulgaria	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 5, 2003 OUSD (P&R) Memo, January 28, 2004 USD (P&R) Memo, March 7, 2012
Burkina Faso	ASD (FMP) Memo, December 21, 2000 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, March 29, 2023
Burma	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 ASD (FMP) Memo, December 28, 2001 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, May 31, 2023
Burundi	OUSD (P&R) Memo, May 10, 2005 ASD (M&RA) Memo, December 10, 2021
Cambodia	ASD (FMP) Memo, October 11, 2001 ASD (FMP) Memo, October 14, 2001

Cameroon	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, September 26, 2017 USD (P&R) Memo, March 5, 2018 ASD (M&RA) Memo, December 10, 2021
Canada	ASD (FMP) Memo, December 21, 2000
Central African Republic	ASD (FMP) Memo, December 21, 2000
Chad	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 11, 2008
Chagos Archipelago	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 ASD (M&RA) Memo, December 10, 2021
Chile	ASD (M&RA) Memo, December 10, 2021
China	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, April 10, 2003 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Colombia	USD (P&R) Memo, November 30, 2001 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Cook Islands	ASD (FMP) Memo, December 21, 2000
Costa Rica	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 17, 2004 OUSD (P&R) Memo, August 29, 2007
Cote d'Ivoire	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, March 21, 2003 ASD (M&RA) Memo, April 21, 2020
Cuba	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, October 4, 2006 ASD (M&RA) Memo, December 10, 2021
Curacao	ASD (M&RA) Memo, December 10, 2021

Democratic Republic of the Congo	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, June 7, 2005 USD (P&R) Memo, March 7, 2012
Djibouti	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, July 31, 2002
Dominican Republic	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 17, 2004 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, December 10, 2021
East Timor	ASD (FMP) Memo, October 11, 2001 ASD (FMP) Memo, October 14, 2001 ASD (FMP) Memo, October 31, 2001 USD (P&R) Memo, December 31, 2013
Ecuador	USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (FMP) Memo, December 21, 2000
Egypt	ASD (FMP) Memo, January 18, 2002 OUSD (P&R) Memo, August 5, 2003 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012
El Salvador	ASD (FMP) Memo, May 30, 2001 OUSD (P&R) Memo, November 17, 2004 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012
Equatorial Guinea	OUSD (P&R) Memo, August 29, 2007
Eritrea	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, July 31, 2002 ASD (M&RA) Memo, April 21, 2020 ASD (M&RA) Memo, December 10, 2021
Estonia	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, December 10, 2021
Eswatini (formerly Swaziland)	ASD (M&RA) Memo, December 10, 2021
Ethiopia	ASD (FMP) Memo, January 18, 2002

Fiji	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017
Gabon	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017
Gambia	ASD (FMP) Memo, December 21, 2000
Georgia	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, March 27, 2007 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Ghana	ASD (FMP) Memo, December 21, 2000
Greece	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 17, 2004 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Greenland	ASD (FMP) Memo, December 21, 2000
Grenada	ASD (FMP) Memo, December 21, 2000
Guatemala	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004 USD (P&R) Memo, March 7, 2012
Guinea	ASD (FMP) Memo, December 21, 2000
Guinea Bissau	ASD (FMP) Memo, December 21, 2000
Guyana	ASD (FMP) Memo, December 21, 2000
Haiti	USD P&R Memo, November 30, 2001 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, December 16, 2020
Honduras	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 28, 2008 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017

Hungary	ASD (FMP) Memo, December 21, 2000
Iceland	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
India	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, January 28, 2004 USD (P&R) Memo, March 7, 2012
Indonesia	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 ASD (FMP) Memo, October 31, 2001 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, April 21, 2020 ASD (M&RA) Memo, December 10, 2021
Iraq	OUSD (P&R) Memo, March 31, 2003 USD (P&R) Memo, August 23, 2010
Israel	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, March 31, 2003 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021 Office of the Assistant Secretary of Defense (OASD) (M&RA), Memo, February 22, 2022
Jamaica	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, September 26, 2017
Jordan	ASD (FMP) Memo, January 18, 2002 OUSD (P&R) Memo, June 30, 2003 ASD (M&RA) Memo, June 28, 2016
Kazakhstan	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021

Kenya	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 ASD (FMP) Memo, May 23, 2002
Kiribati, Republic of	OUSD (P&R) Memo, February 8, 2011 ASD (M&RA) Memo, December 10, 2021
Korea, Democratic Republic of (North Korea)	ASD (FMP) Memo, December 21, 2000
Korea, Republic of (South Korea)	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 15, 2003 OUSD (P&R) Memo, October 23, 2003 OUSD (P&R) Memo, September 29, 2004 ASD (M&RA) Memo, December 10, 2021
Kosovo	OUSD (P&R) Memo, August 29, 2007 OUSD (P&R) Memo, March 26, 2009
Kuwait	ASD (FMP) Memo, January 18, 2002 OUSD (P&R) Memo, March 31, 2003 USD (P&R) Memo, March 7, 2012
Kyrgyzstan	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 31, 2001 USD (P&R) Memo, December 31, 2013
Laos	ASD (FMP) Memo, December 21, 2000
Latvia	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, December 10, 2021
Lebanon	OUSD (P&R) Memo, November 17, 2004
Lesotho	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 17, 2004 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Liberia	OUSD (P&R) Memo, August 25, 2003 USD (P&R) Memo, March 7, 2012 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, December 10, 2021
Libya	OUSD (P&R) Memo, April 26, 2011

Lithuania	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012
Macedonia	OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, March 7, 2012
Madagascar	ASD (FMP) Memo, December 21, 2000
Malawi	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 17, 2004
Malaysia	ASD (FMP) Memo, October 14, 2001 ASD (M&RA) Memo, December 10, 2021
Mali	ASD (FMP) Memo, December 21, 2000 USD (P&R) Memo, February 19, 2014 USD (P&R) Memo, March 5, 2018
Malta	OUSD (P&R) Memo, August 29, 2007
Marshall Islands	ASD (FMP) Memo, December 21, 2000 USD (P&R) Memo, March 7, 2012
Mauritania	ASD (FMP) Memo, December 21, 2000
Mauritius	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, December 10, 2021
Mexico	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, November 17, 2004 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Micronesia	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, November 17, 2004
Moldova	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, September 26, 2017
Mongolia	ASD (FMP) Memo, December 21, 2000

Montenegro	OUSD (P&R) Memo, August 29, 2007 OUSD (P&R) Memo, March 26, 2009 USD (P&R) Memo, March 7, 2012 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, September 26, 2017
Morocco	USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Mozambique	ASD (FMP) Memo, December 21, 2000
Namibia	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007
Nepal	ASD (FMP) Memo, December 21, 2000
Nicaragua	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, September 26, 2017
Niger	ASD (FMP) Memo, December 21, 2000 USD (P&R) Memo, March 5, 2018
Nigeria	ASD (FMP) Memo, December 21, 2000
Oman	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, January 18, 2002 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017
Pakistan	ASD (FMP) Memo, October 31, 2001
Palau	ASD (FMP) Memo, December 21, 2000
Panama	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, September 26, 2017
Papua New Guinea	ASD (FMP) Memo, December 21, 2000
Paraguay	ASD (FMP) Memo, December 21, 2000

Peru	ASD (FMP) Memo, December 19, 2001 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, April 21, 2004 USD (P&R) Memo, March 7, 2012
Philippines	ASD (FMP) Memo, December 21, 2000 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Portugal	ASD (M&RA) Memo, December 10, 2021
Qatar	ASD (FMP) Memo, March 28, 2002 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Republic of the Cape Verde	ASD (FMP) Memo, December 21, 2000
Republic of the Congo	ASD (FMP) Memo, December 21, 2000 USD (P&R) Memo, March 7, 2012
Romania	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, November 17, 2004 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012
Russia	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, November 17, 2004 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Rwanda	OUSD (P&R) Memo, March 30, 2005 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, September 26, 2017
Samoa (formerly Western Samoa)	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 USD (P&R) Memo, March 7, 2012
Sao Tome and Principe	ASD (FMP) Memo, December 21, 2000

Saudi Arabia	OUSD (P&R) Memo, August 5, 2003 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, June 4, 2020
Senegal	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012
Serbia	OUSD (P&R) Memo, March 10, 2006 OUSD (P&R) Memo, August 29, 2007 OUSD (P&R) Memo, March 26, 2009 USD (P&R) Memo, December 31, 2013 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Sierra Leone	OUSD (P&R) Memo, June 23, 2004 OUSD (P&R) Memo, March 27, 2007
Slovakia	OUSD (P&R) Memo, November 17, 2004 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Solomon Islands	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, December 10, 2021
Somalia	USD (P&R) Memo, March 7, 2012
South Africa	OUSD (P&R) Memo, August 29, 2007
South Sudan	Office of the ASD (M&RA) Memo, July 31, 2015
Sri Lanka	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 ASD (M&RA) Memo, September 26, 2017
St. Lucia	ASD (M&RA) Memo, December 10, 2021
Sudan	USD (P&R) Memo, March 7, 2012
Suriname	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021

Syria	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, July 31, 2003
Taiwan	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Tajikistan	ASD (FMP) Memo, October 31, 2001 USD (P&R) Memo, December 31, 2013
Tanzania	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004
Thailand	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, November 17, 2004 OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Togo	ASD (FMP) Memo, December 21, 2000
Trinidad and Tobago	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 OUSD (P&R) Memo, November 28, 2008 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, December 10, 2021
Tunisia	ASD (FMP) Memo, December 21, 2000 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
Turkey	ASD (FMP) Memo, May 23, 2002 OUSD (P&R) Memo, August 5, 2003 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021 OASD (M&RA) Memo, February 22, 2022
Turkmenistan	ASD (FMP) Memo, December 21, 2000
Uganda	OUSD (P&R) Memo, June 23, 2004

Ukraine	ASD (FMP) Memo, December 21, 2000 OASD (M&RA) Memo, July 13, 2023
United Arab Emirates	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, September 26, 2017 ASD (M&RA) Memo, December 10, 2021
United States of America	
Alaska	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 31, 2001 ASD (FMP) Memo, July 1, 2002 ASD (FMP) Memo, July 11, 2002 ASD (FMP) Memo, September 26, 2002 OUSD (P&R) Memo, February 23, 2006 OUSD (P&R) Memo, July 28, 2008 USD (P&R) Memo, March 7, 2012
Uruguay	ASD (M&RA) Memo, December 10, 2021
Uzbekistan	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 31, 2001 USD (P&R) Memo, December 31, 2013
Vanuatu	OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, December 10, 2021
Venezuela	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, January 28, 2004 OUSD (P&R) Memo, November 28, 2008
Vietnam	ASD (FMP) Memo, December 21, 2000
Wake Island	OASD (M&RA) Memo, November 22, 2017
Western Sahara	ASD (FMP) Memo, November 27, 2001
Yemen	ASD (FMP) Memo, January 18, 2002 OUSD (P&R) Memo, January 28, 2004
Zambia	ASD (FMP) Memo, December 21, 2000 OUSD (P&R) Memo, August 29, 2007 USD (P&R) Memo, March 7, 2012 ASD (M&RA) Memo, December 10, 2021

Zimbabwe	ASD (FMP) Memo, December 21, 2000 ASD (FMP) Memo, October 14, 2001 OUSD (P&R) Memo, July 30, 2003 OUSD (P&R) Memo, August 29, 2007 ASD (M&RA) Memo, December 10, 2021

Table 17-2 – HARDSHIP DUTY PAY - LOCATION – CONDITIONS OF ENTITLEMENT

Rule 5	OUSD (P&R) Memo, February 15, 2007
Rule 10	OUSD (P&R) Memo, February 15, 2007
Notes 1 & 3	OUSD (P&R) Memo, March 31, 2003

VOLUME 7A, CHAPTER 18: "SPECIAL PAY – CAREER SEA PAY (CSP)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated May 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
3.3	Added the "Duration of Authority" subparagraph in accordance with the National Defense Authorization Act (NDAA) for Fiscal Year 2024, Public Law 118-31, section 613, dated December 22, 2023. Also updated the termination date on the Duration of Authority table on DFAS.mil.	Addition
References	Updated statutes and supporting references.	References

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CHAPTER 18

SPECIAL PAY – CAREER SEA PAY (CSP)

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to CSP and CSP-Premium (CSP-P).

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 PROVISIONS

2.1 Entitlement

A member who is entitled to basic pay is entitled to CSP and CSP-P while serving on sea duty under regulations prescribed by the Office of the Secretary of Defense, Secretary of the Military Department concerned, and the provisions of this chapter.

2.2 Definitions

2.2.1. CSP. CSP is special pay for recognition of the greater than normal rigors of assignment to sea duty.

2.2.2. CSP-P. CSP-P is special pay that is in addition to CSP and is paid for unusually long periods of continuous sea duty. A member entitled to CSP who has served 36 consecutive months of sea duty is also entitled to CSP-P for the 37th consecutive month and each subsequent consecutive month of sea duty served.

2.2.3. Sea Duty. Sea duty, for the purpose of entitlement to CSP and CSP-P, is duty performed by a member under orders:

2.2.3.1. While permanently assigned for duty to a ship, ship-based staff, or ship-based aviation unit and serving on a ship with a primary mission that is accomplished underway (includes ships designated as destroyers or submarine tenders). Periods when the member is on temporary duty (TDY), on leave, hospitalized, or otherwise temporarily absent under orders, not to exceed the first 30 consecutive days of each occurrence, are also counted;

2.2.3.2. While temporarily assigned for duty to a ship, ship-based staff, or ship-based aviation unit and serving on a ship with a primary mission that is accomplished underway (includes ships designated as destroyers or submarine tenders);

2.2.3.3. While permanently or temporarily assigned for duty to a ship or ship-based staff and serving on a ship with a primary mission that is accomplished in port, but only during that period while the ship is away from its homeport. A ship is considered to be away from its homeport whenever it is at sea or is in a port that is more than 50 miles from its homeport; or

2.2.3.4. While serving as a member of the off-crew of a two-crewed vessel.

2.2.4. Cumulative Sea Duty (CSD). CSD is the total time a member has been assigned to qualifying sea duty during their service career, regardless of pay grade. Additionally, it will include all time during which a member is assigned to a ship or ship-based staff and actually served on a ship with a primary mission that is accomplished in port, regardless of whether the ship is at sea or away from homeport.

2.2.5. Ship. Ship, for the purpose of entitlement to CSP and CSP-P, means a self-propelled vessel in an active status, in commission, or in-service.

3.0 CONDITIONS OF ENTITLEMENT

3.1 General Conditions

The general conditions of entitlement to CSP are listed in Table 18-1. Additionally, entitlement to and the rate of CSP is dependent upon the branch of service, pay grade, and total CSD applicable to the member. All members in pay grades E-1 through O-6 are eligible for payment of CSP, except commissioned officers of the Army and Air Force with 3 or less years of CSD and enlisted members of the Air Force in pay grades below E-4.

3.2 CSP-P Conditions

The conditions of entitlement to CSP-P require the member to first be entitled to CSP. The CSP-P is in addition to CSP; however, for certain pay grades, it has been included in the CSP rate tables and is not payable as a separate item. When payable as a separate item, CSP-P accrues from the first day following the completion of the 36th month of consecutive sea duty and will be prorated if beginning on other than the first day of a calendar month.

> Example: A member beginning a period of sea duty on January 15, 2011 would accrue CSP-P beginning January 15, 2014. The CSP-P is payable for the 37th and each subsequent consecutive month of sea duty regardless of the member's pay grade when the sea duty began, provided the member is concurrently entitled to CSP.

3.2.1. The following members of the Navy and Marine Corps may become entitled to CSP-P as a separate item of pay:

3.2.1.1. All officers in pay grades O-1 through O-6;

3.2.1.2. All warrant officers;

3.2.1.3. All enlisted members in pay grades E-1 through E-4; and

3.2.1.4. All enlisted members in pay grades E-5 through E-9 with not over 8 years of CSD.

3.2.2. The following members of the Army may become entitled to CSP-P as a separate item of pay:

3.2.2.1. All officers in pay grades O-1 through O-6; and

3.2.2.2. All enlisted members in pay grades E-1 through E-3.

3.2.3. The following members of the Air Force may become entitled to CSP-P as a separate item of pay:

3.2.3.1. All officers in pay grades O-1 through O-6;

3.2.3.2. All enlisted members in pay grade E-4; and

3.2.3.3. All enlisted members in pay grades E-5 through E-9 with not over 5 years of CSD.

3.2.4. Members not addressed in subparagraphs 3.2.1, 3.2.2, and 3.2.3, have CSP-P already included in their applicable CSP rate table or are otherwise not eligible to receive a separate CSP-P payment.

*3.3 Duration of Authority

Unless authorized by Congress, no CSP or CSP-P payment may be paid after the termination date on the ***Duration of Authority*** table.

4.0 RATES PAYABLE

4.1 CSP

The Secretary concerned will prescribe the monthly rates for special pay applicable to members of each Military Service under the Secretary's jurisdiction. The monthly rate may not exceed $750.

4.1.1. The monthly rates of CSP for members of the Army are in Table 18-2.

4.1.2. The monthly rates of CSP and CSP-P (for E-5 through E-9 with over 8 years of CSD) for members of the Navy and Marine Corps are listed in Table 18-3.

4.1.3. The monthly rates of CSP for members of the Air Force are listed in Table 18-4.

4.2 CSP-P

The Secretary concerned will prescribe the monthly rate for CSP-P applicable to members of each Military Service under the Secretary's jurisdiction. The monthly rate may not exceed $350.

5.0 RESTRICTIONS

5.1 En route and Transport Restrictions

Do not credit time for sea duty and do not pay CSP or CSP-P to members en route to or from ships outside the Continental United States or onboard a ship for transportation, regardless of the length of the period. This restriction applies to the periods prior to a member reporting for permanent duty and after being permanently detached from duty onboard a ship.

5.2 Midshipmen and Cadet Members

Do not credit time for sea duty and do not pay CSP or CSP-P to midshipmen, aviation cadets, or academy cadets.

5.3 Navy and Marine Corps Members

Do not pay CSP-P to Navy and Marine Corps members entitled to CSP in Table 18-3 for duty if in pay grades E-5 through E-9 with over 8 years of CSD.

5.4 Army Members

Do not pay CSP-P to Army members entitled to CSP in Table 18-2 for duty:

5.4.1. Between October 1, 2002 and June 30, 2003 if in pay grades E-5 through E-9; or

5.4.2. On or after July 1, 2003 if in pay grades E-4 through E-9 or W-1 through W-5.

5.5 Air Force Members

Do not pay CSP-P to Air Force members entitled to CSP in Table 18-4 for duty if in pay grades E-5 through E-9 with over 5 years of CSD.

Table 18-1. CSP – Conditions of Entitlement

RULE	When an eligible member	is serving on a ship whose primary mission is accomplished		and	then CSP
		underway	in port		
1	reports for permanent duty defined as sea duty and	X			starts on reporting date.
2	reports for permanent duty defined as sea duty and		X	member is onboard when ship departs from homeport	accrues from departure date.
3	reports for permanent duty defined as sea duty and		X	member reports onboard while ship is away from homeport	accrues from reporting date.
4	is detached from permanent duty defined as sea duty and	X	X		terminates on detachment date, provided member is otherwise entitled on that date.
5	is discharged while on sea duty and	X	X	immediately reenlists onboard	continues to accrue, provided member is otherwise entitled.
6	on sea duty is entitled to CSP and		X	ship returns to homeport	accrues through the date the ship returns to homeport.
7	on sea duty	X		is on TDY, temporary additional duty (TAD), temporarily based ashore, under orders, or hospitalized ashore (note 1)	accrues during the first 30 days member is in such status.
8	on sea duty		X	is on TDY, TAD, temporarily based ashore, under orders, or hospitalized ashore (note 1)	accrues during the first 30 days member is in such status, provided member is otherwise entitled and ship remains away from its homeport (note 2).
9	on sea duty is on authorized leave and	X	X		accrues for the first 30 days of leave if otherwise entitled. There is no accrual during terminal leave.
10	is based on or stationed ashore and	X		the type of duty is TAD or TDY	accrues from reporting date through detachment date (note 3).

Table 18-1. CSP – Conditions of Entitlement (Continued)

RULE	When an eligible member	is serving on a ship whose primary mission is accomplished		and	then CSP
		underway	in port		
11	is based on or stationed ashore and		X		accrues as indicated in rules 2 and 3, as applicable, and terminates when the ship returns to homeport or detachment date if ship remains away from homeport.
12	is suspended or otherwise removed from duty or confined awaiting trial by court-martial and	X	X	is acquitted or charges are dismissed	accrues retroactively from first day of confinement, suspension, or removal from duty, provided member is otherwise entitled.
13	is suspended or otherwise removed from duty or confined awaiting trial by court-martial and	X	X	is convicted	does not accrue beginning first day of confinement, suspension, or removal from duty through day prior to date of return to duty (note 4).
14	is confined as a result of court-martial and	X	X		does not accrue beginning first day of confinement through day prior to date of release from confinement (note 4).
15	is permanently or temporarily assigned to duty on a ship which is undergoing alterations or repairs and	X	X (note 5)	ship remains in an active status (in commission or in-service) (note 6)	continues to accrue.
16	is permanently or temporarily assigned to duty on a ship undergoing inactivation processing and	X	X		stops when the ship reverts to inactive status.
17	is assigned to a Fleet Marine Force unit based on or stationed ashore and	X		the type of duty is TAD or TDY	accrues from the embarkation date through the debarkation date (note 3).

Table 18-1. CSP – Conditions of Entitlement (Continued)

NOTES:

1. "Temporarily based ashore" refers to a ship-based aviation unit or ship-based staff that has landed ashore with intent to return to a ship.
2. Entitlement terminates when the ship returns to the homeport.
3. Further TAD/TDY ashore from ship will not interrupt CSP entitlement for the first 30 days member is in such status, provided member is otherwise entitled and returns to the ship.
4. Where sentence is changed to restriction to ship and member performs duty, CSP is resumed. Nonjudicial punishment does not result in loss of CSP.
5. Entitlement accrues only when the ship is away from the homeport.
6. Chief of Naval Operations Instruction (OPNAVINST) 4700.8L series defines ship status assignments for U.S. Naval ships.

Table 18-2. Monthly CSP Rates – Army
Effective October 1, 2002

Pay Grade	*Cumulative Years of Sea Duty*								
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6	Over 7	Over 8
O-6				225	230	230	240	255	265
O-5				225	225	225	225	230	245
O-4				185	190	200	205	215	220
O-3				150	160	185	190	195	205
O-2				150	160	185	190	195	205
O-1				150	160	185	190	195	205
W-5	210	210	210	310	338	506	534	534	534
W-4	210	210	210	310	338	506	534	534	534
W-3	210	210	210	310	338	478	492	499	506
W-2	210	210	210	310	338	464	471	471	478
W-1	182	189	196	310	338	345	380	450	478
E-9	130	130	156	328	347	425	425	458	477
E-8	130	130	156	328	347	425	425	458	477
E-7	130	130	156	328	347	425	425	458	477
E-6	130	130	156	295	321	380	393	425	425
E-5	65	78	156	295	321	380	393	425	425
E-4	65	78	156	295	308	308	308	308	308
E-3	50	60	120	150	160	170	190	190	190
E-2	50	60	120	150	160	170	170	170	170
E-1	50	60	120	150	160	160	160	160	160

NOTES:

1. Do not pay CSP-P to Army members entitled to CSP for duty between October 1, 2002 and June 30, 2003 if in pay grades E-5 through E-9.
2. Do not pay CSP-P to Army members entitled to CSP for duty on or after July 1, 2003 if in pay grades E-4 through E-9 or W-1 through W-5.

Table 18-2. Monthly CSP Rates – Army (Continued)
Effective October 1, 2002

Pay Grade	*Cumulative Years of Sea Duty*								
	Over 9	**Over 10**	**Over 11**	**Over 12**	**Over 13**	**Over 14**	**Over 16**	**Over 18**	**Over 20**
O-6	280	290	300	310	310	325	340	355	380
O-5	250	260	265	265	265	285	300	315	340
O-4	220	225	225	240	240	270	280	290	300
O-3	215	225	225	240	240	260	270	280	290
O-2	215	225	225	240	240	250	260	270	280
O-1	215	225	225	240	240	250	260	270	280
W-5	534	590	625	660	660	730	730	730	730
W-4	534	590	625	660	660	730	730	730	730
W-3	534	590	625	660	660	695	695	695	695
W-2	534	576	576	625	625	625	625	625	625
W-1	520	555	555	555	555	555	555	555	555
E-9	490	490	503	516	555	588	620	646	646
E-8	490	490	503	516	555	588	620	646	646
E-7	490	490	503	516	555	588	620	620	620
E-6	445	445	445	464	484	503	523	555	555
E-5	425	425	425	425	425	425	425	425	425
E-4	308	308	308	308	308	308	308	308	308
E-3	190	190	190	190	190	190	190	190	190
E-2	170	170	170	170	170	170	170	170	170
E-1	160	160	160	160	160	160	160	160	160

NOTES:
1. Do not pay CSP-P to Army members entitled to CSP for duty between October 1, 2002 and June 30, 2003 if in pay grades E-5 through E-9.
2. Do not pay CSP-P to Army members entitled to CSP for duty on or after July 1, 2003 if in pay grades E-4 through E-9 or W-1 through W-5.

Table 18-3. Monthly CSP and CSP-P – Navy and Marine Corps
Effective May 1, 2014

Pay Grade	*Cumulative Years of Sea Duty*								
	1 or less	**Over 1**	**Over 2**	**Over 3**	**Over 4**	**Over 5**	**Over 6**	**Over 7**	**Over 8**
O-6	100	100	100	394	400	400	419	450	463
O-5	100	100	100	394	394	394	394	400	431
O-4	100	100	100	325	331	350	356	375	388
O-3	100	100	100	263	281	325	331	344	356
O-2	100	100	100	263	281	325	331	344	356
O-1	100	100	100	263	281	325	331	344	356
W-5	210	210	210	263	300	506	544	544	544
W-4	210	210	210	263	300	506	544	544	544
W-3	210	210	210	263	300	475	494	500	506
W-2	210	210	210	263	300	456	463	463	475
W-1	180	190	195	263	300	306	350	438	475
E-9	135	135	160	381	400	438	438	469	688
E-8	135	135	160	381	400	438	438	469	688
E-7	135	135	160	381	400	438	438	469	688
E-6	135	135	160	350	375	394	406	438	638
E-5	70	80	160	350	375	394	406	438	638
E-4	70	80	160	350	363	363	363	363	488
E-3	50	60	100	125	125	125	125	125	125
E-2	50	60	75	94	94	94	94	94	94
E-1	50	50	50	63	63	63	63	63	63

NOTE: CSP-P is $200 per month. Do not pay CSP-P to pay grades E5 through E9 with over 8 years of CSD. CSP-P is included in their CSP.

Table 18-3. Monthly CSP and CSP-P – Navy and Marine Corps (Continued)
Effective May 1, 2014

Pay Grade	*Cumulative Years of Sea Duty*								
	Over 9	**Over 10**	**Over 11**	**Over 12**	**Over 13**	**Over 14**	**Over 16**	**Over 18**	**Over 20**
O-6	494	506	525	544	544	569	594	625	669
O-5	438	456	463	463	463	500	525	550	594
O-4	388	394	394	419	419	475	494	506	525
O-3	375	394	394	419	419	456	475	494	506
O-2	375	394	394	419	419	438	456	475	494
O-1	375	394	394	419	419	438	456	475	494
W-5	544	613	656	700	700	750	750	750	750
W-4	544	613	656	700	700	750	750	750	750
W-3	544	613	656	700	700	744	744	750	750
W-2	544	594	594	656	656	700	700	700	700
W-1	525	569	569	594	594	631	656	656	656
E-9	700	700	713	725	750	750	750	750	750
E-8	700	700	713	725	750	750	750	750	750
E-7	700	700	713	725	750	750	750	750	750
E-6	656	656	656	675	694	713	731	750	750
E-5	638	638	638	638	638	638	638	638	638
E-4	488	488	488	488	488	488	488	488	488
E-3	125	125	125	125	125	125	125	125	125
E-2	94	94	94	94	94	94	94	94	94
E-1	63	63	63	63	63	63	63	63	63

NOTE: CSP-P is $200 per month. Do not pay CSP-P to pay grades E5 through E9 with over 8 years of CSD. CSP-P is included in their CSP.

Table 18-4. Monthly CSP Rates – Air Force
Effective May 1, 1988

Pay Grade	*Cumulative Years of Sea Duty* (See Note)								
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6	Over 7	Over 8
O-6				225	230	230	240	255	265
O-5				225	225	225	225	230	245
O-4				185	190	200	205	215	220
O-3				150	160	185	190	195	205
O-2				150	160	185	190	195	205
O-1				150	160	185	190	195	205
E-9	100	100	120	175	190	350	350	375	390
E-8	100	100	120	175	190	350	350	375	390
E-7	100	100	120	175	190	350	350	375	390
E-6	100	100	120	150	170	315	325	350	350
E-5	50	60	120	150	170	315	325	350	350
E-4	50	60	120	150	160	160	160	160	160

Table 18-4. Monthly CSP Rates – Air Force (Continued)
Effective May 1, 1988

Pay Grade	*Cumulative Years of Sea Duty* (See Note)								
	Over 9	Over 10	Over 11	Over 12	Over 13	Over 14	Over 16	Over 18	Over 20
O-6	280	290	300	310	310	325	340	355	380
O-5	250	260	265	265	265	285	300	315	340
O-4	220	225	225	240	240	270	280	290	300
O-3	215	225	225	240	240	260	270	280	290
O-2	215	225	225	240	240	250	260	270	280
O-1	215	225	225	240	240	250	260	270	280
E-9	400	400	410	420	450	475	520	520	520
E-8	400	400	410	420	450	475	500	520	520
E-7	400	400	410	420	450	475	500	500	500
E-6	365	365	365	380	395	410	425	450	450
E-5	350	350	350	350	350	350	350	350	350
E-4	160	160	160	160	160	160	160	160	160

NOTE: Do not pay CSP-P to Air Force members in pay grades E-5 through E-9 with over 5 years of CSD.

*REFERENCES

CHAPTER 18 – SPECIAL PAY – CAREER SEA PAY (CSP)

2.0 – PROVISIONS

2.1	Title 37, United States Code, section 352 DoD Instruction (DoDI) 1340.26, September 25, 2017, Change 1, Effective, January 11, 2019

3.0 – CONDITIONS OF ENTITLEMENT

3.3	National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2024, Public Law 118-31, section 613, December 22, 2023

4.0 – RATES PAYABLE

4.2	DoDI 1340.26, paragraph 4.9.c, September 25, 2017, Change 1, Effective, January 11, 2019

5.0 – RESTRICTIONS

5.1	DoDI 1340.26, paragraph 4.9.d, September 25, 2017, Change 1, Effective, January 11, 2019
Table 18-1	Office of the Chief of Naval Operations Instruction 4700.8L, June 15, 2021
Table 18-2	Assistant Secretary of the Army Manpower and Reserve Affairs (M&RA) Memo, September 20, 2002
Table 18-3	OPNAVINST 7220.14, December 24, 2005 Secretary of the Navy Memo, March 4, 2014 Assistant Secretary of the Navy (M&RA) Memo, April 11, 2014
Table 18-4	Public Law 100-180, section 621, December 4, 1987

VOLUME 7A, CHAPTER 19: "FOREIGN LANGUAGE PROFICIENCY BONUS (FLPB)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated March 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
2.0	Revised the "FLPB Entitlement" section to include implementation of "Table 1 FLPB Monthly Payment Calculated by Critical Skill Modality Proficiency (Table 1)" to comply with DoD Instruction (DoDI) 1340.27, dated August 17, 2022.	Revision
2.4	Replaced the "FLPB Installment Rates" table with "Table 1" table on DFAS.MIL in accordance with the DoDI 1340.27, dated August 17, 2022.	Revision
3.5	Updated the termination date for the "Duration of Authority" table on DFAS.MIL to comply with the National Defense Authorization Act for Fiscal Year 2022, Public Law 118-31, dated January 3, 2023.	Revision
References	Updated supporting statutes and references.	Revision

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CHAPTER 19

FOREIGN LANGUAGE PROFICIENCY BONUS (FLPB)

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to FLPB for members of an Active Component (AC) or Reserve Component (RC) of the Military Services (less the Coast Guard).

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

*2.0 FLPB ENTITLEMENT

2.1 Eligibility for Payment

The Secretary of the Military Department concerned will pay FLPB, in accordance with ***Title 37, U.S.C., section 353(b)***, to a Service member who is:

2.1.1. Entitled to basic pay pursuant to ***37 U.S.C. § 204***;

2.1.2. A member of the National Guard who is not a Reserve of the Army or the Air Force, who is participating in full-time training, training duty with pay, or other full-time duty, provided by law, including participation in exercises or the performance of duty under ***10 U.S.C § 10302***, ***10 U.S.C. § 10305***, ***10 U.S.C. § 10502***, ***10 U.S.C. § 12402***, or ***32 U.S.C. § 503***, ***32 U.S.C. § 504***, ***32 U.S.C. § 505***, ***32 U.S.C. § 506***; or

2.1.3. Entitled to compensation pursuant to ***37 U.S.C. § 206*** (See Chapter 58, paragraphs 2.1 and 4.2 for Service-specific instructions and other criteria (other than drill pay) that satisfies qualifying compensation in accordance with 37 U.S.C. § 206); or

2.1.4. Determined to have and is maintaining certified foreign language or dialect proficiency in accordance with ***37 U.S.C. § 353(b)(1)(B)*** in a skill the Secretary of the Military Department designates as critical.

2.1.5. A critical language skill is:

2.1.5.1. Required by any Service language–related career field or military specialty, designated by a Secretary of the Military Department, where the Service member's primary duties require an Interagency Language Roundtable (ILR) skill level 2+ or higher level (ILR skill level 2 and higher for special operations forces (SOF) personnel, but only if the Service has those SOF language requirements) of proficiency in a foreign language that directly supports the national defense strategy or Service-specific language-related missions.

2.1.5.2. A foreign language on the DoD or Service Strategic Language List or any foreign language for which the Secretary of the Military Department has language-designated requirements.

2.1.6. The member must execute a written agreement with the Secretary concerned that includes:

2.1.6.1. The amount of FLPB awarded;

2.1.6.2. The period for which the FLPB will be paid;

2.1.6.3. The initial certification or recertification necessary for the FLPB payment; and

2.1.6.4. The repayment provision discussing repayment of the unearned portion of any remaining FLPB if the member does not satisfy the eligibility and certification requirements for the length of the written agreement.

2.2 RC Eligibility

2.2.1. In order to receive FLPB a member of an RC must:

2.2.1.1. Meet the eligibility and proficiency requirements outlined in paragraphs 2.1, 2.3, 2.6, and 2.7; and

2.2.1.2. Fulfill the minimum annual service requirements for retirement eligibility, as defined in ***10 U.S.C. § 12732***, unless waived by the Secretary of the Military Department concerned.

2.2.2. An RC member must earn a minimum of 50 retirement points, regardless of the RC source, in each full anniversary year to have that year count as creditable towards verification of the total years of qualifying service for non-regular retired pay and payment of FLPB.

2.2.2.1. A partial qualifying year is any period of less than 12 full months during which the RC member earns a prorated share of the required 50 retirement points and earns an identical prorated share (or smaller percentage of full FLPB annual payment) of FLPB.

2.2.2.2. An RC member who performs a partial qualifying year of less than 12 full months and earns less than 50 retirement points in a year will have their FLPB prorated at a value of 2 percent for each retirement point less than 50 points.

2.2.3. The total of FLPB paid to an RC member who is in good standing and has not been adjudicated as an unsatisfactory performer in the previous 12 months, must equal the annual FLPB paid to an AC member with the same certified language proficiency.

2.2.3.1. For RC members, the requirement to attain 50 retirement points is waived for FLPB calculation if the Service member separates before 12 months in the anniversary year. The RC member will be paid the standard FLPB monthly allotment for months in good standing, with the last month of service prorated if separation occurs before the last day of the month. A separating RC member who serves the entire 12 months of the anniversary year must earn 50 points to collect the last month of FLPB prior to separation.

2.2.3.2. RC members in a separation year, who are no longer in good standing will have their FLPB terminated in the month in which they are determined to be no longer "in good standing."

2.2.4. Members of the Ready Reserve who are transferred to the Standby Reserve, in accordance with DoDIs ***1200.07*** and ***1304.31***, will have their bonus suspended during this period and will not be entitled to any future bonus payments while in the Standby Reserve. This suspension period may not exceed 1 year. In cases with unusual and extenuating circumstances, the Secretary of the Military Department concerned may grant a one-time suspension up to 3 years on a case-by-case basis. If a member is transferred back to the Ready Reserve with the same skill for which they had previously contracted, they may be reinstated in the bonus program.

2.2.4.1. To qualify, Service members must extend their term of service, or service obligation, to serve the original bonus agreement period.

2.2.4.2. Subsequent payment entitlement will resume on the adjusted anniversary date of satisfactory and creditable Reserve service. The date must be adjusted for the period spent in the Standby Reserve.

2.2.4.3. Failure to report after a suspension period or not meeting reinstatement criteria in accordance with the bonus agreement will result in bonus termination and repayment of any unearned bonus money. See paragraph 3.3 for additional information.

2.3 Certification

2.3.1. Approved DoD Certification Method Associated with FLPBs

The Secretary of the Military Department must use the DoD-approved Defense Language Proficiency (DLP) System of tests in accordance with ***DoDI 5160.71*** to certify their Service members proficient in foreign language or dialect proficiency for FLPB payment.

2.3.2. Annual Certification Expiration Date Calculation of Foreign Language or Dialect Proficiency

2.3.3. In accordance with ***37 U.S.C. § 353(d)(2)***, the certification of a Service member's foreign language or dialect proficiency must expire 1-year from the first day of the first month beginning on or after the certification date, unless they are recertified or excepted.

2.3.3.1. For example, if a Service member certifies proficient for a FLPB payment on January 2, 2021, their recertification date is calculated to be February 1, 2022. First, the 1-year calculation is applied to reach January 2, 2022. The first day of the first month beginning on or after January 2, 2022, is February 1, 2022.

2.3.3.2. In the event that FLPB eligibility requires two or more modalities, the test date of the last modality received should be used to calculate the start payment date and the recertification (stop payment) date for FLPB. All testing should be completed within a consecutive 30-day period. For example, a Service member scores an L2+ on January 2, 2022, and an S2 on January 31, 2022. The effective FLPB start date would be January 31, 2022.

2.3.4. In accordance with ***37 U.S.C. § 353(d)(1)***, Service members receiving FLPB must recertify annually in the foreign language or dialect for which they are receiving a FLPB. (See exceptions and a waiver in paragraphs 2.6 through 2.8). The Secretary of the Military Department concerned may retest Service members in accordance with DoDI 5160.71, paragraph 2.6.h. (See DoDI 5160.71 for other Secretary of the Military Department concerned retest qualifying events).

*2.4 FLPB Pay Table

2.4.1. Table 1 incorporates must-pay and may-pay FLPB policies for the Secretary of the Military Department concerned to calculate and pay one monthly payment of FLPB based on the Service member's critical skill of possessing certified proficiency at and above ILR skill level 2+ (or 2 for SOF), by modality skill. (See ***Table 1***.) Specifically, Table 1 is grouped by ILR skill level proficiencies (from 1 to 4 or higher) and modalities (L, R, and S). Table 1 allows the Secretary of Military Department to calculate a single FLPB monthly payment, not to exceed $1,000, for any possible ILR skill level proficiency (except ILR skill 0 and 0+) and any single modality or combination of modalities (except for the writing modality) associated with critical skill requirements.

2.4.2. The Secretary of the Military Department must pay FLPB to their Service members serving in language professional career fields that require Service members to have certified foreign language proficiency at and above ILR skill level L2+, R2+, or S2 to perform their primary language related duties. Applicable DoD or Service instructions establish required FLPB-related modalities associated with these career fields.

2.4.2.1. Must-pay language professional career fields or military specialties include Service:

2.4.2.1.1. Cryptologic Language Analysts (CLAs).

2.4.2.1.2. Foreign area officers (FAOs).

2.4.2.1.3. Defense Threat Reduction Agency interpreters and translators.

2.4.2.1.4. Other select Service language professional career fields or military specialties designated by the Secretary of the Military Department concerned.

2.4.2.2. Additionally, the Secretary of the Military Department concerned must pay:

2.4.2.2.1. Service SOF personnel at and above ILR skill level 2 (but only if the Service has documented SOF language requirements at ILR skill level 2 and above). The applicable Service FLPB instruction establishes required FLPB payable modalities associated with SOF personnel.

2.4.2.2.2. All Service members who are ILR skill level S2 proficient or above in their primary language and have speaking as a required modality associated with their primary language-related duties.

2.4.3. For all other Service members with a certified foreign language proficiency below ILR skill level L2+, R2+, or S2 who are not designated as a must pay FLPB recipient, the Secretary of the Military Department may or may not pay FLPB.

2.4.3.1. If paid at ILR skill levels 1 or 1+ in any modality or at ILR skill level 2 in listening or reading, the Secretary of the Military Department may choose to pay only one of the monthly modality FLPB dollar amounts depicted in Table 1. For example, an L1+ modality and proficiency combination may either be calculated at one of the three payment amounts depicted for L1+ ($0, $50 or $80).

2.4.3.2. The Secretary of the Military Department has discretion to pay or not pay FLPB to their Service members who have additional or multiple certified foreign language or dialect proficiencies.

2.4.3.3. FLPB payment calculation for a certified S2 or higher score, to any Service member whose required modalities do not include speaking, is at the Secretary of the Military Department's discretion.

2.4.4. Pay table calculation and must pay, may pay or may not pay examples:

2.4.4.1. The Secretary of the Military Department has discretion to calculate a monthly FLPB payment for one, two or three skill modalities associated with the Service member's certified language proficiency in those modalities (L, R, and/or S) that the Service Secretary determines are critical to performing their language-related duties. In Table 1, ILR skill levels with a single dollar amount depicted are "must pay" and 2 or 3 dollar amounts depicted are "may or may not pay" FLPB policies for the Secretary of the Military Department.

2.4.4.2. A CLA scores L2+/R3 on a DLP Test (DLPT). The Secretary of the Military Department "must pay" FLPB for L2+($200) and R3+($300). Testing and payment of FLPB for S1-S5 is at the discretion of the Secretary of the Military Department.

2.4.4.3. Another CLA scores L2/R2 on a DLPT. The Secretary of the Military Department "may or may not pay" FLPB for L2 (at $0, $50 or $100) and R2 (at $0, $50 or $100) in accordance with Service FLPB policy. Testing and payment of FLPB for S1-S5 is at the discretion of the Secretary of the Military Department.

2.4.4.4. Similarly, a FAO scores L2/R2 on a DLPT and an S2+ on an oral proficiency interview (OPI). The Secretary of the Military Department "may or may not pay" FLPB for L2 (at $0, $50 or $100) and R2 (at $0, $50 or $100) in accordance with Service FLPB policy. In accordance with DoDI 1315.20, FAOs must take an OPI every 2 years. The S2 is "must pay" at $100.

2.4.4.5. A linguist scores L1/R1+ on a Very Low Range DLPT and an L1+/S1+ on a 2SOPI. Because of Note 2 in Table 1, the linguist's scores are now L1+ (inferred listening from the 2SOPI)/R1+/S1+. The linguist requires L and S proficiency as part of their military duties, so the Secretary of the Military Department "may or may not pay" FLPB for L1+ (at $0, $50 or $80) and S1+ (at $0, $50 or $80). FLPB payment for the R1+ (at $0, $50 or $80) is at the discretion of the Secretary of the Military Department.

2.4.4.6. Another linguist scores an L2/S2 on a 2SOPI. S2 is a "must pay" FLPB calculation requirement, so FLPB for the S2 is $100. The L2 is a "may or may not pay" at $0, $50, or $80.

2.4.4.7. A FAO scores L2/R2 on a DLPT and an S3 on an OPI. The FAOs scores are now L2/R2/S3. For the L2 and R2, the Secretary of the Military Department "may pay" $0, $50 or $100 for each L2 and R2 modality. In this example, the Secretary of the Military Department options to pay FLPB at $100 for both the L2 and R2 (or $200). Additionally, the S3 is "must pay" at $300, so this FAO's total FLPB is $500 per month.

2.4.5. Additional payment considerations:

2.4.5.1. For Service members who have a combination of must-pay and may-pay ILR skill proficiencies and modalities (e.g., L2+ (must pay) and R2 (may pay)), the Secretary of the Military Department must pay for the L2+ but may pay or not pay for the R2. If the R2 is not calculated in the monthly payment by the Secretary concerned, the Service member would only receive a monthly FLPB payment for the L2+ alone.

2.4.5.2. Pursuant to ***37 U.S.C. § 353(c)(2)***, the Secretary of the Military Department concerned may not vary the criteria or rates for FLPB paid for officers and enlisted members.

Note: Upon publication of the chapter, the Military Department must cease use of FLPB pay table rates associated with cancelled DoDI 1340.27, dated May 21, 2013, and commence use of Table 1 for setting FLPB amounts upon certification or recertification by a Service member. Monthly FLPB rates set prior to or during the transition remain in effect until reset following recertification.

2.5 Maximum Amounts and Payment Methods

2.5.1. The FLPB may not exceed $12,000 per 1-year certification period. The Secretary of the Military Department concerned may pay a bonus in monthly installments (not to exceed an aggregate of $1,000 per month) or a lump sum during the certification period.

2.6 Waiver of Certification of Proficiency Recertification Interrupted by a Contingency Operation

2.6.1. The Secretary of the Military Department concerned may waive the annual certification requirements and pay a FLPB to a Service member who:

2.6.1.1. Is assigned to duty in connection with contingency operation.

2.6.1.2. Is unable to schedule or complete the certification test because of that assignment.

2.6.1.3. Except for the lack of such certification, satisfies the eligibility requirements cited in paragraphs 2.1 and 2.2.

2.6.2. The Secretary of the Military Department concerned may treat the date the Service member was assigned to duty in connection with the contingency operation as equivalent to a recertification date.

2.6.3. In the case of a Service member whose certification expires during such a contingency operation, the Secretary of the Military Department must authorize the Service member a 180-day period after returning as a mandatory grace period to recertify for an FLPB.

2.6.4. If a Service member fails to obtain the required certification by the end of the 180-day period, then the Secretary of Military Department concerned may require the Service member to repay all or a portion of the FLPB received in accordance with paragraph 3.3.

2.6.5. Service members who receive a wound, injury, or illness in the line of duty while serving in a combat operation or a combat zone, in a hostile fire area, or while exposed to a hostile fire event and is hospitalized may continue to receive an FLPB in accordance with ***37 U.S.C. § 372***.

2.7 Exceptions to Recertification of Foreign Language or Dialect Proficiency Regarding Attendance at a Significant Language Training Event (SLTE)

In the case of Service members whose certification expires while they are attending an SLTE, their next 1-year certification period begins when they successfully retest after they complete the SLTE as follows:

2.7.1. The Service member's FLPB continues until they can complete the recertification requirements of paragraph 2.4.2. Further FLPB entitlement is based on the modality proficiency test scores resulting from that event.

2.7.2. If a Service member has an additional (e.g., second language) foreign language recertification date that will expire during the Service member's primary SLTE, the Secretary of the Military Department concerned may either:

2.7.2.1. Require the Service member to recertify in that additional foreign language before the primary SLTE begins; or

2.7.2.2. Extend the certification periods for each language not associated with the SLTE to a recertification date up to 45 calendar days after the SLTE graduation date.

2.7.3. To the maximum extent possible, the SLTE should be uninterrupted to give the Service member the greatest opportunity for SLTE success.

2.8 Annual DLPT Recertification of ILR Skill Level 3 – Proficient Personnel in All Required Modalities Exception

This ILR skill level 3 (and higher) exception applies to all the modalities to which the Service member is being paid FLPB, otherwise the exception does not apply.

2.8.1. If applicable, at the end of the Service member's 1-year annual recertification date, the Secretary of the Military Department concerned must recertify the Service member proficiency levels pursuant to Section 353(d)(1) of Title 37, U.S.C., which cites that FLPB payment proficiency is subject to annual recertification by the Secretary of the Military Department concerned. For individuals who are initially certified by a DLPT or OPI as proficient at levels L3, R3 or S3 or higher, the Secretaries of the Military Departments may extend certification for up to 24 months.

2.8.2. The Secretaries of the Military Departments must require recertification when necessary and establish a process to document and track a Service member's extended certification period.

2.9 Waiver of Certificate and Certification Duration

In accordance with ***37 U.S.C. § 353(d)(3)***, the Secretary concerned may waive the annual certification in paragraph 2.3 and the duration of certification requirements in paragraphs 2.6 and

2.7, if the Service FLPB regulation addresses the specific circumstances under which the Service Secretary may waive either or both of these certification requirements.

3.0 CONDITIONS OF ENTITLEMENT

3.1 Requirements

A member must qualify under any additional eligibility requirements prescribed by the Secretaries concerned, and is subject to Service specific certification requirements and amount of payment restrictions as outlined in these "pay-by-modality" DoD and Service references:

3.1.1. DoD: DoDI 1340.27, Military Foreign Language Skill Proficiency Bonuses and DoDI 5160.71, DoD Language Testing Program;

3.1.2. Army: ***Army Regulation 11-6***;

3.1.3. Navy: ***Chief of Naval Operations Instruction 7220.7H***;

3.1.4. Air Force and U.S. Space Force: ***Department of Air Force Manual 36-2664***, Attachment 10, and ***Air Force Instruction 36-4005***; or

3.1.5. Marine Corps: ***Marine Administrative Message 496/23***.

NOTE: Pay authorizing officials must access the current DoD SLL and the Component's unique foreign language bonus pay authorizations, additional eligibility rules, and certification requirements in order to ensure the correct FLPB payment is authorized.

3.2 Tax

FLPB is an item of pay subject to federal withholding tax. It is not subject to the Federal Insurance Contributions Act tax.

3.3 Repayment

A member who receives FLPB but does not satisfy eligibility and certification requirements specified in section 2.0 may be subject to repayment in accordance with Chapter 2.

3.4 Relationship to Other Pay and Allowances

A member may not be paid more than one Skill Incentive Pay or Proficiency Bonus in any month for the same period of service and skill. A member may be paid skill incentive pay or the proficiency bonus in addition to any other pay and allowances to which the member is entitled, except that a member may not be paid skill incentive pay or a proficiency bonus and hazardous duty pay, in accordance with Chapter 24, for the same period of service in the same career field or skill.

*3.5 Duration of Authority

Unless reauthorized by Congress, FLPB entitlement may not be paid after the date on the ***Duration of Authority*** table unless an FLPB agreement was entered into prior to the date on the table.

*REFERENCES

CHAPTER 19 – FOREIGN LANGUAGE PROFICIENCY BONUS

2.0 – ENTITLEMENT

DoDI 1340.27, August 17, 2022
37 U.S.C. § 353(b)
37 U.S.C. § 353(b)(1)(B)
Office of the Assistant Secretary of Defense Memo, November 25, 2019
37 U.S.C. § 353(d)(1) and (2)
DoDI 5160.71, June 30, 2022
37 U.S.C. § 353(c)
37 U.S.C. § 353(c)(1) and (2)
37 U.S.C. § 372
Public Law (P.L.) 110-181, section 661, January 28, 2008
37 U.S.C. § 353(d)(3)
37 U.S.C. § 353(e)(2)

3.0 – CONDITIONS OF ENTITLEMENT

P.L. 116-92, section 952, December 20, 2019
Secretary of the Air Force Memo, December 20, 2019
37 U.S.C. § 353(g)
37 U.S.C. § 353(h)
37 U.S.C. § 353(i)

VOLUME 7A, CHAPTER 20: "AVIATION BONUS (AvB)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
4.2.1. 4.2.3.	Added an approved Air Force Exception to Policy for a temporary 3 year increase to the maximum amounts for AvB.	Revision
References	Updated statutes and added supporting references.	Revision

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CHAPTER 20

AVIATION BONUS (AvB)

1.0 GENERAL

1.1 Purpose

The Secretaries of the Military Departments may offer an AvB to increase their respective Department's ability to attract and retain officers in a military aviation career. An AvB paid to an eligible officer is in addition to any other pay and allowance to which the officer is entitled, except that an officer may not receive a payment for the same skill and period of service.

1.2 Authoritative Guidance

The AvB policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code, section 334 (***37 U.S.C. § 334***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 DURATION OF AUTHORITY

Unless reauthorized by Congress, AvB may not be paid after the date listed on the ***Duration of Authority*** table unless an AvB agreement was entered into prior to the date on the table.

3.0 ELIGIBILITY REQUIREMENTS

3.1 General

The Military Departments may offer an AvB on a selective basis when there is a shortage or a projected shortage of Regular or Reserve Component (RC) officers qualified in critical aviation specialties. AvBs will be limited to those periods in an officer's aviation career in which AvBs can be expected to affect retention trends for the Military Service concerned.

3.2 Qualifications

To qualify for an AvB, an officer, on active duty (AD) or in an active status, must:

3.2.1. Be eligible for Aviation Incentive Pay at the time of incurring the initial AvB contractual obligation;

3.2.2. Be in a pay grade of O-5 or below at the time of incurring the initial AvB contractual obligation;

3.2.3. Serve in an aviation specialty or skill designated as critical by the Secretary of the Military Department concerned;

3.2.4. Have completed or be within one year of completing any service obligation incurred for undergraduate aviator training. In accordance with ***10 U.S.C. § 653***, the minimum service obligation of any Service member who successfully completes training in the Armed Forces as a pilot is 8 years if the member is trained to fly fixed-wing jet aircraft, or 6 years if the member is trained to fly any other type of aircraft. The minimum service obligation of any member who successfully completes training in the Military Services as a combat systems officer or naval flight officer will be 6 years;

3.2.5. Execute a written agreement to remain on AD in the Regular Component or to serve in an active status in the selected reserve for at least one year; and

3.2.6. Meet such other additional criteria as the Secretary of the Military Department concerned may prescribe.

4.0 PAYMENT METHODS AND AMOUNTS

4.1 Payment Method

The Secretary of the Military Department concerned may pay an AvB to Regular or RC officers of a Uniformed Service who meet the qualification criteria in paragraph 3.2 in a lump sum or in periodic installments, as determined by the Secretary concerned.

4.2 Amounts

The AvB amount, covered by the written agreement, described in paragraph 5.1, between the Regular or RC officer and the Secretary of the Military Department concerned, for each 12-month period of obligated service specified in 37 U.S.C. § 334(c)(1)(B), will not exceed the following, unless otherwise updated by the Assistant Secretary of Defense Manpower and Reserve Affairs (ASD M&RA):

* 4.2.1. $35,000 per year for Regular Component officers or RC Active Guard and Reserve officers performing qualified flying duty. For the three-year period commencing June 1, 2023, the Air Force is authorized to offer these eligible pilots AvBs in amounts not to exceed $50,000 per year, unless such authorization is otherwise rescinded or superseded;

4.2.2. $35,000 per year for Regular Component officers or RC Active Guard and Reserve officers performing qualified flying duty related to Unmanned Aerial System (UAS) operators; or

* 4.2.3. $18,000 per year for all other RC officers performing qualified duty, to include UAS operators. For the three-year period commencing June 1, 2023, the Air Force is authorized to offer these eligible pilots AvBs in amounts not to exceed $30,000 per year, unless such authorizations is otherwise rescinded or superseded.

Note: The ASD (M&RA) may update the AvB amounts, in accordance with the DoD Instruction (DoDI) 7730.67, October 20, 2016, paragraph 2.1.b.

4.3 Relationship to Other Pay and Allowances

Aviation pays and bonuses paid in accordance with DoDI 7730.67 will be in addition to any other pay or allowances to which the member is entitled, except as specified in the limitations and restrictions in DoDI 7730.67, paragraph 3.1.b.

5.0 TERMS AND CONDITIONS

5.1 Written Agreements

5.1.1. To receive an AvB, an officer must execute a written agreement with the Secretary of the Military Department concerned that specifies the amount of the AvB, the method of payment (lump sum or periodic installments), the period of obligated service (at least 1 year), and the type or conditions of service. No agreement may be executed that would take an officer beyond 25 Years of Aviation Service.

5.1.2. The Secretary of the Military Department concerned will not exceed the AvB amount covered by the written agreement for any 12-month period of obligated service specified in paragraph 4.2 or 37 U.S.C. § 334(c).

5.1.3. Bonus agreements awarded under ***37 U.S.C. § 301b***, that were approved before October 1, 2017, will remain in effect, and payments may continue through the agreed-upon date in the written agreement.

5.2 Acceptance

Upon acceptance of the written AvB agreement by the Secretary of the Military Department concerned, the period of obligated service and the total amount of AvB the Department will pay pursuant to the agreement will be fixed, unless otherwise renegotiated for a higher bonus amount in return for additional obligated service.

5.3 Death of a Member

If a member dies before receiving the full amount of the bonus due (including contracted future year anniversary payments) and death is not caused by the member's misconduct, the remaining unpaid bonus balance is payable as a lump sum for inclusion in the settlement of the deceased member's final military pay account. If death is determined to be the result of the member's own misconduct, termination of future payments and proration or repayment of the bonus, as applicable, must be made in accordance with procedures established by the Military Department concerned. See Chapters 2 and 36.

6.0 REPAYMENT

An officer, who fails to fulfill the eligibility requirements or service conditions specified in the written agreement for the AvB, will be subject to the repayment provisions of ***37 U.S.C. § 373*** and Chapter 2.

*REFERENCES

CHAPTER 20 - AVIATION BONUS (AvB)

2.0 – DURATION OF AUTHORITY

37 U.S.C. § 334(i)

3.0 – ELIGIBILITY REQUIREMENTS

3.1	DoDI 7730.67, October 20, 2016, paragraph 3.5.a
3.2	DoDI 7730.67, October 20, 2016, paragraph 3.5.b

4.0 – AMOUNT

4.1	DoDI 7730.67, October 20, 2016, paragraph 3.5.d(1)
4.2	37 U.S.C. § 334(c)(1)(B) Public Law 117-263 § 602(c)(2) DoDI 7730.67, October 20, 2016, paragraph 3.5.d(2)
4.2.1.	DoDI 7730.67, October 20, 2016, paragraph 3.5.d(2)(a) Office of the ASD M&RA(OASD M&RA) Memo, June 1, 2023 ASD M&RA Memo, April 26, 2017
4.2.2.	DoDI 7730.67, October 20, 2016, paragraph 3.5.d(2)(b) ASD M&RA Memo, April 26, 2017
4.2.3.	DoDI 7730.67, October 20, 2016, paragraph 3.5.d(2)(c) OASD M&RA Memo, June 1, 2023
Note	DoDI 7730.67, October 20, 2016, paragraph 2.1.b
4.3	37 U.S.C. § 334(f)(2)

5.0 – PAYMENT

5.1	DoDI 7730.67, October 20, 2016, paragraph 3.5.c
5.1.3.	DoDI 7730.67, October 20, 2016, paragraph 1.2.d
5.2	DoDI 7730.67, October 20, 2016, paragraph 3.5.c(3)
5.3	37 U.S.C. § 373 (b)(2)

6.0 – REPAYMENT

37 U.S.C. §§ 334(g), & 373

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 21: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

VOLUME 7A, CHAPTER 22: "AVIATION INCENTIVE PAYS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated August 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
2.2.3 2.2.5 3.3.1	Removed obsolete Limitation and Restriction information and renumbered subsequent subparagraphs accordingly.	Deletion
3.4	Updated the maximum amount payable for monthly Aviation Incentive Pay in accordance with Public Law 117-263 section 602.	Revision
4.5	Removed obsolete paragraph on Transition Period and renumbered subsequent subparagraphs accordingly.	Deletion
Table 22-5	Inserted the Hazardous Duty Incentive Pay chart as referenced in paragraph 2.13 and renumbered subsequent tables accordingly.	Addition
References	Updated to reflect current statutes and policy memos.	Revision

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CHAPTER 22

AVIATION INCENTIVE PAYS

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to describe the policies for Hazardous Duty Incentive Pay (HDIP), Aviation Incentive Pay (AvIP), and Critical Skill Incentive Pay (CSIP).

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.), section 334(a) ***(37 U.S.C. § 334(a))***, ***37 U.S.C. § 351(a)(2)***, and ***37 U.S.C. § 353***. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 HDIP FOR FLYING DUTY

The Secretary concerned may pay HDIP to Service members required by competent orders to participate in frequent and regular aerial flights as an aircrew member or to non-aircrew members who otherwise meet the requirements for flying duty.

2.1 Eligibility

To be eligible for flying duty HDIP, a Service member must be required by competent orders to participate frequently and regularly in sustained, powered, controlled aerial flights, and generally must complete 4 hours (or 2 hours for reserve component (RC) Service members) of aerial flights each month. Hours that are flown in excess of this requirement may be credited against this requirement for up to 5 subsequent, consecutive months. Additionally, a Service member who has a shortage of flying hours after crediting these excess hours may, under certain conditions established by the Military Departments, enter a 3-month grace period wherein hours flown in future months may be retroactively applied to earlier monthly requirements.

*2.2 Limitations and Restrictions

2.2.1. Officers, including aviation cadets entitled to AvIP under section 3.0, are not entitled to payments under this section for the same period of service.

2.2.2. Enlisted members receiving CSIP under section 5.0 are not entitled to payments under this section for the same period of service.

2.2.3. An officer receiving an incentive pay pursuant to 37 U.S.C. § 334, may not receive HDIP pursuant to 37 U.S.C. § 351(a)(2) for the same skill and period of service.

2.2.4. Service members receiving a skill incentive pay pursuant to 37 U.S.C. § 353(a), may not receive HDIP pursuant to 37 U.S.C. § 351(a)(2), for the same period of service in the same career field or skill for which the payment is paid.

2.2.5. Service members must be on competent orders to serve in the area or to perform the hazardous duty to qualify for an incentive.

2.2.6. To be eligible for select HDIP payments, a Service member must be in training, have successfully completed the qualifying training and technical qualification, or meet qualification requirements for the performance of the hazardous duty.

2.2.7. Although a Service member may perform more than three hazardous duties in a month, a Service member may not receive simultaneous payments for more than three HDIP duties in a month.

2.3 Definitions

2.3.1. Aerial Flights. Aerial flights are flights in military aircraft or spacecraft, and also flights in nonmilitary aircraft when Service members are required by competent orders to fly in such aircraft. A flight begins when the aircraft or spacecraft takes off from rest at any point of support located on the surface of the earth and terminates when it next comes to a complete stop at a point of support located on the surface of the earth.

2.3.2. Aviation Accident. Aviation accident is an accident in which a Service member, who is required to participate frequently or regularly in aerial flights, is injured or otherwise incapacitated as the result. The injury or incapacitation, as certified by the appropriate medical authority of the Uniformed Service concerned, may result from:

2.3.2.1. Jumping from, being thrown from, or being struck by an aircraft or spacecraft, or any part or auxiliary thereof; or

2.3.2.2. Participation in any duly authorized aerial flight or other aircraft or spacecraft operations. This term also means an incapacity incurred as the result, as certified by appropriate medical authority, of performance of flying duty, even though such incapacity is not the result of an actual aviation accident.

2.4 Flight Requirements

2.4.1. Minimum Flying Time Each Month

2.4.1.1. During 1 calendar month, 4 hours of aerial flight are required. If a Service member does not fly 4 hours in any month, any hours flown during the last 5 preceding months (which have not already been used to qualify for flight pay) may be applied to meet this 4-hour requirement.

2.4.1.2. During 2 consecutive calendar months when the requirements of subparagraph 2.4.1.1, have not been met, 8 hours of aerial flight are required.

2.4.1.3. During 3 consecutive calendar months when the requirements of subparagraph 2.4.1.2, have not been met, 12 hours of aerial flight are required.

2.4.2. Fractions of a Calendar Month. For fractions of a calendar month, calculate the percentage that the period in question is of the calendar month. The flying time required is that same percentage of the aerial flight time required for a full calendar month (see Table 22-1).

2.4.3. Fractions of 2 Consecutive Calendar Months. For fractions of 2 consecutive calendar months, consider the whole period in question. Calculate the percentage that the period in question is of the calendar month. The flying time required is that same percentage of the aerial flight time required for a full calendar month (see Table 22-1).

2.4.4. Application of Hours Flown. To the extent of hours available, hours flown in any month apply as follows:

2.4.4.1. First, to meet flight requirements for that month;

2.4.4.2. Next, if the Service member has entered a grace period for meeting flight requirements, to the prior month or months, as applicable; and

2.4.4.3. Next, in order, to the first, second, third, fourth, and fifth succeeding months, but only to the extent that the Service member fails, during each month, to fly the required 4 hours. (Hours available to meet requirements of later months are referred to as "excess" flight time.) See examples in Tables 22-2 and 22-3.

2.4.5. Military Operations or Unavailability of Aircraft. When under authority conferred by the Secretary of the Military Department concerned, the commanding officer certifies that a Service member is unable to meet normal flight requirements due to military operations (combat or otherwise), or the non-availability of aircraft in order to complete those requirements. The Service member may, however, comply with the minimum flight requirements by performing 24 hours of aerial flight over a period of 6 consecutive calendar months. The commanding officer will certify that only those conditions specified in this subparagraph prevented completion of normal flight requirements. The 24-hour flight requirement may be met at any time during the 6-calendar-month period and in any combination of flights.

2.4.5.1. If the Service member is in a 3-calendar-month grace period when military operations or aircraft non-availability prevents fulfillment of flight requirements, the 6-calendar-month period for meeting the 24-hour flight requirement under this subparagraph begins on the first day of the grace period.

2.4.5.2. If the Service member is not in a 3-calendar-month grace period, the first month in which military operations or aircraft non-availability prevents fulfillment of flight

requirements is the beginning of the 6-calendar-month period for meeting the 24-hour flight requirement under this subparagraph.

2.4.5.3. During the 6-calendar-month period, HDIP for flying may be paid for any single month, or for multiple months, when minimum requirements have been met.

2.4.5.4. At the end of the 6-calendar-month period, HDIP for flying may be paid for missed months in the period to the extent that the remaining hours flown are applicable. Excess hours are applied prospectively under subparagraph 2.4.4 if the Service member continues to fly under the same orders.

NOTE: For RC officers not on active duty for a period of more than 30 consecutive days, the requirement is half of the requirements contained in paragraph 2.4.

2.5 Determination of a 3-Calendar-Month Period

2.5.1. When 3-Month Period Starts and Ends. The 3-calendar-month period in which flight requirements must be met begins with the first month in which flight requirements are not met. If the Service member flies enough time in the second month to cover the first and second months, the period ends with the second month. If not, the period extends through the third month.

2.5.2. Deficiencies for a Fraction of a Month. If a Service member fails to qualify for a fraction of a month (because flying status or active duty began on an intermediate day of the month), the 3-month period ends on the last day of the second full month following the fractional month.

2.5.3. When Next 3-Month Period Starts

2.5.3.1. A new 3-month period starts with the first month in which flight requirements are not met following a month in which flight requirements were met.

2.5.3.2. For a new 3-month period to begin immediately after a prior 3-month period, flight requirements must have been met for the entire prior 3-month period, not merely for the last month.

2.5.3.3. If the requirements for the entire prior 3-month period were not met, a new period does not begin until flight requirements are met for at least 1 month after the prior 3-month period.

2.5.3.4. After a month when flight requirements are met, any month in which flight requirements are not met begins a new 3-month period. A new period may not start with the second or third month in which flight requirements are not met; nor may a new period start with the fourth month in which flight requirements are not met. There must be at least 1 month in which requirements are met before a new 3-month period begins. See Tables 22-2 and 22-3 for application of the rules listed in paragraph 2.5.

2.6 Entitlement to Pay When No Flights are Performed in the First Month of a 3-Month Period

Assume, for the purposes of this paragraph, that the Service member had no excess flight time from prior months.

2.6.1. Second Month. If a Service member performs no aerial flights during the first month of a 3-month period and, in the second month, performs at least 4 hours but less than 8 hours, he or she is entitled to pay only for the second month. For example: In January, no aerial flights are performed; in February, 5 hours of aerial flight are performed. Flight pay is payable only for February.

2.6.2. Third Month. If a Service member performs no aerial flights during the first 2 months of a 3-month period, he or she must perform 12 hours of aerial flight in the third month to be entitled to incentive pay for all 3 consecutive months. For example: If flight requirements are met for January and a Service member performs no flights during the months of February and March, he or she must perform at least 12 hours in April to be entitled to receive the incentive pay for the period February 1 to April 30. If the Service member performs 4 or more hours, but less than 12 hours in April, he or she is entitled to incentive pay only for April.

2.6.3. First and Third Months. If a Service member does not perform aerial flights during the first month and in the second month performs only sufficient flights to qualify for the second month, he or she must perform enough hours of flight during the third month to total 12 hours in order to qualify for the incentive pay for the first and third months of the 3-month period.

> Example: In January, no aerial flights are performed; in February, 5 hours of aerial flight are performed. The deficiency in January must be made up in March. If at least 7 hours are accomplished in March, flight pay for January and March is payable. If only 6 hours are flown in March, flight pay is payable only for March (the payment for February previously having been made) and incentive pay for January is lost.

2.7 Injury or Incapacity Resulting From Performance of Hazardous Duty

Service members qualified for HDIP, who are temporarily unable to perform a hazardous duty due to an injury or illness that is not the result of the Service member's own misconduct, may continue to receive HDIP for up to 6 months.

2.7.1. On a case-by-case basis, the Secretary concerned, or designee, may authorize an extension of HDIP payments for up to an additional 6-months, based on the recommendation of the appropriate medical authority. Under no circumstance will HDIP payments continue beyond 12 months from the date of injury or illness.

2.7.2. HDIP will be terminated for Service members permanently disqualified or otherwise determined to be no longer eligible to perform hazardous duty by a competent medical authority.

2.7.3. Service members reassigned to a new duty assignment or specialty not eligible for HDIP will have their HDIP payments terminated on the date of reassignment or reclassification.

2.7.4. If the injury or illness occurred while serving in a combat zone, hostile fire area, or imminent danger area, the Service member may continue to receive HDIP during the Service member's hospitalization and rehabilitation. See Chapter 13.

2.8 Right to Flight Pay Under Certain Conditions

See Table 22-4.

2.9 Determinations Affecting Entitlement to Flight Pay

2.9.1. Flight Pay From Date of Reporting for Duty. A Service member is entitled to flight pay on and after the date that he or she reports for and enters on duty under competent orders, subject to meeting flight requirements. A Service member in a non-duty status (such as on leave or sick) at the time that flying status orders are issued is not entitled to flight pay for any period before he or she reports for and enters on duty under such orders.

2.9.2. Excess Flight Time. When authorized under paragraph 2.5, flight time in excess of the time required or insufficient to qualify for a particular month may be applied to a later month in which minimum requirements are not met, provided that the orders under which flying time was logged remain in effect.

2.9.3. Change of Designation, Non-Crewmember to Crewmember or Vice Versa. A Service member whose status changes from non-crewmember to crewmember (or vice versa) within a month or other qualifying period may not combine time flown in both categories for pay purposes. The Service member is entitled to flight pay, as a non-crewmember for the period of time Service member held that status, if he or she met the pro rata requirements as a non-crewmember. The Service member is entitled to flight pay as a crewmember, for the period of time he or she held that status, if he or she met the pro rata requirements as a crewmember.

2.9.4. Change From One Crewmember Status to Another Crewmember Status. Flights as one type of crewmember may be combined with flights as another type of crewmember if the Service member remains on continuous active duty and continuous flying status. Total requirements may be met in either crewmember status or a portion may be met in each status.

Example: An aviation cadet is given a rating as a navigator and issued new flying status orders immediately following termination of Service member's former orders.

2.9.5. Missing or Missing-in-Action

2.9.5.1. A Service member assigned to flying duty who is declared missing by competent authority is entitled to HDIP during the entire period of absence and is entitled to HDIP

for hospitalization and rehabilitation after termination of missing status for an additional period, not to exceed one year.

2.9.5.2. Upon return from a missing status and completion of any required period of hospitalization and rehabilitation (not to exceed 1 year), entitlement to HDIP for flying duty will be contingent on a determination of continued eligibility under paragraph 2.1 and the applicable flight requirement provisions of paragraph 2.4.

2.9.5.3. A new 3-month grace period does not start when the missing status and hospitalization ends. The new 3-month grace period starts with the first month of deficiency, after entering a missing status.

2.9.5.4. If the missing status and hospitalization goes beyond the 6-month grace period, the Service member must meet flight requirements for at least 1 month to become entitled to flight pay again.

2.9.5.5. If the Service member does not meet flight requirements upon the completion of an authorized missing and hospitalization period, he or she is entitled to pro rata HDIP for flying duty through the date of such authorized period.

2.9.6. Death

2.9.6.1. Death Due to Aviation Accident. If death occurs on the date of an aviation accident, flight pay accrues to include the date of death. If, however, death occurs after the 3-month period has expired, flight pay is not authorized for any day after the expiration of that period. Flight pay for the month or period before the month in which the accident occurred is not authorized unless flight requirements were met for that period.

2.9.6.2. Death Due to Other Causes. If death occurs from causes other than an aviation accident, flight pay is payable to and including the date of death if the Service member has met pro rata flight requirements for the month of death and was on flying status.

2.10 Suspensions From Flying Status, Effect on Flight Pay

2.10.1. Flight Pay for a Period of Suspension. Except under subparagraphs 2.10.2 and 2.10.3, Service members are not entitled to flight pay for any period while suspended from flying status. Service members are considered suspended on the effective date of suspension. Service members are considered to be in a flying status on the day that the suspension is removed or terminated. Payment for a period of suspension cannot be made in any case until the suspension has been removed or terminated.

2.10.2. Suspension for Other Than Physical Incapacity for Service Members Required to Perform Minimum Flight Requirements. Service members are entitled to flight pay for a period of suspension from flying status, provided the suspension is removed or terminated and they meet flight requirements as prescribed in paragraph 2.4. If the Service member has excess flights

performed before suspension, the grace period specified in paragraph 2.4 begins on the first month of the period of suspension not covered by excess flights.

> Example: A Service member was suspended from flying status on February 1. He had 16 hours excess flying time as of January 31. Flight pay is stopped on January 31. The suspension subsequently is removed (or terminated) on June 30. He flew 12 hours in the month of July. After removal of the suspension, pay flight pay for February 1 through May 31 on the basis of the 16 excess hours accumulated in the 5 months before February 1. The grace period, authorized as stated in paragraph 2.4, started on June 1. The hours that were flown in July qualify the Service member for flight pay for June and July.

2.10.3. Suspension for Physical Incapacity of Service Members Subject to Minimum Flight Requirements. A Service member is entitled to flight pay during a period of grounding due to physical incapacity if he or she meets the flight requirements stated in paragraph 2.4. The Service member also is entitled to flight pay during a period of suspension, if the suspension is removed or terminated and flight requirements are actually met. There are no flight requirements during the first 3 months of a period of incapacity incurred as the result of performance of an assigned hazardous duty. See paragraph 2.7.

2.10.4. Suspension Removed or Terminated. If a suspension is removed or terminated after the Service member can no longer qualify for flight pay under subparagraphs 2.10.2 and 2.10.3, there is loss of pay for any period that is not covered by paragraph 2.4. Flight pay accrues after the suspension is removed or terminated for Service members required to meet minimum flight requirements from the date of reporting for flying duty after the suspension is removed or terminated if flight requirements are met.

2.11 Payment of Flight Pay and Incentive Pay for Other Hazardous Duty

A Service member who qualifies for flight pay and incentive pay for one or more other types of hazardous duty may receive the flight pay and incentive pay only for two other hazardous duties for the same period. Dual HDIP is limited to those Service members required by orders to perform specific multiple hazardous duties necessary for successful accomplishment of the mission of the unit to which assigned.

2.11.1. Conditions of Entitlement. The hazardous duties for which dual incentive pay is payable must be an integral part of the Service member's assigned mission. Accomplishment of the assigned mission must require the Service member to perform specific multiple hazardous duties. A Service member must meet minimum requirements for each of the hazardous duties, except for injury or illness.

2.11.2. Types of Duties That Qualify Service Member for Dual Payment of HDIP. See Chapter 24, subparagraph 2.4.1.

2.11.2.1. Air Force pararescue team Service members placed on orders to perform duties as both crewmembers and parachutists.

2.11.2.2. Other combinations of hazardous duties for which dual payments of incentive pay are authorized by the Military Services concerned.

2.11.3. Injury or Incapacity as a Result of Performance of Hazardous Duty or Dual Hazardous Duties. If a Service member who is required to perform more than one hazardous duty becomes injured or otherwise incapacitated as a result of any of the duties, he or she is entitled to dual incentive pay during the incapacity, but for no longer than 6 months. If not entitled to dual incentive pay at the time of the incapacity, the Service member is entitled to the type of incentive pay that he or she was receiving at the time of the incapacity. The beginning date of the 6-month period will be determined separately for each type of incentive pay. See paragraph 2.7 to determine the 6-month period separately for each incentive pay.

2.12 Authority to Issue Orders

Authority to issue orders requiring the performance of flying duty, granting waivers of performance requirements, or extending time periods during which requirements may be met is delegated by the Secretary of the Military Department concerned to specific commanders within each Military Service. Such delegations are contained in the personnel administrative regulations of the respective Military Services.

2.13 Monthly Rates

See Table 22-5. For the most current rates see the ***HDIP for Flying*** table.

2.13.1. HDIP for aircrew members may not exceed $250 per month.

2.13.2. HDIP for non-aircrew members is $150 per month

2.13.3. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of flying duty, will receive a prorated HDIP payment as follows:

2.13.3.1. Prorating the monthly HDIP is required for Service members who fail to satisfy the eligibility requirements for the pay for the entire month. The amount of HDIP authorized for qualifying service during a day or portion of a day will be the amount equal to 1/30th of the monthly amount of HDIP payable to a Service member.

2.13.3.2. Service members are first entitled to HDIP on the date they report for, and begin performing, an eligible duty in compliance with competent orders. HDIP ends on the effective date published in orders for termination of such duty or the date the Service member is detached from and is no longer required to perform the hazardous duty, whichever occurs first.

2.13.3.2.1. When a Service member begins hazardous duty on a date other than the first day of a month or terminates that duty prior to the last day of a month and otherwise meets the requirements of the pay for the month, the Service member is entitled to a prorated portion of HDIP for the month.

2.13.3.2.2. The prorated monthly amount is calculated using the daily rate to reflect the duration of the Service member's actual qualifying service during the month.

2.14 Repayment

An officer or enlisted member who fails to fulfill the eligibility requirements of DoD Instruction (DoDI) 7730.67, Aviation Incentive Pays and Bonus Program or other conditions of service specified by the Secretary of the Military Department concerned will be subject to repayment consistent with ***37 U.S.C. § 373***, Chapter 2, and Volume 16 Chapter 3.

2.15 Duration of Authority

Unless reauthorized by Congress, HDIP may not be paid after the date listed on the ***Duration of Authority*** table, located on DFAS.MIL.

3.0 AvIP FOR AVIATORS IN OPERATIONAL FLYING DUTY (OFD) OR PROFICIENCY FLYING DUTY (PFD) POSITIONS

3.1 General

The Secretaries of the Military Departments may offer AvIP(s) under 37 U.S.C. § 334(a) to increase their respective Department's ability to retain officers in a military aviation career and support the recruiting and retention of individuals with military aeronautical ratings or designations.

3.2 Eligibility

The Secretary concerned may pay AvIP to aviation officers performing in OFD or PFD positions. AvIP may only be paid to an officer who:

3.2.1. Is entitled to basic pay pursuant to ***37 U.S.C. § 204*** or to compensation under ***37 U.S.C. § 206***;

3.2.2. Maintains, or is in training to receive, an aeronautical rating or designation that qualifies the officer for OFD or PFD;

3.2.3. Engages in, or is in training to receive, frequent and regular performance of OFD or PFD;

3.2.4. Engages in or remains in aviation service for a specified period of time;

3.2.5. Achieves the minimum flight requirements of 4 hours during 1 calendar month or 24 hours during 6 consecutive months (the minimum flight hour requirement for RC officers not on active duty for a period of more than 30 consecutive days is 2 hours during 1 calendar month or 12 hours during 6 consecutive months). A certified flight simulator may be used to meet this requirement. The Secretary concerned may waive the minimum flight requirements:

3.2.5.1. For officers (except flight surgeons or medical officers) who meet the AvIP eligibility requirements in paragraph 3.2 while assigned to OFD or PFD positions; or

3.2.5.2. In extreme circumstances (e.g., military operations (combat or otherwise) or non-availability of aircraft), when the Secretary concerned may authorize a commanding officer to certify that an officer is unable to meet minimum flight requirements; and

3.2.6. Meets all applicable eligibility requirements and such other criteria, as the Secretary concerned determines appropriate.

*3.3 Limitations and Restrictions

3.3.1. Officers receiving HDIP pursuant to 37 U.S.C. § 351(a)(2) are ineligible for AviP.

3.3.2. Officers receiving AvIP pursuant to 37 U.S.C. § 334(a), may not receive HDIP pursuant to 37 U.S.C. § 351(a)(2), or skill incentive pay or proficiency bonuses pursuant to 37 U.S.C. § 353, for the same skill and period of service.

3.3.3. Service members temporarily medically incapacitated will be considered qualified for aviation service unless such incapacitation continues for more than 12 months. After 365 days of incapacitation, a Service member will be disqualified from aviation service and will not be requalified until the condition resulting in incapacitation is corrected or is subject to a waiver under regulations prescribed by the Secretary of the Military Department concerned. A competent medical authority must certify the Service member as medically qualified for operational flying duty (OFD) or proficiency flying duty (PFD). This guidance is only for the purposes of AvIPs and bonuses and does not otherwise restrict a Service's authority to place an aviator in an applicable flight status.

3.3.4. Service members permanently disqualified for aviation service or otherwise determined no longer eligible for aviation service, in accordance with DoDI 7730.67, and such additional regulations prescribed by the Secretary of the Military Department concerned, are ineligible for AvIP or CSIP.

3.3.5. Service members are not authorized AvIP or CSIP payments for any periods of unauthorized absence.

*3.4 Payments and Amounts

3.4.1. The maximum amount of monthly AvIP in 37 U.S.C. § 334(c)(1)(A) is not to exceed the rate of $1,500 per month to officers while serving in an OFD or PFD assignment. Unless otherwise updated by the Assistant Secretary of Defense (ASD) in accordance with DoDI 7730.67, paragraph 2.1.b, officers performing qualifying duty or performing qualifying duty relating to unmanned aerial systems (UAS) may receive up to $1,000.

3.4.2. The monthly Army Officer AvIP Rates are listed on Table 22-6. For the most current rates, see the ***Monthly Army Officer Aviation Incentive Pay Rates*** table.

3.4.3. The monthly Navy Officer AvIP Rates are listed on Table 22-7. For the most current rates, see the ***Monthly Navy Officer Aviation Incentive Pay Rates*** table.

3.4.4. The monthly Navy AvIP Rates for Officers in Administrative Milestone Billets are listed on Table 22-8. For the most current rates, see the Monthly Navy Aviation Incentive Pay Rates for ***Officers in Administrative Milestone Billets*** table.

3.4.5. The Air Force monthly AvIP rates are calculated based upon years of aviation service (YAS) established by the Aviation Service Date and are reflected in Table 22-9. For the most current rates, see the ***Monthly Air Force Aviation Incentive Pay Rates*** table.

3.4.6. The monthly Marine Corps Officer AvIP Rates are listed on Table 22-10. For the most current rates, see the ***Monthly Marine Corps Officer Aviation Incentive Pay Rates*** table.

3.4.7. The following are exceptions to the amounts in subparagraph 3.4.2 through 3.4.6:

3.4.7.1. Warrant Officers with over 22 YAS may continue to receive AvIP at the over 10 YAS rate until retirement.

3.4.7.2. Officers performing OFD or PFD while piloting UASs with over 14 YAS may receive AvIP up to $1,000 per month up to 22 YAS.

3.4.8. AvIP for officers in aviation training will begin on the later of these two dates and will be prorated based on the number of days remaining in the month:

3.4.8.1. The date when the officer first reports to the aviation activity in which he or she will receive flight training in a specific aircraft leading to an aeronautical rating, and is placed on aeronautical orders; or

3.4.8.2. The date of commission.

3.4.9. AvIP payments for all other aviators will begin the day an officer signs in to an OFD or PFD assignment. The initial payment amount will be prorated based on the number of days remaining in the month.

3.4.10. At the discretion of the Secretary of the Military Department concerned, RC officers entitled to compensation under 37 U.S.C. § 206 are eligible for AvIP. The amount authorized will be equal to $1/30^{th}$ of the monthly AvIP authorized by the Military Department concerned for each period of inactive duty training.

3.5 Repayment

An officer or enlisted member who fails to fulfill the eligibility requirements of DoDI 7730.67, or other conditions of service specified by the Secretary of the Military Department concerned, will be subject to repayment consistent with 37 U.S.C. § 373, and Chapter 2.

3.6 Duration of Authority

Unless reauthorized by Congress, AvIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

4.0 AvIP FOR AVIATORS NOT IN OFD OR PFD POSITIONS

4.1 General

The Secretaries concerned may pay AvIP to an officer who is otherwise qualified but who is not currently engaged in the performance of OFD or PFD, who meets each of the following three conditions:

4.1.1. The officer meets the eligibility criteria listed in subparagraphs 4.2.1 through 4.2.4;

4.1.2. The officer is assigned to a position listed in paragraph 4.4; and

4.1.3. The AvIP payment is in the best interest of the Military Service.

4.2 Eligibility

The Secretary concerned may pay AvIP to officers with an aeronautical rating (except flight surgeons or medical officers) with fewer than 25 YAS who are in non-OFD or PFD assignments and meet one of the following criteria:

4.2.1. Are eligible for AvIP continuously through 12 YAS;

4.2.2. Have performed at least 96 creditable months of OFD or PFD upon completion of 12 YAS. These officers are eligible for up to 18 YAS as long as they are assigned to a non-OFD or non-PFD assignment;

4.2.3. Have performed at least 120 creditable months of OFD or PFD upon completion of 18 YAS. These officers are eligible for AvIP for up to 22 YAS as long as they are assigned to a non-OFD or non-PFD assignment; or

4.2.4. Have performed at least 144 creditable months of OFD or PFD upon completion of 18 YAS. These officers are eligible for AvIP for up to 25 YAS as long as they are assigned to a non-OFD or non-PFD assignment. Aviation warrant officers may continue to receive AvIP beyond 25 YAS as long as they are assigned to an assignment in paragraph 4.4.

4.3 Limitations and Restrictions

See paragraph 3.3.

4.4 Non-OFD or Non-PFD Assignments

Qualified aviation officers (except flight surgeons or other medical officers) who meet the eligibility criteria in paragraph 4.2 may receive AvIP when assigned to any of the following non-OFD or non-PFD assignments:

4.4.1. A Joint assignment or position on the Joint Duty Assignment List;

4.4.2. Attending resident professional military education or a fully-funded graduate education program authorized by the Secretary of the Military Department concerned;

4.4.3. Aviation-specific positions that must be filled by officers with an aeronautical rating; or

4.4.4. Career-enhancing assignments outside of aviation or based on the needs of the Military Services for a period not to exceed 48 consecutive months.

4.5 Payments and Amounts

4.5.1. The Secretaries concerned may pay monthly AvIP to aviators who meet the YAS criteria in paragraph 4.2 and are serving in positions listed in paragraph 4.4.

4.5.2. At the discretion of the Secretary of the Military Department concerned, RC officers entitled to compensation under 37 U.S.C. § 206 are eligible for AvIP. The amount authorized will be equal to 1/30th of the monthly AvIP authorized by the Military Department concerned for each period of inactive duty training.

4.6 Repayment

See paragraph 3.5.

4.7 Duration of Authority

Unless reauthorized by Congress, AvIP For Aviators Not In OFD Or PFD Positions may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL.

5.0 CRITICAL SKILL INCENTIVE PAY (CSIP)

5.1 General

The Secretary concerned may designate a career field or skill as critical for the purposes of offering a skill incentive pay. The following specialties are designated as critical and are eligible for CSIP:

5.1.1. Qualified career enlisted members who meet the eligibility requirements in paragraph 5.2; or

5.1.2. Enlisted UAS operators who meet the eligibility requirements in paragraph 5.2.

5.2 Eligibility

CSIP is payable on a monthly basis in accordance with 37 U.S.C. § 353 to a Regular or RC enlisted member who:

5.2.1. Is entitled to basic pay pursuant to 37 U.S.C. § 204 or to compensation under 37 U.S.C. § 206;

5.2.2. Serves in a military career enlisted aviation occupational specialty or rating designated as critical by the Secretary of the Military Department concerned;

5.2.3. Qualifies for aviation service under regulations prescribed by the Secretary of the Military Department concerned; and

5.2.4. Meets other criteria the Secretary concerned deems appropriate.

5.3 Limitations and Restrictions

In addition to the limitations and restrictions prescribed in this paragraph, see paragraph 3.3.

5.3.1. Enlisted members receiving incentive payments pursuant to 37 U.S.C. §§ 301(a)(1), 301(a)(2), 301(a)(13) or 320, are ineligible for CSIP.

5.3.2. Enlisted members receiving CSIP pursuant to 37 U.S.C. § 353(a), may not also receive HDIP pursuant to 37 U.S.C. § 351(a)(2), for the same period of service in the same career field or skill.

5.3.3. Enlisted members may receive only one skill incentive payment in any given month for the same skill and period of service, pursuant to 37 U.S.C § 353(a).

5.3.4. Enlisted members may not receive CSIPs and proficiency bonuses, in accordance with 37 U.S.C. § 353, for the same skills and periods of service.

5.3.5. Officers are not authorized CSIP.

5.4 Terms and Conditions of CSIP Written Agreements

The Secretary concerned may require a Service member to enter into a written agreement in order to qualify for a CSIP payment. The agreement must specify the period for which the Service member will receive CSIP and the monthly rate of pay.

5.5 Payments and Amounts

5.5.1. The Secretaries of the Military Departments concerned may pay monthly CSIP to eligible Service members who meet the CSIP requirements in an amount not to exceed $600 per month. See Table 22-11. For the most current rates, see the Monthly Critical Skill Incentive Pay Rates for ***Air Force Enlisted Flyers*** table.

5.5.2. If a Service member does not satisfy the eligibility requirements specified in paragraph 5.2 for an entire month, the Secretary concerned may prorate the payment amount to reflect the duration of the Service member's actual qualifying service during the month.

5.5.3. RC Service members entitled to compensation under 37 U.S.C. § 206 are eligible for CSIP at the discretion of the Secretary concerned. The amount will be equal to 1/30th of the monthly CSIP authorized by the Military Department concerned for each period of inactive duty training.

5.6 Repayment

See paragraph 3.5.

5.7 Duration of Authority

Unless reauthorized by Congress, CSIP may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless a CSIP agreement was entered into prior to the date on the table.

Table 22-1. Time of Aerial Flight Required for Fractional Part of the Month

Days	Hours of Aerial Flight		Days	Hours of Aerial Flight	
	Active Duty	Inactive Duty		Active Duty	Inactive Duty
1	.2	.1	16	2.2	1.1
2	.3	.2	17	2.3	1.2
3	.4	.2	18	2.4	1.2
4	.6	.3	19	2.6	1.3
5	.7	.4	20	2.7	1.4
6	.8	.4	21	2.8	1.4
7	1.0	.5	22	3.0	1.5
8	1.1	.6	23	3.1	1.6
9	1.2	.6	24	3.2	1.6
10	1.4	.7	25	3.4	1.7
11	1.5	.8	26	3.5	1.8
12	1.6	.8	27	3.6	1.8
13	1.8	.9	28	3.8	1.9
14	1.9	1.0	29	3.9	2.0
15	2.0	1.0	30-31	4.0	2.0

Table 22-2. Flight Examples Involving Basic 3-Month Grace Periods

Month	Example 1		Example 2		Example 3		Example 4	
	Hours	Entitled	Hours	Entitled	Hours	Entitled	Hours	Entitled
January	4	Yes (note 1)	4	Yes (note 1)	4	Yes (note 1)	4	Yes (note 1)
February	0	No (note 2)	0	No (note 2)	0	Yes (notes 2 - 5)	0	Yes (notes 2 - 6)
March	4	Yes (note 1)	0	No	0	Yes (note 5)	8	Yes (note 1)
April	0	No (note 3)	4	Yes (note 1)	12	Yes (note 1)	0	Yes (notes 2 - 5)
May	0	No (note 4)	0	No (note 4)	0	Yes (notes 2 - 5)	0	Yes (note 5)
June	4	Yes (note 1)	0	No	0	Yes (note 5)	12	Yes
July	4	Yes (note 1)	4	Yes (note 1)	12	Yes (note 1)		
August	0	No (notes 2 - 8)	0	No (notes 2 - 8)	0	No (notes 2 - 8)		

Table 22-2. Flight Examples Involving Basic 3-Month Grace Periods (Continued)

Month	Example 5		Example 6		Example 7	
	Hours	Entitled	Hours	Entitled	Hours	Entitled
January	4	Yes (notes 1 - 7)	2	Yes (notes 7 - 9)	0	Yes (note 5)
February	0	Yes (note 9)	0	Yes (note 9)	0	Yes (note 5)
March	0	Yes (note 9)	0	Yes (note 9)	12	Yes (note 1)
April	0	Yes (note 9)	0	No (note 2)	4	Yes (note 1)
May	0	Yes (notes 2 - 5)	0	No (note 8)	0	No (notes 2 - 8)
June	0	Yes (note 5)	7	Yes (notes 1 - 11)	0	No (notes 2 - 8)
July	12	Yes (note 1)			11	Yes (notes 1 - 9 and 11)
August					5	Yes (notes 1 – 9 and 11)

NOTES:
1. Entitled to incentive pay based on that month's flights.
2. Begins a 3-month grace period.
3. New 3-month period does not begin, since this is last month of first 3-month period.
4. New 3-month period does not begin, since flight requirements were not met for previous entire period.
5. Entitled to incentive pay based on 3-month period.
6. Entitled to incentive pay based on 2-month period.
7. Injured in aircraft accident.
8. Not entitled to incentive pay, unless sufficient flights performed in following 1 or 2-month period.
9. Free entitlement period.
10. Two unused hours from January lost.
11. Excess hours available for application in 5 succeeding months as required.

Table 22-3. Flight Examples Involving 3-Month Periods and Excess Time

Month	Hours Flown	Entitle-ment	Based on Hours Flown During	End of Month Excess and Unused Hours		Pertinent Factors
				That Month	Accumulated	
16–31 Jan	3.3	Yes	Jan	1.3	1.3	Placed on flying status
Feb	0	Yes	Jan 1.3, Mar 2.7	0	0	Jan 16
Mar	6.7	Yes	Mar	0	0	
Apr	9	Yes	Apr	5	5	
May	5.5	Yes	May	1.5	6.5	
Jun	0	Yes	Apr	0	2.5	
Jul	1.5	Yes	Jul 1.5, Apr 1, May 1.5	0	0	
Aug	2	No	(note 1)	2	2	
Sep	4	Yes	Sep	0	2	
Oct	5	Yes	Oct	1	3	
Nov	0	No	(note 2)	0	3	
Dec	3	Yes	Dec 3, Aug 1	0	2	
Jan	10	Yes	Jan	6	7	1 hour lost from Aug
Feb	0	Yes	Oct 1, Jan 3	0	3	
Mar	0	Yes	Jan 3, May 1	0	0	
Apr	0	Yes	May 4	0	0	
May	10	Yes	May	1	1	
Jun	0	Yes	May 1, Aug 3	0	0	
Jul	0	Yes	Aug 4	0	0	
Aug	17	Yes	Aug	6	6	
Sep	0	Yes	Aug 4	0	2	
Oct	2	Yes	Oct 2, Aug 2	0	0	
Nov	12	Yes	Nov	8	8	
Dec	0	Yes	Nov (note 3)	0	4	Suspended Dec 1
Jan	0	Yes	Nov 4 (note 3)	0	0	
Feb	0	No	(note 4)	0	0	
Mar	0	No		0	0	
Apr	0	No		0	0	
May	4	Yes	May	0	0	Suspension ended May 1
Jun	30	Yes	Jun	26	26	Physically incapacitated
Jul	0	Yes	Jun 4	0	22	Jun 20
Aug	0	Yes	Jun 4	0	18	
Sep	0	Yes	Jun 4	0	14	
Oct	0	Yes	Jun 4	0	10 (note 3)	Suspended Oct 1
Nov	0	Yes	Jun 4	0	0 (note 3)	6 hours lost from Jun
Dec	0	No		0	0	
Jan	0	No		0	0	
Feb	0	No		0	0	
Mar	0	No		0	0	
Apr	9	Yes	Apr	5	5	Suspension ended Apr 1

NOTES:

1. No excess hours available from previous 5 months and deficiency not made up within 2 following months.
2. Insufficient excess hours available from previous 5 months. New 3-month period does not begin since requirements were not met for entire 3-month period of August-October.
3. Payment made after the suspension ended.
4. Three-month grace period expired before suspension ended.

Table 22-4. Entitlement to HDIP Under Certain Conditions

RULE	When a Service member in flying status is	and	and	then flight pay
1	sick in line of duty	flying status orders remain in effect	Service member meets or has met flight requirements or flight requirements do not apply	continues for the period of illness.
2	on authorized leave in pay status	flying status orders remain in effect	Service member meets or has met flight requirements or flight requirements do not apply	continues for the period of leave (note 1).
3	on Temporary Duty (TDY) or Temporary Additional Duty (TAD)	flying status orders remain in effect	Service member meets or has met flight requirements or flight requirements do not apply	continues for the TDY or TAD period.
4	in a travel status (including authorized delay en route) on change of station	flying status orders remain in effect	Service member meets or has met flight requirements or flight requirements do not apply	continues for the period of travel.
5	a Reservist released from active duty of more than 30 days	orders are not issued directing relief from all assigned duties	Service member has met flight requirements	continues for the period of allowable travel time home (note 2).
6	discharged and immediately reenlists at the same station without a break in service	flying status orders are not specifically terminated	Service member has met flight requirements	entitlement is determined as if there had been no discharge.
7	discharged and immediately reenlists at the same station without a break in service	flying status orders are specifically terminated	Service member has met flight requirements	ceases on the date stated in orders.

Table 22-4. Entitlement to HDIP, Under Certain Conditions (Continued)

RULE	When a Service member in flying status is	and	and	then flight pay
8	incapacitated as a result of performance of flying duty			is payable as indicated in paragraphs 2.6 or 2.7.
9	an enlisted crewmember whose flight orders include a termination date	is involuntarily removed from flying duty (note 3)	was given less than 120 days of advance notice of removal from flying duty (note 4)	continues either for 120 days after the date on which notified of such removal or until original flight orders termination date, whichever occurs first, without regard to the flight requirements of paragraph 2.3.
10	an enlisted crewmember whose flight orders do not include a termination date	is involuntarily removed from flying duty (note 3)	was given less than 120 days advance notice of removal from flying duty (note 4)	continues for 120 days after the date on which notified of such removal without regard to the flight requirements of paragraph 2.3.

NOTES:
1. Do not count flights performed while on leave for pay purposes.
2. Do not pay flight pay beyond the last day of the calendar month for which requirements are met.
3. A Service member is not considered to be involuntarily removed from flying duty upon separation, confinement, relief for cause, reduction in grade, medical unfitness, absence without leave, or transfer to ground duty at own request.
4. Advance notice of removal from flying duty will be issued by a competent authority in writing. Advance notice may be provided verbally if a suitable memorandum for the record is made and later followed by written notification.

*Table 22-5. Hazardous Duty Incentive Pay (HDIP) for Flying
For the most current rates, see the Monthly Hazardous Duty Incentive Pay (HDIP) for Flying Rates table on dfas.mil.

MONTHLY HAZARDOUS DUTY INCENTIVE PAY (HDIP) RATES FOR AIR CREW MEMBERS (EXCEPT FOR AIRBORNE WARNING AND CONTROL SYSTEMS) (EFFECTIVE OCTOBER 1, 1998)					
Pay Grade	**Amount**	**Pay Grade**	**Amount**	**Pay Grade**	**Amount**
O-10	150	W-5	250	E-9	240
O-9	150	W-4	250	E-8	240
O-8	150	W-3	175	E-7	240
O-7	150	W-2	150	E-6	215
O-6	250	W-1	150	E-5	190
O-5	250			E-4	165
O-4	225			E-3	150
O-3	175			E-2	150
O-2	150			E-1	150
O-1	150				
MONTHLY HDIP RATES FOR NON-AIR CREW MEMBERS - 150					

Table 22-6. Monthly Army Officer AvIP Rates
Effective (January 1, 2020)
For the most current rates, see the Monthly Army Officer Aviation Incentive Pay Rates table on dfas.mil.

YAS	Monthly Rate
2 years or less	$125
Over 2 years	200
Over 6 years	700
Over 10 years	1,000
Over 22 years	700
Over 24 years	400

Table 22-7. Monthly Navy Officer AvIP Rates
(Effective April 1, 2018)
For the most current rates, see the Monthly Navy Officer Aviation Incentive Pay Rates table on dfas.mil.

YAS	Monthly Rate
2 or less	$125
Over 2	156
Over 3	188
Over 4	206
Over 6	650
Over 14	840
Over 22	585
Over 23	495
Over 24	385
Over 25	250

Table 22-8. Monthly Navy AvIP Rates for Officers in Administrative Milestone Billets
Effective (April 1, 2018)
For the most current rates, see the Monthly Navy Aviation Incentive Pay Rates for Officers in Administrative Milestone Billets table on dfas.mil.

YAS	Monthly Rate
2 or less	$125
Over 2	156
Over 3	188
Over 4	206
Over 6	650
Over 10	1,000
Over 22	700
Over 24	450

NOTE:
Administrative milestone billets are designated as department head, commander command, and major command (or equivalent).

Table 22-9. Monthly Air Force AvIP Rates
(Effective October 1, 2017)
For the most current rates, see the Monthly Air Force Aviation Incentive Pay Rates table on dfas.mil.

YAS	Monthly Rate
2 or less	$150
Over 2	250
Over 6	700
Over 12	1,000
Over 22	700
Over 24	450

Table 22-10. Monthly Marine Corps Officer AvIP Rates
(Effective March 1, 2018)
For the most current rates, see the Monthly Marine Corps Officer Aviation Incentive Pay Rates table on dfas.mil.

YAS	Monthly Rate
2 or less	$125
Over 2	156
Over 3	188
Over 4	206
Over 6	650
Over 8	800
Over 10	1,000
Over 17	840
Over 22	585
Over 23	495
Over 24	385
Over 25	250

Table 22-11. Monthly CSIP Rates for Air Force Enlisted Flyers
(Effective October 1, 2017)
For the most current rates, see the Monthly Critical Skill Incentive Pay Rates for Air Force Enlisted Flyers table on dfas.mil.

YAS	Monthly Rate
4 or less	$225
Over 4	350
Over 8	500
Over 14	600

*REFERENCES

CHAPTER 22 – AVIATION INCENTIVE PAYS

2.0 – HDIP FOR FLYING DUTY

	37 U.S.C. § 351(a)(2)
	DoDI 1340.09, January 26, 2018, paragraph 3.4.c
2.4.1.	DoDI 7730.67, October 20, 2016, paragraph 3.2.b(5)
2.4.5.	DoDI 1340.09, January 26, 2018, paragraph 3.4.c(3)
2.5.2.	25 Comptroller General (Comp Gen) 534
2.5.3.	37 Comp Gen 183
	4 Comp Gen 975
	9 Comp Gen 487
2.9.1.	2 Comp Gen 370
2.9.2.	46 Comp Gen 776
2.9.3.	37 Comp Gen 322
	DoDI 1340.09, January 26, 2018, paragraph 3.4.c(5)
2.9.5.	37 U.S.C. § 552
	23 Comp Gen 948
2.9.6.1.	23 Comp Gen 449
2.9.6.2.	7 Comp Gen 476
	36 Comp Gen 57
2.10	9 Comp Gen 234
	39 Comp Gen 604
	41 Comp Gen 173
	46 Comp Gen 776
2.11.1.	56 Comp Gen 983
2.11.2.	56 Comp Gen 983
2.11.3.	Comp Gen B-153331, December 11, 1964
2.15	37 U.S.C. § 351(h)

3.0 – AvIP FOR AVIATORS IN OFD OR PFD POSITIONS

3.1	37 U.S.C. § 334(a)
3.2	DoDI 7730.67, October 20, 2016, paragraph 3.2.b
3.3	37 U.S.C. § 334(a)
3.3.3.	ASD Manpower & Reserve Affairs Memo (M&RA) Memo, April 26, 2017
	DoDI 7730.67, October 20, 2016, paragraph 3.1.b(2)
3.3.3.	DoDI 7730.67, October 20, 2016, paragraph 3.1.b(8)
3.3.4.	DoDI 7730.67, October 20, 2016, paragraph 3.1.b(9)
3.4.	37 U.S.C. § 334(c)(1)(A)
	ASD (M&RA) Memo, April 26, 2017
3.4.5.	DAF Memo (AvIP), August 29, 2017

4.0 – AvIP FOR AVIATORS NOT IN OFD OR PFD POSITIONS

DoDI 7730.67, October 20, 2016, paragraph 3.3

5.0 – CRITICAL SKILL INCENTIVE PAY (CSIP)

37 U.S.C. § 353
DoDI 7730.67, October 20, 2016, paragraph 3.4.a
ASD M&RA Memo, April 26, 2017
DAF Memo, August 29, 2017

Table 22-2 – FLIGHT EXAMPLES INVOLVING BASIC 3-MONTH GRACE PERIODS

46 Comp Gen 776

Table 22-3 – FLIGHT EXAMPLES INVOLVING 3-MONTH PERIODS AND EXCESS TIME

46 Comp Gen 776

Table 22-4 – ENTITLEMENT TO HDIP UNDER CERTAIN CONDITIONS

Rules 1 through 8	EO 11157, June 22, 1964
Rule 9	EO 11929, July 26, 1976
Rule 10	EO 11929, July 26, 1976
Note 3	EO 11929, July 26, 1976
Note 4	EO 11929, July 26, 1976

Table 22-5 – Hazardous Duty Incentive Pay (HDIP) for Flying

37 U.S.C. § 301(b)

Table 22-6 – MONTHLY ARMY OFFICER AvIP RATES

37 U.S.C. § 334(c)(1)(A)
ASD M&RA Memo, April 26, 2017
Department of the Army Office of the Deputy Chief of Staff G1 Memo, January 8, 2020

Table 22-7 – MONTHLY NAVY OFFICER AvIP RATES

37 U.S.C. § 334(c)(1)(A)
ASD M&RA Memo, April 26, 2017
Office of the Chief of Naval Operations Instruction 7220.18A, October 1, 2019, Enclosure 2

Table 22-8 – MONTHLY NAVY AvIP RATES FOR OFFICERS IN ADMINISTRATIVE MILESTONE BILLETS

37 U.S.C. § 334(c)(1)(A)
ASD M&RA Memo, April 26, 2017
Navy Message R 201553Z, March 2018
Office of the Chief of Naval Operations Instruction 7220.18A, October 1, 2019, Enclosure 2

Table 22-9 – MONTHLY MAXIMUM AIR FORCE AvIP RATES

37 U.S.C. § 334(c)(1)(A)
ASD M&RA Memo, April 26, 2017
DAF Memo (AvIP), August 29, 2017

Table 22-10 – MONTHLY MARINE CORPS OFFICER AvIP RATES

37 U.S.C. § 334(c)(1)(A)
ASD M&RA Memo, April 26, 2017
Marine Corps Message R 271318Z, February 2018

Table 22-11 – MONTHLY CSIP RATES FOR AIR FORCE ENLISTED FLYERS

37 U.S.C. § 353
DAF Memo (CSIP), August 29, 2017

VOLUME 7A, CHAPTER 23: "SUBMARINE DUTY PAY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
Table 23-1	Updated the Monthly Submarine Duty Pay – Commissioned Officer table in accordance with the Chief of Naval Personnel (CNP) Action Memo, dated August 12, 2021.	Revision
Table 23-2	Updated the Monthly Submarine Duty Pay – Warrant Officers table in accordance with the CNP Action Memo, dated August 12, 2021.	Revision
Table 23-3	Updated the Monthly Submarine Duty Pay – Enlisted table in accordance with the CNP Action Memo, dated August 12, 2021.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 23

SUBMARINE DUTY PAY

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to provide policy pertaining to Submarine Duty Pay for members of the Navy, as authorized by law. A member of the Navy, who is entitled to basic pay, may be paid submarine duty incentive pay for the frequent and regular performance of operational submarine duty required by orders (including on a submarine of a foreign nation).

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 INCENTIVE PAY FOR OPERATIONAL SUBMARINE DUTY

2.1 Purpose

Incentive pay for operational submarine duty is designed to recognize the arduous nature of submarine duty assignments. The Secretaries of the Military Departments concerned may establish an operational submarine duty incentive pay program to encourage volunteerism for submarine duty assignments.

2.2 Eligibility

The Secretaries of the Military Departments concerned will establish eligibility criteria based on Service-specific needs for submarine duty assignments.

2.3 Amount

The Secretaries of the Military Departments concerned will establish monthly rates, based on level of responsibility and time of submarine service. The maximum amount of operational submarine duty incentive pay per month will not exceed $1,000. The monthly rates of submarine duty pay for commissioned officers, warrant officers, and enlisted members are contained in Tables 23-1, 23-2, and 23-3. For the most current rates, see the ***Submarine Duty Pay Rates*** table on DFAS.MIL.

2.4 Definition of Terms for “Operational Submarine Duty”

2.4.1. “Operational submarine duty” means duty performed:

2.4.1.1. While assigned under competent orders to a submarine;

2.4.1.2. While serving as an operator or crew member of an operational submersible (including an undersea exploration or research vehicle);

2.4.1.3. While undergoing initial submarine training prior to assignment to a nuclear-powered submarine;

2.4.1.4. While undergoing rehabilitation training after assignment to a nuclear-powered submarine;

2.4.1.5. In the case of members qualified for the submarine service, while assigned as a member of a submarine operational command staff whose duties require serving on a submarine during underway operations:

2.4.1.5.1. During 1 calendar-month: 48 hours, except that hours served underway in excess of 48 hours as a member of a submarine operational command staff during any of the immediately preceding 5 calendar-months and not already used to qualify for incentive pay, may be applied to satisfy the 48-hour underway time requirements for the current month;

2.4.1.5.2. During any 2 consecutive calendar-months when requirements of subparagraph 2.4.1.5.1 have not been met: 96 hours; or

2.4.1.5.3. During any 3 consecutive calendar-months when requirements of subparagraph 2.4.1.5.2 have not been met: 144 hours;

2.4.1.6. While receiving training and instructions for assignment to a submarine of advanced design; or

2.4.1.7. While receiving instructions to prepare a submariner for a position of increased responsibility on a submarine.

2.4.2. The term “submarine service” means the service performed by a member under regulations prescribed by the Secretary of the Navy. The years of submarine service are computed beginning with the effective date of the initial order to perform submarine service.

2.5 Submarine Duty Pay Start and Stop Dates

See Table 23-4.

2.6 Submarine Operational Command Staff Members

2.6.1. General rules for meeting underway time requirements, including determination of a 2- or 3-month grace period, are substantially the same as those for flying pay. (See Chapter 22.)

2.6.2. For the fractional part of a calendar month, or fractional parts of 2 consecutive calendar months (duty begins in 1 month and ends in the following month), the underway time required, based on the requirement of 48 hours for a calendar month, will be determined from Table 23-5.

2.7 Temporary Additional Duty or Authorized Leave

A member, who is entitled to submarine duty pay, retains entitlement during periods of temporary additional duty or authorized leave. However, a submarine operational command staff member is required to fulfill the underway time requirements to retain entitlement during such periods if not otherwise entitled to continuous monthly submarine duty pay in accordance with section 3.0.

2.8 Missing Status - Member's Entitlement

A member receiving submarine duty pay when declared missing by a competent authority is entitled to submarine duty pay during the period of absence and for the period, not to exceed 1 year, required for hospitalization and rehabilitation after termination of missing status. The member's entitlement to submarine duty pay, upon termination of the period of eligibility, will be contingent on a determination of continued eligibility.

2.9 Restriction

2.9.1. An officer who fails selection for assignment as an executive officer or commanding officer of a submarine, or who declines to serve in either such position, may not be paid submarine duty pay except for periods during which such officer is serving on a submarine during underway operations.

2.9.2. A Service member cannot receive both continuous submarine duty pay (CONSUBPAY) and operational submarine duty incentive pay at the same time for the same period of service. When CONSUBPAY eligibility is not met, personnel may be eligible for operational submarine duty incentive pay for any period attached under orders to operational submarine duty, whether temporarily or permanently assigned.

3.0 CONTINUOUS SUBMARINE DUTY SKILL INCENTIVE PAY FOR SUBMARINE SERVICE MEMBERS

3.1 Purpose

The Navy may offer CONSUBPAY to active duty Service members who volunteer to serve in, and remain serving in, the submarine service on a career basis in a submarine duty designation or designator.

3.2 Eligibility

A member of the submarine service (as defined in subparagraph 2.4.2) may be eligible for CONSUBPAY if they meet the following requirements:

3.2.1. Hold a submarine duty designation or designator, or are in training to receive a submarine duty designation or designator;

3.2.2. Have a valid submarine service entry date and have obtained the prescribed amount of total operational submarine service (TOSS) at the completion of 12 and/or 18 years of submarine service. Prior to 12 years of service, there is no minimum TOSS requirement for CONSUBPAY;

3.2.3. Enlisted members serving ashore must maintain a sufficient period of obligated service as specified in the Office of Chief of Naval Operations Instruction (OPNAVINST) 7220.15 (including any extension of enlistment) to be able to be reassigned to submarine duty. Officers must remain qualified for follow-on submarine service while serving ashore;

3.2.4. Maintain physical qualifications for submarine service;

3.2.5. Have less than 26 years of service; and

3.2.6. Meet other applicable requirements outlined by the Secretary of the Navy.

3.3 Additional Eligibility Requirements

3.3.1. To remain eligible for CONSUBPAY through 26 years of service (excluding, in the case of an officer, any period of service as an enlisted member) a member must accumulate at least 6 years of TOSS in the first 12 years of submarine service, and at least 10 years of TOSS in the first 18 years of submarine service. However, if a member accumulates at least 8 but less than 10 years of TOSS after 18 years of submarine service, the member remains eligible for CONSUBPAY through 22 years of service (excluding, in the case of an officer, any period of service as an enlisted member).

3.3.2. If, upon completion of either 12 or 18 years of submarine service, it is determined that a member has failed to perform the minimum prescribed operational submarine duty requirements during the prescribed periods of time, the eligibility for continuous monthly submarine duty pay ceases. If continuous monthly submarine duty pay ceases upon completion of 12 years of submarine service, a member may be eligible to re-qualify for the pay if after the completion of 18 years of submarine service, the minimum operational submarine duty requirements have been met. At which time, the pay may resume for the period of time prescribed in this section. However, if entitlement to continuous monthly submarine duty pay ceases in the case of any member at the completion of either 12 or 18 years of submarine service or 26 years of service (as computed under Chapter 1, section 2.0), such member will only be eligible for operational submarine duty pay in the amount specified in section 2.0 for the performance of submarine duties while assigned to a submarine during underway operations.

NOTE: In the case of an officer, any period as an enlisted member, before initial appointment as an officer, is excluded.

3.4 Rates

The monthly rates of submarine duty pay are the same as indicated in Tables 23-1 through 23-3.

3.5 Missing Status - Member's Entitlement

The provisions of paragraph 2.8 are applicable to submarine duty pay entitlement under this section.

3.6 Restriction

3.6.1. Pursuant to ***Title 37, United States Code, Section 353(h)***, a Service member may not be paid more than one pay under the section in any month for the same period of service and skill.

3.6.2. Service members temporarily unable to perform submarine duty due to a physical or medical condition, not the result of the member's own misconduct, may continue to receive CONSUBPAY for a period of up to 6 months. After 6 months, CONSUBPAY will be terminated and may not be reinstated until the condition resulting in the physical or medical restriction is corrected and the member is again certified for submarine duty by a competent Undersea Medical Officer.

3.6.3. Service members permanently disqualified or otherwise determined to be no longer eligible to perform submarine duty, are ineligible for CONSUBPAY.

3.6.4. In accordance with the Memorandum for Assistant Secretary of the Navy (ASN) for Manpower and Reserve Affairs (M&RA), dated January 26, 2018 a Service member, who receives CONSUBPAY and fails to satisfy the eligibility requirements for receipt of the pay, will be subject to having the pay terminated. Repayment of any unearned portion or overpayment will be in accordance with the provisions of ***37 U.S.C. § 373***, Chapter 2, and Volume 16, Chapter 3.

*Table 23-1. Monthly Submarine Duty Pay - Commissioned Officers Effective October 1, 2021
For the most current rates, see the Submarine Duty Pay Rates table on DFAS.MIL.

Years of Service Computed Under 37 U.S.C. § 205														
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 26**
O–10	355	355	355	355	355	355	355	355	355	355	355	355	355	355
O–9	355	355	355	355	355	355	355	355	355	355	355	355	355	355
O–8	355	355	355	355	355	355	355	355	355	355	355	355	355	355
O–7	355	355	355	355	355	355	355	355	355	355	355	355	355	355
O–6	660	660	660	660	660	660	660	660	660	660	950	950	950	950
O–5	655	655	655	655	655	655	655	655	880	930	950	950	950	950
O–4	400	400	400	580	655	805	805	805	880	880	880	880	880	880
O–3	390	390	390	560	655	805	805	805	805	805	805	805	805	805
O–2	335	335	335	335	335	335	470	470	470	470	470	470	470	470
O–1	255	255	255	255	255	255	470	470	470	470	470	470	470	470

*Table 23-2. Monthly Submarine Duty Pay Rates - Warrant Officers Effective October 1, 2021
For the most current rates, see the Submarine Duty Pay Rates table on DFAS.MIL.

Years of Service Computed Under 37 U.S.C. § 205														
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 26**
W-5	320	420	420	475	475	475	475	475	475	475	475	475	475	475
W-4	320	420	420	475	475	475	475	475	475	475	475	475	475	475
W-3	320	420	420	475	475	475	475	475	475	475	475	475	475	475
W-2	320	420	420	475	475	475	475	475	475	475	475	475	475	475
W-1	320	420	420	475	475	475	475	475	475	475	475	475	475	475

*Table 23-3. Monthly Submarine Duty Pay Rates - Enlisted Members Effective October 1, 2021
For the most current rates, see the Submarine Duty Pay Rates table on DFAS.MIL.

Years of Service Computed Under 37 U.S.C. § 205														
Pay Grade	**2 or less**	**Over 2**	**Over 3**	**Over 4**	**Over 6**	**Over 8**	**Over 10**	**Over 12**	**Over 14**	**Over 16**	**Over 18**	**Over 20**	**Over 22**	**Over 26**
E-9	450	450	450	450	450	450	450	450	450	450	600	600	600	600
E-8	450	450	450	450	450	450	450	450	450	450	550	550	550	550
E-7	445	445	445	445	445	445	445	445	445	445	445	445	445	445
E-6	175	190	190	335	370	430	430	430	430	430	430	430	430	430
E-5	155	170	170	275	315	315	315	315	315	315	315	315	315	315
E-4	90	105	110	270	270	270	270	270	270	270	270	270	270	270
E-3	90	100	105	105	105	105	105	105	105	105	105	105	105	105
E-2	85	100	100	100	100	100	100	100	100	100	100	100	100	100
E-l	85	85	85	85	85	85	85	85	85	85	85	85	85	85

Table 23-4. Submarine Duty Pay - Start and Stop Dates

RULE	If member under orders for submarine duty is	and	then credit for incentive pay begins on	continues
1	assigned to a submarine		the day of reporting for duty, and	through day of detachment.
2	assigned as prospective crewmember of submarine under construction			
3	assigned to a nuclear-powered submarine manned by two crews or a crew and an augment crew (notes 1 and 2)		the day of reporting for duty as on-ship or off-ship crew, and	
4	undergoing instruction to qualify for duty on a submarine of advanced design or for duty with increased responsibility (note 3)		the day class convenes, and	through last day of instruction.
5	injured or incapacitated as a result of performing submarine duty	remains assigned to submarine duty		through date of detachment.
6	injured or incapacitated as a result of performing submarine duty	is transferred to a medical facility on temporary duty orders for treatment, rehabilitation or medical board review		for not more than 6 months after date of incapacity, as determined by medical authorities.
7	injured or incapacitated as a result of performing submarine duty	is reassigned to limited duty for treatment or rehabilitation		for not more than 6 months after date of assignment to Limited Duty or until disqualifying condition is determined to be permanent, whichever is earlier.

NOTES:

1. Attachment to a submarine means duty as a crew member either on board the submarine, or on duty ashore during periods of rehabilitation after reporting for permanent duty as a crew member, whether to the on-ship or off-ship crew.
2. When an off-ship crew member, in a training and rehabilitation status, performs travel in connection with a change of home port of the member's submarine by means other than the submarine, member's entitlement to submarine pay continues during period in transit.
3. This rule also applies to officers, who previously qualified in submarines as enlisted members, while attending the following:
   a. Submarine Officers' Basic Course or Submarine Officers' Indoctrination Course, for the specific purpose of preparing for a position in a nuclear-powered submarine; or
   b. A course of instruction listed in the OPNAVINST 7220.15, December 28, 2005, specifically preparing them for positions of increased responsibility in nuclear-powered submarines.

Table 23-5. Submarine Operational Command Staff Members Underway Time Required for Fractional Part of Month

Days	Underway Time		Days	Underway Time	
	Hours	Minutes		Hours	Minutes
1	1	36	16	25	36
2	3	12	17	27	12
3	4	48	18	28	48
4	6	24	19	30	24
5	8	00	20	32	00
6	9	36	21	33	36
7	11	12	22	35	12
8	12	48	23	36	48
9	14	24	24	38	24
10	16	00	25	40	00
11	17	36	26	41	36
12	19	12	27	43	12
13	20	48	28	44	48
14	22	24	29	46	24
15	24	00	30-31	48	00

*REFERENCES

CHAPTER – 23 SUBMARINE DUTY PAY

1.0 – GENERAL

37 U.S.C. § 352
37 U.S.C. § 353

2.0 – INCENTIVE PAY FOR OPERATIONAL SUBMARINE DUTY

37 U.S.C. § 352
DoD Instruction 1340.26, September 25, 2017, Incorporating Change (CH) 1, Effective January 11, 2019
OPNAVINST 7220.15A, July 11, 2022

2.8 37 U.S.C. § 552

3.0 – CONTINUOUS SUBMARINE DUTY SKILL INCENTIVE PAY FOR SUBMARINE SERVICE MEMBERS

ASN (M&RA) Memo, January 26, 2018
OPNAVINST 7220.15A, July 11, 2022

3.1 37 U.S.C. § 353

3.4 37 U.S.C. § 352
37 U.S.C. § 353
37 U.S.C. § 372

Table 23-1 OPNAVINST 7220.15A, July 11, 2022
Chief of Naval Personnel (CNP) Action Memo, August 12, 2021
ASN (M&RA) Memo, September 21, 2021

Table 23-2 OPNAVINST 7220.15A, July 11, 2022
Chief of Naval Personnel (CNP) Action Memo, August 12, 2021
ASN (M&RA) Memo, September 21, 2021

Table 23-3 OPNAVINST 7220.15A, July 11, 2022
ASN (M&RA) Memo, August 30, 2011
Chief of Naval Personnel (CNP) Action Memo, August 12, 2021
ASN (M&RA) Memo, September 21, 2021

Table 23-4 OPNAVINST 7220.15A, July 11, 2022

Table 23-5	OPNAVINST 7220.15A, July 11, 2022

VOLUME 7A, CHAPTER 24: "INCENTIVE PAY - HAZARDOUS DUTY OTHER THAN AERIAL FLIGHTS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated August 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
2.3	Updated the "Payment Method and Amounts" paragraph in accordance with the Department of Defense Instruction (DoDI) 1340.09, dated February 2, 2024.	Revision
2.8	Updated the termination date on the "Duration of Authority" table on DFAS.MIL to comply with the National Defense Authorization Act (NDAA) for Fiscal Year 2024, Public Law 118-31, section 613, dated December 22, 2023.	Revision
3.3 4.3 5.2 6.2 7.3 8.3 9.3 10.3 11.3 12.3 13.3	Updated the "Rates" paragraphs for the hazardous duty incentive pay programs in accordance with DoDI 1340.09, dated February 2, 2024.	Revision
15.5 16.6	Added the "Duration of Authority" paragraph for the Special Warfare Skill Incentive Pay and Navy Special Warfare Skill Incentive Pay.	Addition
References	Updated statutes and supporting references.	Revision

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CHAPTER 24

INCENTIVE PAY - HAZARDOUS DUTY OTHER THAN AERIAL FLIGHTS

1.0 GENERAL

1.1 Purpose

The Secretaries of the Military Departments may offer hazardous duty incentive pay (HDIP), special warfare skill incentive pay (SWSIP), or Naval special warfare (NSW) skill incentive pay (SKIP) payments to Service members who under competent orders are required to perform duties designated as hazardous, based upon the inherent dangers of the duty and the risks of physical injury. This chapter establishes the policy pertaining to the monetary incentive to Service members who perform these duties.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), Title 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ENTITLEMENT

2.1 Eligibility

To receive HDIP, a Regular or Reserve Component Service member must:

2.1.1. Be entitled to basic pay under ***37 U.S.C. § 204*** or ***37 U.S.C. § 206***;

2.1.2. Be serving under competent orders to perform the hazardous duty; and

2.1.3. Be in training or have completed qualifying training and meet eligibility criteria for the performance of the hazardous duty.

2.2 Member of the Reserve Components (RC)

2.2.1. A member of the RC on extended active duty (EAD) as defined in Chapter 57, paragraph 2.1, who is ordered to perform any of the hazardous duties listed in sections 3.0 through 13.0, is entitled to pay based on the terms of this chapter.

2.2.2. A member of the RC on active-duty training (ADT), who is ordered to perform any of the hazardous duties listed in sections 3.0 through 13.0 is entitled to pay based on Table 24-1, rules 9 through 13 and Chapter 57, paragraphs 3.2 and 4.1.

*2.3 Payment Method and Amounts

2.3.1. Rates. A member who qualifies for HDIP under this chapter may receive a monthly amount up to the rate prescribed for the type of duty performed. The most current rates are in the ***HDIP Rates*** table on DFAS.MIL.

2.3.2. Payment Method. Service members are first eligible for HDIP on the date they report for, and begin performing, a qualifying eligible duty in compliance with competent orders, subject to meeting qualification requirements. HDIP ends on the effective date published in orders for termination of such duty, or the date the Service member is detached from and is no longer required to perform the hazardous duty whichever occurs first.

2.3.2.1. Proration. In cases when a Service member begins hazardous duty on a date other than the first day of a month or terminates that duty prior to the 30th of a month (28th or 29th of February, as appropriate) and otherwise meets the requirements of the pay for the month, the Service member is entitled to a prorated portion of HDIP for the month.

2.3.2.1.1. The prorated monthly amount for Service members serving on active duty is calculated by multiplying 1/30th of the monthly rate of HDIP by the actual number of qualifying service days during the month.

2.3.2.1.2. The prorated monthly amount for RC members entitled to compensation pursuant to 37 U.S.C. § 206, is calculated by multiplying 1/30th of the monthly rate of HDIP by the number of qualifying drill periods performed in the month.

2.3.2.1.3. The maximum incentive pay amount for a hazardous duty may not exceed the monthly HDIP rate or the specific hazardous duty.

2.3.2.2. Exception to Proration. Subparagraph 2.3.2.1 does not apply when the Secretary concerned has requested to specifically designate a hazardous duty as one which, when performed by a Service member in a month, entitles the Service member to the full monthly rate of HDIP for the duty regardless of the duration of qualifying service during the month and such request has been approved by ASD (M&RA).

2.3.3. Repayment of Unearned or Overpayment. A Service member receiving an incentive pay in accordance with this chapter and fails to satisfy the eligibility requirements for receipt of pay will be subject to having the pay terminated. Repayment of any overpayment will be in accordance with the provisions of ***37 U.S.C. § 373*** and DoD Financial Management Regulation, Volume 16, Chapter 3.

2.4 Multiple Payments of HDIP

Service members performing multiple hazardous duties may receive a maximum of three HDIP payments per month. Multiple HDIP is limited to those members required by orders to perform specific multiple hazardous duties necessary for successful accomplishment of the

mission of the unit to which assigned. Members must meet minimum requirements for each hazardous duty, unless excepted as provided in paragraph 2.6.

2.4.1. Aviation Incentive Pay (AvIP) and HDIP. Officers entitled to AvIP and enlisted members entitled to Critical Skill Incentive Pay (CSIP) are not eligible for flying duty HDIP. In addition to flying duty HDIP, Service members may receive two additional HDIPs under the provisions of this chapter provided the conditions for entitlement have been independently met.

2.4.2. Restriction With Regard to Parachute Duty. Only one type of parachute duty payment (regular or military free fall) is authorized for a qualifying period. When a member qualifies for both types of parachute duty, the higher rate of pay is authorized. Unless otherwise restricted by Military Service regulations (for example, restrictions on manning classification), a member who qualifies for a military free fall rate for a month in which the member earlier qualified for the regular rate of parachute pay will be entitled to the difference between the monthly rate of $150 and $225.

2.5 Injury or Incapacity Resulting From Performance of Hazardous Duty

Service members qualified for HDIP who are temporarily unable to perform a hazardous duty due to an injury or illness that is not the result of the Service member's own misconduct may continue to receive HDIP for up to 6 months. Appropriate medical authority determines the cause of the incapacity and the dates thereof.

2.5.1. Case-by-Case Exception. On a case-by-case basis, the Secretary concerned, or designee, may authorize an extension of HDIP payments for up to an additional 6-months, based on the recommendation of the appropriate medical authority. Under no circumstance may HDIP payments continue beyond 12 months from the date of injury or illness.

2.5.2. Termination of HDIP. HDIP will be terminated for Service members permanently disqualified or otherwise determined to be no longer eligible to perform hazardous duty by a competent medical authority.

2.5.3. Reassignment or Reclassification. Service members reassigned to a new duty assignment or specialty not eligible for HDIP will have their HDIP payments terminated on the date of reassignment or reclassification.

2.5.4. Combat Zone. If the injury or illness occurred while serving in a combat zone, hostile fire area, or imminent danger area, the Service member may continue to receive HDIP during their hospitalization and rehabilitation in accordance with ***37 U.S.C. § 372***. See Chapter 13, section 2.0 for additional details.

2.6 Authority to Issue Orders

Authority of the Military Departments to issue orders requiring performance of hazardous duty is delegated by the Secretaries to specific commanders within each Military Service. These

delegations are contained in personnel administrative regulations of the respective Military Services.

2.7 Missing Status - Member's Entitlement

A member who is receiving an HDIP listed in sections 3.0 through 14.0 when declared by competent authority to be missing (as defined in the Definitions Chapter) is entitled to HDIP during the period of absence and for any period, not to exceed 1 year, required for hospitalization and rehabilitation after termination of the missing status. The member's entitlement to HDIP, upon termination of any required period of hospitalization and rehabilitation or the 1-year period after date of return from missing status, whichever is earlier, will be contingent on a determination of continued eligibility under section 2.0 and the applicable requirements.

*2.8 Duration of Authority

Unless reauthorized by Congress, HDIP, SWSIP, and NSW SKIP may not be paid after the date listed on the ***Duration of Authority*** (DOA) table.

3.0 PARACHUTE DUTY

3.1 Entitlement

3.1.1. General. Qualified members are those who have received a designation as a parachutist, including those undergoing training for such designation, who are required by competent orders to engage in parachute jumping from an aircraft in aerial flight, and who meet the minimum performance requirements.

3.1.2. Performance Requirements. For eligibility, the member must meet the performance requirements for parachute duty HDIP set out in ***DoD Instruction (DoDI) 1340.09***, para. 3.4.d.

3.1.3. Military Free Fall

3.1.3.1. Service members who qualify for military free fall duty must perform duty involving parachute jumping, as an essential part of their military duties, in military free fall operations where parachute deployment by the jumper occurs without the use of a static line.

3.1.3.2. Qualifying members are those who have received a designation as a military free fall parachutist, including those undergoing training for such designation; who are required by competent orders to engage in parachute jumping from an aircraft in aerial flight; and who meet the requirements of paragraph 3.1. Performance requirements must be satisfied by military free fall jumps.

3.2 Parachute Jumps-Leave, Permanent Change of Station (PCS), Temporary Duty Travel (TDY)/Temporary Additional Duty (TAD), or ADT

Qualifying jumps for entitlement to parachute pay will be performed during a period of duty requiring parachute jumping as established by competent orders. Parachute jumps performed under the following circumstances do not qualify a member for entitlement to parachute pay:

3.2.1. Parachute jumps performed by any member while on leave or during PCS or TDY/TAD not requiring parachute jumping as an essential part of the duty; and

3.2.2. Parachute jumps performed by a member of an RC while on ADT that does not require parachute jumping as an essential part of the duty.

*3.3 Rates

The HDIP rates for parachute duty are:

3.3.1. HDIP for static line parachute jumping is $150 per month (see the HDIP Rates table for the most current rate).

3.3.2. HDIP for a military freefall parachutist is $225 per month (see the HDIP Rates table for the most current rate).

3.3.3. HDIP for parachute duty may be paid, provided prescribed requirements are met, only from the date of reporting for duty or training. Service members who arrive after the first day of the month or depart prior to the end of the month and are not on competent orders for a full calendar month will receive a prorated HDIP payment for those months, unless subparagraph 2.3.2.2 applies.

4.0 FLIGHT DECK DUTY

4.1 Entitlement

The Secretary concerned may offer flight deck HDIP (FDHDIP) to Service members who under competent orders perform flight deck hazardous duty (FDHD). Service members must be present, during flight operations at an assigned duty station on the flight deck of an aircraft carrier or a ship other than an aircraft carrier from which aircraft are launched and recovered during flight operations.

4.1.1. Performance Requirements. For eligibility, the member must meet the performance requirements for FDHDIP set out in DoDI 1340.09, para. 3.4.g.

4.1.2. Multiple Payments. Members receiving HDIP for any other type of hazardous duty are not entitled to FDHDIP for the same period.

4.2 Specialized Terms

4.2.1. Eligible Air Capable Ship. A ship having a flight deck that has been certified to launch or land aircraft under Chief of Naval Operations ship or helicopter facility certification program.

4.2.2. Flight Operations. The period of time during which launch and recovery of aircraft are in progress on the flight deck of an eligible air capable ship. It includes the turn-up and movement of aircraft preparatory to launch and the movement and shutdown of aircraft immediately following recovery.

4.2.3. Day of Flight Operations. One day of flight operations will consist of a calendar day during which any combination of aircraft takeoffs and/or landings takes place, as specified for each ship by class in OPNAV Instruction 7220.4 series. Four days of such flight operations, or the equivalent thereof, will constitute the basic calendar month qualification criteria.

4.2.4. Equivalent of 4 Days of Flight Operations. Any single day or combination of days during a calendar month in which the number of aircraft takeoffs and/or landings equals the monthly total requirement for that class ship in OPNAV Instruction 7220.4 series will constitute the equivalent of four days of flight operations.

4.2.5. FDHD Billet. A billet that requires frequent and regular participation in flight operations on the flight deck of an eligible (certified) ship as promulgated in the OPNAV Instruction 7220.4 series.

4.2.6. Participation. Service members must be present, during flight operations, at an assigned station on the flight deck of an aircraft carrier or a ship other than an aircraft carrier from which aircraft are launched and recovered during flight operations.

*4.3 Rates

FDHDIP is paid to eligible members at a rate of $150 per month (see the HDIP Rates table for the most current rate). Service members who meet entitlement criteria, but who do not participate in a full calendar month of flight deck operations, will receive a prorated FDHDIP payment in accordance subparagraph 2.3.2 for any portion of a calendar month, during which FDHD is performed under competent orders, unless subparagraph 2.3.2.2 applies.

4.4 Commencement and Termination of FDHDIP

Eligibility for entitlement to FDHDIP begins on the date a member is ordered to duty in an FDHD billet. Entitlement eligibility ends on the date the orders to such billet are revoked, or when a member is permanently detached from the aircraft carrier, other eligible air capable ship, or aviation unit, whichever occurs first. Orders may be terminated for other reasons but not for the sole purpose of providing FDHDIP for additional members.

4.5 Right to Pay Under Certain Conditions

See Table 24-1.

5.0 DEMOLITION DUTY

5.1 Entitlement

5.1.1. Condition of Entitlement. A member entitled to basic pay, who is required by competent orders to perform duty involving the demolition of explosives, as prescribed by Military Service regulations, as a primary duty (including training for that duty), is entitled to HDIP under the conditions stated in this section.

5.1.2. Duty Involving Demolition of Explosives. Demolition duty is duty performed by members who engage in the following activities under competent orders and as a primary duty assignment:

5.1.2.1. Demolish by the use of explosive objects, obstacles, or other explosives, or recover and render harmless, by disarming or demolishing, explosives that have failed to function as intended or which have become a potential hazard;

5.1.2.2. Participate as students or instructors in instructional training, including that in the field or fleet, for the duties described in subparagraph 5.1.2.1 provided that live explosives are used in such training;

5.1.2.3. Participate in proficiency training, including that in the field or fleet, for the maintenance of skill in the duties described in subparagraph 5.1.2.1 provided that live explosives are used in such training; or

5.1.2.4. Experiment with or develop tools, equipment, or procedures for the demolition and rendering harmless of explosives, provided that live explosives are used.

*5.2 Rates

HDIP for demolition duty is paid to eligible members at a rate of $150 per month (see the HDIP Rates table for the most current rate). Qualified Service members who are not on competent orders for the entire month receive a prorated payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

5.3 Performance Requirements

For eligibility, the member must meet the performance requirements for demolition duty HDIP set out in DoDI 1340.09, para. 3.4.e.

5.4 Right to Pay Under Certain Conditions

See Table 24-1.

6.0 EXPERIMENTAL STRESS DUTY

6.1 Entitlement

6.1.1. Condition of Entitlement. A member on active duty who is required by competent orders to perform experimental stress duty is entitled to HDIP under the conditions stated in this section.

6.1.2. Duty Involving Experimental Stress. Experimental stress duties are included in subparagraphs 6.1.2.1 through 6.1.2.4.

6.1.2.1. Human Acceleration or Deceleration Experimental Subject. Duty performed as human acceleration or deceleration experimental subjects utilizing experimental acceleration or deceleration devices.

6.1.2.2. Thermal Stress Duty. Duty performed as human thermal experimental subjects in thermal stress experiments.

6.1.2.3. Low-Pressure Chamber Duty. Duty performed within a low-pressure (altitude) chamber at physiological facilities as human test subjects, inside instructor-observer or inside observer-tender.

6.1.2.4. High-Pressure Chamber Duty

6.1.2.4.1. Duty performed within a high-pressure (hyperbaric or recompression) chamber or hyperbaric complex as a:

6.1.2.4.1.1. Human test subject for approved protocols applicable to the research, development, testing and evaluation of diving, hyperbaric and underwater-related tools, systems, equipment and procedures;

6.1.2.4.1.2. Human test subject in a recompression chamber/hyperbaric complex inside instructor-observer or inside observer-tender during the conduct of protocols; or

6.1.2.4.1.3. Human test subject in a recompression chamber/hyperbaric complex inside instructor-observer or inside observer-tender during the conduct of hyperbaric treatment or hyperbaric therapy procedures which include, but are not limited to, treatment of ailments incidental to diving and hyperbaric/hypobaric exposure.

6.1.2.4.2. For a Navy member to qualify as a human test subject, inside instructor-observer or inside observer-tender in a recompression chamber/hyperbaric complex, all of the following conditions must be met. The member must:

6.1.2.4.2.1. Possess one of the Navy Enlisted Classification/Navy Officer Billet Classification (NEC/NOBC) codes listed and be assigned by competent orders to a billet utilizing the following NEC/NOBC classifications:

Enlisted:	**NEC**
Special Warfare Operator (SEAL) Candidate	O20A
SEAL Delivery Vehicle (SDV) Operator	O23A
Special Warfare Operator (SEAL)	O26A
Basic Explosive Ordnance Disposal (EOD) Technician	M02A
Senior EOD Technician	M03A
Master EOD Technician	M04A
Master Diver	MMDV
First Class Diver	M1DV
Second Class Diver	M2DV
Underwater Construction Technician Advanced	B16A
Underwater Construction Technician Basic	B17A
Master Underwater Construction Diver	B18A
Fleet Marine Force Reconnaissance Independent Duty Corpsman	L02A
Fleet Marine Force Reconnaissance Corpsman	L11A
Medical Deep Sea Diving Technician	L27A
Deep Sea Diving Independent Duty Corpsman	L28A

Officer	**NOBC**
Undersea Medical (Diving) Officer	0107
EOD Officer	9230
EOD Mobile Unit Officer	9231
SEAL Officer	9293
Diving Officer (General)	9312;

6.1.2.4.2.2. Be ordered to perform additional duty as a human test subject, inside instructor-observer or inside observer-tender as described in subparagraphs 6.1.2.4.1, 6.1.2.4.2, or 6.1.2.4.3, or by the commanding officer having cognizance over the recompression chamber or hyperbaric complex; and

6.1.2.4.2.3. Either be instructing or operating Navy approved underwater breathing equipment, support systems, and recompression chambers; or observing the other individual(s) for symptoms of diving injuries/illnesses and providing appropriate treatment, as ordered by competent authority.

6.1.2.4.3. The following types of similar duties do not entitle Navy personnel to HDIP as recompression chamber/hyperbaric complex inside instructor-observers or inside observer-tenders:

6.1.2.4.3.1. Inside observer-tender and divers for surface decompression procedures incidental to the conduct of diving operations as this is considered a normal procedure related to the safe conduct of routine diving operations;

6.1.2.4.3.2. Under instruction either inside instructor-observer, inside observer-tender, or trainees that includes saturation diving procedures and hyperbaric medical related training which is considered a normal requirement to establish or maintain proficiency and/or qualifications;

6.1.2.4.3.3. Inside observer-tender or test candidates during pressure and/or oxygen tolerance tests;

6.1.2.4.3.4. Inside observer-tender, technicians or others involved in recompression chamber or hyperbaric complex preventive or corrective maintenance or during the use of a chamber or complex for the purpose of conducting preventive or corrective maintenance procedures; and

6.1.2.4.3.5. Patients undergoing hyperbaric treatment or therapy.

6.1.3. Restriction. A member is entitled to only one payment of HDIP for experimental stress duty during any 1 month.

*6.2 Rates

HDIP for experimental stress duty is $150 per month (see the HDIP Rates table for the most current rate). HDIP is payable for any full month or is prorated in accordance with subparagraph 2.3.2 for any portion of a calendar month, during which experimental stress duty is performed under competent orders, unless subparagraph 2.3.2.2 applies.

6.3 Performance Requirements

For eligibility, the member must meet the performance requirements for experimental stress duty HDIP set out in DoDI 1340.09, para. 3.4.f.

6.4 Right to Pay Under Certain Conditions

See Table 24-1.

7.0 TOXIC FUELS (OR PROPELLANTS) DUTY

7.1 Entitlement

7.1.1. A member is eligible for HDIP for duty involving the servicing of aircraft or missiles with highly toxic fuels or propellants when this duty is performed as a primary duty according to the requirements set forth in subparagraphs 7.2.1 through 7.2.4 and 7.2.7.

7.1.2. A member is eligible for HDIP for duty involving the servicing of aircraft or missiles with highly toxic fuels or propellants for the testing of aircraft or missile systems (or components of such systems) during which highly toxic fuels are used when this duty is performed as a primary duty according to the requirements listed in paragraph 7.2.

7.2 Performance Requirements

For eligibility, the member must meet the performance requirements for toxic fuel or propellants duty HDIP set out in DoDI 1340.09, para. 3.4.j.

*7.3 Rates

HDIP for handling of toxic fuels and propellants is $150 per month (see the HDIP Rates table for the most current rate). Service members who meet the eligibility criteria, but who do not participate in a full calendar month of duty involving toxic fuels and propellants, will receive a prorated HDIP payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

7.4 Restriction

Authorization is based upon the performance of this primary duty that has the potential for accidental or inadvertent exposure to highly toxic fuels or propellants or related substances and not upon actual quantifiable exposure to such substances. Therefore, neither this construction of the term nor the receipt of the pay may be construed as indicating that any Service member eligible for such pay has been actually exposed to highly toxic fuels or propellants, or related substances contrary to the provisions of any statute, Executive order, rule, or regulation relating to health or safety which is applicable to the Uniformed Services.

8.0 TOXIC PESTICIDES DUTY

8.1 Entitlement

A member is eligible for HDIP for duty involving frequent and regular exposure to highly toxic pesticides when the member is assigned by competent orders to the entomology, pest control, pest management, or preventive medicine functions of a Uniformed Service for a period of 30 consecutive days or more.

8.2 Performance Requirements

For eligibility, the member must meet the performance requirements for toxic pesticides duty HDIP set out in DoDI 1340.09, para. 3.4.h.

*8.3 Rates

HDIP for duty involving exposure to toxic pesticides is $150 per month (see the HDIP Rates table for the most current rate). Service members who meet the eligibility criteria, but who do not

participate in a full calendar month of duty involving exposure to highly toxic pesticides will receive a prorated HDIP payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

9.0 DANGEROUS VIRUSES (OR BACTERIA) LAB DUTY

9.1 Entitlement

A member is eligible for HDIP for duty involving laboratory work that utilizes live dangerous viruses or bacteria as a primary duty.

9.2 Performance Requirements

For eligibility, the member must meet the performance requirements for dangerous viruses or bacteria duty HDIP set out in DoDI 1340.09, para. 3.4.i.

*9.3 Rates

HDIP for laboratory duty involving dangerous viruses or bacteria is $150 per month (see the HDIP Rates table for the most current rate). Service members who meet the eligibility criteria, but who do not participate in a full calendar month of laboratory duty utilizing live viruses or bacteria will receive a prorated HDIP payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

10.0 CHEMICAL MUNITIONS DUTY

10.1 Entitlement

A member is eligible for HDIP for duty involving the handling of chemical munitions (or components of such munitions) as a primary duty.

10.2 Performance Requirements

For eligibility, the member must meet the performance requirements for toxic pesticides duty HDIP set out in DoDI 1340.09, para. 3.4.k.

*10.3 Rates

HDIP for handling of chemical munitions is $150 per month (see the HDIP Rates table for the most current rate). Service members who meet the eligibility criteria, but who do not participate in a full calendar month of duty handling chemical weapons, will receive a prorated HDIP payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

10.4 Restriction

The Secretary concerned is authorized to pay HDIP for the performance of this primary duty that has the potential for accidental exposure to chemical agents and not upon actual quantifiable exposure to such agents. Therefore, neither the construction of the term nor the receipt of pay provided for in this section may be construed as indicating that any person eligible for such pay actually has been exposed to chemical agents contrary to the provisions of any statute, Executive order, rule, or regulation relating to health and safety which is applicable to the Uniformed Services.

11.0 MARITIME VISIT, BOARD, SEARCH, SEIZURE (VBSS) DUTY

11.1 Entitlement

The Secretary concerned may offer an HDIP to members who under competent orders perform duty in VBSS billets that require frequent and regular participation in VBSS operations aboard vessels in support of maritime interdiction operations.

11.2 Performance Requirements

For eligibility, the member must meet the performance requirements for maritime VBSS duty HDIP set out in DoDI 1340.09, para. 3.4.l.

*11.3 Rates

HDIP for VBSS is a monthly rate of $150.00 (see the HDIP Rates table for the most current rate). Service members who meet the eligibility criteria, but who do not participate in a full calendar month of VBSS duty, will receive a prorated HDIP payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

12.0 POLAR REGION FLIGHT OPERATIONS DUTY

12.1 Entitlement

A member is eligible for HDIP for duty involving the use of ski-equipped aircraft on the ground in Antarctica or on the Arctic Ice-Pack.

12.2 Performance Requirements

For eligibility, the member must meet the performance requirements for polar region flight operations duty HDIP set out in DoDI 1340.09, para. 3.4.m.

*12.3 Rates

HDIP for polar region flight operations duty is $150.00 per month (see the HDIP Rates table for the most current rate). Service members who meet the eligibility criteria, but who do not

participate in a full calendar month of polar region flight operations, will receive a prorated HDIP payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

13.0 WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT (WMDCS) TEAM

13.1 Entitlement

The Secretary concerned may pay HDIP to RC Service members assigned to WMDCS teams.

13.2 Performance Requirements

For eligibility, the member must meet the performance requirements for WMDCS team HDIP set out in DoDI 1340.09, para. 3.4.n.

*13.3 Rates

HDIP for RC Service members assigned to a WMDCS team is $150 per month (see the HDIP Rates for the most current rate). Service members who meet the eligibility criteria, but who do not participate in a full calendar month as a WMDCS team member, will receive a prorated HDIP payment in accordance with subparagraph 2.3.2, unless subparagraph 2.3.2.2 applies.

14.0 DIVING DUTY HDIP

See Chapter 11 for diving duty eligibility criteria, requirements, and rates.

15.0 SPECIAL WARFARE SKILL INCENTIVE PAY (SWSIP)

15.1 Entitlement

The Air Force may pay a monthly skill incentive pay to Airmen qualified and serving as an Air Force Special Warfare (AFSPECWAR) Airmen. AFSPECWAR Airmen conduct operations in the ground domain in contested, denied, operationally limited, and permissive environments under severe environmental conditions.

15.2 Performance Requirements

15.2.1. AFSPECWAR Airmen must serve in one the following seven critical Air Force Specialty Codes (AFSC):

15.2.1.1. Pararescue (1Z1XX);

15.2.1.2. Combat Control (1Z2XX);

15.2.1.3. Tactical Air Control Party (1Z3XX);

15.2.1.4. Special Reconnaissance (1Z4XX);

15.2.1.5. Special Tactics Officer (19ZXA);

15.2.1.6. Tactical Air Control Party Officer (19ZXB); or

15.2.1.7. Combat Rescue Officer (19ZXC).

15.2.2. The Air Force may offer skill incentive pay to AFSPECWAR Airmen who:

15.2.2.1. Are entitled to basic pay under 37 U.S.C. § 204, or 37 U.S.C. § 206.

15.2.2.2. Serve in one of the AFSPECWAR Airmen AFSCs listed in subparagraph 15.2.1.

15.2.2.3. Meet all applicable eligibility requirements for performance of skill incentive pay as outlined in the Assistance Secretary of Defense (ASD) Memo for Assistant Secretary of the Air Force for Manpower and Reserve Affairs (M&RA) and any other criteria established by the Secretary of the Air Force in accordance with Air Force publications:

15.2.2.3.1. ***Air Force Manual (AFMAN) 10-3500V1***, Air Force Special Warfare Training Program, dated June 1, 2022, Table A2.1 and A2.2 for critical skills (parachute, dive, demolition, and aerial flight); and

15.2.2.3.2. Department of the Air Force Guidance Memorandum to AFMAN 10-409-O, Support to Adaptive Planning, dated June 15, 2021.

15.2.2.4. Have completed the requisite training and maintain necessary qualifications for the performance of Special Warfare Airmen critical skills required by the Secretary of the Air Force in accordance with the Air Force "Force Generation and Force Presentation (AFFORGEN) model."

15.2.2.5. Meet medical and physical requirements for deployment or be granted a waiver for deployment purposes.

15.2.2.6. AFSPECWAR Airmen assigned to designated career-broadening assignments (e.g., Headquarters staff, recruiting, and instructor duties) may continue to receive SWSIP for up to 24 months as long as they meet SWSIP qualifications at the time they report to their career-broadening assignment. After 24 months, Airmen must recertify in their SWSIP skills within 180 days or SWSIP will be discontinued, and any payments received after 24 months will be subject to repayment in accordance with provisions of 37 U.S.C. § 373.

15.2.2.7. AFSPECWAR Airmen may continue to receive SWSIP provided they meet SWSIP eligibility criteria while attending Professional Military Education Courses, during contingency deployment, while on authorized leave, and while in route to their next AFSPECWAR duty assignment.

15.3 Rates

15.3.1. SWSIP is paid to eligible members at an amount not to exceed $615 per month. If a Service member satisfies the eligibility requirements only for part of the month, the Secretary of the Air Force will prorate the payment amount to reflect the duration of the member's qualifying service during the month. Reserve component members may be eligible for SWSIP at the discretion of the Secretary of the Air Force. The daily amount authorized will be equal to 1/30th of the monthly SWSIP rate for each period of inactive duty for training.

15.3.2. See SWSIP Tables 24-3 and 24-4 detailing how SWSIP will be paid.

15.4 Restriction

The following limitations and restrictions apply for receipt of SWSIP:

15.4.1. Service members may not receive a bonus or incentive pay pursuant to ***Subchapter I and Subchapter II of Chapter 5, of Title 37, U.S.C.***, for the same activity, skill, or period of service.

15.4.2. Service members receiving incentive payments pursuant to ***37 U.S.C. § 334*** or ***37 U.S.C. § 334a*** are not eligible for SWSIP for the same skill or period of service.

15.4.3. Service members may not be paid skill incentive pay or proficiency bonuses pursuant to 37 U.S.C. § 353, and hazardous duty pay under ***37 U.S.C. § 351(a)(2)***, for the same period of service in the same career field or skill.

15.4.4. Service members may not be paid more than one pay under 37 U.S.C. § 353, in any month for the same period of service and skill.

15.4.5. Service members temporarily unable to perform the skills of an AFSPECWAR Airman due to a medical restriction, not the result of the member's own misconduct, may continue to receive SWSIP for up to 12 months, provided the member met the eligibility criteria within the 30 days that occurred prior to the injury or illness. If the restriction persists beyond 365 days or the member is no longer certified to perform the AFSPECWAR Airman duties, SWSIP payments will terminate and may not resume until the condition resulting in medical restriction is corrected and the member is certified to resume AFSPECWAR Airmen duties by a competent medical authority. The Secretary of the Air Force may, on a case-by-case basis, authorize a one-time extension of SWSIP for up to 90 days (beyond the initial 365 days). Extensions beyond 90 days must be forwarded to the Assistant Secretary of Defense for Manpower and Reserve Affairs for approval. All extension requests will include a description of the injury, current prognosis and treatment technique, expected date of full recovery and resumption of AFSPECWAR Airman duties, as well as an endorsement recommendation from the Air Force Surgeon General or designee.

15.4.6. Service members permanently disqualified or otherwise determined to be no longer eligible to perform the duties of an AFSPECWAR Airman, are ineligible for SWSIP.

15.4.7. Service members are not authorized SWSIP payments for any periods of unauthorized absence.

*15.5 Duration of Authority

Unless reauthorized by Congress, no new agreements or payments for SWSIP may be offered after the date listed on the DOA table, but current payments will continue for the duration of the current agreement or until the Service member no longer meets the eligibility for the payment.

16.0 NAVAL SPECIAL WARFARE (NSW) SKILL INCENTIVE PAY (SKIP)

16.1 Entitlement

The Navy may pay a monthly skill incentive pay to Service members qualified and serving as NSW Operators pursuant to 37 U.S.C. § 353. NSW Operators perform clandestine paradrop, maritime, and land-based special operations in austere conditions in order to provide to the United States and its allies tailored capabilities. NSW SKIP will be used in lieu of hazardous duty incentive pays to minimize costly training interruptions in the NSW inter-deployment training cycle (IDTC), minimize the strain on force Personnel Tempo System during the IDTC and remove financial disincentives associated with NSW Operators seeking medical care.

16.2 Performance Requirements

16.2.1. The term NSW Operator encompasses the following critical Navy enlisted classifications (NECs) and officer designator codes:

16.2.1.1. Sea-air-land (SEAL) delivery vehicle (SDV), operator (023X);

16.2.1.2. SEAL special warfare operator (O26X);

16.2.1.3. SEAL special warfare officer (113X);

16.2.1.4. SEAL special warfare warrant operator (715X);

16.2.1.5. Special warfare combatant-craft crewman (SWCC) operator (052X); and

16.2.1.6. SWCC warrant officer (717X).

16.2.2. The NSW SKIP is payable to active duty, and training and administration of Reserve operators only, on a monthly basis, who meet all of the following criteria in subparagraphs 16.2.2.1 through 16.2.2.6.

16.2.2.1. Be entitled to basic pay under 37 U.S.C. § 204, or 37 U.S.C. § 206.

16.2.2.2. Be serving in one of the NSW operators NECs or officer designator codes listed in subparagraphs 16.2.1.1 through 16.2.1.6.

16.2.2.3. Completed all the required training and maintained eligibility for designation as an NSW operator.

16.2.2.4. Completed the requisite training necessary to perform parachute duty and (if necessary) qualification training for demolition and diving duty.

16.2.2.5. Meet the medical and physical requirements for deployment or granted a waiver by the Secretary of the Navy.

16.2.2.6. Be assigned to commands that complete NSW IDTC (e.g., SEAL team, SDV team, special boat team, NSW training detachment), or meet the minimum semi-annual currency requirements as listed by the rating and qualifications in the NSW SKIP Currency and Payment Levels table (Table 24-4).

16.2.3. NSW operators will continue to receive NSW SKIP while in school, NSW IDTC, on leave, or en route to next assignment as long as they continue to meet the eligibility criteria listed in subparagraphs 16.2.2.1 through 16.2.2.6. Contact the OPNAV, Naval Special Warfare Program Management Branch (N137) for partial payment information.

16.2.4. NSW operators who receive NSW SKIP under this guidance and fail to satisfy the eligibility requirements will be subject to having their pay terminated. Repayment of any overpayment will be in accordance with 37 U.S.C. § 373.

16.2.5. Reserve NSW operators (1135) will receive NSW SKIP if recalled to fulfill orders that are 1 year or longer. Jump, dive, and demolition payments may be paid to NSW reservists with orders under a year and have met currency requirements per the NSW SKIP Currency and Payment Levels listed in Exhibit 1.

16.3 NSW Pay Levels and Qualifications

Enlisted pay rates will be administered according to NECs and qualifications. Officer pay rates will be administered according to designators and qualifications. Pay will be stopped by the commanding officer's (CO) decertification, NEC or designator removal, terminal leave, or lateral transfer out of the NSW community. Levels and qualifications are as follows:

16.3.1. SDV Operator Holding NEC 023X

SEAL enlisted SDV operators must be qualified and current in all of the following duties:

16.3.1.1. Military parachuting operations including static line and or military free-fall,

16.3.1.2. Combat diving (open circuit self-contained underwater breathing apparatus (SCUBA) and or closed circuit) operations, and

16.3.1.3. Demolition and explosive breaching operations with live explosive material as an essential part of required duties.

16.3.2. Special Warfare Operator Holding NEC 026X, SEAL Warrant Officer Holding Designator 715X, SEAL Officer Holding Designator 113X

SEAL enlisted operators, SEAL Officers, and SEAL warrant officers must be qualified and current in all of the following duties:

16.3.2.1. Military parachuting operations including static line and or military free-fall,

16.3.2.2. Combat diving (open circuit SCUBA and or closed circuit) operations, and

16.3.2.3. Demolition and explosive breaching operations with live explosive material as an essential part of required duties.

16.3.3. Special Warfare Boat Operator Holding NEC 052X and Special Warfare Combatant-Craft Crewman Warrant Officer Holding Designator 717X

SWCC enlisted operators and SWCC warrant officers must be qualified and current in military parachuting operations including static line and or military free-fall.

16.4 Rates

The Navy may pay monthly NSW SKIP to qualified Service members who meet the NSW SKIP eligibility requirements in an amount not to exceed $715 per month. See the NSW SKIP Currency and Payment Levels (Table 24-4) for the monthly pay rate. If a Service member does not satisfy the eligibility requirements specified for an entire month, the Secretary of the Navy will prorate the payment amount to reflect the duration of the member's actual qualifying service during the month. Qualified Reserve Component members who meet the NSW SKIP eligibility requirements and are entitled to compensation pursuant to 37 U.S.C. § 206, may be eligible for NSW SKIP at the discretion of the Secretary of the Navy. The daily amount authorized will be equal to $1/30^{th}$ of the monthly NSW SKIP rate for each period of inactive duty for training.

16.5 Restrictions

The following limitations and restrictions apply for receipt of NSW SKIP:

16.5.1. Service members may not be paid NSW SKIP and jump, dive, or demolition duty pays for the same period of service.

16.5.2. Service members may not be paid more than one NSW SKIP in any month for the same period of service.

16.5.3. Service members temporarily unable to perform the skills of an NSW operator due to a medical restriction that is not the result of the Service member's own misconduct may continue to receive NSW SKIP for up to 12 months, provided the Service member met the eligibility criteria for the pay within 30 days prior to the injury or illness. If the restriction persists beyond 12 months or the Service member is no longer certified to perform the NSW operator skill, NSW SKIP payments will terminate and may not resume until the condition, which resulted in the medical restriction, is corrected and the Service member is certified to resume NSW operator duties by the appropriate medical authority. The Secretary of the Navy may, on a case-by-case basis, authorize a one-time extension of NSW SKIP for up to 90 days beyond the initial 12 months. Extensions beyond 90 days must be forwarded to the Assistant Secretary of Defense for Manpower and Reserve Affairs for approval.

16.5.4. Commanding Officers (COs) in the pay grade of O-5 or above may waive the jump requirements for one jump during a 12-month period due to non-availability of jump equipment or aircraft, inclement weather, or while attending a military education or training of less than 179 days. Service members must maintain their proficiency through refresher training in lieu of jumping in order to retain eligibility for NSW SKIP pay during the waived period.

16.5.5. COs in the paygrade of O-5 or above may waive jump, dive, and demolition currency requirements for joint individual augmentations and any global force management assignment that requires a member to deploy where operations or equipment do not permit execution of jump, dive, and demolition training.

*16.6 Duration of Authority

Unless reauthorized by Congress, no new agreements or payments for NSW SKIP may be offered after the date listed on the DOA table, but current payments will continue for the duration of the current agreement or until the Service member no longer meets the eligible for the payment.

Table 24-1. IP for Hazardous Duty-Entitlement Under Certain Conditions

RULE	When a member under orders to perform hazardous duty is	and the hazardous duty involved is	and	then IP entitlement
1	sick in the line of duty	any type of hazardous duty listed in this chapter	orders to perform the hazardous duty involved remain in effect and the member performs the duty involved during the month involved, or when appropriate, performs the minimum performance requirements for the duty involved	continues for the period of the illness.
2	on authorized leave	any type of hazardous duty listed in this chapter	orders to perform the hazardous duty involved remain in effect and the member performs the duty involved during the month involved, or when appropriate, performs the minimum performance requirements for the duty involved	continues for the period of leave (note 1).
3	on TDY or TAD	any type of hazardous duty listed in this chapter	orders to perform the hazardous duty involved remain in effect and the member performs the duty involved during the month involved, or when appropriate, performs the minimum performance requirements for the duty involved	continues for the period of TDY or TAD.
4	reassigned PCS including TDY in conjunction with PCS	any type of hazardous duty listed in this chapter	orders to perform the hazardous duty involved remain in effect and the member performs the duty involved during the month involved, or when appropriate, performs the minimum performance requirements for the duty involved	is not affected by the PCS (note 2).

Table 24-1. IP for Hazardous Duty-Entitlement Under Certain Conditions (Continued)

RULE	When a member under orders to perform hazardous duty is	and the hazardous duty involved is	and	then IP entitlement
5	on TDY or TAD	any type of hazardous duty listed in this chapter	orders to perform hazardous duty involved are in effect at the TDY station only. Member meets minimum performance requirements at the TDY station	begins on the date of reporting for duty at the TDY location and exists for the period of TDY.
6	discharged and immediately reenlisted at the same station without a break in service	any type of hazardous duty listed in this chapter	orders to perform hazardous duty involved are not specifically terminated	is determined as though there had been no discharge.
7	discharged and immediately reenlisted at the same station without a break in service	any type of hazardous duty listed in this chapter	orders to perform the hazardous duty involved are specifically terminated	ceases on effective date shown in orders.
8	removed from hazardous duty		removal is for cause, disqualification, or the member's own request	ceases on the date that cause or disqualification is determined to exist or the date the member is removed per request, which will be the effective date established in orders terminating the hazardous duty. (See note 2 for pay proration.)
9	a member of an RC being released from active duty performed either: a. while member is part of strength accountability of the active military establishment (EAD); or b. while member is accountable to an RC (ADT) (note 5)	parachute	orders are not issued directing relief from assigned duties and requirements have been met for the period involved	continues for the period of allowable travel time (notes 3 and 5).

Table 24-1. IP for Hazardous Duty-Entitlement Under Certain Conditions (Continued)

RULE	When a member under orders to perform hazardous duty is	and the hazardous duty involved is	and	then IP entitlement
10	being released from active duty performed either: a. while member is part of strength accountability of the active military establishment (EAD); or b. while member is accountable to an RC (ADT) (note 4)	demolition, flight deck, experimental stress, toxic fuels, toxic pesticides, dangerous viruses, handling chemical munitions, maritime VBSS, or polar region flight operations	orders are not issued directing relief from assigned duties and requirements have been met for the period involved	ceases on detachment from last duty station.
11	on ADT for any number of weeks (with or without a unit of assignment) (note 4)	any type of hazardous duty listed in this chapter	orders to perform the hazardous duty involved are in effect at the ADT station. Member meets minimum performance requirements at ADT station	1. exists for the period of ADT. Entitlement for ADT is terminated per rules 9 or 10. 2. for IDT is determined under note 6.
12	on ADT for 20 weeks or more away from unit of assignment (note 4)		member is not ordered to perform the hazardous duty at the ADT station	1. does not exist for the period of ADT. 2. for IDT is determined under note 6.
13	on ADT for less than 20 weeks away from unit of assignment (note 4)		orders to perform the hazardous duty involved remain in effect at unit of assignment. Member is not ordered to perform hazardous duty at ADT station. Member meets minimum performance requirements during IDT at unit of assignment	1. exists for the period of ADT. Entitlement for ADT is terminated per rules 9 or 10. 2. for IDT is determined under note 6.

Table 24-1. IP for Hazardous Duty-Entitlement Under Certain Conditions (Continued)

NOTES:

1. Performance of hazardous duty while on leave cannot be counted for pay purposes.
2. Orders to perform hazardous duty remain in effect when member is being reassigned PCS successively to hazardous duty. If the member cannot be immediately assigned to a hazardous duty position at a new station, orders to perform such duty will be terminated effective the date of arrival at new duty station and HDIP stopped as of that date. When successive assignment does not require hazardous duty as an essential part of military duty at the new permanent duty station, orders to perform such duty will be terminated effective the date of departure from old duty station (or TDY point if performance of hazardous duty is required as an essential part of military duty at the TDY point) and HDIP stopped as of that date. When effective date in the orders terminating hazardous duty is other than the last day of a calendar month and that month's performance requirements have been met, the month's hazardous duty pay will be prorated per subparagraph 2.3.2.
3. Parachute pay may not be paid beyond the last day of the calendar month for which requirements are met.
4. ADT includes annual training, special tours of ADT, school tours, and the initial tour performed by enlistees without prior military service.
5. HDIP entitlement for ADT includes time allowed for necessary travel from home to first duty station (See Chapter 1).
6. HDIP for IDT is paid per Chapter 58.

Table 24-2. SWSIP - Enlisted

Parachute (Static Line (S/L)): $150
Military Free Fall (MFF)/HALO: $225
Demo: $150
Dive: $150
Air Crew Duty: $150

SWSIP AFSC	Operator Description	Critical Skill	SWSIP Pay
1Z1XX	Pararescue	MFF; Dive; Aircrew + 3-level	Tier 1 - $540
1Z1XX	Pararescue	MFF; Dive; Aircrew + 5-level	Tier 2 - $590
1Z1XX	Pararescue	MFF; Dive; Aircrew + 7-level	Tier 3 - $615
1Z2XX	Combat Control	MFF; Dive; Demo; + 3-level	Tier 1 - $540
1Z2XX	Combat Control	MFF; Dive; Demo; + 5-level	Tier 2 - $590
1Z2XX	Combat Control	MFF; Dive; Demo; + 7-level	Tier 3 - $615
1Z3XX	Tactical Air Control Party	Static Line; MFF; Dive; Demo; + 3-level	Tier 1 - $540
1Z3XX	Tactical Air Control Party	Static Line; MFF; Dive; Demo; + 5-level	Tier 2 - $590
1Z3XX	Tactical Air Control Party	Static Line; MFF; Dive; Demo; + 7-level	Tier 3 - $615

Table 24-2. SWSIP – Enlisted (Continued)

SWSIP AFSC	Operator Description	Critical Skill	SWSIP Pay
1Z4XX	Special Reconnaissance*	MFF; Dive; Demo; + 3-level	Tier 1 - $540
1Z4XX	Special Reconnaissance*	MFF; Dive; Demo; + 5-level	Tier 2 - $590
1Z4XX	Special Reconnaissance*	MFF; Dive; Demo + 7-level	Tier 3 - $615

*The Special Operations Weather Team (SOWT) Air Force Specialty (AFS) was replaced by the Special Reconnaissance AFS, which has the same requirements as Combat Control. The previous SOWT had a different pipeline and were paid in accordance with the skills gained. The SR pay tiers align with skills and pipeline associated with the career field.

Table 24-3. SWSIP – Officer

Parachute (Static Line (S/L)): $150
Military Free Fall (MFF)/HALO: $225
Demo: $150
Dive: $150
Air Crew Duty: $150

SWSIP AFSC	Operator Description	Critical Skill	SWSIP Pay
19ZXA	Special Tactics Officer	MFF; Dive; Demo; + 2-level	Tier 1 - $590
19ZXA	Special Tactics Officer	MFF + Dive + Demo + 3-level with advanced qualification for Static Line Jump	Tier 2 - $615
19ZXA	Special Tactics Officer	MFF + Dive + Demo + 4 level with advanced qualification for Static Line Jump	Tier 2 - $615
19ZXB	Tactical Air Control Party Officer	Static Line + 2-level*	Tier 1 - $590
19ZXB	Tactical Air Control Party Officer	Static Line + 3-level*	Tier 2 - $615
19ZXB	Tactical Air Control Party Officer	Static Line + 4-level*	Tier 2 - $615
19ZXC	Combat Rescue Officer	MFF; Dive; Air Crew; + 2-level	Tier 1 - $590
19ZXC	Combat Rescue Officer	MFF; Dive; Air Crew; + 3-level	Tier 2 - $615
19ZXC	Combat Rescue Officer	MFF; Dive; Air Crew; + 4-level	Tier 2 - $615

*May earn pays based on additional qualifications for MFF ($225), Demolitions ($150), and Dive ($150).

Table 24-4. NSW SKIP Currency and Payments Levels

NSW SKIP Currency Requirements and Max Payment Levels					
Level	**NEC/Designator**	**NSW Operator Description**	**Qualification**	**Semi-Annual Requirement**	**NSW SKIP Monthly Pay**
1	O52X or 717X	SWCC Enlisted/Warrant Officer	Static Line Jump (SL)	2 Jumps	$150
2	O52X or 717X	SWCC Enlisted/Warrant Officer	Military Free-Fall (MFF)	2 Jumps	$225
3	026X	SEAL Enlisted	SL + Dive + Demo	2 Jumps, 4 Dives, 6 Demolition Shots	$515
4	026X	SEAL Enlisted	MFF + Dive + Demo	2 Jumps, 4 Dives, 6 Demolition Shots	$590
5	113X or 715X	SEAL Warrant Officer / SEAL Officer	SL + Dive + Demo	2 Jumps, 4 Dives, 6 Demolition Shots	$540
6	113X or 715X	SEAL Warrant Officer / SEAL Officer	MFF + Dive + Demo	2 Jumps, 4 Dives, 6 Demolition Shots	$615
7	023X	SDV Enlisted	SL + Dive + Demo	2 Jumps, 4 Dives, 6 Demolition Shots	$640
8	023X	SDV Enlisted	MFF + Dive + Demo	2 Jumps, 4 Dives, 6 Demolition Shots	$715

Note 1: The SKIP requalification timeline is semi-annually and broken down into two blocks. Block 1 timeline is 1 January through 30 June. Block 2 timeline is 1 July through 30 December.

Table 24-4. NSW SKIP Currency and Payments Levels (Continued)

Note 2: In order to qualify for special pay for NSWSKIP, NSW operators are considered qualified if they have conducted minimum requirements in the previous block.

Note 3: SEAL enlisted operators who get commissioned will continue to receive the same NEC NSW SKIP pay level they received prior to commissioning until they complete the Junior Officer Training Course (JOTC). After completing JOTC and their officer designator is changed from 1180 to 1130, the officer will begin receiving the 113X NSW SKIP pay level.

*REFERENCES

CHAPTER 24 - INCENTIVE PAY - HAZARDOUS DUTY OTHER THAN AERIAL FLIGHTS

1.0 – GENERAL

1.1	DoD Instruction (DoDI) 1340.09, January 26, 2018, Change 1, February 2, 2024 37 U.S.C. § 351 37 U.S.C. § 353

2.0 – ENTITLEMENT

	Executive Order 13294, March 28, 2003 DoDI 1340.09, January 26, 2018, Change 1, February 2, 2024 37 U.S.C. § 351
2.3	37 U.S.C. § 351(c)(2)(B)(ii) DoDI 1340.09, para. 2.1.k, January 26, 2018, Change 1, February 2, 2024
2.5	37 U.S.C. § 372 38 Comptroller General Decision 83
2.8	National Defense Authorization Act for Fiscal Year 2024, Public Law 118-31, section 613(d)(6) December 22, 2023 37 U.S.C. § 353

3.0 – PARACHUTE DUTY

	DoDI 1340.09, para. 3.4.d, January 26, 2018, Change 1, February 2, 2024 37 U.S.C. § 351(a)(2)

4.0 – FLIGHT DECK DUTY

	DoDI 1340.09, para. 3.4.g, January 26, 2018, Change 1, February 2, 2024 37 U.S.C. § 351(a)(2)
4.2	OPNAV Instruction 7220.4L, July 16, 2019

5.0 – DEMOLITION DUTY

	DoDI 1340.09, para. 3.4.e, January 26, 2018, Change 1, February 2, 2024 37 U.S.C. § 351(a)(2)

6.0 – EXPERIMENTAL STRESS DUTY

DoDI 1340.09, para. 3.4.f, January 26, 2018,
Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

7.0 – TOXIC FUELS (OR PROPELLANTS) DUTY

DoDI 1340.09, para. 3.4.j, January 26, 2018,
Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

8.0 – TOXIC PESTICIDES DUTY

DoDI 1340.09, para. 3.4.h, January 26, 2018,
Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

9.0 – DANGEROUS VIRUSES (OR BACTERIA) LAB DUTY

DoDI 1340.09, para. 3.4.i, January 26, 2018,
Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

10.0 – CHEMICAL MUNITIONS DUTY

DoDI 1340.09, para. 3.4.k, January 26, 2018,
Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

11.0 – MARITIME VBSS DUTY

DoDI 1340.09, para. 3.4.l, January 26, 2018,
Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

12.0 – POLAR REGION FLIGHT OPERATIONS DUTY

DoDI 1340.09, para. 3.4.m, January 26, 2018,
Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

13.0 – WMDCS TEAM HDIP

DoDI 1340.09, para. 3.4.n, January 26, 2018, Change 1, February 2, 2024
37 U.S.C. § 351(a)(2)

15.0 – SWSIP

Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs Memo, dated April 15, 2021
Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs Memo, dated January 30, 2023
37 U.S.C. § 353(a)

16.0 – NSW SKIP

Office of the Under Secretary of Defense Personnel and Readiness Memo, dated October 15, 2018
Navy Military Personnel Manual 7220-114, CH-77, dated November 18, 2021
37 U.S.C. § 353(a)
Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs Memo, dated October 13, 2021

VOLUME 7A, CHAPTER 25: "SUBSISTENCE AND BASIC NEEDS ALLOWANCES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated August 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
4.2	Updated the Federal Poverty Guideline to 200 percent in accordance with Public Law 118-159 dated December 23, 2024, and DoDI 1341.15, November 15, 2022, Change 3 effective May 12, 2025.	Revision
Table 25-1	Updated to reflect the Basic Allowance for Subsistence rates effective January 1, 2025.	Revision
Table 25-2	Updated to reflect the Meal Collection rates effective January 1, 2025.	Revision
Table 25-3	Inserted table for Basic Needs Allowance Effective Dates.	Addition
References	Updated statutes and added supporting references.	Revision

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CHAPTER 25

SUBSISTENCE AND BASIC NEEDS ALLOWANCES

1.0 GENERAL

1.1 Purpose

Each member of a uniformed service entitled to basic pay is entitled to Subsistence and Basic Needs Allowances subject to the conditions set forth in this chapter.

1.2 Authoritative Guidance

The policies and requirements established by DoD for the allowances in this chapter are derived primarily from and prepared in accordance with Title 37, United States Code, sections 402, 402a and 402b (***37 U.S.C. § 402***, ***402a*** and ***402b***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 BASIC ALLOWANCE FOR SUBSISTENCE (BAS)

2.1 Eligibility

Unless otherwise restricted as described in paragraph 2.3, a member becomes entitled to one of the following monthly BAS rates based upon their rank and circumstances.

2.1.1. Officer BAS. A single rate of BAS applies to all officers.

2.1.2. BAS for Enlisted Members. An enlisted member is not entitled to BAS during basic training. Enlisted members are entitled to one of the following BAS rates.

2.1.2.1. Enlisted BAS. Enlisted BAS is the monthly standard rate that is payable to enlisted members unless they qualify for, and proper authority approves, BAS II.

2.1.2.2. Enlisted BAS II. Enlisted BAS II is the monthly rate that may be payable to members on duty at a permanent station and assigned to single (unaccompanied) Government quarters, which do not have adequate food storage or preparation facilities, and where a Government mess is not available, and the Government cannot otherwise make meals available. The BAS II rate is twice the rate of standard enlisted BAS. BAS II may be paid to enlisted members of the Navy assigned to vessels in a pre-commissioning status or who otherwise meet criteria set forth in the Military Personnel Manual (MILPERMAN) 7220-182. The Air Force has authorized payment of BAS II to members at specific locations.

2.1.3. Continuity of Enlisted BAS Entitlement

2.1.3.1. Enlisted members continue their existing BAS entitlement without interruption upon discharge or retirement, if reenlistment or recall to active duty is completed at the same station within 24 hours.

2.1.3.2. Enlisted members continue their existing BAS entitlement without interruption during weekends, holidays, administrative absence, pass, or liberty (not including leave).

2.2 Payment

2.2.1. Rates. The rates for BAS are listed in Table 25-1, for the most current rates, see BAS table on ***DFAS.MIL***.

2.2.2. Enlisted BAS in Specific Situations. The following policy will be used in determining whether BAS or BAS II applies in specific situations:

2.2.2.1. Enlisted BAS rates will be applied uniformly for all enlisted members under similar conditions permanently assigned to the same installation, station, base, or ship. The installation commander/commanding officer will ensure the uniform application of BAS rates for members under similar conditions, whether from a single Service or more than one Service. If there is conflict between Service directives that prevents uniform application of BAS, the commander/commanding officer will report the differences, through appropriate channels, to the Secretaries of the Military Departments concerned, who will confer to ensure uniform determinations on the authorized BAS rate.

2.2.2.2. Enlisted members on authorized leave (including proceed time, authorized delays enroute between duty stations chargeable as leave, and convalescent leave) are entitled to the standard enlisted BAS rate, regardless of the BAS rate authorized at their Permanent Duty Station (PDS).

2.2.2.3. Enlisted members performing Permanent Change of Station (PCS) travel (including Temporary Additional Duty or Temporary Duty (TAD/TDY)) enroute under orders away from their designated post of duty are entitled to the standard enlisted BAS rate, regardless of the BAS type authorized at their previous or subsequent PDS.

2.2.2.4. Enlisted members receiving BAS II at their PDS who are hospitalized or performing regular or permissive TAD/TDY (including field duty, sea duty, Essential Unit Messing (EUM), or members traveling together with limited or no per diem travel) under orders away from their PDS will revert to standard enlisted BAS for the period of hospitalization or absence from the PDS.

2.2.2.5. Enlisted members will be entitled to the standard enlisted BAS rate for any day they are under orders for leave or PCS travel. This includes the day of commencement and day of termination of the status under those orders.

2.2.2.6. Enlisted members who change BAS status at the direction or by permission of a commander, under blanket authority, or at the member's request will have the entitlement change take effect at the beginning of the day specified in writing by the commander.

2.2.3. Advance Payments. Specific circumstances for advance payment of BAS are contained in Chapter 32, paragraph 2.5.

2.2.4. Effect on Overseas Station Allowances. BAS is paid in conjunction with the overseas Cost-Of-Living Allowances (COLA) authorized by the Joint Travel Regulations.

2.3 Restrictions

2.3.1. Military members are not entitled to BAS of any type under the following conditions:

2.3.1.1. When undergoing Basic Military Training, including initial officer training (Officer Candidate School, Officer Training School), except when the member has continuous prior enlisted service (active or reserve). Members will be subsisted-in-kind while attending initial basic military training;

2.3.1.2. When in an excess leave status;

2.3.1.3. When in an absent-without-leave status, in excess of 24 hours, unless the absence is excused as unavoidable;

2.3.1.4. When on an approved educational leave of absence not exceeding 2 years;

2.3.1.5. When a member with no dependents is training for, attending, or participating in Pan American games, Olympic games, or other specifically authorized international amateur sport competitions and the sponsoring agency subsists them during that period; or

2.3.1.6. When a court-martial sentence imposes forfeiture of pay and allowances.

2.3.2. Enlisted members are not authorized BAS II when a government mess is temporarily closed for less than 14 days or when a member is on leave, assigned temporary duty (TAD/TDY), or in the hospital.

2.4 Government Provided Meals

2.4.1. A military member being paid BAS must pay for all meals or rations provided by or on behalf of the Government, except as provided in subparagraph 2.4.2. This is a personal obligation of the individual. Meals or rations may be paid with cash tendered to the Government mess by the member or, under certain circumstances, the amount owed may be collected/deducted from the member's travel per diem (a member under orders for EUM has no entitlement to

subsistence travel per diem), or from the member's pay account. When payment is made from a pay account, the payment is not considered a deduction from or reduction of the entitled BAS; rather it is a collection for a debt owed to the Government (see Table 25-2).

2.4.2. A member is not required to pay for meals provided while the member undergoes medical recuperation or therapy, or is otherwise in the status of continuous care, including outpatient care, at a military treatment facility for an injury, illness or disease incurred while the member was on active duty:

2.4.2.1. In support of Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, Operation Freedom's Sentinel; or

2.4.2.2. In any other operation designated by the Secretary of Defense as a combat operation or in an area designated by the Secretary as a combat zone.

2.4.3. Mandatory pay account collection may be imposed for enlisted members in certain situations. These are circumstances where it is not feasible to control dining access or collect cash due to operational constraints or where efficiency of operation requires collection for all meals. When a commander/commanding officer requires mandatory pay account collection, the collection will be made for all meals available, whether the meals are actually eaten or not. Mandatory collections are made day-for-actual-day, not on a 30-day month basis. Unless the member is receiving a per diem for subsistence, the collection will be at the discount meal rate.

2.4.3.1. Mandatory pay account collection may be required in the following situations:

2.4.3.1.1. Field duty;

2.4.3.1.2. Sea duty;

2.4.3.1.3. Members traveling together with limited or no per diem travel;

2.4.3.1.4. Accession Pipeline Military Training;

2.4.3.1.5. EUM; or

2.4.3.1.6. Essential Station Messing (ESM).

2.4.3.2. Mandatory pay account collection for meals does not apply to the following:

2.4.3.2.1. Members on official leave, in a PCS status (including travel time and proceed time), in a military treatment facility, or on TAD/TDY other than TAD/TDY to another situation requiring mandatory pay account collection for meals. In these instances, pay account collections will be suspended or adjusted with a credit and the Government mess will be responsible for collecting from the member for any meals served.

2.4.3.2.2. Members who have missed more than 20 percent of meals on a monthly basis due to assigned duties, as certified by the commanding officer/commander or their designee. Collections will be suspended or adjusted with a credit.

2.4.3.3. Pay account collections will be at 25 percent of the discount meal rate for the first and last day of assignment in situations requiring mandatory collection. A member transitioning directly between two mandatory meal collection situations will be treated as though the collection period were continuous and will not receive the 25-percent reduced charge for the transition. The 25-percent reduced meal charge does not apply for leave periods. Full collections will be made on the duty days before and after the leave period.

2.4.4. In circumstances other than those requiring mandatory pay account collection, members receiving BAS will pay for meals provided by or on behalf of the Government by using cash or by collection/reduction of subsistence per diem from their travel claims. Members on Joint Task Force operations under per diem travel orders usually will have the subsistence portion of their per diem withheld or deducted from their travel reimbursement as payment for meals provided in theater. Members deployed on regular TAD/TDY travel who receive deductible meals (meals at "no cost") will have the subsistence portion of their per diem reduced as payment for meals provided by or on behalf of the Government.

2.4.5. The standard meal rate applies unless there is a specific exception allowing application of the discount meal rate. Members actually paid subsistence per diem for meals must pay the standard meal rate unless the per diem is withheld or disallowed as payment for the meals.

2.4.6. Members being subsisted by or on behalf of the Government, where no other collection means exists or where normal collections were not made, may have a collection for meals made through their pay account at the appropriate rate upon proper documentation for a debt owed to the Government.

2.4.7. Collections from individual pay accounts for meals and rations provided by the Government or on behalf of the Government will be credited to the appropriation specified by each Military Service.

2.5 Specialized Terms

2.5.1. ESM. Messing declared by the installation, base, or station commander responsible for single Government quarters that is essential to operate the Government mess efficiently and economically, or that is necessary for the health and safety of enlisted personnel permanently assigned to single quarters. Those categories of enlisted members included in ESM will be charged for all meals made available whether eaten or not, except for approved missed meals.

2.5.2. EUM. Group messing that is declared by an appropriate authority to be necessary for operational readiness, military operations, or effective training where members are required to eat Government–furnished meals. Members will be in a travel status and are entitled to travel reimbursement for incidental expenses, but not for subsistence. Designation for EUM will apply only to organizational units and to operational elements and detachments, not to individual

members. All members on duty under circumstances where EUM has been declared will be charged for all meals made available whether eaten or not, except for approved missed meals.

2.5.3. Field Duty. Any maneuvers, war games, field exercises, or similar operations where a member is assigned to a unit being subsisted in a dining facility operated by or on behalf of the U.S. Government or with an organization drawing field rations. Members may be on per diem orders.

2.5.4. Sea Duty. Service performed in a self-propelled vessel with berthing and messing facilities that is in an active status, in commission, or in service. This term applies to members who are either permanent party or aboard for TAD/TDY. All members on sea duty, not a member of an authorized private mess, will be charged for all meals made available whether eaten or not, subject to approved missed meals.

2.5.5. Government Furnished Meals. A condition in which meals or rations are furnished without charge by a government contractor or a foreign government, or through a fellowship, grant, or intern program while a member is receiving basic pay, either under the terms of a contract or agreement or on a complimentary basis. Unless a member is entitled to be subsisted- in- kind, subsistence provided on behalf of the Government must be charged to the member.

2.5.6. Subsisted-in-Kind. Meals or rations furnished at no charge to members not entitled to BAS from a Government Mess or who are subsisted at no charge on behalf of the Government.

3.0 FAMILY SUPPLEMENTAL SUBSISTENCE ALLOWANCE (FSSA)

3.1 General Provisions

The FSSA program was established to supplement a member's BAS to a level sufficient to remove the member's household from or eliminate the need for benefits under the U.S. Department of Agriculture (USDA) Supplemental Nutrition Assistance Program (SNAP), formerly known as the food stamp program. FSSA is payable at a monthly rate as determined by the Military Service concerned under the guidance provided by the Secretary of Defense and may not exceed $1,100 per month. FSSA is a nontaxable allowance payable in addition to, all other pays and allowances. Applicable definitions are found at ***DoD Instruction (DoDI) 1341.11, E2***.

3.2 Eligibility

FSSA is payable to any officer or enlisted member of the Armed Forces who meets all of the following criteria:

3.2.1. Is serving on active duty and receiving BAS;

3.2.2. Has a household income, including military income of the member, and any other household income that would make the member eligible for assistance under the USDA SNAP program for the member's household size;

3.2.3. Has at least one person in the member's household who is a military dependent;

3.2.4. Has made an application for and been certified at a specific payment level by the appropriate office; and

3.2.5. After September 30, 2016, is serving outside the United States, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, or Guam.

3.3 Entitlement

FSSA is a monthly entitlement payable in whole dollar amounts not to exceed $1,100. It is not payable to any member, otherwise entitled, during periods in a non-pay status.

3.3.1. FSSA is payable in an amount that would bring the member's household income to 130 percent of the Federal poverty guidelines (FPG) as established by the USDA, but not to exceed $1,100.

3.3.2. For periods of less than a full month of entitlement, the FSSA is payable at 1/30 of the monthly amount for each eligible day served.

3.3.3. If an eligible member is receiving SNAP benefits and the amount of the member's SNAP allotment exceeds the amount of the FSSA calculated under subparagraph 3.3.1, the member's FSSA entitlement will be equal to the lesser of the value of the SNAP allotment or $1,100.

3.4 Military Income

3.4.1. For the FSSA program, the following sources of revenue will be counted as military income:

3.4.1.1. Basic Pay;

3.4.1.2. BAS;

3.4.1.3. Basic Allowance for Housing or cash equivalent for those who are living in Government–provided housing;

3.4.1.4. Overseas Housing Allowance (OHA). When a member lives in Government quarters while stationed overseas, the amount of the housing allowance to count as income for that member is the OHA ceiling for the local area;

3.4.1.5. All Bonuses. The monthly amount of military income attributable to a bonus will be the amount of the bonus, prorated over the period of time to which bonus is applicable; and

3.4.1.6. All special and incentive pays except those excluded in subparagraph 3.4.2.

3.4.2. The following sources of revenue will not be counted as military income:

3.4.2.1. Hostile Fire Pay;

3.4.2.2. Imminent Danger Pay;

3.4.2.3. Continental United States COLA;

3.4.2.4. Overseas COLA;

3.4.2.5. Family Separation Allowance;

3.4.2.6. Clothing Allowances; and

3.4.2.7. All travel and transportation related allowances and entitlements.

3.5 Application and Certification

Members must apply for the FSSA program with the appropriate organizational element as designated by their respective Service. The appropriate Service organization will make all decisions regarding eligibility and the amount of entitlement and will provide final certification for payment to include the entitlement start date.

3.6 Recertification and Termination

3.6.1. When any of the following events occur, in order to avoid termination of FSSA, a member receiving FSSA must report the event to the Service certifying organization within 30 days for recertification of FSSA eligibility:

3.6.1.1. Member's monthly gross household income (GHI) increases by $100 or more;

3.6.1.2. Member's household size decreases;

3.6.1.3. Member is promoted. The certification ends the day prior to the effective date of promotion;

3.6.1.4. Member executes a PCS move. The certification ends the day prior to the date the member officially reports for duty at the new duty station; and

3.6.1.5. Members are required to re-certify annually effective February 1 of each year.

3.6.2. The effective date of recertification will be the day following the last day of the previous certification period.

3.6.3. If during recertification it is determined that the member's monthly gross household income increased by an amount greater than $100 more than 30 days prior to reapplication, the difference between the amount of the current entitlement and the amount being recertified (if less) will be recouped. The recoupment amount is calculated on a pro rata basis for each day, following the date the increased income exceeded $100 through the effective date of the recertification.

3.6.4. When a member's eligibility is not timely recertified, eligibility for FSSA will be lost, and the date for termination of the entitlement will be the date of the event requiring recertification. An untimely recertification will be treated as an initial application.

4.0 BASIC NEEDS ALLOWANCE (BNA)

4.1 General

4.1.1. Applicability

This section applies to Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the DoD, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this section as the "DoD Components").

4.1.2. Policy

Pursuant to 37 U.S.C. § 402b, BNA must be made available to each member in accordance with the eligibility criteria specified in this section.

*4.2 Procedures

4.2.1. General

The BNA program provides a monthly allowance for Service members who voluntarily apply and whose GHI and household size place them below 200 percent of the FPG for their geographical location, effective May 12, 2025. See Table 25-3 for current and historical effective dates. The Department of Health and Human Services (HHS) periodically updates the FPG in the Federal Register in accordance with ***42 U.S.C. § 9902***. Refer to ***DoDI 1341.15*** for applicable definitions of GHI, household, and other terms used in this section.

4.2.2. Eligibility

4.2.2.1. Eligible Members. Active-duty members with dependents are eligible for BNA and may be certified if:

4.2.2.1.1. They have completed initial entry training (IET).

4.2.2.1.2. Their GHI during the most recent calendar year (i.e., the calendar year immediately preceding the year they apply for BNA) did not exceed 200 percent of the FPG for such year, as published by the HHS for their location and the number of individuals in their household.

4.2.2.1.3. They have voluntarily applied for the BNA and provided the required information to determine eligibility, and if found eligible, they will be considered a certified applicant.

4.2.2.1.4. They are not ineligible for the allowance pursuant to subparagraph 4.2.2.2 or subparagraph 4.2.2.3.

4.2.2.2. Ineligible Members. Active-duty members are ineligible for BNA if:

4.2.2.2.1. Their GHI during the most recent calendar year exceeded 200 percent of the FPG for such year, as published by the HHS for their location and the number of individuals in their household;

4.2.2.2.2. They do not have dependents;

4.2.2.2.3. They are a cadet at the United States Military Academy, the United States Air Force Academy, or the Coast Guard Academy; a midshipman at the United States Naval Academy; or a cadet or midshipman serving elsewhere in the Military Services;

4.2.2.2.4. They have not completed IET;

4.2.2.2.5. Having been notified of potential BNA eligibility, they fail to submit a BNA application within 180 calendar days, or a submission deadline established by the implementing guidance published by the Secretary of the Military Department concerned, or the Commandant of the Coast Guard, as applicable; or

4.2.2.2.6. They elect in writing not to receive the allowance.

4.2.2.3. Special BNA Eligibility Considerations

4.2.2.3.1. Households With Multiple Eligible Members. When a household contains multiple members determined to be eligible to receive BNA pursuant to subparagraph 4.2.2.1, only one allowance may be received. The household's members must jointly elect which eligible member must receive the allowance.

4.2.2.3.2. Automatic Ineligibility of Members Receiving Certain Income Increases. A member determined to be eligible to receive BNA pursuant to subparagraph 4.2.2.1 will be considered automatically ineligible if their monthly GHI increases as a result of a promotion or other permanent increase to pay or allowances, to include entry into active service, to an amount that, on an annualized basis, would exceed the limit described in subparagraph 4.2.2.1.2. If the member is receiving BNA, the Secretary of the Military Department concerned, or the Commandant of the Coast Guard must inform them that they are ineligible, and payment of the allowance must terminate 60 calendar days after the date of ineligibility. Pursuant to subparagraph 4.2.9, the certified member must report changes in GHI to the BNA certifying official to be reviewed and re-certified.

4.2.2.3.3. Ineligibility Due to Changes in Income as a Result of Disciplinary Action. If a member's previous calendar year GHI was reduced due to a fine, forfeiture, or reduction in rank imposed as a part of disciplinary action or an action in accordance with ***10 U.S.C. Chapter 47***, also known as the Uniform Code of Military Justice, they are not eligible for BNA solely due to the fine, forfeiture, or reduction in rank. A member described in this subparagraph who is:

4.2.2.3.3.1. Reinstated to the pay grade held before any reduction in rank may become eligible for BNA, provided they are otherwise eligible pursuant to subparagraph 4.2.2.

4.2.2.3.3.2. In receipt of BNA at the time of the fine, forfeiture, or reduction in rank may retain eligibility to BNA if they are otherwise eligible for the allowance pursuant to subparagraph 4.2.2., notwithstanding any fine, forfeiture, or reduction in rank.

4.2.2.4. Ineligibility Due to Certain Duty Status. Whenever a member is in a non- pay status for any reason, they are not eligible for BNA during the non-pay period. When the member is returned to a pay status, they may apply or reapply for BNA if they are otherwise eligible pursuant to subparagraph 4.2.2.

4.2.2.5. Ineligibility Due to Certain Changes in Household Size. A member will be ineligible for BNA if a change in the number of their dependents reported in the Defense Enrollment Eligibility Reporting System (DEERS) is such that the member's GHI exceeds 200 percent of the FPG for the member's geographical location and the new number of individuals in their household. If the member is receiving BNA, the Secretary of the Military Department concerned or the Commandant of the Coast Guard must inform them that they are ineligible, and payment of the allowance must terminate 60 calendar days after the date of ineligibility. If the certified member is receiving BNA when the change in number of dependents is reported in DEERS, pursuant to subparagraph 4.2.9, the certified member must report changes in the number of individuals in their household to the BNA certifying official to be reviewed and re-certified.

4.2.2.6. Eligibility Due to Certain Changes in Household Size. A member may become eligible for BNA if a change in the number of their dependents reported in DEERS is such that their GHI drops below 200 percent of the FPG for their geographical location and the new number of individuals in their household, and they are otherwise eligible pursuant to subparagraph 4.2.2.1.

4.2.3. BNA Eligibility Screening

4.2.3.1. Screening Requirements. The Secretary of the Military Department concerned, or the Commandant of the Coast Guard must:

4.2.3.1.1. Screen each member for BNA eligibility before the member completes IET;

4.2.3.1.2. Screen active-duty members, at least annually, for BNA eligibility after IET; and

4.2.3.1.3. Maintain documentation on members who were screened and the results of the screenings.

4.2.3.2. Informing Screened Members. Upon determining a screened member is eligible for BNA, the Secretary of the Military Department concerned, or the Commandant of the Coast Guard will, in writing:

4.2.3.2.1. Inform the member that they are eligible to apply for BNA, but that screening eligibility does not guarantee certification;

4.2.3.2.2. Inform the member that to receive BNA, they must submit a BNA application in accordance with instructions and procedures published by their Military Service;

4.2.3.2.3. Inform the member that submission of a BNA application, including substantiating documentation, and receipt of the allowance are voluntary;

4.2.3.2.4. Inform member of additional financial management and assistance programs for which they may be eligible;

4.2.3.2.5. Provide the member BNA application instructions;

4.2.3.2.6. Provide the member with deadlines for submitting BNA applications and substantiating documentation required under the member's Military Service implementing guidance; but Services must establish such deadlines no earlier than 60 calendar days and no later than 180 calendar days after the date of the written screening notification. For members undergoing IET at the time of the screening, the application deadline must be no later than 180 calendar days following arrival at their first permanent duty station;

4.2.3.2.7. Inform the member that if they do not submit a BNA application, with required substantiating documentation, by the established deadline, they will be deemed ineligible for BNA; and

4.2.3.2.8. As appropriate, inform the member on the counseling requirements specified in subparagraph 4.2.9 for applicants.

4.2.4. Application

DoD financial counselors, pay administrators, personnel services, community or family support services, or equivalent command organizations may assist in the application process, but will not grant any member final certification for BNA. Assistance may include reviewing documentation, helping members obtain necessary paperwork, and gathering information required for certification. The amount of BNA may be estimated and shared with the member. The eligibility and estimation is not binding or final until it is certified by the Secretary of the Military Department concerned or the Commandant of the Coast Guard.

4.2.4.1. A member seeking to receive BNA must submit a signed and complete application in accordance with this section and policy established by the Secretary of the Military Department concerned or the Commandant of the Coast Guard.

4.2.4.2. The Secretary of the Military Department concerned, or the Commandant of the Coast Guard must develop an application that will include, at a minimum:

4.2.4.2.1. Date of submission;

4.2.4.2.2. The member's name;

4.2.4.2.3. The member's DoD identification number;

4.2.4.2.4. The member's pay grade;

4.2.4.2.5. The member's years of service for purposes of payment of basic pay;

4.2.4.2.6. Pay entry date;

4.2.4.2.7. The member's permanent duty station or home port;

4.2.4.2.8. The member's current monthly GHI (includes lump sum payments converted to a monthly amount, e.g., a bonus prorated over the period of time to which the bonus applies).

4.2.4.2.9. Preceding Calendar Year GHI by Source. Military income can be obtained and verified through the personnel and pay systems;

4.2.4.2.9.1. The monthly amount of GHI attributable to a bonus must be prorated over the period of time to which the bonus applies. If applicable, the bonus will be prorated over the period of time for which the bonus is paid;

4.2.4.2.9.2. Sporadic, variable, or seasonal income must be counted only during the month(s) in which it is received. If sporadic, variable, or seasonal income causes the GHI of the member to exceed the $150 per month threshold specified in subparagraph 4.2.9, the member must report the sporadic income amount to a certifying official to be reviewed for eligibility under subparagraph 4.2.2.3.2;

4.2.4.2.9.3. Any GHI that is received in a foreign currency must be converted to U.S. dollars using the prevailing rate of exchange at the time of application;

4.2.4.2.9.4. Exclusions from GHI are specified in the definition of GHI in the DoDI 1341.15 Glossary; and

4.2.4.2.10. Number of individuals in the member's household.

4.2.4.3. The application should include a statement that the applicant's signature, including any digital signature, confirms that the information in the application is accurate, to the best of their knowledge.

4.2.4.4. To the extent practicable, in-place administrative processes must be used to support BNA. When necessary, each Military Service must help applicants of other Military Services submit their application to their own Service. This should be done where reasonable access to their own Military Service is not available, such as at joint commands.

4.2.4.5. Members may submit a BNA application without being notified after a screening. Members who believe they may be eligible for BNA may consult with DoD financial counselors or officials designated by their respective Military Department or Service to assist in understanding requirements for eligibility.

4.2.4.6. The application will include all required information and substantiating documentation to allow the Secretary of the Military Department concerned or the Commandant of the Coast Guard to determine eligibility.

4.2.4.7. The application will include all required information to allow the Secretary of the Military Department concerned or the Commandant of the Coast Guard to compute BNA.

4.2.4.8. A member receiving BNA must annually resubmit an updated, signed application, along with substantiating documentation, to the Secretary of the Military Department concerned or the Commandant of the Coast Guard.

4.2.5. Application Adjudication. The Secretary of the Military Department concerned, or the Commandant of the Coast Guard must establish procedures to determine eligibility and make

a determination of the amount of BNA for each certified applicant within 30 calendar days of receiving an application.

4.2.5.1. The Secretaries of the Military Departments and the Commandant of the Coast Guard must ensure adequately trained personnel are in position to process and certify applications. This includes submitting the transaction to the Defense Finance and Accounting Service or appropriate pay systems.

4.2.5.2. BNA is effective on the application's certification date.

4.2.5.3. The Secretaries of the Military Departments and the Commandant of the Coast Guard must ensure controls over information processing (e.g., cross-system consistency checks to compare data in different systems and safeguarding personal information) are implemented while processing BNA applications.

4.2.5.4. Secretaries of the Military Departments and the Commandant of the Coast Guard may reject a member's application if they have approved separation orders. Members receiving BNA and pending separation may continue to receive BNA until separation.

4.2.5.5. Upon determining a member's eligibility status, the Secretaries of the Military Departments and the Commandant of the Coast Guard must notify certified applicants in writing. At a minimum, the written notification must, as applicable, include:

4.2.5.5.1. A statement that the member is deemed eligible or ineligible for BNA;

4.2.5.5.2. A statement that if the applicant's eligibility determination could not be adjudicated, the applicant must be informed of why the application could not be processed;

4.2.5.5.3. If the applicant has been deemed ineligible, why the application was denied;

4.2.5.5.4. If the applicant is certified to receive BNA, the amount of the monthly BNA;

4.2.5.5.5. If an applicant is certified, a notification that they may elect to either receive or decline BNA. Elections to decline BNA must be in writing and must be provided to the certifying official by the member;

4.2.5.5.6. If an applicant is certified, applicable counseling requirements specified in subparagraph 4.2.9;

4.2.5.5.7. Additional financial management and assistance programs for which the applicant may be eligible;

4.2.5.5.8. Secretaries of the Military Departments and the Commandant of the Coast Guard must maintain documentation on:

4.2.5.5.8.1. Members who were notified;

4.2.5.5.8.2. Members who have applied for the BNA;

4.2.5.5.8.3. Members who were certified;

4.2.5.5.8.4. Members who have declined BNA and members who were deemed ineligible based on the criteria in subparagraph 4.2.2; and

4.2.5.5.8.5. The amount of the allowance for certified applicants opting to receive BNA.

4.2.6. Computation of Allowance

4.2.6.1. Standard Amount of the Allowance

4.2.6.1.1. BNA for certified applicants must be paid on a monthly basis. Member eligibility will be determined pursuant to subparagraph 4.2.2.

4.2.6.1.2. BNA must be computed as follows: Two times the most recently published annual FPG for the calendar year during which the allowance is paid based on the member's duty station and the current number of individuals in the member's household, including the member, minus the member's GHI during the preceding calendar year, divided by 12. The amount of the BNA must be rounded to the nearest whole dollar. The following example depicts how to compute BNA:

Example: BNA Computation

Assumptions: A member with the following:

1. A household size of five.
2. Assigned in the State of Ohio.
3. A prior calendar year GHI - $52,706
4. Applicable annual FPG - $37,650

Sample Computation:

BNA = ((2.0 x $37,650) – $52,706)/12

= ($75,300 – $52,706)/12

= $22,594/12

= $1,882.83 per month

NOTE: The applicable rate is 1.3 from January 1, 2023, to June 30, 2023; 1.5 from July 1, 2023, to May 11, 2025, and 2.0 effective May 12, 2025.

4.2.6.1.3. The amount of the decrease in household income resulting from a fine, forfeiture, or reduction in rank may not be used to increase the amount of BNA.

4.2.6.2. Alternate Computation of the Allowance for Duty Outside the United States. If a certified applicant is assigned to a duty location outside the United States, the Secretary of the Military Department concerned, or the Commandant of the Coast Guard must make the calculations described in subparagraph 4.2.6.1 using the FPG for the 48 contiguous States and the District of Columbia.

4.2.6.3. Proration. If a member is certified for BNA for less than a full month, the BNA must be prorated based on the number of days of the certified applicant's eligibility for the allowance during the month. Proration must be computed at the rate of 1/30th of the monthly BNA amount for each day of certification during the month.

4.2.7. Geographic Locations

4.2.7.1. The HHS maintains the following geographical locations for the FPG:

4.2.7.1.1. The 48 contiguous states and the District of Columbia.

4.2.7.1.2. Hawaii.

4.2.7.1.3. Alaska.

4.2.7.2. If a member receiving BNA executes a PCS and is reassigned from one FPG geographic location specified in subparagraph 4.2.7.1 to another, BNA must be recomputed based on the new duty location.

4.2.7.3. Members assigned to geographic locations outside the defined poverty guideline geographical locations in subparagraph 4.2.7.1 must use the FPG for the 48 contiguous states and the District of Columbia.

4.2.8. Other BNA Recertifying Requirements. The Secretary of the Military Department concerned, or the Commandant of the Coast Guard must review BNA eligibility, and if necessary, upon the member resubmitting an application, the amount of BNA must be recomputed pursuant to subparagraph 4.2.6:

4.2.8.1. Annually on the anniversary date of the original BNA application certification or annually on the date BNA was last certified, whichever is most current. Whenever a member;

4.2.8.2. Whenever a Service member provides substantiated information that their current monthly GHI increases by $150 or more per month;

4.2.8.3. Whenever a Service member provides substantiated information that the number of individuals in the household increases or decreases; or

4.2.8.4. Whenever a Service member receiving BNA executes a PCS and is reassigned from one FPG geographical location specified in subparagraph 4.2.7.1 to another FPG geographical location, BNA must be recertified. Recertification will occur upon arrival at the new duty location using the FPG of the new location. If the PCS is to or from the 48 contiguous States or the District of Columbia to or from a location outside of the United States, it is not necessary to recertify the amount of BNA.

4.2.9. Counseling Requirements. Upon certification, the Secretary of the Military Department concerned, or the Commandant of the Coast Guard must ensure applicants are counseled on the following:

4.2.9.1. During participation in BNA, the member must report any increase or decreases in recurring monthly GHI of $150 or more per month, or any increase or decrease in the number of individuals in their household, to the certifying official within 60 calendar days. Failure to report changes may result in termination of BNA eligibility;

4.2.9.2. Receipt of BNA may affect participation of the household in certain Federal assistance programs, such as subsidized school lunch programs; the Women, Infant, and Children program; FSSA; low-income utility assistance programs; day care programs; and other income-based assistance programs;

4.2.9.3. BNA is taxable income pursuant to ***26 U.S.C. § 61***;

4.2.9.4. That the publication of this section does not result in a retroactive application of benefits other than that which may result from any intervening time period between the effective dates DoDI 1341.15 and any further Military Service-specific guidance; and

4.2.9.5. The member may voluntarily discontinue BNA at any time.

4.2.10. Payment Processing. The monthly BNA is payable from the date the application is certified. The Secretary of the Military Department concerned, or the Commandant of the Coast Guard must establish procedures to ensure all eligible members will be paid the monthly BNA within 30 calendar days of certifying the application.

4.2.11. Effective Periods

4.2.11.1. BNA is payable to eligible members for months beginning on and after January 1, 2023.

4.2.11.2. Unless otherwise extended by the Congress, no BNA may be paid after December 31, 2027.

*Table 25-1. BAS Rates
For the most current rates, see BAS table on DFAS.MIL.

Effective Date	OFFICERS	ENLISTED	BAS II (Note 1)
January 1, 2025	$320.78	$465.77	$931.54
January 1, 2024	$316.98	$460.25	$920.50
January 1, 2023	$311.68	$452.56	$905.12
January 1, 2022	$280.29	$406.98	$813.96
January 1, 2021	$266.18	$386.50	$773.00
January 1, 2020	$256.68	$372.71	$745.42
January 1, 2019 (note 2)	$254.39	$369.39	$738.78
January 1, 2018	$254.39	$369.39	$738.78
January 1, 2017 (note 3)	$253.63	$368.29	$736.58
January 1, 2016	$253.63	$368.29	$736.58
January 1, 2015	$253.38	$367.92	$735.84
January 1, 2014	$246.24	$357.55	$715.10
January 1, 2013	$242.60	$352.27	$704.54
January 1, 2012	$239.96	$348.44	$696.88
January 1, 2011	$223.84	$325.04	$650.08

NOTES:

1. BAS II is the monthly rate that may be payable to enlisted members, in lieu of the regular BAS rate, when on duty at a permanent station and assigned to single (unaccompanied) Government quarters, which do not have adequate food storage or preparation facilities, and where a Government mess is not available, and the Government cannot otherwise make meals available. The BAS II rate is twice the rate of standard enlisted BAS and must be authorized by the Secretary of the Military Department concerned and the Commandant of the Coast Guard.
2. The BAS rate effective January 1, 2019 is the same as the BAS rate for January 1, 2018.
3. The BAS rate effective January 1, 2017 is the same as the BAS rate for January 1, 2016.

*Table 25-2. Meal Collection Rates
Effective January 1, 2025 (Notes 1 & 2)
For the most current rates, see ***Reimbursable Rates*** in Tab G at the Office of the Under Secretary Defense (Comptroller) website.

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RULE	When a member receiving BAS also receives subsistence (meals or rations) from a Government mess or provided on behalf of the Government at the	and the meal received is	then the collection rate for calendar year 2024 is (note 2)	then the collection rate for calendar year 2025 is (note 2)
1	discount meal rate (note 3)	breakfast	$3.20	$3.25
2	discount meal rate (note 3)	lunch	$5.35	$5.40
3	discount meal rate (note 3)	dinner	$4.60	$4.65
4	discount meal rate (note 3)	daily total	$13.15	$13.30
5	standard meal rate (note 4)	breakfast	$4.35	$4.40
6	standard meal rate (note 4)	lunch	$7.00	$7.10
7	standard meal rate (note 4)	dinner	$6.05	$6.10
8	standard meal rate (note 4)	daily total	$17.40	$17.60

NOTES:

1. Collections from an enlisted member's pay account will be made when the member has not otherwise paid for meals provided by or on behalf of the Government (i.e., by cash, a personal check or charge, or by deduction/reduction of per diem). Collections from pay will be deducted from the member's pay account and credited to the appropriation specified by the Military Service concerned.
2. For the prior year rates, see: Office of Secretary of Defense (Comptroller) website.
3. The discount meal rate applies to meals and rations provided by or on behalf of the U.S. Government to a member not paid per diem or other travel reimbursement for subsistence who is performing duty in a U.S. Government vessel, a U.S. Government aircraft, on maneuvers, war games, field exercises, or similar operations, or to members traveling together with limited or no per diem travel status under EUM or assigned ESM. The discount meal rate also applies to meals and rations provided to a member assigned to Joint Task Force operations (for other than training) at temporary U.S. installations, or through a temporary dining facility.
4. The standard meal rate applies to meals and rations provided to any member not authorized the discount meal rate. This includes any member being paid per diem for subsistence, except those on Joint Task Force operations as described in note 3. Generally, when the standard meal rate is applicable, it will be collected in cash from the member by the dining facility.

*Table 25-3. BNA Percentage Effective Dates

BNA Percentage	Start Date	End Date
200%	May 12, 2025	
150%	July 1, 2023	May 11, 2025
130%	January 1, 2023	June 30, 2023

*REFERENCES

CHAPTER 25 – SUBSISTENCE AND BASIC NEEDS ALLOWANCES

2.0 – BASIC ALLOWANCE FOR SUBSISTENCE (BAS)

	37 U.S.C. § 402
2.1.2.	37 U.S.C. § 402(a)(2)
2.1.2.1.	37 U.S.C. § 402(b)
2.1.2.2.	37 U.S.C. § 402(d)
	Office of the Assistant Secretary of the Air Force Financial Management Memo, June 8, 2010
2.2.2.1.	DoD Directive (DoDD) 1418.05, October 6, 2003, Paragraph 4.3.7.2
2.3.1.	DoDD 1418.05, October 6, 2003, Paragraph 4.1
2.3.1.2.	37 U.S.C. § 502(b)
2.3.1.3.	37 U.S.C. § 503
2.3.1.4.	10 U.S.C. § 708
2.3.1.5.	37 U.S.C. § 420(c)
2.3.1.6.	10 U.S.C. §§ 857(a)(1), 858b(a)(1)
2.3.2.	DoDD 1418.05, October 6, 2003, Paragraph 4.3.7.3
2.4	DoDD 1418.05, October 6, 2003, Paragraph 4.2
2.4.2.	37 U.S.C. §402(h)
2.4.2.1.	Secretary of Defense Memo, July 21, 2010 Secretary of Defense Memo, October 16, 2015
2.4.3.	DoDD 1418.05, October 6, 2003, Paragraph 4.2.1
2.4.3.2.1.	DoDD 1418.05, October 6, 2003, Paragraph 4.3.3
2.4.3.2.2.	DoDD 1418.05, October 6, 2003, Paragraph 4.3.1
2.4.3.3.	DoDD 1418.05, October 6, 2003, Paragraph 4.2.1 and 4.2.2
2.5	DoDD 1418.05, October 6, 2003, Enclosure 2

3.0 – FAMILY SUPPLEMENTAL SUBSISTENCE ALLOWANCE (FSSA)

	37 U.S.C. § 402a DoDI 1341.11, March 4, 2008
3.2.5.	37 U.S.C. § 402a(b)(4)

4.0 – BASIC NEEDS ALLOWANCE (BNA)

	37 U.S.C. § 402b DoDI 1341.15, November 15, 2022, Change 3 effective May 12, 2025 Public Law (P.L.) 118-159 § 621, dated December 23, 2024

Table 25-1	Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, November 28, 2023 Office of Assistant Secretary of Defense Manpower and Reserve Affairs Memo, November 26, 2024
Table 25-2	Office of Under Secretary of Defense (Comptroller) Memo, December 13, 2023 Office of Under Secretary of Defense (Comptroller) Memo, December 20, 2024
Table 25-3	37 U.S.C. § 402b DoDI 1341.15, November 15, 2022, Change 3 effective May 12, 2025 Public Law (P.L.) 118-159 § 621, dated December 23, 2024

VOLUME 7A, CHAPTER 26: "HOUSING ALLOWANCES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated August 2024 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Revised the chapter content for accuracy and clarity to comply with current administrative instructions.	Revision
7.0	Updated the "Family Separation Housing Allowance" section to comply with Title 37, United States (U.S.C.), Section 403(d)(1).	Revision
10.5	Updated the "Reserve Component Member" subparagraph to include new language for dual Basic Allowance Housing for training in accordance with 37 U.S.C. § 403(g)(3).	Revision
Table 26-18 Table 26-23	Revised in accordance with the Office of the Assistant Secretary Defense, Manpower and Reserve Affairs Memo, dated August 8, 2024.	Revision
References	Updated the statutes and supporting references.	Revision

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CHAPTER 26

HOUSING ALLOWANCES

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to housing allowances. Housing allowances include Basic Allowance for Housing (BAH), Overseas Housing Allowance (OHA), and Family Separation Housing (FSH) Allowance. Entitlement eligibility is subject to the conditions set forth in this chapter.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Titles 10 and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 INTRODUCTION

A Service member on Active Duty (AD) entitled to basic pay is authorized basic housing allowance (BAH or OHA) based on their grade, rank, location, and whether the Service member has any dependents. A housing allowance generally is not authorized for a Service member who is assigned to appropriate and adequate Government quarters (see section 8.0 for Government quarters). If a Service member is on excess leave, housing allowances do not accrue during the excess-leave period. If a Service member is absent without leave which is not excused as unavoidable, housing allowances are not authorized.

2.1 Definitions for Housing Allowances

2.1.1. Sharer. A sharer includes the following individuals residing with a Service member, excluding any dependent of the Service member:

2.1.1.1. Another Service member authorized an OHA or FSH, OHA based location (FSH-O).

2.1.1.2. A civilian employee, including any dependents of the civilian employee, who is also authorized a Living Quarters Allowance (LQA). Department of State Standardized Regulations (DSSR), section 130 ***(DSSR § 130)*** or cost of living allowance (COLA) in a non-foreign location Outside Continental United States (OCONUS) (see ***OCONUS COLA***).

2.1.1.3. Any other person, who contributes money toward the payment of rent, mortgage, or utilities.

2.1.2. Owner-Owned Multiple Occupancy Dwelling. The dwelling is a duplex, triplex, or other type of multiple occupancy dwelling that is designed for separate private-sector housing units for more than one household. The units within the dwelling ordinarily have separate addresses or entrances. For OHA or FSH-O purposes, it would include a dwelling where the Service member and any dependents occupy a single separate unit within the dwelling and the other units are rented out.

2.1.3. Permanent Duty Station (PDS) Vicinity

2.1.3.1. Member Assigned to PDS OCONUS. The PDS vicinity is the U.S. territory or possession, state when in Alaska or Hawaii, or the entire country (excluding the United States), where the Service member's PDS, as defined in the Definitions Chapter, is located. A dependent is considered to be residing in the PDS vicinity if residing in that same territory or possession, state, or country, even if not residing with the member. However, if the Service member is authorized or approved through the Secretarial Process to maintain separate households (one for the member and one for a dependent) and is maintaining a separate household in that same territory or possession, state, or country, then the dependent is not residing in the PDS vicinity for FSH purposes. A commander may submit a request for determination through the appropriate channels to the applicable Service Manpower and Reserve Affairs (M&RA).

2.1.3.2. Member Assigned to PDS in the Continental United States (CONUS). The PDS vicinity is the local commuting area of the PDS.

2.1.3.3. Member commutes to OCONUS/CONUS PDS. When a Service member resides with a dependent outside the applicable PDS vicinity as defined in subparagraph 2.1.3.1 or 2.1.3.2, and commutes to the PDS, the dependent is considered to be residing at or near the vicinity of the PDS.

Example 1: Member's PDS is in Germany. Member resides with dependents in France and commutes to the PDS. Member's dependents are considered to be residing in the PDS vicinity even though they are living outside of Germany. Member is not entitled to FSH-O even if other FSH criteria is met.

Example 2: Member's PDS is in San Antonio, Texas. Member resides with dependents in Houston, Texas, and commutes to the PDS. Member's dependents are considered to be residing in the PDS vicinity even though Houston is outside the San Antonio local commuting area. Member is not entitled to FSH, BAH-based locations (FSH-B) even if other FSH criteria is met.

2.1.4. Government Quarters

2.1.4.1. Government quarters include:

2.1.4.1.1. U.S. Government owned or leased sleeping accommodations or family-type housing;

2.1.4.1.2. Lodging or other quarters obtained by U.S. Government contract;

2.1.4.1.3. Dormitories or similar facilities operated by a cost-plus-a-fixed-fee contract;

2.1.4.1.4. Sleeping or housing facilities furnished by a foreign government on the Government's behalf; or

2.1.4.1.5. Quarters in a state-owned National Guard camp.

2.1.4.2. For housing allowance purposes, the term does not include privatized housing or transient facilities, such as temporary lodging facilities, guesthouses, hostess houses', or hotel-type accommodations built or operated by non-appropriated fund activities. Government quarters converted to privatized housing are no longer Government quarters.

2.1.5. Rental Charge. A rental charge is a fee for occupancy and does not include service charges for linens, cleaning, maintenance, or similar costs.

2.2 Housing-Allowance Applicable Dates

2.2.1. Housing Allowance Start and Stop Dates. The authorizing document for OHA and FSH-O is the DoD ***DD Form 2367***, OHA Report. Table 26-1 specifies the date to start BAH or OHA for a Service member with a dependent. Table 26-2 specifies the date to stop housing allowances based on changes in the status of a sole dependent. Table 26-3 specifies the date to stop BAH or OHA for reasons other than a change in the status of a dependent. Situations not covered in these tables are contained elsewhere in this chapter.

2.2.1.1. Start. Unless specifically authorized elsewhere in this chapter, PDS housing allowance eligibility starts on a Service member's reporting day to a new PDS. OHA and FSH-O start on the day a Service member incurs a financial obligation for private-sector housing (e.g., the lease start date), assuming all other criteria for OHA or FSH-O is met. If the Service member is authorized a monetary allowance in lieu of transportation (***MALT***) plus per diem (MALT Plus) on the reporting day, OHA eligibility starts on the day after the Service member's reporting day. When a home port change is involved, ordinarily a housing allowance based on the rate for the new home port starts on the effective date of the home port change.

2.2.1.2. Stop. Unless an extension is authorized or approved under paragraph 10.2, or the PCS move is a close proximity move as specified in paragraphs 10.1 and 10.2, the OHA, FSH-B and FSH-O allowances stop on any of the following:

2.2.1.2.1. The day the Service member's OHA, FSH-O, or FSH-B lease ends.

2.2.1.2.2. The day before the Service member departs due to a PCS order.

2.2.1.2.3. The day before the effective date a Service member's assigned ship or unit changes its home port from OCONUS. However, a Service member without a dependent is authorized a housing allowance based on the old home port until the day the Service member moves back aboard the ship under all of the following conditions:

2.2.1.2.3.1. The Service member is undergoing a home port change;

2.2.1.2.3.2. The ship does not depart from the old home port before or on the home port change effective date; and

2.2.1.2.3.3. Quarters on board the ship are not available (for example, because the ship is dry-docked).

2.2.1.2.4. Upon assignment to Government quarters.

3.0 DETERMINING DEPENDENCY

3.1 Dependent

3.1.1. Eligibility. In order to be eligible for a housing allowance at the with-dependent rate, a Service member must have an eligible dependent. The term "dependent" has the same meaning as defined in the Definitions chapter and is further defined in subparagraphs 3.1.1.1 through 3.1.1.2.3.

3.1.1.1. Primary Dependents. The following are considered a Service member's primary dependent:

3.1.1.1.1. Spouse. As defined in the Definitions chapter, except for a spouse who is a Service member entitled to basic pay as provided in section 4.0.

3.1.1.1.2. Child. As defined in the Definitions chapter, "Dependent," definitions 2, 3, and 4.

3.1.1.2. Secondary Dependents. An individual is a secondary dependent only in that a Service member's support of these individuals is never assumed. A Service member must provide evidence that a secondary dependent, as that term is defined below, is dependent upon the Service member for over one-half of the individual's support. Support has the meaning given in subparagraph 3.3.1. The following individuals may be considered a Service member's secondary dependent only if all requirements of relationship, age, marital status, educational status (if applicable), mental and/or physical incapacitation (if applicable), and support are proven:

3.1.1.2.1. College-Age Student. As dependent as defined in the Definitions chapter, "Dependent," definition 5.

3.1.1.2.2. Incapacitated Adult Child. A dependent as defined in the Definitions chapter, "Dependent," definition 6.

3.1.1.2.3. Parent, Including Stepparent. As dependent as defined in the Definitions chapter, "Dependent," definition 7.

3.1.1.2.3.1. A stepparent relationship ends upon divorce of the stepparent from the Service member's biological parent, but not necessarily upon the death of the Service member's biological parent. A stepparent may qualify as a secondary dependent after the death of the Service member's biological parent.

3.1.1.2.3.2. A person who has stood in loco parentis is an eligible secondary dependent.

3.1.1.2.4. Legal Ward. A dependent as defined in the Definitions chapter, definition 8.

3.2 Relationship Determinations and Certification Requirements

Dependency must be determined before a housing allowance or Uniformed Services Identification Privileges (USIP) card is authorized. After initial approval, the Services must maintain adequate levels of internal audit to assure the legality, propriety, and correctness of all housing allowance payments. See individual Service regulations for procedures.

3.2.1. Primary Dependent Relationship. In determining relationship or dependency for housing allowance eligibility, the appropriate officials must apply the rules in this section. The Service Secretary or designee makes all determinations of relationships or dependency for a primary dependent. The designee may re-delegate.

3.2.1.1. Spousal Relationship Determination. Table 26-8 specifies who determines a dependency relationship for the purposes of a housing allowance when the dependent claimed is a spouse and there is no evidence of a doubtful marriage. Any case in which the validity of a Service member's marriage is questionable is a case of a doubtful relationship. When the relationship status of a claimed dependent spouse is doubtful, submit a request for determination to the applicable office indicated on Table 26-9.

3.2.1.2. Parent-Child Relationship Determination. Tables 26-4 to 26-7 specify the rules for determining a dependency relationship for purposes of a housing allowance between an unmarried child and a Service member in the Army, Navy, Air Force, Space Force, or Marine Corps, respectively. Questionable claims that require legal review should be referred to the applicable office noted in Table 26-9.

3.2.1.3. Proof of Parentage. A Service member who claims a housing allowance for an adopted child, stepchild, or a child born out of wedlock must provide proof of parentage as follows:

3.2.1.3.1. For an adopted child, documentation showing the Service member is the child's legal parent;

3.2.1.3.2. For a stepchild, a marriage license showing the Service member is married to the child's legal parent and documentation showing that the Service member's spouse is the child's parent; or

3.2.1.3.3. For a child born out of wedlock, a birth certificate with the Service member's name cited is required. If the Service member's name is not stated on the birth certificate or on a court order, obtain a signed notarized affidavit of parentage from the Service member. If the child is not in the custody of the Service member parent, the case is treated as specified in the rules for BAH-Differential (BAH-Diff).

3.2.2. Secondary Dependency Relationship. Tables 26-10 to 26-13 specify who determines dependency for secondary dependents. Determinations of relationships or dependency for non-DoD Services is per Service regulations.

3.2.2.1. Parent Dependency Determination. A parent's dependency is determined based on an affidavit submitted by the parent and any other evidence required under applicable regulations. A legal guardian may complete the form for a mentally incapacitated parent.

3.2.2.1.1. A parent's residence in a charitable institution, public or private, does not alone prohibit the Service member from receiving a housing allowance for the parent when all other conditions are met. Failure to reside with the Service member does preclude a parent from a USIP card.

3.2.2.1.2. Table 26-11 specifies who determines a dependency relationship for the purposes of a housing allowance when the dependent claimed is a parent, including a person acting in loco parentis.

3.2.2.1.3. If there is a question as to whether the parent is or is not a dependent, then the authority in Table 26-11 submits a request through the appropriate chain of command to the authority in Table 26-9 for a dependency determination.

3.2.3. Dependent Status Certification. A Service member is required to provide information concerning the status of a dependent when certain conditions occur.

3.2.3.1. Change in PDS. Upon arrival at a new PDS, each Service member authorized a housing allowance for a dependent must recertify the status of the dependent to the Secretary concerned to support a housing allowance on the dependent's behalf. If a Service member fails to provide the certification, the housing allowance on the dependent's behalf stops at the end of the month in which the certification is due. A housing allowance at the appropriate partial or without-dependent rate is paid unless the Service member is not authorized that allowance for some other reason. A housing allowance at the with-dependent rate is authorized effective the date the Service member provides proper certification. The higher rate is not retroactive unless the Service member's commander certifies that the failure to recertify promptly was for reasons beyond the Service member's control.

3.2.3.2. Change in Dependent Status. A Service member must report any change in dependency status, including, but not limited to: death, divorce, legal separation, change in custody arrangements, or any change in support obligations for either a primary or secondary dependent. If a Service member fails to report a change in dependency status that makes them no longer entitled to a with-dependent housing allowance, the member will be indebted for any amount of with-dependent housing allowance received after the dependency relationship ended or in the case of failure to support, from the date in which the Service member cannot show evidence of required support.

3.2.3.3. Secondary Dependency Annual Certification. Annual certification of financial and relationship status is required for a Service member who claims a housing allowance for a secondary dependent, as defined in subparagraph 3.1.1.2.

3.2.3.4. Reserve Component (RC) Member. An RC member must recertify each dependent's status at least every third year from the previous certification or when a dependent's status changes, whichever is sooner.

3.2.4. Fraudulent Claims. Any Service member who submits a claim for a housing allowance that contains a false statement is subject to court-martial or criminal prosecution. Fraudulent acceptance of benefits may cause a civilian recipient to be subject to criminal prosecution. The law provides for severe penalties of imprisonment and a fine. For military personnel, it may include a punitive separation, total forfeitures, and confinement. In the absence of criminal prosecution, administrative collection of amounts to which the Service member was not entitled may be initiated.

3.3 Support Requirement

In order for a Service member to receive BAH at the with-dependent rate or a USIP card, for a dependent, the Service member must be providing support to an individual claimed as primary or secondary dependent.

3.3.1. Support Defined. Support is defined as it is in ***26 C.F.R. § 1.152-1(a)(2)*** except as otherwise noted in this paragraph. The term "support" includes food, shelter, clothing, medical and dental care, education, and the like. Generally, the amount of an item of support will be the amount of expense incurred by the one furnishing such item. If the item of support furnished is in the form of property or lodging, it is necessary to measure the amount of such item of support in terms of its fair market value.

3.3.2. Primary Dependents. A Service member is authorized a housing allowance on behalf of a primary dependent if the Service member contributes to the dependent's support in an amount that is at least equal to the applicable BAH-Diff rate. See subparagraph 3.4.1 for specific rules concerning computing support of a child. When BAH-Diff rates increase, the minimum amount of support required increases to the new rate. A Service member receiving a housing allowance on behalf of a dependent must, as applicable, increase the amount of support within 60 days of the rate increase to continue receiving the housing allowance.

3.3.2.1. Proof of Support. Proof of support of a primary dependent is generally not required. However, proof of support may be required by the Service in circumstances including but not limited to:

3.3.2.1.1. When the Service becomes aware of facts or evidence which suggest nonsupport or inadequate support; or

3.3.2.1.2. When an appropriate office receives a complaint from a dependent of nonsupport or inadequate support.

3.3.2.2. Interlocutory Decree of Divorce. If a Service member is divorcing a spouse, and an interlocutory decree of divorce does not require the Service member to pay support to the soon to be former spouse in an amount meeting the required level of support, the Service member is not authorized a housing allowance for the former spouse after the date of the interlocutory decree unless the Service member provides proof of support.

3.3.2.3. Legal Separation From Spouse. If a Service member is legally separated from a spouse, but not yet divorced, and a separation agreement or court order does not require the member to pay support to the spouse in an amount meeting the required level of support, the Service member must provide proof of support at the required level to continue to receive a housing allowance for the spouse.

3.3.2.4. Child Support. When a non-custodial parent Service member has a court-ordered child support obligation in an amount that is less than the required level of support and the Service member is not residing in, or assigned to, Government quarters, the Service member is authorized a with-dependent housing allowance for the child only if the Service member provides proof of support to the child at the required level. See section 4.0 for applicable rules when the Service member has a child with another Service member.

3.3.2.5. Additional Support Requirement. The support amount required to retain or receive a housing allowance for a dependent is not necessarily adequate to meet Service policies. The Service concerned may have additional requirements for support in the absence of a legal separation agreement or court order.

3.3.3. Secondary Dependents

3.3.3.1. Required Level of Support. To receive a housing allowance on behalf of an individual claimed as a secondary dependent or a USIP card for a secondary dependent, the individual must be dependent upon the Service member for at least one half of the individual's support in a calendar year.

3.3.3.2. Proving Financial Dependency. A Service member must prove the financial dependency of an individual claimed as a secondary dependent in one of the following ways:

3.3.3.2.1. Tax Return and DD Form 137. Complete and submit the DD Form 137, Secondary Dependency Application, including a tax return demonstrating the individual was claimed on the Service member's tax return as a dependent. The tax return may be for the tax year prior to the year for which the Service member is now claiming the dependency status. If a tax return is provided, the portion of the DD Form 137 containing the "Worksheet for Determining Support" is not required.

For example: If the Service member completes the DD Form 137 in November of 2023 and claimed the individual as a dependent on the Service member's 2022 calendar year tax return, this will be sufficient evidence of financial support in 2023. All other requirements of dependency must still be met for the duration of the calendar year of 2023 for the dependency to be approved.

3.3.3.2.2. Worksheet for Determining Support and DD Form 137. A tax return is not required. In any case in which the Service member chooses to not provide a tax return, is unable to provide a tax return, or was unable to claim a dependent on a tax return because the initiation of dependency did not occur early enough in the tax year to be claimed, the Service member must then complete and submit the entirety of the DD Form 137, including the section of the form that contains the "Worksheet for Determining Support" (Worksheet) in its entirety. See subparagraph 3.4.2 for how support will be computed.

3.3.3.2.2.1. A Service may request supporting documentation on a case-by-case basis to validate items on the Worksheet.

3.3.3.2.2.2. Failure to complete any of the required forms will result in a denial of the secondary dependency status for the individual claimed.

3.3.3.2.3. Claiming Dependent When Tax Return Not Yet Filed. There may be circumstances in which the Service member is filing a claim for an individual but due to timing, there has been no tax return filed claiming that individual on the tax return. In that situation, the Service member must complete the DD Form 137 in its entirety to include the Worksheet. The pay office will then compute the support as defined by this chapter, provided on a pro-rated basis for the months in which the individual being claimed resided with the Service member.

3.3.4. Non-Support

3.3.4.1. A Service member who fails to support a dependent on whose behalf a housing allowance is received is not authorized a housing allowance on that dependent's behalf.

3.3.4.2. A Service member does not avoid the legal responsibility to comply with a court order for support by forfeiting a housing allowance.

3.3.4.3. Any housing allowance paid for any period in which a Service member failed to support or inadequately supported a dependent must be recouped. The Service member will be subject to debt collection as set out in Volume 16.

3.4 Computing Support

3.4.1. Primary Dependents

3.4.1.1. Timing of Child Support Payments. For purposes of determining the amount of support furnished for a child (or children) by a Service member for a given calendar year:

3.4.1.1.1. An arrearage support payment made in a year after the calendar year when it was required to be made must not be treated as a payment of support for the year it was paid if there was no support obligation for that year.

3.4.1.1.2. An arrearage support payment may be counted toward a support obligation in the year in which it was paid, but only to the extent of the support obligation for that year; and

3.4.1.1.3. Payments made prior to any calendar year (whether or not made in the form of a lump sum payment in settlement of the parent's liability for support) shall not be treated as made during such calendar year. However, payments made during any calendar year from amounts set aside in trust by the Service member in a prior year, shall be treated as made during the calendar year in which paid from the trust.

3.4.1.1.4. Subsequent payment of support arrears may be counted toward a support obligation for the period the support was required to make if the delay in the support in payment(s) was caused by one of the following:

3.4.1.1.4.1. The Service's mission requirements; or

3.4.1.1.4.2. Outside agencies' actions determined by Service regulations to be beyond the Service member's control.

3.4.1.2. Settlement Agreements

3.4.1.2.1. Property settlements made under a court order or written agreement are not considered support for housing allowance purposes.

3.4.1.2.2. Payments made under a settlement in place of support are considered support only for the periods specified in the written agreement or court order.

3.4.1.2.3. A lump-sum settlement in place of support made under written agreement or court order is support for the period the lump sum would reasonably cover the dependent's support.

3.4.2. Secondary Dependents. An individual claimed as a secondary dependent must receive over one half of their financial support from the Service member. When a Service member has not provided a tax return showing the individual claimed as a dependent upon the tax return, then for purposes of determining whether or not an individual received over half of their support from the Service member for a given calendar year, determine the amount of support the individual received from the Service member as compared to the entire amount of support which the individual received from all sources, including support of the individual themselves.

3.4.2.1. Source of Income and Support

3.4.2.1.1. Income. In computing the amount, which is contributed for the support of an individual, there must be included any amount which is contributed by the individual for their own support, including income which is ordinarily excludable from gross income, such as benefits received under the Social Security Act (***42 U.S.C. Chapter 7***). Other items of income may include, but are not limited to, proceeds derived from the liquidation of capital assets and pensions received by the parent. Refer to DD Form 137 Worksheet for Determining Support.

Example. A father receives $800 social security benefits, $400 interest, and $1,000 from his son during a calendar year, all of which sums represent his sole support during that year. The fact that the social security benefits of $800 are not includible in the father's gross income does not prevent such amount from entering into the computation of the total amount contributed for the father's support. Consequently, since the son's contribution of $1,000 was less than one-half of the father's support ($2,200) he may not claim his father as a dependent.

3.4.2.1.2. Support. Just because an item is included in an individual's income, does not mean it must be used for support. Only include items in the support computation which were used for the individual support. A person is not required to expend all their income for their own support.

Example: Your mother received $2,400 in social security benefits and $300 in interest. She paid $2,000 for lodging and $400 for recreation. She put $300 in a savings account.

Even though your mother received a total of $2,700 ($2,400 + $300), she spent only $2,400 ($2,000 + $400) for her own support. If you spent more than $2,400 for her support and no other support was received, you have provided more than half of her support.

3.4.2.1.3. Unliquidated. Capital assets are not income, and an individual claimed is not required to deplete their capital assets to establish dependency on a Service member for housing allowance purposes.

3.4.3. Expenses. In computing support, the amount the Service member and individual claimed as a secondary dependent contributed to support must both be considered. When the DD Form 137 "Worksheet for Computing Support" is used, expenses for the following may be included in determining support:

3.4.3.1. Food, shelter, and clothing

3.4.3.2. Medical and dental care, which includes medical, vision, and dental expenses not paid for or reimbursed by insurance paid for the year.

3.4.3.2.1. This expense may include personal/supplemental insurance premiums paid for the individual's support and premiums paid for supplementary Medicare coverage or TRICARE premiums, if any.

3.4.3.2.2. This amount does not include the value of medical insurance benefits and does not include the value of the USIP card.

3.4.3.3. Education, including school expenses, such as tuition, books, special fees (lab fees, distance education fees, internship fees, parking), room and board for off-campus lodging, school supplies, or tutoring.

3.4.3.4. Extracurricular activities, including lessons fees (e.g., sports, dance, music).

3.4.3.5. Travel and recreation expenses, including:

3.4.3.5.1. Public transportation/taxi fees (may also include ride share services);

3.4.3.5.2. Entertainment and recreation tickets (e.g., movies, sporting events, concerts, videos, theater), recreation/amateur sports/Special Olympics enrollment fees, and fitness or social club enrollment fees; or

3.4.3.5.3. Vehicle expenses, including total vehicle payments, license plate/registration fees, and driver's license fees. The vehicle must be registered in the individual's name, with the exception that purchase of a handicap accessible vehicle if the individual is a child. If the vehicle was used by others in household, the Service member can only include out-of-pocket expenses of operating the car for the individual's benefit.

3.4.3.6. Other expenses, including but not limited to, fees for a checking account, savings account, or money orders, childcare expenses, including expenses paid for care of a disabled dependent, postage, court-ordered bankruptcy payments, or personal hygiene items.

3.4.4. Expenses do not include any federal, state, or local taxes paid by either the Service member or the individual claimed.

4.0 IMPACT OF CERTAIN CHILD CUSTODY AND FAMILY ARRANGEMENTS ON HOUSING ALLOWANCE

4.1 Custodial Parent

A Service member who is awarded primary physical custody of a dependent child, or whose dependent child resides with the Service member for at least half of a calendar year, is considered a "custodial parent" for housing allowance purposes.

4.2 Non-Custodial Parent With Temporary Custody

4.2.1. When a non-custodial Service member resides in a private-sector residence and the Service member's child visits for 90 consecutive days or fewer, the Service member must pay child support in an amount equal to or exceeding the applicable BAH-Diff rate to receive BAH at the with-dependent rate on account of the child. The cost of maintaining the residence is not a factor in determining authority for the with-dependent housing allowance rate and may not be used instead of, or in addition to, child support to qualify for increased allowances.

4.2.2. When a non-custodial Service member resides in a private-sector residence and the Service member's child visits for 91 or more consecutive days, the Service member qualifies for BAH at the with-dependent rate on account of the child for the period of the visit.

4.3 Non-Service Member is Custodial Parent

4.3.1. Non-Custodial Status of Service Member. When the non-Service member parent is awarded primary physical custody of a child of a Service member, or the Service member's dependent child resides with the non-Service member parent for more than half of the calendar year, then the Service member is a non-custodial parent for housing allowance purposes.

4.3.2. Service Member Not Assigned to Government Quarters Pays Support. Subject to other provisions in this Chapter, if a non-custodial Service member is not residing in or assigned to Government quarters and pays support for the child in an amount equal to or more than the applicable BAH-Diff rate, the Service member is authorized a housing allowance at the with-dependent rate based on the child. The support amount includes any court-ordered child support and any additional amount the Service member pays in addition to or in the absence of court-ordered child support. If the Service member pays support in an amount below the applicable BAH-Diff rate, the Service member is only authorized a housing allowance at the without-dependent rate.

4.3.3. Custodial Parent Married to Another Service Member. If the custodial parent and child live in Government quarters assigned to the custodial parent's current spouse (Service member stepparent), the non-custodial Service member is not authorized a housing allowance for the child, regardless of support payments. However, if the Service member stepparent with whom the custodial parent and child reside is not assigned to Government quarters, a housing allowance for the child may be paid to either the Service member parent or the Service member stepparent, but not both. The Service member parent has priority to a housing allowance for the child if providing adequate support.

4.3.4. Service Member Marries Non-Service Member. If a non-custodial Service member marries a non-Service member, the Service member:

4.3.4.1. Is authorized a with-dependent housing allowance based on the Service member's current spouse when not assigned Government quarters. The Service member is not authorized a housing allowance for the child.

4.3.4.2. Is not authorized a housing allowance for the child when the Service member is assigned to or occupies Government family type quarters for the Service member and current spouse.

4.4 Dependent Confined in Penal or Correctional Institution

4.4.1. Housing Allowance Payable. Confinement of a Service member's spouse or unmarried minor child in a penal or correctional institution does not affect the Service member's authority for a housing allowance on the dependent's behalf, unless any of the following conditions apply:

4.4.1.1. The Service member refuses to support the dependent;

4.4.1.2. The Service member has been relieved from supporting the dependent;

4.4.1.3. The period of confinement may extend beyond 5 years; or

4.4.1.4. The case is otherwise doubtful.

4.4.2. Doubtful Cases. Submit doubtful cases or cases involving a sentence extending beyond 5 years to the addresses specified in Table 26-9. Do not pay a housing allowance on behalf of the dependent pending a decision.

4.5 Service Member Married to Another Service Member

4.5.1. General Provisions

4.5.1.1. Dependent on AD in a Uniformed Service. In accordance with ***37 U.S.C. § 421***, a dependent who is on AD in a Uniformed Service and is entitled to basic pay cannot be considered a dependent for housing allowance purposes.

4.5.1.2. One Service Member Enters a Non-Pay Status. When one Service member enters a non-pay status, the other Service member may claim the Service member not entitled to pay and allowances as a dependent and be authorized to draw BAH or OHA at the with-dependent rate for the duration of the non-pay status, if otherwise authorized, unless a dependent is confined in a penal or correctional institution (see paragraph 4.4). A Service member may claim as a dependent a Service member on inactive duty for training (Reserve drills).

4.5.1.3. Service Member Serving on Sea Duty. A Service member of any grade who is assigned to permanent sea duty who is married to another Service member in a pay grade below E-6 is authorized BAH or OHA.

4.5.1.4. Spouse in Foreign Military. Paragraph 4.5 does not apply when a Service member is married to a person in the military service of a government other than the United States. The Service member is authorized a housing allowance even if the foreign government furnishes a residence or pays a monetary allowance in lieu of a residence for the spouse.

4.5.1.5. Unmarried Service Members. Paragraph 4.5 does not apply to two Service members living together but not married. Two unmarried Service members living together are separately authorized a housing allowance based on each Service member's dependents and circumstances. If the only dependents the unmarried, cohabitating Service members have are children they have together, only one can receive a with-dependent housing allowance for the shared children.

4.5.1.6. Other Housing Allowances. Other housing allowance paragraphs in this chapter (e.g., FSH, Service member on unaccompanied tour, BAH rate protection) also apply to a Service member married to another Service member.

4.5.2. Both Service Members Married to Each Other Entitled to Basic Pay

4.5.2.1. No Dependents. When both Service members have no dependents, each is treated as a Service member without a dependent for BAH or OHA. This applies whether the Service members are living together or separately if Government quarters are not provided.

4.5.2.2. Family-Type Quarters. When Service members married to each other jointly occupy family-type quarters, neither Service member is authorized BAH or OHA, even if no dependent resides in the quarters, unless a dependent is prevented by a military order from occupying quarters.

4.5.2.3. Not Assigned Government Quarters. Generally, only one Service member may receive BAH or OHA at the with-dependent rate (including BAH-Diff) if they collectively have one or more dependents as defined in section 3.0, including all children, parent(s), and wards.

4.5.2.3.1. With-Dependent Rate for Shared Dependent. When two Service members have a dependent child (or multiple dependent children) together and are not assigned Government quarters, the Service members must choose which one will receive BAH or OHA at the with-dependent rate. If they cannot agree, then the senior Service member receives the

with-dependent rate. The Service members may subsequently elect to transfer BAH authorization from one Service member to the other for any reason. Changes are effective as of the election date and may not be applied retroactively.

4.5.2.3.2. Child From Previous Relationship. When two married Service members are not assigned Government quarters and have one or more child dependents living with them who are not shared children, but are children from one or both Service members' prior relationships, only one of the Service members may claim a with-dependent housing allowance based on the child(ren) collectively, as parent or stepparent, as applicable. The other Service member receives BAH or OHA at the without-dependent rate. The rule is the same if the Service members have a shared dependent child or children in addition to those who are not shared.

4.5.2.3.3. Separate Households. When both Service members maintain separate households at or in the vicinity of their PDS or PDSs, each is individually authorized BAH or OHA if not provided Government quarters. Only one Service member may receive BAH or OHA at the with-dependent rate. If the Service members no longer share a common residence due to military orders, their authorization for increased allowances or assignment to Government quarters should be determined separately without regard to the general rule in subparagraph 4.5.2.3. Each Service member may receive a housing allowance at the with-dependent rate if a dependent child resides with that Service member. See paragraph 3.3 and subparagraph 4.5.3 for BAH or OHA for divorced or legally separated Service members.

4.5.2.3.4. Same or Adjacent Military Installations. Both Service members are considered to be stationed at the same or adjacent bases, or shore installations, when they are not prevented by distance from living together or they actually commute on a regular basis regardless of distance. The general rule of subparagraph 4.5.2.3 applies.

4.5.2.3.4.1. Each Service member is authorized BAH or OHA at the appropriate rate when family-type quarters are not assigned, notwithstanding the availability of adequate single quarters for either or both Service members unless the commander requires the Service member to reside in single Government quarters.

4.5.2.3.4.2. When both Service members are authorized BAH or OHA at the same or adjacent military installation and are then separated geographically by orders, the Service member remaining at the old PDS is authorized BAH or OHA continuation regardless of the availability of adequate single quarters unless the commander requires the Service member to reside in single Government quarters.

4.5.2.3.5. If one Service member elects to stop receiving a housing allowance at the with-dependent rate, then the other Service member may claim their dependent(s) for housing allowance purposes. A relationship determination is required, but ordinarily a dependency determination is not. In all instances of a Service member having a spouse on AD, full details must be given showing the spouse's full name, Social Security number, duty station, and branch of Service in order to inform each of the Service members' commands of the actions of each spouse.

4.5.3. Dependent Custody Effects on Housing Allowances

4.5.3.1. Divorce or Legal Separation – Neither Member in Government Quarters. The following rules apply when two Service members divorce or legally separate or a divorce or legal separation decree is subsequently amended. These rules apply in addition to those in paragraph 3.3 and only when neither Service member is assigned to family-type Government quarters, unless otherwise specified:

4.5.3.1.1. Unless both Service members agree to the contrary, the parent with primary physical custody, if applicable, is authorized a housing allowance for the child, regardless of the child-support amount received by that Service member.

4.5.3.1.2. The Service members may agree that the parent who does not have primary physical custody of the child will receive the housing allowance on behalf of the child if the non-custodial Service member parent pays support in an amount meeting the BAH-Diff rate. In addition to the court order concerning custody, the Service members must submit an agreement that has been signed by both Service members and notarized which states that they agree that the non-custodial Service member parent will pay child support to the custodial Service member parent in an amount equal to or exceeding the applicable BAH-Diff rate and the custodial parent will allow the non-custodial parent to claim the child as a dependent for housing allowance purposes.

4.5.3.1.3. When the Service members have joint legal and physical custody, with physical custody alternating from one parent to another, and neither has primary physical custody, each parent is authorized a housing allowance for the child during those periods the child is actually in that parent's physical custody.

4.5.3.1.4. When each Service member has legal and primary physical custody of one or more of the children of the marriage, each Service member is authorized a housing allowance for the children in their individual physical custody, regardless of child-support payments from one Service member to the other.

4.5.3.1.5. When a child of the marriage is in a third party's custody, only one Service member is authorized a housing allowance for the child, even if both Service members are paying sufficient child support to qualify for the housing allowance. The senior Service member is authorized a housing allowance for the child when the two Service members do not agree on which person claims the authorization. If the Service members are of equal rank, date of rank determines which one receives a housing allowance for the child.

4.5.3.1.6. When a non-custodial Service member pays child support to a custodial Service member parent who also has another dependent for housing allowance purposes, there is a presumption that the custodial Service member parent authorization is based on the dependent other than the child shared with the non-custodial Service member parent. The non-custodial Service member parent may be authorized a with-dependent housing allowance based on the child if other requirements for the allowance are met. The housing allowance authorization for the custodial and non-custodial parents is determined individually.

4.5.3.1.7. Once the Service members are divorced or legally separated, each Service member's housing allowance for dependents who are not shared children is determined individually.

4.5.3.2. Child in Government Quarters With Service Member Custodial Parent

4.5.3.2.1. Child in Assigned Family Government Quarters. When a Service member has primary physical custody of a child of the Service member and another Service member and is assigned to, or occupies, adequate family-type Government quarters with the child, the non-custodial Service member parent is not authorized a housing allowance for the child, regardless of whether the non-custodial parent pays child support.

4.5.3.2.2. Child in Family Government Quarters Visits Other Service Member Parent. When a child who normally resides in family Government quarters with a custodial Service member parent visits a non-custodial Service member parent in a private residence for 91 or more days, the non-custodial parent is authorized a housing allowance for the child from the first day of the visit. If the visit is 90 or fewer days, a housing allowance for the child is not payable for any part of the visit.

4.6 No Authority on Dependent's Behalf

A Service member is not authorized a housing allowance for any of the following:

4.6.1. A minor child entitled to basic pay as a Uniformed Service member on AD. This includes a minor child attending a military Service academy when the United States furnishes quarters;

4.6.2. A spouse on AD in a Uniformed Service entitled to basic pay. See section 4.0 for housing allowances when two Service members married to each other are both entitled to basic pay;

4.6.3. A dependent for whom the Service member is no longer required to provide support; for example, a legally emancipated child;

4.6.4. A dependent for whom the Service member has not provided required proof of adequate support, when necessary, as specified in paragraph 3.3;

4.6.5. A dependent whom the Service member fails to support (see paragraph 3.3);

4.6.6. A dependent whose whereabouts are unknown and whose absence and whereabouts remain unexplained;

4.6.7. A former spouse, regardless of whether the Service member is paying alimony;

4.6.8. A dependent who occupies Government quarters as a permanent residence without payment of a rental charge. See subparagraph 4.5.3.2.2 for an exception when a child is living with their other parent, who is also a Service member;

4.6.9. A child for whom the Service member pays child support and the following conditions exist:

4.6.9.1. The child is in another active-duty Service member's custody, including a former spouse, as specified in this section; and

4.6.9.2. The Service member with custody of the child is assigned to Government or Government-leased family quarters or receives a with-dependent housing allowance on behalf of the child. This does not include privatized housing.

4.6.10. A child after adoption by a third party and the final adoption order or decree has been entered. When the Service member supports the child pending a final decree, authority for a housing allowance continues after an interlocutory decree of adoption has been entered if the decree does not change the legal relationship between the child and the Service member.

5.0 BASIC ALLOWANCE FOR HOUSING (BAH)

BAH is paid for housing within the United States. Assignment to Government quarters affects a Service member's eligibility for BAH. A housing allowance, other than BAH-Partial or BAH-Diff, is generally not authorized for a Service member who is assigned to Government quarters appropriate to the Service member's grade, rank, or rating and adequate for the Service member and dependents, if any. See section 8.0 for rules regarding assignment to Government quarters.

5.1 BAH Rate and Determination

5.1.1. The BAH rate is based on median housing costs in the Military Housing Area (MHA) and is paid independently of a Service member's actual housing costs.

5.1.2. The Office of the Under Secretary of Defense, Personnel and Readiness OUSD (P&R) determines adequate housing costs in an MHA for all Service members authorized BAH. OUSD (P&R) bases the determination for housing allowances upon the costs of adequate rental housing for civilians with comparable income levels in the same area.

5.1.3. An adjustment in the BAH rates due to an OUSD (P&R) redetermination of housing costs in an MHA takes effect with the pay raise each year.

5.1.4. An MHA is defined geographically by zip code within the United States. Major military population areas are further identified by a combination of two-digit code for the state and three-digit numerical designation within the state. For small military population areas, zip codes are aggregated into areas of similar housing cost and designated as county cost groups.

5.2 BAH Rate Protection

The monthly BAH amount paid to a Service member must not be reduced due to changes in housing costs in the MHA, changes in the national monthly housing cost, or a Service member's promotion. The BAH rate for an RC member is also protected, provided the RC member does not have a break in active service of 1 or more calendar days. This includes transitions in service status from Active Guard Reserve (AGR) duty to other AD and back to AGR duty, or beginning a new AD order or order extension without a break in active service. If the Service member is demoted or loses authority for BAH, then the Service member's BAH rate protection at the current amount stops when the eligibility to BAH for a given MHA or County Cost Group ends. The current BAH rate at the current duty location becomes the Service member's new protected BAH rate.

5.3 Temporary BAH Increase

The Secretary of Defense may prescribe a temporary increase in BAH rates in an area the President declared as a major disaster area or at an installation that experienced a sudden increase in the number of assigned Service members. Payment of the higher BAH is only effective for an MHA or specified zip codes within a county cost group. Temporary BAH increases may not be paid after the statutory authority termination date. See the ***Duration of Authority*** table for termination date.

5.3.1. Eligibility. A temporary increase in BAH rates result in two different BAH rates for Service members assigned to the same zip code. To receive the higher of the two BAH rates, a Service member must certify to the office designated by the Secretary concerned that the member incurred higher housing costs in an approved area due to a major disaster or sudden increase of military personnel assigned to an installation. The certification must be in a form acceptable to the approval authority. The Service member's certification must document rent, or mortgage expense in the case of a homeowner, and utility expenses.

5.3.2. Effective Date. If the Service member meets the eligibility requirements and is authorized the increased rate, it is effective the later of the approval date or the date the Service member started incurring the increased expenses.

5.3.3. Effect of Changes. A Service member receiving a temporary BAH rate increase must submit certification as described when the following events occur:

5.3.3.1. Promotion requires certification that housing costs exceed the standard BAH rate for the higher grade. Without certification, the standard BAH rate for the higher grade applies.

5.3.3.2. Demotion requires certification that housing costs exceed the standards BAH rate for the lower grade. Without certification, the standard BAH rate for the lower grade applies.

5.3.3.3. A change in dependents requires recertification of housing costs to compare applicable rates.

5.3.4. Termination. The increased allowance is paid through the day before the effective date of the next standard BAH rate change for the area. The new standard BAH rate applies on the effective date. There is no rate protection for temporarily increased rates.

5.4 BAH Advance

5.4.1. Authority. Each Service must set regulations for advance BAH payment administration, to include the preparation and disposition of vouchers and supporting papers. When allowed by Service regulations, a Service member's commanding officer, their designee, or another designated official may authorize an advance BAH payment to pay advance rent, security deposits, or initial expenses due to occupying other than Government housing. An advance may also be authorized at any time during a Service member's tour at the location concerned or when a Service member has relocated due to a PCS order. The Secretary concerned or the Secretary's designee may authorize an advance BAH payment in circumstances and conditions other than those specified in this paragraph. Service regulations must set repayment procedures in accordance with subparagraph 5.4.5.

5.4.2. Timing. Ordinarily, the advance should not be disbursed more than three working days before the date payment under the lease or rental agreement must be made. In extenuating circumstances, the officials listed in this chapter may authorize disbursement more than three working days before the date payment must be made. The BAH advance may be paid before or after the expenses occur. A Service member must request the advance payment within 30 days after incurring the expense.

5.4.3. Requirements. Housing expenses must be documented. Required documentation includes copies of the lease, utility company statements, and any other pertinent documentation necessary to support the housing expenses.

5.4.4. Amount. The advance amount is determined by the Service member's current BAH rate, their ability to repay the advance, other advances of pay that may have been made, and any recurring pay deductions. The BAH advance is limited to a total of three months BAH that the Service member is expected to accrue. Expenses identified by a Service member used to purchase any real estate or living accommodations must not serve as a basis for authorizing or determining the amount of the advance.

5.4.5. Repayment. Repayment of the advance should be at a rate of at least one-twelfth of the amount advanced in equal monthly installments for the next 12 months. Collection action should begin on the first day of the month after the advance payment has been made.

5.4.5.1. When justified by the Service member and authorized by the Service member's commanding officer, their designee, or another Service-designated official, start of collection action may be postponed for up to three months after the advance is made. Repayment may be spread over a period of more than 12 months but must be limited to 24 months or the Service member's scheduled tour at the location concerned, whichever is shorter.

5.4.5.2. Action must be taken immediately to recoup in a lump sum any BAH advance that the landlord has returned to the Service member upon receipt of information that the Service member has vacated the housing for which the advance was made. If the Service member chooses, they may repay in monthly installments any balance of an advance not returned by the landlord. The balance must be repaid during the months remaining on the existing BAH advance repayment schedule.

5.5 Partial Housing Allowance (BAH-Partial)

5.5.1. Eligibility. BAH-Partial is paid to a Service member without a dependent who is assigned to single type Government quarters and is not authorized to receive BAH or OHA.

5.5.2. Rate. The BAH-Partial rate is the partial rate of the basic allowance for quarters for the Service member's pay grade that was in effect under ***37 U.S.C. § 1009(c)(2)*** on December 31, 1997.

5.5.3. Conditions

5.5.3.1. BAH-Partial is authorized when a Service member:

5.5.3.1.1. Is married to another Service member, has no other dependents, is assigned to single-type Government quarters, and is not authorized BAH or OHA;

5.5.3.1.2. Occupies single-type Government quarters while a dependent resides in family-type quarters not assigned under the Service member's eligibility; or

5.5.3.1.3. Is married to another Service member and neither has other dependents, is assigned to sea duty, and occupies Government family quarters assigned to the spouse when the ship is in port.

5.5.3.2. BAH-Partial is authorized when a Service member without a dependent is:

5.5.3.2.1. Confined in a guardhouse, brig, or correctional barracks and was assigned to single type Government quarters before confinement and remains assigned to such quarters during confinement, unless forfeiture of allowances was directed;

5.5.3.2.2. Assigned to single type Government quarters at the PDS and authorized BAH-Partial, and is subsequently in a hospital with no PCS involved;

5.5.3.2.3. Restrained in a status of arrest in assigned single-type quarters, unless forfeiture of allowances was directed;

5.5.3.2.4. Ordered to PCS to confinement in a guardhouse, brig, correctional barracks, or to additional training in a retraining or rehabilitation facility and is assigned to certain quarters therein, unless forfeiture of allowances was directed;

5.5.3.2.5. Permanently assigned to a hospital for treatment and is assigned quarters in the hospital;

5.5.3.2.6. Assigned to single-type Government quarters between PDSs and is not authorized BAH or OHA; or

5.5.3.2.7. In grade E-6 or below, is without a dependent, and is offered an assignment of adequate Government quarters or is assigned Government quarters but elects not to occupy such quarters and resides in private quarters at their own expense, except as otherwise provided in this chapter.

5.5.3.3. BAH-Partial is not authorized when a Service member:

5.5.3.3.1. Is married to another Service member, has no other dependent, and is assigned to family-type Government quarters;

5.5.3.3.2. Is without a dependent, is single, and is assigned to family-type Government quarters;

5.5.3.3.3. Is without a dependent and is assigned to Government single-type quarters (including Government-leased quarters) that exceed the minimum standards of single-quarters for the Service member's grade. This limitation does not apply to members on medical hold or holdover personnel receiving outpatient medical treatment who have been designated as requiring a live-in-non-medical attendant. The Service determines the housing standards for such personnel based on medical treatment, non-medical attendant, and other relevant factors; or

5.5.3.3.4. Is paying child support and receiving BAH-Diff. The Service member is not without dependent.

5.5.4. Navy Barracks Privatization Test. Under the authority in ***10 U.S.C. § 2881a***, the Navy is conducting a limited test of barracks privatization. The privatized barracks are defined as Government quarters for the purposes of the test. For a Service member occupying privatized barracks, a special BAH-Partial rate equal to a percentage of the PDS locality BAH at the without-dependent rate for the Service member's grade is established. Table 26-14 specifies the applicable locations and percentages.

5.6 BAH-Diff

5.6.1. Eligibility. Generally, a Service member assigned to single-type Government quarters or a single-type housing facility under a Uniformed Service jurisdiction is only authorized BAH- Partial. However, such Service member is entitled to BAH-Diff if the Service member is paying support to a biological child, adopted child, or stepchild in an amount equal to or greater than the applicable BAH-Diff rate. If the Service member's child support payment is less than the applicable BAH-Diff rate, BAH-Diff is not authorized. See section 4.0 if child is in the custody of another AD Service member.

5.6.2. Rate. The BAH-Diff rate is a fixed, non-locality-based rate and is the difference between the with-dependent Basic Allowance for Quarters (BAQ) rate and the without-dependent BAQ rate as of December 31, 1997, based on the Service member's grade and increased each year by the average pay raise percentage.

6.0 OVERSEAS HOUSING ALLOWANCE (OHA)

6.1 OHA Overview

The OHA is paid monthly to help offset housing expenses for a Service member or dependent authorized to live in private sector leased or owned housing at an assigned overseas location outside the United States. OHA is based on cost reimbursement. The amount of OHA paid considers factors, such as whether the housing is shared, the appropriate utilities, and whether the Service member owns or rents the housing. A Service member is reimbursed actual rental costs, limited to the maximum OHA rate for each locality and grade.

The OUSD (P&R) determines adequate housing costs in a locality for all Service members authorized by location. OHA is designed to cover actual rental costs for 80% of the assigned Service members in assigned location. OHA rate ceilings are calculated based on data provided by commanders OCONUS and actual rent data derived from pay systems. The PDS geographic location governs the OHA rate payable unless otherwise specified.

6.1.1. Requirements. A Service member authorized to live in private sector leased or owned housing or a Service member who qualifies for OHA based upon the need for private-sector housing for a dependent, must complete and submit a DD 2367 for approval of OHA. Payment of OHA requires a lease agreement or a verifiable purchase price. The senior officer of the Uniformed Services in the country concerned, or the individuals or offices designated for that purpose by the senior officer has approval authority. For a Service member with dependents serving on an unaccompanied tour OCONUS who is not provided Government quarters and must obtain private-sector housing, FSH-O is the applicable housing allowance, not OHA; see section 7.0 and paragraph 10.4.

6.1.1.1. The reported housing must be the actual residence that the Service member occupies and from which the Service member commutes to and from work daily.

6.1.1.2. The reported housing must be the actual residence that the Service member's dependents occupies when:

6.1.1.2.1. The Service member is assigned on an unaccompanied tour and the Service member's dependents reside OCONUS outside the PDS vicinity; or

6.1.1.2.2. The Service member has a Secretarial waiver and is authorized OHA for a dependent who lives separately.

6.1.1.3. When a Service member is required to pay monthly rent at a specified fixed-exchange rate (dollar equivalency contract) for the lease duration because it is required by law or local custom, the Service member's commanding officer, or designee, must enter the following

statement in DD 2367, Part C Remarks: "Dollar equivalency contract required. No other housing option available to the Service member." The Service member must enter the monthly rent equivalent in U.S. dollars into DD 2367, block 7b.

6.1.1.4. OHA is not intended and must not be used for the personal enrichment of a Service member by including costs incurred for procuring or adapting a residence to accommodate renters or for vacation purposes. Disciplinary action may apply when housing allowances are used for other than the purpose intended.

6.1.2. Rate. OHA rates are based on a Service member's PDS except as otherwise indicated in this chapter. OHA is not payable on the arrival day when MALT Plus is paid. Unless a special determination jointly issued by the Secretary concerned and the OUSD (P&R) authorizes a different rate due to special circumstances, the amount of OHA payable is as specified in this chapter.

6.1.3. Responsibilities. Commanders OCONUS, or their designees, must periodically provide data required for authorizing, changing, and terminating OHA for each locality OCONUS within their jurisdictions as specified by the OUSD (P&R). For the responsibilities of the Overseas Command or Commander, Senior Officer, and Country Allowance Coordinator, see the ***DoD Overseas Station and Housing Allowance Process Guide***.

6.1.4. OHA Components. There are three housing-allowance components paid under OHA:

6.1.4.1. Monthly OHA Rental Allowance. This monthly allowance is paid as specified in paragraph 6.2.

6.1.4.2. OHA Utility and Recurring Maintenance Allowance. This monthly allowance is paid as specified in paragraph 6.3.

6.1.4.3. Move in Housing Allowance (MIHA). The MIHA partially defrays move- in costs associated with occupying privately leased or owned quarters. There are five types of MIHA allowances, each with distinct eligibility criteria, as specified in paragraph 6.4.

6.2 OHA Monthly Rental Allowance

Monthly rent is the amount paid each month by a Service member for possession and use of private-sector housing, to include a mobile home or boat.

6.2.1. Determine Rent. The rent stated in the lease, or as otherwise agreed to by the landlord and the tenant in a written document, must be used in computing the OHA monthly rental allowance. The cost of parking at the duty location is not included in rent. The following rules apply for determining rent:

6.2.1.1. A recurring condominium or homeowner association fee paid by the Service member is prorated to a monthly charge and incorporated into the Service member's rent;

6.2.1.2. A sharer's monthly rent is determined by dividing the total monthly rent by the number of sharers occupying the dwelling;

6.2.1.3. In an arrangement by which a Service member pays rent in advance and the landlord agrees to reimburse the Service member all or substantially all of the rental money at the end of the lease agreement, the amount of rent used in computing a Service member's OHA is zero;

6.2.1.4. If a Service member or dependent jointly occupy a dwelling with relatives or friends who own the dwelling, the rent amount is zero, even if there is a lease or written document. This restriction does not apply when the Service member or dependent leases lodging from a relative or friend with a bona fide, standard written lease, when the relative or friend concerned does not jointly occupy the leased dwelling and the relative or friend regularly rents the lodging involved. There is no authority to pay MIHA or the utility and recurring maintenance allowance when living with relatives or friends;

6.2.1.5. The cost of a separate lease for parking at or in the vicinity of the private-sector housing is added to the housing lease amount in determining the total rent; or

6.2.1.6. When a dwelling is owned by a Service member, see subparagraph 6.2.5.

6.2.2. Maximum Rental Allowance. Use the OHA Calculator (***OHA Calculator***) to obtain the maximum amount of monthly rent considered. Maximum ***OHA rental allowances*** for each locality are based on reported actual rental cost data for Service member with-dependents residing in private-sector housing. If utilities are included in the rent, see paragraph 6.3. See the ***OHA computation steps*** for calculation examples.

6.2.2.1. For Service member with-dependent, the maximum rental allowance is the lesser of the Service member's reported rent or the maximum allowable rent for the Service member's grade at the PDS locality.

6.2.2.2. For Service member without a dependent, the maximum rental allowance is the lesser of the Service member's reported rent or 90% of the maximum allowable rent for the Service member's grade at the PDS locality.

6.2.3. Rent Changes. Re-compute OHA if and when the rent changes.

6.2.4. Sharers. A sharer is authorized up to the maximum rental allowance set for a Service member without a dependent unless accompanied by one or more dependents. A sharer accompanied by a dependent is authorized up to the maximum rental allowance set for a Service member with-dependent.

6.2.4.1. Compute the authorized OHA for each sharer by adding the sharer's prorated share of the rent paid or the maximum rental established for the sharer's grade and locality, whichever is less, and the prorated monthly ***utility and recurring maintenance*** allowance.

6.2.4.2. A Service member authorized MIHA/Miscellaneous (see paragraph 6.4) receives a full rather than prorated allowance. Only one sharer may claim reimbursement for any individual rent, security, or infectious-disease related expense.

6.2.4.3. A renter living in a completely separate unit of an owner-occupied multiplex dwelling owned by another Service member is not a "sharer," and OHA is determined as if the renter occupied an unattached unit.

6.2.5. Private-Sector Housing Owned

6.2.5.1. Divide the actual purchase price—not an appraised value—of the private-sector housing by 120 to derive the monthly calculated "rent" for a private-sector dwelling owned by a Service member. Settlement costs, fees for title search, and other legal and related costs are not included in determining the actual purchase price.

6.2.5.2. The amount of any personal installment-type loans and real estate equity loans obtained for renovating or repairing the current dwelling place are added to the actual purchase price before determining the rent.

6.2.5.2.1. For this purpose, renovating means restoring to a previous condition, as by remodeling, and repairing means restoring to a sound condition after damage or injury, including fixing, setting right, renewing, or refreshing.

6.2.5.2.2. A loan used to furnish or decorate the home—including such items as the addition of a hot tub or pool to a home purchased without such an amenity—or a loan for personal reasons, including a credit card or line of credit loan must not be used.

6.2.5.2.3. To determine the monthly OHA rental equivalency when adding a loan described in this paragraph, add the loan amount to the original verifiable purchase price, divide the new total by 120, and the new "rental equivalency" starts from the loan start date.

6.2.5.2.4. The Service concerned must adjudicate loans. The Service member's command should submit the request with all documentation through the appropriate channel.

6.2.5.3. If a Service member or the Service member's dependent inherits a dwelling or residence or otherwise receives it without purchasing it, the dwelling or residence purchase price is $0. In this case, the Service member is authorized to receive the utility and recurring maintenance allowance. If a Service member obtains a mortgage on the inherited dwelling or residence specifically for home improvements or takes out a loan to pay inheritance taxes on the residence or dwelling, the mortgage or loan cost may be used as an OHA housing cost.

6.2.5.4. If the dwelling is a multiplex unit owned by a Service member, the allowance claimed is based on the percentage of the multiplex unit's square footage occupied by the Service member and dependent. The allowance equals the purchase price multiplied by that percentage and divided by 120. Renters of other units within the multiplex unit are not sharers.

6.2.5.5. If the Service member-owned dwelling place is a mobile home or boat, the monthly lot rental or berthing fee paid is added to this amount.

6.3 OHA Utility or Recurring Maintenance Allowance

6.3.1. Monthly Allowance. When rent does not include utilities or the Service member is a homeowner, the Service member is authorized the utility and recurring maintenance allowance. The utility and recurring maintenance allowance for each OHA locality is based on the with-dependent reported expenses for Service members who pay all or a majority of their utilities. It covers the utility costs for 80% of the Service members assigned to an area. It is paid to sharers on a prorated amount of the net allowance. It is paid to a Service member without a dependent, who is not a sharer, at 75% of the with-dependent rate.

6.3.2. Rent Includes All or Some Utilities. If any or all of the OHA utility component is included in the rent, then the included amount is withheld from the utility and recurring maintenance allowance and then added to the Rental Allowance component before comparison with the Service member's actual rent.

6.3.2.1. A Service member is not authorized the utility and recurring maintenance allowance when rent includes all utilities. However, when computing the OHA, the appropriate utility and recurring maintenance allowance is added to the Service member's rental allowance.

6.3.2.2. When rent includes some utilities, the utility and recurring maintenance allowance is paid on a percentage basis. The locality climate code and the utility point score determine the percentage of the utility and recurring maintenance allowance that the Service member is authorized. However, when computing OHA, the amount for which the Service member is not authorized is added to the appropriate rental allowance ceiling.

6.3.2.2.1. Locality climate codes are specified on each ***OHA locality table***. The three climate codes are:

6.3.2.2.1.1. Code 1 (Cold). Long-term mean temperature of 45 F or colder;

6.3.2.2.1.2. Code 2 (Moderate). Neither Code 1 nor Code 3; and

6.3.2.2.1.3. Code 3 (Hot). Long-term mean temperature of 69°F or warmer, except when the long-term mean for one or more months of the year drops to 45°F or colder. In such instances, a climate code of 2 is assigned.

6.3.2.2.2. Table 26-15 specifies the correct climate code to credit the Service member with appropriate points for each utility or service that is not included in the rent. Add the numbers to get the Service member's total utility point score.

6.3.2.2.3. Table 26-16 specifies the correct percentage of the utility and recurring maintenance allowance to be paid after determining the total utility point score.

6.4 MIHA Overview

6.4.1. General. MIHA exists to defray the move-in costs associated with occupying private- sector housing covered under the OHA program, whether leased or owned. MIHA is not payable to a Service member occupying Government or Government-leased housing. MIHA does not cover move-out costs.

6.4.2. MIHA Payment Types. There are five types of costs that may be payable as a MIHA, though not all Service members will incur all of these costs.

6.4.2.1. MIHA/Miscellaneous. This is a fixed, lump sum payment that reflects average expenditures to make dwellings habitable. The amount paid is based upon the OHA locality. All Service members, with or without dependents, receive the full allowance with their first OHA rental payment.

6.4.2.2. MIHA/Rent. This is a payment made on a reimbursable basis to a Service member who incurs certain one-time, nonrefundable charges related to renting a dwelling. The charge must be levied by a landlord, landlord's agent, or foreign government, the charge must be customary and reasonable, and the Service member must be required to pay the charge in order to occupy the dwelling.

6.4.2.3. MIHA/Security. This is a payment for reimbursement of reasonable expenses incurred by a Service member for security-related enhancements or modifications to the Service member's physical dwelling that are necessary to minimize exposure to terrorist or criminal threat. The Service member must be in a designated MIHA/Security location for payment to be authorized.

6.4.2.4. MIHA/Infectious Diseases. This is a payment for reimbursement of reasonable expenses incurred by a Service member to upgrade their physical dwelling for the purpose of preventing infectious disease (for example, window screens to reduce mosquito-transmitted disease). The Service member must be in a designated MIHA/Infectious Disease location for payment to be authorized.

6.4.2.5. MIHA/Safety. This is a payment for reimbursement of reasonable expenses incurred by a Service member for safety-related upgrades to a dwelling. The member must be assigned to an approved area where members must abide by safety requirements in the State Department's 15 Foreign Affairs Manual 971.1. The member must be in a designated MIHA/Safety location for payment to be authorized.

6.4.2.6. See the ***DoD MIHA Process Guide*** for additional rules and approved locations, as applicable, for these payments.

6.4.3. Rules and Information

6.4.3.1. To be authorized a MIHA, a Service member must be eligible for OHA.

6.4.3.2. A Service member must submit a completed ***DD Form 2556***, MIHA Claim for payment of MIHA/Miscellaneous. A Service member must submit a completed DD Form 2556, along with proper documentation and detailed receipts, for approval and payment of expenses related to MIHA/Rent, MIHA/Security, MIHA/Infectious Disease, and/or MIHA/Safety.

6.4.3.3. An eligible Service member is authorized MIHA for one dwelling during a tour at a PDS unless a government-funded local move occurs and the Service member occupies another dwelling covered by OHA.

6.4.3.4. There is no MIHA authorized under any of the following circumstances:

6.4.3.4.1. A local move would otherwise initiate a second or subsequent MIHA payment request unless that move is Government funded;

6.4.3.4.2. A Service member complies with a PCS order but remains in the same dwelling, including an RC member called or ordered to AD who is authorized OHA based on the primary residence at the time called or ordered to AD; or

6.4.3.4.3. A Service member moves from Government quarters to private-sector housing for separation or retirement (see Joint Travel Regulations ***(JTR) Chapter 5, Section 0519***).

6.4.4. Sharer Eligibility. Each Service member classified as a sharer and authorized MIHA is authorized the full MIHA/Miscellaneous allowance. Only one sharer may claim the individual expense for MIHA/Rent, MIHA/Security, and MIHA/Infectious Disease, and MIHA/Safety.

6.5 OHA Computation Steps

See the DTMO website for OHA computation examples.

6.6 OHA Unique Expenses

In some locations outside the United States, a Service member or dependent incurs excessive housing expenses for items that a Service member based in the United States does not normally incur. Since the expenses are not incurred by every Service member outside the United States, they cannot be a part of the ordinary OHA calculation. For these expenses, payment is a lump sum, dollar-for-dollar, reimbursement for a specifically authorized expense at designated authorized locations.

6.6.1. Authorization. All requests to authorize an OHA Unique Expense must be submitted from a major command to OUSD (P&R) through the applicable Service representative listed in the ***Uniformed Services Contact Information***. OUSD (P&R) specifically authorizes or approves the expense for reimbursement according to the DoD Overseas Station and Housing Allowances Process Guide. OUSD (P&R) does not accept requests from individual Service members to authorize an OHA Unique Expense. Current authorized unique expenses are located at the ***OHA Unique Expenses-Approved Locations*** table on the DTMO website.

6.6.2. Reimbursement. The Secretary concerned may reimburse an authorized OHA Unique Expense. At their discretion, Services may alternatively use the Secretarial Process to reimburse an authorized expense or expenses. Once an OHA Unique Expense has been authorized for a location, no further examination may be made to compare the spendable income of the claimant to the amount of the expense claimed. Any claim based on a valid receipt for an authorized OHA Unique Expense may be reimbursed in a lump sum, dollar-for-dollar, through Service payment procedures. The Service concerned is not required to recover any amount refunded to a Service member by any foreign government agency that may be involved.

6.7 OHA Advance Payment

For detailed information regarding areas with rental advance protection under OHA, see ***Rental Advances***. Rental payments should be made on a month-to-month basis whenever possible to avoid the need for rental advances.

6.7.1. Authority

6.7.1.1. Advance Rent of Fewer Than 4 Months, Security Deposits, or Initial Expenses. The Senior Officer in-country, or their designee, may authorize an advance OHA payment to pay advance rent, security deposits, or MIHA-related expenses due to occupying private- sector housing. The advance may be made at any time during the Service member's tour. It also may be authorized when a Service member has located housing due to a PCS order. Personal preference is not grounds for authorizing advance rent payment. Advance OHA is not authorized for lease arrangements in which the Service member lives rent free after making a one-time payment to the landlord with the anticipation that the rental amount is to be completely or substantially refunded at lease termination.

6.7.1.2. Advance Rent of 4 or More Months

6.7.1.2.1. Rental advances of at least 4 months, but no more than 12 months, may be made only for the locations authorized by OUSD (P&R). Once OUSD (P&R) authorizes and lists a location for Rental advances, the Senior Officer in-country, or their designee, may authorize individual requests. Requests for approval are considered if the requirement for the advance rent exists for any of the following reasons:

6.7.1.2.1.1. Law;

6.7.1.2.1.2. Local custom for everyone, including local nationals; or

6.7.1.2.1.3. Economic or market conditions preclude availability of secure housing, as confirmed by the U.S. Embassy;

6.7.1.2.2. Requests to add locations must be submitted through the Country Senior Officer or Command as instructed in the DoD Overseas Station and Housing Allowance Process Guide.

6.7.2. Amount. The amount to be advanced must be determined based on housing expenses, including advance rent and a security deposit, and the authorized OHA. Housing expenses must be documented. Expenses identified by a Service member for purchase of real estate or living accommodations must not be considered. The Service member's ability to repay the advance must be considered in determining the advance amount. While the amount to be advanced should not exceed the estimated OHA total for 1 year, a larger amount may be authorized if needed to cover anticipated housing expenses. In no case may the advance payment exceed either of the following, whichever is less.

6.7.2.1. Anticipated housing expenses.

6.7.2.2. OHA anticipated to accrue for the Service member's tour at that PDS.

6.7.3. Repayment

6.7.3.1. Repayment Within 12 Months. Monthly repayment installments should be at a rate of one-twelfth of the amount advanced over 12 months. Collection action should begin on the 1st day of the month after payment of the advance.

6.7.3.2. Postpone Collection Start. When justified by the Service member and authorized by an official designated by the Service concerned, the collection start may be postponed for up to 3 months after the advance. Repayment may be spread over a period of more than 1 year, but must be limited to the Service member's tour at the PDS.

6.7.3.3. Advance Rent Repayment Postponement Until the Service Member Vacates Housing. An official designated by the Service concerned may postpone repayment of advance rent until the Service member vacates the housing for which the advance rent was paid if earlier repayment would create an excessive economic burden.

6.7.3.4. Security Deposit Repayment Postponement Until the Service Member Vacates Housing. An official designated by the Service concerned may postpone repayment of the entire amount of a security deposit of $500 or more until the Service member vacates the housing for which the security deposit was paid if earlier repayment would create an excessive economic burden.

6.7.3.5. Recouping Lump Sum Returned by Landlord. Action to recoup in a lump sum of any OHA advance that has been returned to the Service member by the landlord must be taken immediately upon receipt of information that the Service member has vacated the housing for which the advance was made. Any balance of an advance not returned by the landlord may be repaid in monthly installments, if desired by the Service member, over the balance of the months remaining on the Service member's existing loan repayment schedule.

6.7.3.6. Currency Fluctuation Effects. The Service concerned absorbs any loss due to currency fluctuations when liquidating advance security deposits. The Service member must pay to the Service any gains due to currency fluctuations. These currency protection procedures for security deposits apply without regard to the provisions for protection of rent advances in subparagraph 6.4.4.

6.7.3.7. Pay System Reporting of Monthly Rent. In countries in which rate protection for advance rent has not been implemented the monthly rent entered in the respective pay system should be entered in U.S. dollars when a Service member has taken an advance for rent.

6.7.4. Advance Rent Currency Rate Protection. Rate protection may be provided for certain countries that have undergone a significant currency fluctuation. Countries previously authorized OHA Rental Advance Protection continue to have rent protected locality codes in the OHA Calculator until all previously protected Service members either permanently change stations or change quarters. Currency rate protection for additional advances is calculated using the exchange rate in effect at the time the new advance is paid. In countries in which rate protection for advance rent has been implemented, monthly rents for an advance rent are processed in dollars. See Service regulations for currency fluctuation loss or gain procedures. Rate protection is accomplished by comparing the OHA rate with the exchange rate in effect at the time the Service member received the advance with the greater of either of the following:

6.7.4.1. The rental allowance in effect at the time of the advance; or

6.7.4.2. Any higher rental allowance implemented during the repayment period of the advance.

6.8 Service Member Occupying a Government Trailer or Rental Guarantee Housing and OHA

Unless otherwise specified in this chapter, no housing allowance is payable to a Service member occupying housing constructed under the Rental Guarantee Housing Program as authorized in Section 302 of the Act of July 14, 1952, (66 Stat. 622) or Government trailers purchased under Section 408 of the Act of September 1, 1954, (68 Stat. 1126), or any other statute.

6.9 OHA and Living Quarters Allowance (LQA) (DSSR § 130) Paid Concurrently

A Service member is entitled to OHA at the with-dependent rate even if the Service member's dependent spouse receives an LQA. Direct questions pertaining to LQA to the spouse's Civilian Personnel Office (CPO) or Civilian Personnel Advisory Center (CPAC). Volume 7A has no authority to determine or control eligibility or entitlement of LQA for a civilian employee.
See DSSR § 130, and the DoD Instruction ***(DoDI) 1400.25***, Vol. 1250, Civilian Employee Overseas Allowances and Differentials.

6.10 Observer to a United Nations (UN) Peacekeeping Organization

A Service member permanently assigned as an observer to a UN peacekeeping organization who receives a UN mission subsistence allowance, known as mission per diem, is also authorized a

housing allowance under this chapter. The housing allowance amount, when added to the UN mission subsistence allowance, cannot exceed the housing allowance of a Service member permanently assigned to other than a UN Peacekeeping Organization in the same area. This paragraph does not authorize a reduction in the UN mission subsistence allowance.

*7.0 FAMILY SEPARATION HOUSING (FSH) ALLOWANCE

7.1 FSH Overview

FSH is payable to a Service member who is separated from dependents and incurs costs for housing at the PDS.

7.2 Eligibility

To be eligible, the Service member must be separated from their dependent(s). The separation must be caused by a Service member's assignment on military or uniform orders to a PDS OCONUS on an unaccompanied or dependent-restricted tour, a PDS (CONUS or OCONUS) to which concurrent dependent travel has been denied or deferred (see paragraph 10.6), or a PDS assignment for participation in professional military education (PME) or training for a period of at least 140 days but fewer than 365 days to which dependent(s) do not accompany the member. For CONUS non-concurrent travel application areas, refer to ***DoDI 1315.18***, Enclosure 5, Paragraph 2.

7.2.1. For FSH to be payable, all of the following conditions must be met, except as stated in subparagraph 7.2.3:

7.2.1.1. Dependent transportation to the PDS is not authorized at Government expense;

7.2.1.2. Dependent(s) do not reside in the PDS vicinity; and

7.2.1.3. Government quarters are not available for assignment to the Service member.

7.2.2. See Table 26-23 for a summary of FSH eligibility.

7.2.3. For FSH to be payable for the Service member attending PME or training (see paragraph 7.2), all of the following conditions must be met:

7.2.3.1. The lodging portion of per diem is not authorized;

7.2.3.2. Dependent(s) do not reside in the PDS vicinity;

7.2.3.3. Government quarters are not available for assignment to the Service member; and

7.2.3.4. Dependent(s) do not accompany the Service member at the PDS (i.e., using Government-funded travel/transportation).

7.3 Allowance Types and Rates

There are two types of FSH: FSH-B and FSH-O.

7.3.1. FSH-B is payable for an assignment at a BAH location to which concurrent dependent travel has been deferred or denied, or for an assignment to a PDS for participation in PME or training for a period of at least 140 days but fewer than 365 to which dependent(s) do not accompany the Service member, and Government quarters at the PDS are not available. FSH-B is payable in a monthly amount equal to the BAH without-dependent rate applicable to the Service member's grade and PDS.

7.3.2. FSH-O is payable for an assignment at a PDS outside the United States. FSH-O is payable in a monthly amount up to the without-dependent OHA rate applicable to the Service member's grade and PDS. OHA rules for determining the monthly rental allowance, utility and recurring maintenance allowance, MIHA, and advances apply to FSH-O.

7.4 Limitation

7.4.1. A Service member will not be paid FSH (either FSH-B or FSH-O) in any of the following situations:

7.4.1.1. The Service member's only dependent is entitled to AD basic pay;

7.4.1.2. The Service member's only dependent is a dependent for whom they are paying child support but does not have primary physical custody and control of that child. A Service member who has a dependent solely due to child support is not eligible for transportation of that dependent under the ***JTR, Chapter 5, paragraph 050405***, because the Service member does not have physical custody and control. The ineligibility for transportation, as opposed to a tour or location denial, prevents payment of FSH;

7.4.1.3. The Service member is assigned to a PDS where concurrent dependent travel is authorized and has not been deferred by the Government except for a Service member participating in PME or training for a period of at least 140 days but fewer than 365 days to which dependent(s) do not accompany the Service member (see subparagraph 7.2.3);

7.4.1.4. The Service member elects not to occupy available assigned Government quarters and resides in a private-sector residence for personal convenience; or

7.4.1.5. All of the Service member's dependents reside in the PDS vicinity as defined in subparagraph 2.1.3. See paragraph 7.5 for specific details.

7.5 Dependent Visits

When a Service member is receiving FSH, a visit by all of the Service member's dependents to the PDS vicinity can affect the Service member's continued entitlements to FSH.

7.5.1. When all of a Service member's dependents visit the PDS vicinity for a period of more than 90 days, the dependents are deemed to be residing at the PDS, and the Service member is no longer entitled to FSH beginning on the 91st day.

7.5.2. A visit by all dependents of 90 days or less will not be deemed to be a change in the dependent's residence and FSH is still authorized, if the circumstances clearly show that the dependents arrived at the PDS not intending to change residence and that the visit is a bona fide social visit intended to be temporary and not intended to exceed 90 days.

7.5.3. A simple break within a 90-day period or between 90-day periods does not overcome the presumption of residence. When facts indicate a dependent's intent to reside in the PDS vicinity, successive periods in the PDS vicinity will count toward the 90 days.

7.5.4. When a Service member's FSH entitlement stops because of the dependents' residence in the PDS vicinity, FSH is authorized again on the day the dependents depart from the PDS vicinity to reside elsewhere.

7.5.5. If one or more, but not all, dependents visit or reside in the PDS vicinity for more than 90 days and the Service member is authorized a with-dependent housing allowance on behalf of the dependents who are not visiting or do not reside in the PDS vicinity, then they are authorized FSH if otherwise meeting criteria for the allowance.

7.5.6. See Table 26-24 for a summary of the effect of dependents visits on FSH.

8.0 GOVERNMENT QUARTERS

8.1 Responsibility for Assignment or Termination

8.1.1. Assignment or Termination of Government Quarters. The commander responsible for the Government quarters has the authority to assign and terminate the assignment of Government quarters. The commander also determines when quarters are adequate and suitable for assignment based on appropriate directives. Government quarters or housing facilities under the Uniformed Services' control are considered assigned, suitable, and adequate whenever occupied by a Service member at the PDS without payment of rental charges. This includes any of the following conditions:

8.1.1.1. When an organization or institution furnishes quarters to a Service member without charge on behalf of the United States;

8.1.1.2. When a foreign government furnishes quarters to a Service member without charge for the Service member's official use; or

8.1.1.3. When quarters are furnished to a Service member without charge and are jointly assigned to one or more Service members without a dependent.

8.1.2. Voluntarily Vacating Assigned Quarters. A Service member is still considered assigned to Government quarters when they voluntarily vacate assigned quarters without the installation commander's approval. A Service member without-dependent in pay grade E-7 or above may elect not to occupy assigned quarters unless denied permission by the Secretary concerned.

8.1.3. Family Type Quarters – Married Service Members

8.1.3.1. When a Service member is married to another Service member, both Service members are considered to be assigned to Government quarters when all of the following apply:

8.1.3.1.1. Both are stationed at the same or adjacent installations;

8.1.3.1.2. Both are able to reside in Government family quarters; and

8.1.3.1.3. Government family quarters are assigned to one of the Service members.

8.1.3.2. When there is a separation agreement, pending divorce, or marital discord that requires one Service member to obtain alternative private-sector housing, the Service member not occupying family quarters must obtain a statement from the installation housing officer that Government housing is not assigned to that Service member in order to be authorized payment of a housing allowance.

8.1.4. Quarters Assignment Date for Housing Allowance. A housing allowance continues to accrue through the day before a Service member is assigned Government quarters or begins to occupy Government quarters at the PDS.

8.1.5. Quarters Termination Date for Housing Allowance. A housing allowance accrues from the date the assignment to Government quarters ends or the date that quarters are vacated if vacating of the quarters is approved or authorized.

8.2 Government Quarters Assigned or Occupied

8.2.1. Service Member Not in Quarters/Dependent in Quarters Not Designated as Family-Type. A Service member who is not assigned to and does not occupy Government quarters is authorized a housing allowance for a dependent who occupies Government quarters that are not designated as family-type quarters. Examples of such quarters include:

8.2.1.1. Dormitory quarters occupied by a Service member's child at a school for dependents of military personnel;

8.2.1.2. A hospital room occupied by a dependent under ***10 U.S.C. § 1077***, Dependents Medical Care Act. However, a Service member is not authorized a housing allowance

when the dependent is hospitalized under the Dependent's Medical Care Act and the Service member is assigned to and occupies Government quarters while the dependent is hospitalized even though private quarters are retained; or

8.2.1.3. Off-base housing or private-sector housing provided or funded (in whole or part) by the Government and occupied by the Service member's civilian spouse due to employment overseas with the DoD Education Activity ***(DoDEA)*** as a schoolteacher. The Service member must be separated from the spouse by official orders.

8.2.2. Family Quarters Furnished on Behalf of the United States. A Service member is not authorized a housing allowance for a dependent if the Service member and dependent are furnished adequate family-type quarters without rental charge by a non-Government entity on behalf of the Government. Examples of such family-type quarters include:

8.2.2.1. Quarters furnished to a Service member in an official capacity by a foreign government.

8.2.2.2. Quarters furnished by a state, county, municipal, or privately owned hospital to an officer serving on AD as an intern or resident physician; or

8.2.2.3. Quarters furnished by a college, university, or a research facility as part of a fellowship, scholarship, or grant.

8.2.3. Service Member in Single Quarters/Dependent in Quarters. A Service member furnished single-type quarters is not authorized a housing allowance for any of the following:

8.2.3.1. A spouse who is a sole dependent and is furnished quarters in kind as a civilian employee at a government hospital;

8.2.3.2. A spouse who is a sole dependent and is furnished Government quarters while serving with the American Red Cross overseas;

8.2.3.3. A sole dependent who is a student nurse in training at a government hospital. However, a housing allowance is payable on behalf of a dependent who is a student nurse in training at a civilian hospital;

8.2.3.4. A civilian spouse who is a sole dependent and is furnished Government quarters while assigned overseas with DoDEA as a schoolteacher;

8.2.3.5. A dependent who occupies Government housing facilities while evacuated to a safe haven. See subparagraph 8.2.5 for an exception when the Service member must continue to pay for private-sector housing; or

8.2.3.6. Any dependent, if one or more of the Service member's dependents occupy the quarters with the Service member on a permanent basis for more than 90 days, unless another dependent is officially prevented from residing with the Service member (for example, where the dependent is barred from the military installation).

8.2.4. Rental Quarters (Other Than Inadequate Quarters). A Service member and a dependent who occupy the following facilities on a rental basis are authorized a housing allowance.

8.2.4.1. Any housing facility, including a trailer, under the Government's jurisdiction other than Government quarters constructed or designated for occupancy without charge. The Service member may sublease such quarters with or without charge to a temporary sublessee and neither the sublessor nor a Service member sublessee loses the right to a housing allowance;

8.2.4.2. A hotel on the grounds of a Service Academy. A Service member is authorized BAH while renting quarters in a hotel on the grounds of a Service Academy; or

8.2.4.3. Quarters furnished to a Service member for service in a capacity other than that of a Service member.

8.2.5. Quarters at Safe Haven Temporarily Occupied by Dependents

8.2.5.1. A Service member is authorized a housing allowance for a dependent when both of the following occur:

8.2.5.1.1. The Service member's dependent occupies Government provided housing at a safe haven area after emergency evacuation from private-sector housing at the PDS; and

8.2.5.1.2. Due to conditions beyond the Service member's control, the Service member is required to continue rent payment for the private-sector housing to keep the furnishings and belongings in the private-sector housing and to have housing available upon the dependent's return.

8.2.5.2. This authority continues until a dependent is authorized to return to the Service member's PDS or the dependent arrives at a designated place, as defined in the Definitions Chapter, and as specified in the ***JTR, Chapter 6.***

8.2.6. Lease on Private-Sector Rental or Leased Housing. When a Service member makes a local move from private-sector rented or leased housing to Government housing, a housing allowance is not payable for the remainder of the lease on the private-sector housing even though the Service member is required to honor the lease.

8.2.7. Limitation on Quarters Occupied by Service Member. Generally, a Service member is not authorized BAH or OHA if the Service member occupies Government quarters that exceed the minimum standards for his or her grade "without-dependent." This applies to both a Service member with a dependent or without a dependent and at either the PDS or TDY location, as applicable. However, this limitation does not apply when:

8.2.7.1. The quarters occupied are the only quarters available and either:

8.2.7.1.1. The quarters occupied are not suitable for joint occupancy; or

8.2.7.1.2. If suitable for joint occupancy, the quarters are jointly occupied with another Service member permanently assigned to the PDS.

8.2.7.2. A Service member is on medical hold or holdover personnel receiving outpatient medical treatment who have been designated as requiring a live-in non-medical attendant. The Service determines the housing standards for such personnel based on medical condition, treatment, non-medical attendant, and other relevant factors.

8.2.7.3. An additional room is assigned to a chaplain for spiritual purposes. This does not affect the Service member's authority for BAH or OHA if the chaplain uses the room for official duties and not as living quarters.

9.0 PRIVATIZED HOUSING

"Privatized housing" is defined as housing units on or near a military facility in the United States or its territories and possessions that are acquired by or constructed by private persons under the authority of ***10 U.S.C. §§ 2871-2885***. The Service Secretary determines which privatized housing is suitable for use as military family housing. Each Service member occupying privatized housing is authorized a housing allowance in the same manner as a Service member not assigned to Government quarters. See subparagraph 5.5.4 for the Navy Barracks Privatization Test.

10.0 ASSIGNMENT SITUATIONS

10.1 Service Member Without-Dependent

A Service member without a dependent entitled to basic pay is authorized BAH or OHA in the situations specified in Table 26-19 and as otherwise specified in this paragraph. Ordinarily BAH or OHA is based on the Service member's PDS and paid when adequate Government quarters are not provided at the PDS.

10.1.1. Service Member TDY. A Service member on TDY (including permissive travel) when no PCS is involved, is authorized to continue to receive BAH or OHA for the PDS if authorized prior to the TDY, except for:

10.1.1.1. A Service member occupying Government quarters at the TDY location which exceed minimum standards, as set forth in subparagraph 8.2.7; or

10.1.1.2. A Service member below grade E-7 if quarters are assigned or furnished at the PDS, even if the Service member vacates the quarters at the beginning of the TDY. BAH or OHA does not accrue if assigned quarters at the PDS.

10.1.2. PCS Between PDSs in Proximity. Ordinarily, a housing allowance is paid based on the Service member's PDS or the home port for a Service member assigned to a ship or afloat unit.

10.1.2.1. The Service may instead pay a housing allowance based on the old PDS rate in a situation involving a low or no-cost move. The determination of whether to base the housing allowance on the old PDS because it is inequitable to base it on the new PDS is made by the Secretary concerned or through the Secretarial Process.

10.1.2.2. When a Service member is ordered on a PCS between PDSs located in proximity to each other, the housing allowance based on the old PDS continues when the Service member commutes to the new PDS from the residence occupied while at the old PDS. The housing allowance continues from the time between the Service member's detachment from the old PDS and reporting for duty to the new PDS, unless otherwise prohibited in this Chapter.

10.1.2.3. If a Service member is reassigned under the conditions of a low-cost or no- cost PCS and is not authorized a household goods (HHG) move, the housing allowance is based on the old PDS under the following conditions:

10.1.2.3.1. The Service member requested the old PDS housing allowance; and

10.1.2.3.2. The Service-selected decision process determines that it would be inequitable to base the Service member's allowances on the housing cost in the Service member's new PDS area.

10.1.3. Service Member in Grade E-7 or Above Not on Sea Duty. A Service member without a dependent in grade E-7 or above may elect at any time not to occupy Government quarters at the PDS and is authorized BAH or OHA unless the Secretary concerned, or their designee has determined that the Service member's exercise of this option would adversely affect a training mission, military discipline, or readiness.

10.1.4. Service Member in Grade E-6 Not on Sea Duty. A Service member without a dependent in grade E-6 assigned to inadequate Government quarters or to a housing facility under the jurisdiction of a Uniformed Service that does not meet DoD adequacy standards, may elect to not occupy such quarters and receive BAH or OHA instead. The Secretary concerned, or the designee, may deny BAH or OHA if they determine that the Service member's exercise of this option would adversely affect a training mission, military discipline, or readiness.

10.1.5. Service Member on Sea Duty. A Service member assigned on permanent duty to a ship ordinarily has Government Quarters available aboard that ship. The Secretary concerned may determine that a ship or class of ships is inadequate for berthing a Service member in home port, in which case the ship or class of ships is not available as Government quarters for housing allowance

purposes. When quarters aboard a ship, deemed adequate for berthing, become temporarily unavailable due to maintenance or damage, Government Quarters are no longer available onboard the ship. The Service concerned provides guidance on payment of housing allowances or alternate berthing procedure for ships that become temporarily unavailable for berthing.

10.1.5.1. A Service member without a dependent in grade E-6 or above assigned to permanent sea duty aboard a ship may elect not to occupy assigned shipboard Government quarters and receive BAH or OHA. A Service member in pay grade E-6 or above is authorized to receive BAH or OHA after reporting to a deployed ship or afloat unit.

10.1.5.2. A Service member without a dependent in grade E-5 assigned to permanent sea duty aboard a ship cannot elect not to occupy assigned shipboard Government quarters and receive BAH or OHA. Under Service regulations, the Secretary concerned may authorize BAH or OHA to a Service member without a dependent who is serving in grade E-5 and is assigned to sea duty. When preparing regulations under this paragraph, the Secretary concerned must consider Government quarters availability for a Service member serving in grade E-5.

10.1.5.3. A Service member without a dependent in grade E-4 assigned to permanent sea duty aboard a ship cannot elect not to occupy assigned shipboard Government quarters and receive BAH or OHA. Under Service regulations, the Secretary concerned may authorize BAH or OHA to a Service member without a dependent who is serving in grade E-4 and is assigned to sea duty. When preparing regulations under this paragraph, the Secretary concerned must consider Government quarters availability for a Service member serving in grade E-4.

10.1.5.4. A Service member married to another Service member who is in a pay grade below E-6 is authorized BAH or OHA if assigned to permanent sea duty if otherwise entitled.

10.1.6. Service Member Assigned to a Unit That Undergoes a Change of Home Port or Permanent Station. A Service member without dependents who is assigned to a unit that undergoes a home port or permanent station change may be paid a BAH based on the old port or permanent station, if the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, BAH on the new home port or permanent station.

10.1.6.1. In such cases, the Secretary concerned may:

10.1.6.1.1. Waive the requirement to base the Service member's entitlement to, and amount of, BAH on the new home port or PDS of the Service member; and

10.1.6.1.2. Treat that Service member for the purposes of this chapter as if the unit to which the Service member is assigned did not undergo a home port or permanent station change.

10.1.6.2. The number of waivers the Secretary concerned may grant under this paragraph in a calendar year may not exceed 100.

10.1.6.3. This authority may be administered by the Secretary concerned through the Secretarial Process.

10.1.6.4. Unless extended by the authority of the Congress, this authority expires on the termination date on the Duration of Authority table.

10.2 Service Member With-Dependent

10.2.1. Authorized BAH or OHA. Except for a Service member paying child support and assigned to Government quarters, a Service member with a dependent, who is entitled to basic pay is authorized BAH or OHA at the with-dependent rate when any of the following conditions are met:

10.2.1.1. Adequate Government quarters are not furnished for the Service member and dependent without a rental charge payment;

10.2.1.2. Adequate Government quarters are not furnished for the Service member's dependent, or not all of the Service member's dependents are authorized to occupy Government quarters assigned to the Service member;

10.2.1.3. A single or divorced Service member who maintains legal and physical custody of a child before receipt of a PCS authorization or order to an unaccompanied tour may continue to be paid BAH at the with-dependent rate for the last PDS, or designated place, as specified in this paragraph. The divorce decree or custody order issued by a court of competent jurisdiction must state the specific period during which the Service member has legal and physical custody. BAH at the with-dependent rate, is authorized only for time periods the Service member would have the physical custody of the child if not serving on the unaccompanied tour. For military necessity, the Service member must place the child in the physical custody of a relative or caregiver designated by the Service member to be authorized BAH or OHA at the with-dependent rate; or

10.2.1.4. A Service member who is, classified as with-dependent for housing purposes solely because the Service member is paying child support (i.e., does not have physical custody of the child and has no other dependents) is not authorized a housing allowance other than BAH-Diff if the Service member is assigned to Government quarters or both of the following apply:

10.2.1.4.1. The Service member is assigned to sea duty in a grade above E-3; and

10.2.1.4.2. The Service member is authorized to and does not occupy the assigned, unaccompanied Government quarters by choice.

10.2.2. Location Rate. Ordinarily a housing allowance is based on the Service member's PDS, or the home port for a Service member assigned to a ship or afloat unit. However, the Service may determine that a Service member's assignment to a PDS, or the circumstances of that assignment, requires a dependent to reside separately. Authorization or approval of a housing

allowance based on the dependent's location or old PDS rather than the Service member's current PDS (commonly referred to as BAH or OHA waiver) is through the Service Secretary or through the Secretarial Process.

10.2.2.1. Treatment of Certain Moves as Not Being Reassignments. A Service may pay a housing allowance based on the old PDS rate in situations involving low or no-cost moves and for situations in which the Service member and dependent reside separately if it is determined that to base the housing allowance on the new PDS would be inequitable. The determination of whether it is inequitable to pay BAH or OHA based on the new PDS may be accomplished through the Secretarial Process. When a Service member is ordered on a PCS between PDSs located in proximity to each other and continues to commute from the residence occupied while at the old PDS. BAH or OHA based on the old PDS continues from the time between the Service member's detachment from the old PDS and reporting to the new PDS, unless otherwise prohibited in this Chapter. A Service member ordered on PCS with TDY or leave in route is authorized a housing allowance based on the old PDS during that period. If a Service member is reassigned under the conditions of a low-cost or no-cost PCS and is not authorized an HHG move, a housing allowance may be based on the rate for the old PDS if both the following conditions are met:

10.2.2.1.1. It was requested by the Service member; and

10.2.2.1.2. The Secretarial Process determines that it would be inequitable to base the allowance on the housing cost in the new PDS area to which the Service member is reassigned.

10.2.2.2. Unaccompanied or Dependent-Restricted Assignment OCONUS. See paragraph 10.4 for applicable location rate.

10.2.2.3. Location Rate Changes. Location rate changes may be routinely authorized or approved when a Service member is:

10.2.2.3.1. Assigned to a PDS in an area at which sufficient housing quantities do not exist;

10.2.2.3.2. In receipt of a PCS order to a unit with a promulgated change of home port and dependents relocate to the announced home port (or authorized designated place in the United States) before the effective date of the home port change;

10.2.2.3.3. Assigned to "unusually arduous sea duty" and a dependent resides at or relocates to a designated place in the United States;

10.2.2.3.4. Assigned to or is in receipt of a PCS authorization or order to a ship entering overhaul involving a home port change and their dependent is not relocated due to the home port change;

10.2.2.3.5. Disadvantaged due to reassignment for reasons of improving mission capability and readiness of the unit, in receipt of a PCS authorization or order between PDSs

located in the same proximity, and disallowed HHG movement. A determination must be issued through the Secretarial Process that implementing this policy in the interest of correcting an inequity incurred due to movement of the Service member for purposes of improving mission capability and unit readiness;

10.2.2.3.6. Assigned to an intermittent TDY or a TDY pending further orders; or

10.2.2.3.7. Assigned to a Professional Military Education or training course that is scheduled for a duration of 1 year or less.

10.2.2.4. Multiple Dependent Locations. In instances when dependents are in multiple locations, the Service member must designate the dependent's primary residence. The housing allowance rate is based on this primary residence.

10.2.2.5. Ship or Home Port

10.2.2.5.1. A Service member assigned to duty aboard a ship or other afloat unit is authorized a with-dependent allowance when supported by a statement of the Service member's commanding officer, or an officer designated by the commanding officer. The statement must specify that the dependent has established a residence at or in the home port vicinity. The applicable with-dependent allowance is payable even though the Service member is quartered in kind aboard a ship with their afloat unit. The rate payable is the rate applicable to the ship's or afloat units' home port.

10.2.2.5.2. The housing allowance must change to the new home port rate on the effective date of the home port change if the Service member is currently assigned or is in receipt of a PCS order to a ship or another afloat unit with an announced home port change and their dependent is authorized travel to the new home port.

10.2.2.6. Other Circumstances. The Secretary concerned may determine that circumstances other than those set forth above require a dependent to reside separately from the Service member, and they may authorize or approve a housing allowance payment based on either the dependent's location or the old PDS. If the Secretary concerned determined that an additional reason for a BAH or OHA waiver is acceptable, the Secretarial Process may then be used to authorize or approve individual cases based on that determination.

10.2.3. During Leave, Travel Status, Separation, and Other Situations. Table 26-19 and paragraph 10.10 specify BAH or OHA accrual for a Service member entitled to basic pay with a dependent. In Table 26-20, the phrase "due to a PCS" refers to whether or not the Service member is en route to a new PDS under a PCS authorization or order.

10.2.4. Temporary Continuation of Housing Allowance for Service Members Whose Sole Dependent Dies While Residing With the Member. BAH or OHA at the with-dependent rate continues to be paid for up to one year to a Service member on AD whose sole dependent dies on or after December 23, 2022.

10.2.4.1. Conditions. After the death of the dependent, continue to pay a with-dependent housing allowance at the rate that was being paid to the Service member on the sole dependent's date of death if:

10.2.4.1.1. The sole dependent dies while the Service member is on active duty; and

10.2.4.1.2. The sole dependent dies while physically residing with the Service member, unless separated by the necessity of military service or to receive institutional care as a result of disability or incapacitation or under such other circumstances as determined by the Secretary concerned; and

10.2.4.1.3. The Service member is not occupying Government quarters on the date of death of the sole dependent.

10.2.4.2. Termination. The continuation of the with-dependent rate of housing allowance will terminate upon the earlier of the following to occur:

10.2.4.2.1. The day that is one year after the date of the death of the sole dependent.

10.2.4.2.2. The permanent change of station, or permanent change of assignment with movement of personal property and household goods under ***37 U.S.C. § 453(c)***, of the member as otherwise stated in this chapter.

10.2.4.2.3. The Service member subsequently occupies permanent Government quarters.

10.2.4.2.4. The Service member claims another dependent for housing allowance purposes.

10.3 Service Member With Acquired Dependent

When a Service member acquires a dependent, for example, through marriage, birth, or adoption, a with-dependent housing allowance is authorized as of the date the dependent is acquired.

10.3.1. PDS in the CONUS. When the Service member is assigned to a PDS in the CONUS, the housing allowance is authorized based on the PDS. The Service member may request through the Secretarial Process a housing allowance based on the dependent's residence location instead. Table 26-21 specifies the changes in housing allowance when a Service member acquires a dependent while assigned in the CONUS.

10.3.2. PDS OCONUS. Generally, when a Service member is assigned to a PDS OCONUS and the dependent does not reside in the PDS vicinity, the housing allowance is based on the dependent's location. If the dependent does reside in the PDS vicinity, the housing allowance is based on the PDS. Table 26-22 specifies the changes in housing allowance when a Service member

acquires a dependent while assigned in the OCONUS. FSH eligibility is effective the date a dependent is acquired; refer to section 7.0 concerning FSH.

10.4 Service Member With-Dependent Serves Unaccompanied or Dependent Restricted Tour OCONUS or "Unusually Arduous Sea Duty" Outside the United States

10.4.1. Basic Allowance for Housing. A Service member with a dependent who serves an unaccompanied or dependent-restricted tour OCONUS or "unusually arduous sea duty" outside the United States is authorized a with-dependent housing allowance (BAH or OHA) when the dependents are not provided government quarters.

10.4.2. Location Rate. The applicable rate for the with-dependent housing allowance is generally as follows:

10.4.2.1. RC. In the case of an RC member, the housing allowance is generally based on the Service member's primary residence, as defined in the Definitions Chapter. If the dependents relocate to another location outside the Service member's PDS vicinity, the housing allowance continues to be based on the primary residence. Paragraph 10.5 contains specific provisions concerning RC members.

10.4.2.2. Regular Component.

10.4.2.2.1. When the dependent remains at the Service member's old PDS, the housing allowance is paid based on the old PDS.

10.4.2.2.2. When the dependent is not at the Service member's old PDS and is outside the Service member's PDS vicinity and a Secretarial waiver had previously approved a housing allowance based on another location, the allowance continues at the rate approved by waiver.

10.4.2.2.3. If the dependent is not at the Service member's old PDS and is outside the Service member's PDS vicinity, and there is no applicable Secretarial waiver designating a particular location rate, the housing allowance is based on the dependent's location on the date the Service member arrives at the new PDS.

10.4.2.2.4. If during the unaccompanied tour, the dependent relocates the residence at their own expense to a location outside the Service member's PDS vicinity, the housing allowance is then based on:

10.4.2.2.4.1. The dependent's new residence if located in an OHA area (so long as not in the vicinity of the PDS);

10.4.2.2.4.2. The previously authorized location (old PDS or dependent's location at the time of the Service member's departure) if the dependents relocate between BAH locations; or

10.4.2.2.4.3. The dependent's new residence location if the dependent relocates from an OHA area to BAH area.

10.4.2.3. If all of the Service member's dependents relocate at their own expense to reside in the vicinity of the Service member's PDS, the Service member with-dependent basic allowance for housing is then based on the PDS. The rules stated in section 7.0 for when dependents are deemed to be residing at the PDS vicinity for purposes of FSH apply to the with-dependent housing allowance determination. To be approved for and paid OHA at the PDS, the Service member must not be provided adequate family-type Government quarters and must submit the required documentation for OHA approval, as described in section 6.0.

10.4.2.4. See Table 26-24 for summary of the effect of dependent visits on the with- dependent housing allowance.

10.4.2.5. See Tables 26-25 and 26-26 for a summary of applicable housing allowances and location rates in various scenarios. A housing allowance must not be paid if a Service member is assigned adequate family-type Government quarters at the PDS. Do not start the housing allowance until the Service member terminates the family-type Government quarters assignment.

10.4.3. Initial Tour of Duty. When a Service member serves an unaccompanied or dependent-restricted tour at the first PDS (i.e., the initial PDS when coming on AD) payment of a with-dependent housing allowance is based on one of the designated locations specified in the JTR, Chapter 5, paragraph 050814 if the dependent has been authorized or approved to reside at one of those locations.

10.4.4. Transfer Between Unaccompanied or Dependent-Restricted Tours. A Service member transferred between unaccompanied or dependent-restricted tours (i.e., "back-to-back" unaccompanied or dependent-restricted tours) may be authorized to move dependents at Government expense to a designated place or from one designated place to another. The Service member:

10.4.4.1. Continues to be authorized a with-dependent rate as described in subparagraph 10.4.1 when the dependent does not move.

10.4.4.2. Is authorized a with-dependent rate based on the dependent's new location when the dependent moves from either:

10.4.4.2.1. The Service member's old PDS (the PDS before the Service member was assigned on the first unaccompanied or dependent-restricted tour) to a designated place; or

10.4.4.2.2. A designated place to another designated place if the move is authorized or approved.

10.4.5. TDY Upon Completion of Unaccompanied or Dependent Restricted Tour

10.4.5.1. If a Service member is assigned to an unaccompanied or dependent-restricted tour at a PDS OCONUS and they are required to perform a TDY anywhere in the world in connection with a transfer to another unaccompanied or dependent-restricted tour, and the dependent continues to reside at the same location they resided during the first tour, there is no change to the with-dependent housing allowance.

10.4.5.2. If a Service member is assigned to an unaccompanied or dependent-restricted tour at a PDS OCONUS and the Service member is required to perform a TDY in connection with a PCS transfer to the United States, and the dependent continues to reside at the same location then there is no change in the with-dependent housing allowance until the Service member's reporting day to the new PDS. Start with-dependent BAH or OHA based on the new PDS the day the Service member reports at that PDS.

*10.5 RC Member

An RC member is entitled to BAH-RC, BAH, or OHA as discussed below. They may also be entitled to FSH if the criteria of section 7.0 is met. See paragraph 10.10 for the rate payable to an RC Service member in the accession pipeline.

10.5.1. BAH-RC

10.5.1.1. Applicability. BAH-RC is authorized for an RC member called or ordered to AD, except as provided in subparagraph 10.5.2.

10.5.1.2. Rate. The rate is fixed at the BAQ amount on December 31, 1997, incremented by the average housing allowance increase each year.

10.5.2. BAH/OHA

10.5.2.1. Applicability. The following RC members are authorized BAH or OHA:

10.5.2.1.1. A member called or ordered to AD in support of a contingency operation for a time period of any duration.

10.5.2.1.2. A member called or ordered to AD for 31 or more days, except a Service member without a dependent during initial entry training.

10.5.2.1.3. A member initially on a tour of 30 or fewer days who receives an order modification, assignment extension, or additional consecutive orders with a prospective, new active-duty period of 31 or more days ("extension").

10.5.2.1.3.1. BAH or OHA starts the date of the extension, and BAH-RC is no longer payable as of that date.

10.5.2.1.3.2. If there is a break in service, periods of AD previously served may not be added together to meet the requirement for BAH or OHA that AD exceeds 30 days under the authority of ***37 U.S.C. § 403(q)(6)(C)(iii)***.

10.5.2.1.3.3. See Table 26-41 for examples of housing allowance changes for an RC member when new, extended, or amended orders are issued.

10.5.2.1.4. AGR members.

10.5.2.2. Rate. The applicable location rate will generally be based either on the PDS or the member's primary residence. See subparagraph 10.5.3 for discussion of applicable allowances and rates for various assignment situations.

10.5.3. Allowance and Rates for Specific Assignments

The type and duration of orders will determine the applicable housing allowance and rate. When an RC member receives an order modification or amendment extending their assignment, the prospective new active-duty period determines the authority for housing allowances and any new entitlements begin as of the date of the modification. If the prospective period is 140 or more days for AD training or 181 or more days for AD for other than training and HHG are authorized for the PCS, then BAH-RC or BAH or OHA based on the primary residence stops the day before the modification or amendment and BAH or OHA based on the PDS begins on the modification date, except under the conditions in subparagraph 10.5.3.7.

10.5.3.1. AD for 30 or Fewer Days

10.5.3.1.1. If the RC member is called or ordered to AD for 30 or fewer days and the duty is not in support of a contingency operation, then start BAH-RC on the first day of AD.

10.5.3.1.2. If the duty is in support of a contingency operation, then start BAH or OHA based on the primary residence at the time called or ordered to AD beginning on the first day of AD.

10.5.3.2. AD for Other Than Training or Active Duty for Training (ADT) for 31 or More Days.

10.5.3.2.1. An RC member called or ordered to AD for other than training for a period lasting between 31 and 180 days is authorized BAH or OHA based on the primary residence beginning on the first day of AD. This rate continues for the tour duration except as otherwise specified in this chapter.

10.5.3.2.2. An RC member called or ordered to ADT for a period lasting between 31 and 139 days receives BAH or OHA based on the primary residence at the time called or ordered to ADT beginning on the first day of AD.

10.5.3.3. ADT for 140 or More Days and Authorized HHG Transportation. BAH or OHA based on the primary residence starts at the time RC member is called or ordered to AD for training for 140 or more days and is authorized HHG transportation for a PCS and continues through the day before arrival at the PDS. BAH or OHA based on the PDS location begins on the day the RC member reports at that location. The Service member is authorized BAH or OHA in the same manner as a Service member already on AD.

10.5.3.4. AD Other Than Training for 181 or More Days and Authorized HHG Transportation. BAH or OHA based on the primary residence starts at the time an RC member is called or ordered to AD for other than training for 181 or more days and authorized HHG transportation for a PCS and continues through the day before arrival at the PDS. BAH or OHA based on the PDS location begins on the day the RC member reports at that location. The member is authorized BAH or OHA in the same manner as a Service member already on AD.

10.5.3.5. Called or Ordered to ADT for 140 or More Days But Not Authorized HHG Transportation. Except as provided in subparagraphs 10.5.3.8 and 10.5.3.11, an RC member who is not authorized HHG transportation for a PCS (e.g., when duty is not performed for 140 or more days at one location) receives BAH or OHA based on the primary residence at the time called or ordered to AD.

10.5.3.6. Called or Ordered to AD Other Than Training for 181 or More Days But Not Authorized HHG Transportation. Except as provided in subparagraphs 10.5.3.8 and 10.5.3.11, an RC member who is called or ordered to AD for other than training for 181 or more days and is not authorized HHG transportation for a PCS receives BAH or OHA based on the primary residence.

10.5.3.7. RC Member Without-Dependents Called or Ordered to ADT for At Least 140 Days But Fewer Than 365 Days at One Location. An RC member without dependents assigned to a PDS for participation in PME or training for a period of at least 140 days but fewer than 365 days, receives a housing allowance at the without-dependent rate based on the training location PDS, provided Government quarters are not available for assignment to the Service member at the training location PDS and the member is not receiving the lodging portion of per diem. A housing allowance authorized under this paragraph is in addition to a housing allowance for the primary residence. An RC member without a dependent attending such training is authorized BAH or OHA based on the primary residence location at the time called or ordered to AD if the Service member maintains a residence and continues to be responsible for rent or owns the residence.

10.5.3.8. RC Member Without-Dependent OCONUS. An RC member without a dependent or who has no dependents other than for whom they are paying child support receives one housing allowance (BAH or OHA). When the member is provided Government quarters at the PDS, the housing allowance is based on the primary residence; however, the housing allowance may instead be based on the PDS when all the following conditions apply, and it is approved under the Secretarial Process:

10.5.3.8.1. The RC member is authorized PCS allowances to a location OCONUS;

10.5.3.8.2. The RC member is not authorized PCS HHG transportation because the prospective period is less than 12 months. HHG transportation under a TDY order, as specified in the JTR, Chapter 2, does not affect this housing allowance authority;

10.5.3.8.3. Government quarters are not available at the PDS; and

10.5.3.8.4. The Service determines that it is inequitable to pay a housing allowance based on the primary residence.

10.5.3.9. Called or Ordered to AD for Contingency. An RC member called or ordered to AD in support of a contingency operation is authorized BAH or OHA based on the primary residence beginning on the first day of AD. This rate is authorized even for duty of 30 or fewer days. This rate continues for the duration of the tour unless the RC member is authorized PCS HHG transportation, in which case the rate for the PDS would apply on the day the RC member reports to the PDS.

10.5.3.10. Injured or Physically Disabled While on AD or on Inactive-Duty Training. An RC member who is injured in the line of duty and who is authorized incapacitation pay under ***37 U.S.C. § 204*** and ***DoDI 1241.01*** (RC Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements) is authorized a housing allowance. BAH or OHA is based on the primary residence and is paid beginning on the date the RC member becomes entitled to incapacitation pay. BAH or OHA for an eligible RC member may not be paid for more than 6 months except when, in the interest of fairness and equity, the Secretary concerned, or the Secretary's designee extends incapacitation pay. For offsets, see 37 U.S.C. § 204(g) and (h), and DoDI 1241.01 (RC Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements).

10.5.3.11. Unaccompanied Tours OCONUS. If an RC member with dependents is on an OCONUS unaccompanied tour and the dependents relocate at their own expense to reside in the vicinity of the member's PDS, the member's usual housing allowance entitlements set forth in this section will be affected. See section 7.0 and subparagraph 10.4.2.3 for determination of applicable housing allowance and rate in that situation.

10.5.4. AGR Member. An AGR member's BAH or OHA is based on the PDS, even when the Service member is mobilized for AD other than for AGR duty, provided the Service member does not have a break in service. The rate based on the PDS applies for the duration of the tour. If the AGR member receives a PCS order authorizing HHG transportation, BAH or OHA is based on the new PDS. However, if the Service member is called or ordered to AD without a break in service and a PCS order authorizing HHG transportation is not issued, BAH or OHA is based and paid on the PDS location at the time called or ordered to AD. A break in service occurs when one or more calendar days between active-duty service periods do not qualify as active-duty service. If an AGR member has a break in service when called to AD for other than AGR duty, then the Service member is paid a housing allowance as for any other RC member (for example, the primary-residence rate).

10.5.5. RC Member Married to Service Member. Unless an RC member is assigned to a contingency operation or is an AGR member when they are called to AD for 30 or fewer days, the RC member is authorized the BAH-RC without-dependent rate if they are not assigned to Government quarters and are married to another Service member on AD without a dependent. For such an RC member on AD for 31 or more days, each Service member is authorized BAH or OHA at the without-dependent rate. If a Service member in this situation has a dependent, BAH or OHA is paid in accordance with paragraph 4.5.

10.6 Government Defers Dependent Travel (Non-Concurrent Travel)

10.6.1. When the Government defers dependent travel at Government expense to a Service member's new PDS, a with-dependent housing allowance continues to be paid at the old PDS rate, or at the rate for the dependent's location if the dependent relocated there at Government expense. In a case in which the Secretarial Process previously authorized a housing allowance based on the dependent's location, that rate continues.

10.6.2. If otherwise eligible, FSH-O or FSH-B for the Service member's location starts when the Service member obtains private-sector housing.

10.6.3. The payment of the with-dependent allowance and FSH-O or FSH-B continues for 60 days after dependent travel is authorized. If the 60-day time period expires, a dependent has not arrived at the Service member's PDS, and an extension to the 60-day period has not been granted through the Secretarial Process, a housing allowance is not authorized for the dependent's location. However, the Service member is authorized a with-dependent allowance based on the PDS location.

10.6.4. Table 26-27 specifies changes to a housing allowance when the Government defers a dependent's travel to a duty station OCONUS.

10.6.5. Tables 26-28 and 26-29 specify changes, based on location and expected travel delay, when the Government defers dependent travel to a duty station in the CONUS when the area has been declared a concurrent dependent travel application area (see JTR, Chapter 5, paragraph 051205).

10.7 Dependent Travels Before or After Service Member

When a PCS order has been issued, the Service member's dependents may perform PCS travel at a different time than the Service member.

10.7.1. Housing Allowance Based on Dependent's Location or Old PDS. Unless otherwise authorized or approved, a Service member's housing allowance is based on the PDS. If authorized or approved through the Secretarial Process, a Service member may be authorized a housing allowance based on the location at which a dependent maintains a permanent residence or the old PDS. Situations that are routinely authorized or approved at a lower level than the Service Secretary are listed in subparagraph 10.2.2. An example of advance travel is the member's family travels ahead to get settled before school starts. An example of delayed travel is the family remains at the old PDS until the school year ends.

10.7.2. Secretarial Determinations. The Secretary concerned may determine that other circumstances require a dependent to reside separately from the Service member and may authorize or approve a housing allowance payment based on either the dependent's location or the old PDS. If the Secretary concerned determined that an additional reason for a BAH or OHA waiver is acceptable, the Secretarial Process may then be used to authorize or approve individual cases based on that determination.

10.7.3. Rates Applicable

10.7.3.1. If a dependent relocates, the rate applicable to the dependent's new residence location is effective on the date the dependent arrives.

10.7.3.2. If the dependent does not relocate, the with-dependent allowance is based on the higher of the rates for the dependent's location or the Service member's old PDS and continues until the dependent departs the authorized or approved location.

10.7.3.3. A Service member is generally authorized BAH-Transit while on leave and travel between PDSs. However, in situations in which the Secretary concerned has authorized or approved an advance or delayed travel situation, the authorized or approved allowance at the with-dependent rate applies. In delayed travel situations, when the dependent departs the authorized or approved location, the allowance changes to the new PDS if the Service member has already arrived there or to the BAH-Transit if the Service member is still in transit.

10.7.4. Advance Travel. In all cases of advance travel, if the Service member is assigned Government quarters at the old PDS and a housing allowance has not been approved by the Secretarial Process for the dependent's location, do not start either BAH or OHA.

10.7.4.1. Table 26-30 specifies changes to housing allowances when the old PDS and new PDS are in the BAH area.

10.7.4.2. Table 26-31 specifies changes to housing allowances when the old PDS is in the BAH area and the new PDS is outside the OHA area.

10.7.4.3. Table 26-32 specifies changes to housing allowances when the old PDS is outside the OHA area and the new PDS is in the BAH area.

10.7.4.4. Table 26-33 specifies changes to housing allowances when both the old and new PDS are outside the OHA area.

10.7.5. Delayed Travel

10.7.5.1. Table 26-34 specifies changes to housing allowances when the old PDS and new PDS are in the BAH area.

10.7.5.2. Table 26-35 specifies changes to housing allowances when the old PDS is in the BAH area and the new PDS is in the OHA area.

10.7.5.3. Table 26-36 specifies changes to housing allowances when the old PDS is in the OHA area and the new PDS is in the BAH area.

10.7.5.4. Table 26-37 specifies changes to housing allowances when the old PDS and new PDS are in the OHA area.

10.8 Early Return of Dependent (ERD)

10.8.1. Early Return at Government Expense

10.8.1.1. When all of a Service member's dependents return from a PDS OCONUS at Government expense not due to a PCS, regardless of the reason for the return, the Service member is authorized a housing allowance at the with-dependent rate based on the dependent's permanent residence location effective on the arrival date or the date the ERD order was issued, whichever is later. If the dependent's location is in an OHA area, start OHA on the date private-sector housing is acquired.

10.8.1.2. OHA, or BAH in Alaska or Hawaii, at the with-dependent rate for the Service member's PDS OCONUS stops on the day before the day the rate for the dependent's permanent residence starts. If the Service member resides in private-sector housing after the dependent's departure and single-type Government quarters are not available, FSH-O or FSH-B for the Service member's PDS location is authorized effective on the day the rate for the dependent's permanent residence location begins. If Government quarters are assigned or made available to the Service member following a dependent's departure, no housing allowance is payable for the Service member's PDS.

10.8.1.3. The with-dependent housing allowance is paid as follows whether or not the Service member is assigned family Government quarters at the PDS:

10.8.1.3.1. If the dependent's location is in a BAH area, start with-dependent BAH based on dependent residence location as of the dependent's arrival date or the date the ERD order was issued, whichever is later.

10.8.1.3.2. If the dependent's location is in an OHA area, start OHA on the date private-sector housing is acquired for the dependent (established by required documentation for OHA) or the date the ERD order was issued, whichever is later.

10.8.1.4. When a Service member assigned to Government family-type quarters, terminates the quarters assignment and single-type Government quarters are not available, start FSH effective on the termination date, the date private-sector housing for the Service member is acquired, or the date the ERD order was issued, whichever is later.

10.8.1.5. If a Service member is not assigned to Government family-type quarters then stop the with-dependent rate based on the PDS on the day before the rate based on the dependent's location starts. If single-type Government quarters are not available, start FSH-O or FSH-B the day the allowance based on the dependent's location starts.

10.8.2. Early Return at Personal Expense. When all of a Service member's dependents return early from a PDS OCONUS at personal expense, the Service member is not authorized a second housing allowance and the housing allowance at the with-dependent rate based on the Service member's PDS continues without change, unless there is an OHA-related paperwork change. If the Service member vacates family-type Government quarters that were occupied by the dependent before the dependent's departure, the Service member is authorized an allowance at the with-dependent rate for the Service member's PDS. If a Service member assigned family Government quarters at the PDS OCONUS terminates a government quarter assignment while:

10.8.2.1. In a BAH area, start with-dependent BAH based on the PDS as of the termination date; or

10.8.2.2. In an OHA area, start with-dependent OHA based on the PDS as of the date private-sector housing is acquired or the termination date, whichever is later.

10.9 Evacuation of a Service Member's PDS

10.9.1. PDS OCONUS-Command-Sponsored Dependent. See Chapter 67.

10.9.1.1. A Service member who was authorized a with-dependent housing allowance based on the OCONUS PDS on the date a command-dependent was evacuated continues to be paid the allowance while the dependent is receiving evacuation allowances when both of the following conditions apply:

10.9.1.1.1. The Service member's PDS remains unchanged; and

10.9.1.1.2. The Service member continues to maintain private-sector housing.

10.9.1.2. If a dependent is authorized to return to the PDS after being evacuated, no housing allowance actions are required. Whether the Service member is assigned Government quarters at the PDS is not a factor.

10.9.1.3. If an evacuated dependent's return to the PDS is not authorized or approved, then the dependent must select a designated place and will continue to receive evacuation allowances as specified in the JTR, Chapter 6. A Service member is authorized a with-dependent allowance based on the location of the designated place beginning the day after the evacuation allowance ends, even if the Service member is assigned Government quarters at the PDS.

10.9.1.3.1. If the Service member is not assigned Government quarters at the PDS, OHA or BAH based on the PDS OCONUS stops on the day before the allowance based on the designated place starts.

10.9.1.3.2. If Government quarters are not available for the Service member at a PDS OCONUS, start FSH-O or FSH-B based on the PDS on the same day as the with-dependent allowance based on the designated place starts.

10.9.2. PDS OCONUS-Non-Command Sponsored Dependent

10.9.2.1. If the evacuation occurs 89 or fewer days after a dependent arrived at the Service member's PDS OCONUS and the Service member is still being paid a with-dependent allowance based on the dependent's permanent residence or designated place as well as FSH-O or FSH-B based on the PDS OCONUS rate, then no changes in housing allowances are required. Whether the Service member is assigned Government quarters at the PDS is not a factor.

10.9.2.2. If the evacuation occurs 90 or more days after a dependent arrived at the Service member's PDS OCONUS and the Service member is now being paid a with-dependent allowance based on the PDS, reinstate OHA or BAH based on the dependent's prior permanent residence or designated place on the dependent's departure day from the PDS. Stop the with-dependent OHA or BAH allowance based on the PDS the day before the dependent departs. If after the dependent departs and Government quarters are not available for the Service member, then start FSH based on the PDS on the day the dependent departs the PDS.

10.9.3. PDS CONUS With Dependent

10.9.3.1. A Service member who was authorized a with-dependent BAH on the date the dependent was evacuated continues to be paid BAH while the dependent is receiving evacuation allowances when both of the following conditions apply:

10.9.3.1.1. The Service member's PDS remains unchanged; and

10.9.3.1.2. The Service member continues to maintain private-sector housing.

10.9.3.2. If a dependent is authorized to return to the PDS after being evacuated, no housing allowance actions are required. Whether the Service member is assigned Government quarters at the PDS is not a factor.

10.9.3.3. If the return of a dependent to the PDS is not authorized or approved, the dependent is directed to select a designated place and continue to receive evacuation allowances as provided in the JTR, Chapter 6 until the Service member establishes a permanent residence. A Service member is authorized a with-dependent allowance based on the designated place beginning the day after evacuation allowances end. If the Service member is not assigned Government quarters at the PDS, BAH based on the PDS stops on the day before the allowance based on the designated place starts. FSH-B starts the same day as the allowance based on the designated place, if otherwise authorized.

10.9.4. Service Member Without-Dependent. A Service member without a dependent who was authorized OHA or BAH at the PDS on the date an evacuation is ordered or authorized and who continues to maintain a private-sector residence, continues to be authorized the allowance even though the Service member temporarily may be required to occupy Government quarters or be sent on a TDY. When the commanding officer believes the Service member will not be permitted to

return to the private-sector housing in the foreseeable future, the commander must encourage the Service member to end the private-sector housing at the earliest practical date and end OHA or BAH concurrent with the private-sector housing termination.

10.10 Service Member in Transit

BAH-Transit is a temporary housing allowance paid while a Service member is in a travel or leave status between PDSs, provided the Service member is not assigned Government quarters while at the old or new PDS and no other housing allowance is payable as set forth in this paragraph. The default BAH-Transit rate is a fixed rate, which is the amount of BAQ on December 31, 1997, incremented by the average housing allowance increase each year.

10.10.1. TDY En Route to New PDS. If the Service member performs a TDY en route at the new PDS, BAH or OHA for the new PDS begins the day of arrival in a TDY status at the new PDS. If the Service member performs a TDY en route at a location near, but outside the limits of, the new PDS or to the home port of a ship, afloat staff, or afloat unit, per diem stops as specified in the JTR, Chapter 5. BAH or OHA for the new PDS begins the day per diem stops.

10.10.2. PCS Between PDSs

10.10.2.1. Old PDS in the United States. A Service member's old PDS is the PDS for BAH purposes from the day the Service member departs the old PDS through the day before the Service member reports to the new PDS in compliance with a PCS order. If the Service member had been residing in Government quarters at the old PDS, the Service member is authorized BAH as of the Government quarters termination date. If the Service member has a Secretarial waiver for payment of BAH based on a previous PDS or based on a dependent's location, then continue that rate until the Service member arrives at the new PDS.

10.10.2.2. Old PDS Outside the United States. When a Service member's old PDS is outside the United States, and the Service member is receiving OHA, OHA is authorized through the day before departing the old PDS. The day the Service member departs, OHA is no longer authorized and the Service member is authorized ***BAH-Transit*** if not otherwise receiving a housing allowance. If the Service member is being paid BAH at the with-dependent rate for a dependent residing separately, and FSH-B, that BAH rate continues until the Service member arrives at the new PDS, but FSH-O stops. If the dependent also performs PCS travel, BAH-Transit applies. If the Service member has a Secretarial waiver for payment of OHA at the with-dependent rate for a dependent residing separately in an OHA location, continue that OHA rate if the dependent remains at the OHA location.

10.10.2.3. See Table 26-38 for housing allowance when a Service member is in transit on a PCS.

10.10.3. New Accession. A Service member in the accession pipeline includes a Service member who is undergoing initial entry training, including an RC member, a student (including Reserve Officer Training Corps (ROTC) and Officer Candidate School) without prior military Service, or a Service academy graduate upon graduation, until arrival at the first PDS. The Service

member remains in the accession pipeline until the Service member arrives at a PDS, including a training location of 20 or more weeks. An RC member remains in the accession pipeline until the RC member completes entry-level training or arrives at a PDS, whichever occurs first. See Table 26-39.

10.10.3.1. Service Member Without-Dependent. A Service member in the accession pipeline without a dependent is authorized BAH-Transit when in a travel, leave en route, or proceed time status while transferring from the initial entry training location, between training locations, and to the first PDS. For BAH authorization only (not locality rate), the training location is defined as a PDS except for an RC member without a dependent. A Service member without a dependent is not authorized BAH (except BAH-Partial) while at a training location since Government quarters are assigned at that PDS. An RC member without a dependent attending accession training is authorized BAH or OHA based on the primary residence location at the time called or ordered to AD if the Service member maintains a residence and continues to be responsible for rent or owns the residence.

10.10.3.2. Service Academy or ROTC Graduate Without-Dependent. A Service academy or ROTC graduate without a dependent is authorized a housing allowance at the without-dependent rate for the graduation or commissioning location through the day before departure en route to the training location, if they:

10.10.3.2.1. Remain on AD at the graduation or commissioning location following graduation and commissioning before proceeding to another duty station; and

10.10.3.2.2. Are not assigned Government quarters.

10.10.3.3. Service Member With a Dependent.

10.10.3.3.1. The BAH rate for a new accession with a dependent is based on the dependent's location if the location is in the United States. If the dependent is located outside the United States, BAH is based on the training location.

10.10.3.3.2. If an officer who was previously authorized a housing allowance at the without-dependent rate for the graduation or commissioning location specified in subparagraph 10.10.3.2 acquires a dependent, the officer's housing allowance at the with-dependent rate becomes based on the dependent's location effective the date the dependent is acquired.

10.10.3.3.3. A new accession Service member who pays child support but does not have physical custody of the child and has no other dependents is authorized payment of BAH-Diff if the child support meets or exceeds the BAH-Diff rate. BAH at the with-dependent rate is not authorized.

10.10.4. Retirement or Separation

10.10.4.1. From a PDS in the United States. A Service member's old PDS is the PDS for BAH purposes from the day the Service member departs the old PDS and remains on AD. If the Service member had been residing in Government quarters at the old PDS, the Service member

is authorized BAH beginning the date Government quarters are terminated provided the Service member is still on AD. BAH continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2. From a PDS Outside the United States

10.10.4.2.1. Establishes Residence Outside the United States. A Service member at a PDS outside the United States who is processing for retirement or separation, or is on leave after processing, and who intends to establish a residence in an OHA-based area after retirement or separation, is eligible for OHA. To be paid OHA under any of the circumstances listed, the Service member must provide a lease and a completed and approved DD 2367.

10.10.4.2.1.1. If the Service member continues to occupy private-sector leased or owned housing at or in the PDS vicinity, OHA continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.1.2. If the Service member occupies private-sector leased or owned housing after vacating Government quarters or moves to different private-sector housing in the same country, OHA starts on the date the Service member obtains private-sector housing and continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.1.3. If a Service member at a PDS outside the United States moves to a different country that is an OHA area to establish a residence after separation or retirement, the Service member is eligible for a housing allowance based on the residence location. OHA starts on the day the Service member obtains private-sector housing. However, if the Service member is being paid a housing allowance at the with-dependent for dependents residing separately, the Service member instead continues to receive a housing allowance at the dependent location rate, provided the dependents remain at that separate location. Any housing allowance continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.2. Returns to a U.S. Processing Station. If not assigned Government quarters, a Service member separating or retiring at a PDS outside the United States, who returns to the United States for retirement or separation processing, is authorized OHA through the day before departing the PDS outside the United States. The day the Service member departs that PDS, OHA is no longer authorized. The Service member is authorized the BAH rate for the retirement or separation processing location if they are not receiving a with-dependent housing allowance for a dependent residing separately. However, if the Service member is being paid a with--dependent housing allowance for a dependent residing separately, the Service member instead continues to receive a housing allowance at the dependent location rate and does not receive a housing allowance based on the processing location. NOAA's Marine and Aviation Operations and Commissioned Personnel Centers are the processing stations for NOAA. Any housing allowance continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.2.3. Returns to the United States After Completing Separation or Retirement Processing Overseas. If not assigned Government quarters, a Service member retiring or separating at a PDS outside the United States who returns to the United States after completing retirement or separation processing at the overseas PDS, and who does not have a processing location within the United States, is authorized OHA through the day before departing the PDS outside the United States. The day the Service member departs that PDS, OHA is no longer authorized. The Service member is authorized the BAH rate for the leave address provided as part of the final processing if they are not receiving a housing allowance at the with-dependent rate for a dependent residing separately. However, if the Service member is being paid a with-dependent housing allowance for a dependent residing separately, the Service member instead continues to receive housing allowance at the dependent location rate, provided the dependent remain at that separate location, and does not receive a housing allowance based on the leave address. Any housing allowance continues through the date of separation or the day before the effective date of retirement, and then stops.

10.10.4.3. Refer to Table 26-40 for summary of rules pertaining to housing allowance for Service member in transit for final discharge, separation, or retirement.

10.10.5. Educational Leave Program. When a Service member is participating in the Educational Leave Program Relating to Continuing Public and Community Services, and the Service member is authorized BAH or OHA, start BAH or OHA based on the designated unit of assignment during scheduled school breaks or leave periods.

10.10.6. Hospitalization. If a Service member receives an appropriate authorization or order associated with a prolonged hospitalization determination and is transferred from any PDS to a hospital in the United States for observation or treatment, pay BAH based on the hospital location if the Service member is authorized BAH.

10.11 Service Member in a Missing Status

If a Service member is declared missing pursuant to applicable law and regulation, payment of a housing allowance is authorized as follows:

10.11.1. Service Member Without-Dependent. A Service member without a dependent carried in a missing status is authorized without-dependent BAH. Pay BAH at the without-dependent rate based on the PDS for a Service member whose PDS is in the United States. If the Service member had a Secretarial waiver to receive BAH based on the former PDS due to a low-cost or no-cost PCS, then that BAH rate continues. Pay BAH at the without-dependent rate based on the home of record (HOR) location for a Service member whose PDS is outside the United States. If the Service member's HOR and PDS are outside the United States, then pay the without-dependent BAH-Transit rate. See Chapter 34 (Pay Entitlement of Members Missing, Missing in Action, Interned, and Payments to Dependents).

10.11.2. Service Member With-Dependent. A Service member with a dependent continues to receive the housing allowance authorized upon entering the missing status. If the dependent relocates, pay the housing allowance at the with-dependent rate based on the dependent's location.

10.12 Service Member in Confinement

Pretrial confinement, restraint other than confinement, or an adjudged sentence of restriction alone does not affect a Service member's BAH eligibility. Nothing in this paragraph is intended to imply that a Service member not entitled to basic pay may receive a housing allowance.

10.12.1. Transferred to a Confinement Facility. When a Service member who is serving a court-martial sentence to confinement is transferred to a confinement facility, then the BAH or OHA rate is based on the dependent's location if the Service member is authorized a housing allowance, other than BAH partial, while confined. A Service member is not authorized a housing allowance unless authorized basic pay. This rule does not address a Service member's authority for a housing allowance when civil or foreign authorities confine the Service member. All rules concerning whether a Service member in civil or foreign confinement, including pre-trial, is authorized basic pay are covered in Chapter 1 (Creditable Service).

10.12.2. In Confinement

10.12.2.1. BAH or OHA does not accrue while the Service member is confined pursuant to a court-martial and the sentence is effective or approved or when the Service member was not receiving BAH or OHA on the day before confinement and Government quarters assignment was not terminated before or during confinement. Service procedures must specify how and by whom Government quarters termination must be certified. Confinement imposed pursuant to a court-martial sentence begins the date the sentence is adjudged (***10 U.S.C. § 857(a), (b)***).

10.12.2.1.1. If a Service member is in confinement in a guardhouse, brig, or correctional barracks pursuant to a court-martial—not including pretrial confinement, restraint other than confinement, or an adjudged sentence of restriction alone—then the Service member's BAH or OHA accrues if the sentence is set aside or disapproved. The Service member must be otherwise authorized to receive BAH or OHA.

10.12.2.1.2. A Service member without-dependents who is confined in a guardhouse, brig, or correctional barracks, was assigned to single-type, Government quarters before confinement, and remains assigned to such quarters during confinement is authorized BAH-Partial unless allowances were forfeited pursuant to court-martial sentence. If the Service member is restrained in a status of arrest in assigned single-type Government quarters, and therefore not authorized BAH or OHA, then the Service member is authorized BAH-Partial unless allowances were forfeited pursuant to court-martial sentence.

10.12.2.2. A Service member in military confinement or otherwise restricted by military authority continues to be authorized FSH for 60 or fewer days without certificate from the Service member. The FSH may continue for more than 60 days, but payment must be supported by the Service member's certification that they maintained private-sector housing at the PDS.

10.13 BAH Location Rate Flexibility for Certain Armed Forces Members With-Dependents, who PCS Within the United States (***37 USC § 403a***).

10.13.1. General. An eligible Armed Forces member with one or more dependents may be permitted certain housing flexibility options while under a PCS order within the United States during a covered relocation period, as defined in subparagraph 10.13.3 (***DoDI 1315.18, Enclosure 3, paragraph 10***). One option is the equitable basic allowance for housing.

10.13.2. Eligibility. An Armed Forces member described in 10.13.1 is eligible for housing flexibility options if the Service member:

10.13.2.1. Has a spouse who is gainfully employed or enrolled in a degree, certificate or license granting program at the beginning of the covered relocation period;

10.13.2.2. Has one or more dependents attending an elementary or secondary school at the beginning of the covered relocation period;

10.13.2.3. Has one or more dependents enrolled in the Exceptional Family Member Program; or

10.13.2.4. Is caring for an immediate family member with a chronic or long-term illness at the beginning of the covered relocation period.

10.13.3. Covered Relocation Period. The covered relocation period begins 180 days before the date of the PCS, which is the date the Armed Forces member leaves the current PDS and ends 180 days after the date of the PCS. The Secretary concerned may lengthen or shorten the covered relocation period through the Secretarial Process based on the needs of the Armed Forces. See the ***Housing Flexibility Decision Support Tools***.

10.13.4. Equitable Basic Allowance for Housing Location Rate. The dependents of an Armed Forces member may perform PCS travel at a different time than the Service member once the PCS order has been issued. Unless otherwise authorized or approved, the Service member's basic allowance for housing at any point in time is based on the Service member's PDS at that time. However, if authorized or approved through the Secretarial Process, when dependents relocate in advance of or after the Service member, the housing allowance may be based on one of the following instead:

10.13.4.1. The new PDS;

10.13.4.2. The location where the dependents reside when the Service member departs for the new PDS, but only for the time the dependents reside in that area; or

10.13.4.3. The area of the member's former PDS, but only if different than the area where the dependents reside.

10.13.5. Expiration. If the Service member's eligibility expires for any reason during the covered relocation period, that period is terminated and housing allowances are paid based on the PDS where the Service member is assigned at that time. If the Service member departs the old PDS, and the persons who are the basis of the eligibility do not arrive at the new PDS within the covered relocation period, housing allowances are paid at the new PDS location rate beginning the day after the relocation period ends.

Table 26-1. Date to Start BAH or OHA for a Service Member With a Dependent

RULE	If a Service member	then BAH or OHA at the with-dependent rate begins on the date
1	enlists, or is called to extended AD and is not assigned Government quarters for self and any dependents on that date,	of enlistment or entry on AD.
2	is appointed to commissioned or warrant officer status and is not assigned Government quarters for self and dependents on that date,	AD pay begins.
3	occupies Government quarters with a dependent and the quarters assignment ends,	the quarters assignment ends.
4	occupies Government quarters with a dependent and the Service member and dependent depart the PDS pursuant to a PCS order,	the PCS departure date.
5	acquires a dependent, while in a duty status or on authorized leave, and is not assigned Government quarters on that date,	the dependent is acquired.*
6	acquires a dependent while in an unauthorized absence status and is not assigned Government quarters for self and dependents on that date,	the Service member returns to a pay status after apprehension or surrender.
7	claims an individual who has not yet been determined to be a dependent,	determined or approved by authority specified in paragraph 3.2, as applicable.

*Refer also to Table 26-21 and Table 26-22 for rules on when BAH and OHA start and stop when a Service member acquires a dependent.

Table 26-2. Date to Stop Housing Allowances Based on Change in a Sole Dependent's Status

RULE	If the sole dependent…	then stop the with-dependent housing allowance at midnight of the day…
1	and the member divorced,	of the final decree of divorce.
2	and the member are in a voidable, but not void marriage, which is dissolved by final annulment decree,	before the date of the decree. No BAH or OHA payment may be made on or after date of the decree, even amounts accrued and not paid. BAH or OHA paid before the date of decree may be retained.
3	and the member are in an invalid or void marriage,	before the member learns the marriage is invalid or void. No housing allowance payment may be made on or after that day, even amounts accrued and not paid. Retention of BAH or OHA paid before that date depends on validation specified under Chapter 12.
4	is a child who becomes of age, except if incapable of self-support due to mental or physical incapacity,	before the dependent's 21st birthday or 23rd birthday if a full-time student. See subparagraph 3.1.1.2 regarding children who are secondary dependents.
5	is a child who marries, regardless of age, or mental or physical incapacity,	of the dependent's marriage. This applies even when a dependent's marriage is to a Service member who is also authorized BAH or OHA on the dependent's behalf for that date.
6	is adopted by a third party by interlocutory order or decree that changes the legal relationship,	before date of adoption.*
7	is adopted by a third party and a final order or decree has been entered,	before the date of adoption.
8	enters military service,	before the date of entry into military service.
9	stops being dependent on the Service member,	before the date that dependency ceases.
10	dies,	of death, except as provided by subparagraph 10.2.4.

*For determination as to whether the order or decree caused a changed legal relationship between the member and dependents, an Army, Air Force, or Space Force case must be sent to DFAS-IN, a Navy case to DFAS-CL, and a USMC case to Commandant of the Marine Corps. A case involving a USPHS member must be sent to the Director, Division of Commissioned Corps Personnel and Readiness, to the attention of "DEERS Determination."

Table 26-3. Date to Stop BAH or OHA—Other Changes

RULE	If a Service member	then stop BAH or OHA at midnight the day
1	is furnished Government quarters at the PDS, adequate for the Service member and any dependents,	before quarters are assigned or, if definite assignment was not made, the day before occupancy begins.*
2	is furnished quarters, whether by cash or in kind, on behalf of the United States, adequate for the Service member and any dependents,	before quarters are furnished.
3	and a dependent occupy rehabilitated Government quarters that were inadequate but are now designated as adequate,	before the effective date of re-designation as adequate Government quarters.
4	is discharged or released from AD,	of discharge or release.
5	retires,	before the retirement effective date.
6	dies,	of death.

*When a dependent is prevented from occupying the assigned quarters due to an order from an appropriate authority, BAH or OHA continues until transportation is arranged for Household Goods (HHG) and is available for the dependent (if prompt application is made) plus the normal travel time for a dependent to reach the Service member's station using a direct route. See subparagraph 10.2.2.1.

Table 26-4. Army: Unmarried Child Claimed as Dependent

RULE	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	the Disbursing officer or designee makes the determination. In the case of an Army Reserve Component member, the initial determination can be made by the Reserve Component unit commander or servicing Military Pay Office.
2	a child born out of wedlock,	not doubtful,	the Disbursing officer or designee makes the determination. In the case of an Army Reserve Component member, the initial determination can be made by the Reserve Component unit commander or servicing Military Pay Office.
3	a child born out of wedlock,	doubtful,	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160 makes the determination.
4	adopted,	doubtful,	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160 makes the determination.
5	a stepchild under age 21, and the Service member is a Reserve Component member,	not doubtful,	the initial determination can be made by the Reserve Component unit commander or servicing Military Personnel Officer.
6	a stepchild under age 21, and the Service member is not a Reserve Component member,	not doubtful,	the Disbursing Officer or designee makes a determination, and sends the claim electronically to DFAS through the ***Ask DFAS*** website.
7	a stepchild under age 21, and the Service member is a member of Reserve Component,	doubtful,	if the Reserve Component unit commander or servicing Military Personnel Office cannot make a determination, the claim is sent electronically to DFAS-IN, Military Pay Operations, (ATTN: JFLAKA), 8899 East 56th Street, Indianapolis, IN 46249-0855.
8	a stepchild under age 21, and the Service member is not a member of Reserve Component,	doubtful,	the Disbursing Officer or designee makes a determination, and sends the claim electronically to DFAS through the ***Ask DFAS*** website and go to the Secondary Dependency Claims (SDC) location. Only if electronic submission is unavailable may requests be submitted to the U.S mail address: DFAS-IN, Military Pay Operations (ATTN: JFLAKA), 8899 East 56th Street, Indianapolis, IN 46249- 0855.

Table 26-5. Navy: Unmarried Child Claimed as Dependent

RULE	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	the Disbursing Officer makes the determination.
2	a child born out of wedlock,	not doubtful,	the Disbursing Officer makes the determination.
3	a child born out of wedlock,	doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination. Submit questionable cases to the Navy CHNAVPERS N130, Military Pay and Compensation.
4	adopted,	doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination. Submit questionable cases to the Navy CHNAVPERS N130, Military Pay and Compensation.
5	a stepchild under age 21,	not doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination.
6	a stepchild under age 21,	doubtful,	the Disbursing Officer or the commanding officer of a battalion, squadron, or separate detached command makes the determination. Submit questionable cases to the Navy CHNAVPERS N130, Military Pay and Compensation.

Table 26-6. Department of the Air Force (DAF): Unmarried Child Claimed as Dependent

RULE	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	FSO or designee makes the determination.
2	a child born out of wedlock,	not doubtful,	FSO or designee or AF DEERS Project Office makes the determination.
3	a child born out of wedlock,	doubtful,	FSO or designee makes the determination, and the claim must be sent to Air Force Personnel Center-Operating Location (AFPC-OL)/DPP or AF DEERS Project Office for a decision.
4	adopted,	doubtful,	FSO or designee makes the determination, and the claim must be sent to AFPC-OL/DPP or the DOHA*, or AF DEERS Project Office for a decision.
5	a stepchild under age 21,	not doubtful,	FSO or their designee makes the determination, and the claim must be sent to AFPC-OL/DPP and sends the claim electronically to DFAS through the Ask DFAS website for a decision.
6	a stepchild under age 21,	doubtful,	FSO or their designee makes the determination, and the claim must be sent to AFPC-OL/DPP, and sends the claim electronically to DFAS through the Ask DFAS website for a decision.

Table 26-7. USMC: Unmarried Child Claimed as Dependent

RULE	If the child is	and the relationship is	then
1	a legitimate child under age 21,	not doubtful,	the commanding officer of a battalion, squadron or separate detached command, or the Installation Personnel Administration Center Officer in Charge makes the determination.
2	a child born out of wedlock,	not doubtful,	the commanding officer of a battalion, squadron or separate detached command, or the Installation Personnel Administration Center Officer in Charge makes the determination.
3	a child born out of wedlock,	doubtful,	Submit questionable cases to the Commandant of the Marine Corps (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143.
4	adopted,	doubtful,	Submit questionable cases to the Commandant of the Marine Corps (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143.
5	a stepchild under age 21, and the Service member,	not doubtful,	either the commanding officer of a battalion, squadron or separate detached command, the Commandant of the Marine Corps, (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143, or the Installation Personnel Administration Center Officer in Charge makes the determination.
6	a stepchild under age 21, and the Service member,	doubtful,	Submit questionable cases to the Commandant of the Marine Corps (MFP-1) 2008 Elliot Road, Quantico, VA 22134-5143.

Table 26-8. Spouse is the Dependent Claimed

RULE	Service	If the marriage is	then
1	Army	lawful,	the Army disbursing officer or designee makes the determination. In the case of an Army RC member, the RC unit commander or servicing Military Personnel Officer can make the initial determination.
2	Navy	lawful,	the Disbursing Officer makes the determination.
3	DAF	lawful,	the USAF FSO or designee makes the determination.
4	USMC	contracted with states or territories by a legal, civil, or religious ceremony and neither has been previously married, or one spouse has been previously married and that prior marriage was dissolved by death, final decree of divorce, or by annulment that did not prohibit remarriage,	the commanding officer of a battalion squadron or separate detached command makes the determination.

Table 26-9. Determination When Dependency Questionable

RULE	Service or Agency	Determining Office
1	Army, Air Force, and Space Force	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160.
2	Navy	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160.
3	USMC	DFAS-IN, Office of General Counsel, Military & Civilian Pay, 8899 E. 56th Street, Indianapolis, IN 46249-0160.
4	Coast Guard	Commanding Officer (LGL), Coast Guard Pay and Personnel Center, Federal Building, 444 S.E. Quincy Street, Topeka, KS 66683-3591.
5	NOAA	Director, Commissioned Personnel Center, 8403 Colesville Road, Suite 500, Silver Spring, MD 20910-6333.
6	USPHS	Office of Commissioned Corps Support Services, Attention: Compensation Branch, 5600 Fishers Lane, Room 4-50, Rockville, MD 20857-0001.

Table 26-10. Unmarried Child Over 21 and has not Attained the Age of 23 Pursuing a Full-Time Course of Study

RULE	If Service member is	then
1	Army,	the Personnel Officer makes the determination, if the dependent is a student.
2	Navy,	student determinations are made at the local Personnel Support Detachment or by the Personnel Officer for the Navy.
3	Air Force or Space Force,	AFPC-OL makes the determination for full-time student qualifying for BAH. Student determinations for the DEERS program are made at the local Military Personnel Flight or Personnel Activity for the Air Force and Space Force.
4	Marine Corps,	the Commandant of the Marine Corps makes the determination, including if the dependent is a student.

Table 26-11. Dependent Claimed is a Parent

RULE	Service	Authority Who Determines Dependency
1	Army	Army disbursing officer or designee
2	Navy	DFAS-CL
3	DAF	FSO or designee
4	USMC	Commandant of the Marine Corps

Table 26-12. Legal Ward

RULE	If Service member is	then
1	Army,	DFAS-IN, Secondary Dependent Claims Division makes the determination.
2	Navy,	DFAS-CL, Secondary Dependent Claims Division makes the determination.
3	Air Force or Space Force,	AFPC-OL, Secondary Dependent Claims Division makes the determination.
4	Marine Corps,	the Commandant of the Marine Corps makes the determination.

Table 26-13. Incapacitated Child Over Age 21

RULE	If Service member is	then
1	Army,	DFAS-IN, Secondary Dependent Claims Division makes the determination.
2	Navy,	Bureau of Naval Personnel (BUPERS) in Millington, TN makes the determination.
3	Air Force or Space Force,	AFPC-OL, Secondary Dependent Claims Division makes the determination.
4	Marine Corps,	the Commandant of the Marine Corps makes the determination.

Table 26-14. Special BAH-Partial for Navy Barracks Privatization Test

RULE	Starting Date	Location	Housing Type Occupied	Special BAH-Partial Percentage
1	October 1, 2006	San Diego, California	existing dormitory-style unaccompanied housing:	
			a. double occupancy	34
			b. single occupancy	68
2	October 1, 2013	San Diego, California	Pacific Beacon market-style housing:	
			a. double occupancy	41
			b. single occupancy	82
3	April 1, 2007	Hampton Roads, Virginia*	existing unaccompanied housing	66
			new construction, privatized housing (two bedroom, two bath market style)	74

*Including Hampton/Newport News and Norfolk/Portsmouth MHAs

Table 26-15. Climate Code Utility Points

Utility	Code 3 – Hot	Code 2 – Moderate	Code 1 – Cold
Electricity	3	3	3
Heating	1	2	3
Air Conditioning	3	2	1
Water	1	1	1
Trash Disposal	1	1	1

Table 26-16. Utility and Recurring Maintenance Allowance Payment Percentage

Total Utility Points	Applicable Percentage
0	0
1-2	25
3-4	65
5-9	100

Table 26-17. MIHA/Miscellaneous Expense Items

RULE	Expense Type	Description
1	Reportable MIHA/ Miscellaneous Expense Item	a. Cabinets (for example, kitchen, medicine, bathroom). b. Plumbing and plumbing installation, hookups. c. Gas or electrical installation. d. Supplementary heating equipment. e. Painting, papering, and plastering (upon arrival only). f. Light fixtures, permanently installed. g. Wardrobes. h. Shelving. i. Telephone installation. j. Range, refrigerator, freezer, washer, or dryer. k. Air conditioners, dehumidifiers, fans. l. Screening. m. Transformers and voltage regulators. n. Commodes and sinks, when ordinarily not furnished. o. Burglar alarm, security bars, and supplementary door locks, when locally required. p. Water purification filters, when locally required. q. Pest fumigation, if required when housing is first occupied, otherwise include in r. Recurring maintenance expenses. s. Repair of drainpipes and gutters.
2	Non-Reportable MIHA/ Miscellaneous Expense Items	a. Rugs, carpets, curtains, and drapes. b. Lawn and gardening maintenance expenses. c. Dishwashers, microwave ovens, and other small, personal appliances. d. Televisions, cable TV installation, antennas, and similar expenses. e. Any recoverable deposit, such as a security deposit. f. Lightbulbs. g. Taxes of any kind, unless specifically required by the lease. h. Fencing, yard-related items. i. Any personal labor costs.

*Table 26-18. Conditions Affecting FSH

RULE	When an eligible Service member	Then FSH
1	arrives at a PDS outside the CONUS,	starts when private-sector housing is acquired.
2	departs upon reassignment from a PDS OCONUS,	continues through whichever day occurs first, the day: a. before the Service member departs on a PCS. b. the Service member's lease ends.
3	no longer has an eligible dependent,	continues through the day before the date that the Service member no longer has an eligible dependent.
4	is assigned Government quarters,	continues through the day before the day that Government quarters become available for assignment.
5	enters a non-pay status,	continues through the day before the date that the Service member enters the non-pay status.
6	is in one of the following statuses for 60 or fewer days: a. on a TDY away from the Service member's PDS, including a TDY in the United States, b. hospitalized at or away from PDS, including hospitalization in the United States, c. on authorized leave, whether accrued or advance, at or away from the PDS, including leave in the United States, d. military confinement or otherwise restricted by military authority,	continues for 60 or fewer days without a certificate from the Service member that they maintained private-sector housing at the PDS.
7	is in one of the following statuses for 61 or more days: a. on a TDY away from the Service member's PDS, including a TDY in the United States, b. hospitalized at or away from PDS, including hospitalization in the United States, c. on authorized leave, whether accrued or advance, at or away from the PDS, including leave in the United States, d. in military confinement or otherwise restricted by military authority,	continues if payment is supported by the Service member's certification that the Service member maintained private-sector housing at the PDS.

Table 26-18. Conditions Affecting FSH (Continued)

RULE	When an eligible Service member	Then FSH
8	under a PCS or permanent change of assignment for a period of at least 140 days but fewer than 365 days for the purpose of participating in PME or training classes provided: a. Government quarters are not available at the training location, b. the dependent(s) do not accompany the Service member to the training location PDS, and c. the member is not authorized the lodging portion of per diem.	starts when private-sector housing is acquired.

Table 26-19. BAH or OHA Accrual for Service Member Without-Dependent Entitled to Basic Pay

RULE	If a Service member is	then BAH or OHA accrues
1	assigned to a PDS,	a. while on a short period of special alert duty during which the Service member is furnished sleeping accommodations at the PDS where Government quarters are unavailable for assignment. b. while on a short training period during which, due to military necessity, the Service member is furnished sleeping accommodations at the PDS where Government quarters are unavailable for assignment.
2	initially assigned to AD and is on a TDY at other than indoctrination or basic training location pending receipt of an order designating a PDS to which the Service member is to report upon TDY completion,	when Government quarters are not available for assignment and per diem is not payable.
3	in the accession pipeline,	between the initial TDY and the initial PDS. An RC member is authorized BAH or OHA based on the primary residence location at the time called or ordered to AD while attending accession training. See paragraph 10.10 for transit rules.
4	ordered home or to a place other than a military organization awaiting another order in connection with Physical Evaluation Board proceedings,	on and after the departure day from the hospital or old PDS through the discharge day, or day before retirement effective date.
5	ordered to report for a TDY in connection with the fitting out or conversion of a ship, then to permanent duty aboard the same ship when placed in commission,	if the Service member is not assigned to Government quarters at the old PDS or aboard ship (the new PDS), but BAH or OHA does not accrue if the Service member is assigned to Government quarters at the old PDS or aboard ship (the new PDS).
6	on field duty and no PCS is involved,	if the Service member is receiving BAH or OHA at the PDS, but BAH or OHA does not accrue if assigned or occupying Government quarters at the PDS.

Table 26-19. BAH or OHA Accrual for Service Member Without-Dependent Entitled to Basic Pay (Continued)

RULE	If a Service member is	Then BAH or OHA accrues
7	assigned to PCS to a unit on field duty,	if the commander certifies that the Service member was required to procure Government quarters at personal expense at the initial field duty site, but BAH or OHA does not accrue for the initial field duty in progress at the time of the PCS, unless the Service member is required to procure quarters at personal expense at the field duty site.
8	being treated at hospital TDY en route during a PCS,	if the Service member is not assigned Government quarters, but BAH or OHA does not accrue if the Service member is assigned Government quarters in the hospital.
9	assigned to PCS directly to a hospital for treatment,	if the Service member is not assigned Government quarters, but BAH or OHA does not accrue if the Service member is assigned Government quarters in the hospital.
10	in travel status during a PCS, including a non-travel status under a permissive travel authorization, a TDY en route, leave en route, and proceed time,	if the Service member is not assigned Government quarters while at the old or new PDS, but BAH or OHA does not accrue if the Service member is assigned Government quarters while at the old or new PDS.
11	assigned PCS and is on authorized leave or duty at the old or new PDS,	if the Service member is not assigned Government quarters while at the old or new PDS, but BAH or OHA does not accrue if the Service member is assigned Government quarters while at the old or new PDS.
12	assigned PCS and is on authorized leave or duty at the old or new PDS,	if the Service member is not assigned Government quarters while at the old or new PDS, but BAH or OHA does not accrue for the Government quarters occupancy period not due to a PCS.
13	training for, attending, or participating in Pan Am or Olympic games, or any other international amateur sports competition,	if not furnished quarters by the Government or by an agency sponsoring the Service member's participation, but BAH or OHA does not accrue if furnished quarters by the Government or by an agency sponsoring participation.
14	a medical officer on AD in an intern or resident physician status at a state, county, municipal, or private hospital,	if not furnished Government quarters without charge, but BAH or OHA does not accrue if furnished quarters without charge by the hospital. Such Government quarters are considered furnished on behalf of the United States.

Table 26-19. BAH or OHA Accrual for Service Member Without-Dependent Entitled to Basic Pay (Continued)

RULE	If a Service member is	then BAH or OHA accrues
15	a Nurse Corps officer or Nurse Corps candidate attending a course of instruction or affiliation with a state, county, municipal, or private hospital,	if not furnished Government quarters without charge, but BAH or OHA does not accrue if furnished quarters without charge by the hospital. Such Government quarters are considered furnished on behalf of the United States
16	a student training on a fellowship, scholarship, or grant,	if not furnished Government quarters by the college, university, or research facility, but BAH or OHA does not accrue if furnished Government quarters by the college, university, or research facility. Such quarters are considered furnished on behalf of the United States.
17	in a hospital or on sick leave from a hospital and a PCS is not involved,	continues if the Service member is receiving BAH or OHA at the PDS.

Table 26-20. BAH or OHA for a Service Member Entitled to Basic Pay With-Dependent

RULE	If a Service member is	then BAH or OHA
1	in a duty status or on authorized leave status not due to a PCS (includes accrued, advanced, or convalescent leave),	a. authorization continues when they are authorized BAH or OHA at the PDS. b. is not authorized when they are not authorized BAH or OHA at the PDS.
2	not authorized BAH or OHA at the PDS,	is not authorized.
3	in a duty, travel, or leave status due to a PCS, including a TDY en route, and such status is under a permissive travel authorization, *	is authorized unless permanent Government quarters are assigned or occupied.
4	on a TDY not due to a PCS, including when the status is under a permissive travel authorization,*	authorization continues as long as the PDS remains unchanged when they are authorized BAH or OHA at the PDS, except as restricted by paragraph 8.2.
5	absent due to disease (as distinguished from injury) from alcohol or drugs, causing loss of pay	a. authorization continues when they are authorized BAH or OHA at the PDS. b. is not authorized when they are not authorized BAH or OHA at the PDS. However, if quarters assignment at the PDS ends during an absence, BAH or OHA accrues on and after the end date.
6	home on a PCS awaiting further orders in connection with physical evaluation board proceedings,	authorization continues until the Service member's retirement or discharge.

*Includes status under a permissive travel authorization.

Table 26-21. Changes in Housing Allowance When a Service Member Assigned in the CONUS Acquires a Dependent

RULE	If a dependent is located	And Government quarters are	then
1	in the CONUS, Alaska, or Hawaii (BAH area) and at or near the PDS	available for the Service member,	start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
2	in the CONUS, Alaska, or Hawaii (BAH area) and at or near the PDS	not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
3	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	available for the Service member,	start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
4	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
5	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	available for the Service member,	start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.
6	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the PDS as of the date the dependent is acquired.

Table 26-22. Changes in Housing Allowance When a Service Member Assigned OCONUS Acquires a Dependent

RULE	If a dependent is located	And Government quarters are	then
1	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	a. available for the Service member,	start BAH at the with-dependent rate based on the dependent's location as of the date the dependent is acquired.
2	in the CONUS, Alaska, or Hawaii (BAH area) and not at or near the PDS	b. not available for the Service member,	(1) stop BAH at the without-dependent rate the day before the dependent is acquired. (2) start BAH at the with-dependent rate based on the dependent's location on the date the dependent is acquired. (3) start FSH-B or FSH-O based on the PDS on the date the dependent is acquired.
3	outside the CONUS, Alaska, or Hawaii (OHA area) and at or near the PDS	a. available for the Service member,	start OHA at the with-dependent rate based on the PDS the date the dependent is acquired.
4	outside the CONUS, Alaska, or Hawaii (OHA area) and at or near the PDS	b. not available for the Service member,	(1) start OHA at the with-dependent rate based on the PDS the date the dependent is acquired. (2) stop the without dependent allowance on the day before the dependent is acquired.
5	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	a. available for the Service member,	start OHA at the with-dependent rate based on the dependent's location on the date the dependent is acquired.
6	outside the CONUS, Alaska, or Hawaii (OHA area) and not at or near the PDS	b. not available for the Service member,	(1) start OHA at the with-dependent rate based on the dependent's location on the date the dependent is acquired. (2) stop the without-dependent allowance on the day before the dependent is acquired. (3) start FSH-B or FSH-O based on the PDS on the date the dependent is acquired.

*Table 26-23. FSH Eligibility

RULE	If	then
1	Service member is assigned to a PDS OCONUS and the dependent resides in the PDS vicinity OCONUS,	an FSH is not authorized and the Service member is only authorized the with-dependent housing allowance based on the PDS OCONUS, if otherwise meeting criteria.
2	single-type Government quarters are not available for a Service member assigned to a PDS OCONUS and the dependent does not reside in the PDS vicinity,	FSH is authorized (see Note).
3	a Service member assigned to a PDS OCONUS is residing in private-sector quarters, and single-type Government quarters are available at the Service member's PDS OCONUS,	FSH is not authorized.
4	a Service member is assigned to a PDS in the CONUS,	FSH is not authorized unless the Service member is assigned to a PDS to which dependent travel is delayed or restricted (see JTR, Chapter 5).
5	a Service member is assigned to a PDS in the CONUS for participation in PME or training for a period of at least 140 days but fewer than 365 days	FSH is authorized, provided: a. the lodging portion of per diem is not authorized, b. dependent(s) do not reside in the PDS vicinity, c. Government quarters are not available for assignment to Service member, and d. dependent(s) do not accompany the member at the PDS.

Note: This table assumes that all other eligibility requirements for FSH are met when it states FSH is authorized.

Table 26-24. Dependent Visits Service Member who is Serving an Unaccompanied or Dependent-Restricted Tour

RULE	If Government quarters are not available and the dependent	then
1	makes a bona fide social visit to the PDS for 90 or fewer days,	there is no change to the with-dependent basic housing allowance and FSH, if applicable, continues.
2	stays at the PDS for 91 or more days,	a. stop the with-dependent allowance based on the dependent's location/RC member primary residence on the 90th day. b. stop FSH on the 90th day. c. start the with-dependent allowance based on the PDS on the 91st day.
3	departs the PDS after 91 or more days to take up residence elsewhere,	a. stop the with-dependent allowance based on the PDS on the day before the dependent departs. b. reinstate the with-dependent allowance based on the dependent's location/RC member primary residence and FSH as of the departure day.

Table 26-25. Dependent Retains Permanent Residence When Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States

RULE	If the dependent retains the permanent residence in the United States and	then
1	remains at the Service member's old PDS,	continue to pay BAH based on the old PDS.
2	is at a U.S. location other than the old PDS, and the Service member is receiving BAH based on a Secretarial waiver,	continue the BAH previously being paid.
3	is at a U.S. location other than the old PDS that is not a location for which the Service member had a Secretarial waiver,	stop old PDS-based BAH the day before the Service member's departure. Pay BAH-Transit starting on the Service member's departure day until the day before the Service member's reporting day at the new PDS. Start BAH based on the dependent's location the day the Service member arrives at the new PDS.
RULE	**If the dependent retains the permanent residence outside the United States and**	**then**
4	remains at the Service member's old PDS,	continue to pay OHA based on the old PDS.
5	is at a location OCONUS other than the old PDS and the Service member is receiving OHA based on a Secretarial waiver,	continue the OHA previously paid.
6	is at a location OCONUS other than the old PDS that is not a location for which the Service member had a Secretarial waiver,	stop OHA the day before the Service member's departure. Pay BAH-Transit starting on the Service member's departure day until the day before the Service member's reporting day at the new PDS. Start OHA based on the dependent's location the day the Service member arrives at the new PDS.

Note: For RC members, the with-dependent housing allowance is generally paid based upon the member's primary residence, regardless of the location of the dependents, so long as the dependents are not residing in the PDS vicinity.

Table 26-26. Dependent Relocates When Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States

RULE	If the dependent	and	then
1	relocates the permanent residence from the United States to another location in the United States at Government expense	travels with the Service member,	start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location and stop BAH-Transit the day before the dependent arrives.
2	relocates the permanent residence from the United States to another location in the United States at Government expense	travels after the Service member,	a. stop BAH based on the old PDS the day before the Service member departs. b. start BAH-Transit the day the Service member departs and pay it through the day before the Service member's reporting day at the new PDS. c. start BAH based on the old PDS, the day the Service member reports to the new PDS and continue it until the day before the dependent arrives at the new residence location. d. start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location.
3	relocates the permanent residence at Government expense from outside the United States to the United States	travels in advance of the Service member,	start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location. OHA based on the old PDS or BAH-Transit continues through the day before the dependent arrives.
4	relocates the permanent residence at Government expense from outside the United States to the United States	travels with the Service member,	a. stop OHA the day before the Service member departs. b. start BAH-Transit on the day the Service member departs and continue it through the day before the dependent arrives at the new location. c. start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location.
5	relocates the permanent residence at Government expense from outside the United States to the United States	travels after the Service member,	a. stop OHA based on the old PDS, the day before the Service member departs. b. start BAH-Transit the day the Service member departs and continue it through the day before the Service member's reporting date at the new PDS. c. start OHA based on the old PDS, the day the Service member reports to the new PDS and continue it until the day before the dependent departs. d. start BAH based on the dependent's location, the day one or more dependents arrive at the new residence location.

Table 26-26. Dependent Relocates when Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States (Continued)

RULE	If the dependent	and	then
6	relocates the permanent residence at Government expense from a location outside the United States to another location outside the United States	travels in advance of the Service member,	start OHA based on the dependent's location, the day the dependent incurs permanent lodging costs at the new residence. OHA based on the old PDS or BAH-Transit continues through the day before OHA based on the dependent's location begins.
7	relocates the permanent residence at Government expense from a location outside the United States to another location outside the United States	travels with the Service member,	a. stop OHA based on the old PDS the day before the Service member departs. b. start BAH-Transit the day the Service member departs the old PDS. c. start OHA based on the dependent's location, the day the dependent incurs permanent lodging costs at the new residence location. d. stop BAH-Transit the day before OHA based on the dependent's location begins.
8	relocates the permanent residence at Government expense from a location outside the United States to another location outside the United States	travels after the Service member,	a. stop OHA based on the old PDS, the day before the Service member departs. b. start BAH-Transit the day the Service member departs and continue it through the day before the Service member's reporting day at the new PDS. c. start OHA based on the old PDS, the day the Service member reports to the new PDS and continue it until the day before the dependent departs. d. start OHA based on the dependent's location, the day the dependent starts incurring permanent lodging costs at the new residence location.

Table 26-26. Dependent Relocates when Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or "Unusually Arduous Sea Duty" Outside the United States (Continued)

RULE	If the dependent	and	then
9	relocates the permanent residence at Government expense from the United States to a location outside the United States	travels in advance of the Service member,	start OHA based on the dependent's location, the day the dependent incurs permanent lodging costs at the new residence location. BAH based on the old PDS, or BAH-Transit continues through the day before OHA based on the dependent's location begins.
10	relocates the permanent residence at Government expense from the United States to a location outside the United States	travels with the Service member,	a. stop BAH based on the old PDS, the day before the Service member departs. b. start BAH-Transit the day the Service member departs the old PDS. c. start OHA based on the dependent's location, the day the dependent incurs permanent lodging costs at the new residence location. d. stop BAH-Transit the day before OHA based on the dependent's location begins.
11	relocates the permanent residence at Government expense from the United States to a location outside the United States	travels after the Service member,	a. stop BAH based on the old PDS, the day before the Service member departs. b. start BAH-Transit on the day the Service member departs and continue it through the day before the Service member's reporting day at the new PDS. c. start BAH based on the old PDS, the day the Service member reports to the new PDS. d. start OHA based on the dependent's location, the day the dependent starts incurring permanent lodging costs at the new residence location. e. stop BAH based on the old PDS, the day before OHA based on the dependent's location begins.

Table 26-26. Dependent Relocates when Service Member Assigned to Unaccompanied or Dependent-Restricted Tour at a PDS OCONUS or Unusually Arduous Sea Duty Outside the United States (Continued)

RULE	If the dependent	and	then
12	relocates the residence at personal expense while the Service member is serving an unaccompanied or dependent restricted tour,	moves to an OHA area,	pay the rate for where the dependent retains the permanent residence (in or outside the United States) through the day before a dependent arrives at the new permanent residence location. OHA authority at the rate applicable to the new permanent residence location begins the day a dependent arrives at that location.
13	relocates the residence at personal expense while the Service member is serving an unaccompanied or dependent restricted tour,	relocates between BAH location,	continue BAH based on the rate for the previously authorized location—either the old PDS or the dependent's location—before the move.
14	relocates the residence at personal expense while the Service member is serving an unaccompanied or dependent restricted tour,	relocates from a designated place outside the United States (OHA area) to a U.S. location,	discontinue OHA based on the previously authorized location the day before the dependent departs. Start BAH based on the new permanent residence location, the day a dependent arrives at that location.

Note: For RC members, the with-dependent housing allowance is generally paid based on the member's primary residence, regardless of the location of the dependents, so long as the dependents are not residing in the PDS vicinity.

Table 26-27. Changes When Government Defers Dependent Travel to Duty Station OCONUS

RULE	If	and	then
1	the expected travel delay is at least 61 days but less than 20 weeks, the dependent did not relocate at Government expense,	arrives within 60 days of being given authorization to travel to the PDS OCONUS,	a. continue the with-dependent allowance based on the old PDS upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH the day before the dependent arrives. d. stop the with-dependent allowance based on the old PDS the day before the dependent arrives. e. start OHA or BAH in Alaska or Hawaii at the with-dependent rate on the dependent's arrival date.
2	the expected travel delay is at least 61 days but less than 20 weeks, the dependent did not relocate at Government expense,	does not arrive within 60 days of being given authorization to travel to the PDS OCONUS,	a. continue the with-dependent allowance, based on the old PDS upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance to the rate based on the new PDS on the 61st day.
3	the expected travel delay is 20 or more weeks, the dependent did not relocate at Government expense,	arrives within 60 days of being given authorization to travel to the PDS OCONUS	a. continue the with-dependent allowance based on the old PDS upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH and the with-dependent allowance the day before the dependent arrives. d. start OHA, or BAH in Alaska or Hawaii, at the with-dependent rate the day the dependent arrives at the Service member's PDS.
4	the expected travel delay is at least 61 days but less than 20 weeks, the dependent did not relocate at Government expense,	does not arrive within 60 days of being given authorization to travel to the PDS OCONUS,	a. continue the with-dependent allowance based on the old PDS, upon the Service member's departure. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-O or FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance to the rate based on the new PDS on the 61st day.

Table 26-27. Changes When Government Defers Dependent Travel to Duty Station OCONUS (Continued)

RULE	If	and	then
5	the dependent is relocated at Government expense	arrives within 60 days of being given authorization to travel to the PDS OCONUS,	a. rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-O or FSH-B the day private-sector housing is acquired at the PDS. c. stop FSH the day before the dependent arrives. d. stop the with-dependent allowance, based on the dependent's location, the day before the dependent arrives at the Service member's PDS. e. start OHA, or BAH in Alaska or Hawaii, at the with-dependent rate the day the dependent arrives at the Service member's PDS.
6	the dependent is relocated at Government expense	does not arrive within 60 days of being given authorization to travel to the PDS OCONUS,	a. change the rate of the with-dependent allowance from the rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-O or FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-O or FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from the rate of the old PDS to the rate of the new PDS on the 61st day.

Table 26-28. Government Defers Dependent's Travel to PDS in the CONUS for 139 or Fewer Days and Old PDS is in the United States

RULE	If the dependent is not relocated at Government expense and	then
1	arrives within 60 days of travel authorization,	a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH the day before the dependent arrives. d. stop the with-dependent allowance based on the old PDS the day before the dependent arrives. e. start BAH at the with-dependent rate the day the dependent arrives at the Service member's PDS.
2	does not arrive within 60 days of travel authorization,	a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from being based on the old PDS to being based on the new PDS on the 61st day.

Table 26-29. Government Defers Dependent's Travel to PDS in the CONUS When the Old PDS is Outside the United States *or* the Old PDS is in the United States and the Expected Travel Delay is 140 or More Days (20 Weeks)

RULE	If the dependent is not relocated at Government expense, and	then
1	arrives within 60 days of travel authorization	a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B on the day private-sector housing is acquired at the new PDS. c. stop FSH on the day before dependent arrival. d. stop the with-dependent allowance based on the old PDS on the day before the dependent arrives. e. start BAH at the with-dependent rate as of the day the dependent arrives at the Service member's PDS.
2	does not arrive within 60 days of travel authorization	a. upon the Service member's departure, continue the with-dependent allowance based on the old PDS. b. start FSH-B on the date private-sector housing is acquired at the PDS. c. stop FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from being based on the old PDS to being based on the new PDS on the 61st day.

Table 26-29. Government Defers Dependent's Travel to PDS in the CONUS When the Old PDS is Outside the United States *or* the Old PDS is in the United States and the Expected Travel Delay is 140 or More Days (20 Weeks) (Continued)

RULE	If the dependent is relocated at Government expense, and	then
3	arrives within 60 days of travel authorization	a. change the rate of the with-dependent allowance from the rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. stop the with-dependent allowance based on the dependent's location, the day before the dependent arrives at the Service member's PDS. e. start BAH at the with-dependent rate for the Service member's PDS the day the dependent arrives at the Service member's PDS.
4	does not arrive within 60 days of travel authorization	a. change the rate of the with-dependent allowance from the rate of the old PDS to the rate of the designated location, the day the dependent arrives at the designated location. b. start FSH-B the day private-sector housing is acquired at the new PDS. c. stop FSH-B at 24:00 on the 60th day from the date travel is authorized to begin. d. change the with-dependent allowance from being based on the dependent's location to being based on the new PDS on the 61st day.

Table 26-30. Advance Dependent Travel When Service Member's Old PDS and New PDS Are in the United States (BAH Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start BAH at the with-dependent rate based on the dependent's location on whichever is later: a. The arrival date. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start BAH at the with-dependent rate based on the dependent's location on whichever is later: (1) The arrival date. (2) The effective date specified by the authorizing or approving document. b. stop BAH based on the current PDS as of the day before BAH starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue BAH based on the current PDS until the Service member's departure.

Table 26-31. Advance Dependent Travel When Service Member's Old PDS is in the United States (BAH Area), New PDS is Outside the United States (OHA Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start OHA at the with-dependent rate based on the dependent's location on whichever is later: a. The date private-sector housing is obtained at the new PDS. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start OHA at the with-dependent rate based on the dependent's location on whichever is later: (1) The date private-sector housing is obtained at the new PDS. (2) The effective date specified by the authorizing or approving document. b. stop BAH based on the current PDS, the day before OHA starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue BAH based on the current PDS until the Service member's departure.

Table 26-32. Advance Dependent Travel When Service Member's Old PDS is Outside the United States (OHA Area), New PDS is in the United States (BAH Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start BAH at the with-dependent rate based on the dependent's location on whichever is later: a. The arrival date. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start BAH at the with-dependent rate based on the dependent's location on whichever is later: (1) The arrival date. (2) The effective date specified by the authorizing or approving document. b. stop OHA based on the current PDS, the day before BAH starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue OHA based on the current PDS, until the Service member's departure.

Table 26-33. Advance Dependent Travel When Service Member's Old and New PDS are Outside the United States (OHA Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	start OHA at the with-dependent rate based on the dependent's location on whichever is later: a. The date private-sector housing is obtained at the new PDS. b. The date Government quarters assignment terminates. c. The effective date specified by the authorizing or approving document.
2	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start OHA at the with-dependent rate based on the dependent's location on whichever is later: (1) The date private-sector housing is obtained at the new PDS. (2) The effective date specified by the authorizing or approving document. b. stop OHA based on the current PDS, the day before OHA starts based on the dependent's location.
3	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	continue OHA based on the current PDS until the Service member's departure.

Table 26-34. Delayed Dependent Travel When Service Member's Old PDS and New PDS Are in the United States (BAH area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start BAH based on the higher of either the old PDS or the dependent's location on whichever is later: (1) The day Government quarters assignment terminates. (2) The effective date specified by the authorizing or approving document. b. base the allowance on the new PDS the day the dependent departs if the Service member has arrived at the new PDS or change it to BAH-Transit if the Service member is still in transit.
2	is assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	start BAH based on the new PDS, the day Government quarters assignment terminates if the Service member has arrived at the new PDS or start BAH-Transit if the Service member is still in transit.
3	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. continue BAH based on the higher of either the old PDS or on the dependent's location on whichever is later: (1) The day the Service member departs from the old PDS. (2) The effective date specified by the authorizing or approving document. b. base the allowance on the current PDS the day the dependent departs if the Service member has arrived at the new PDS or change it to BAH-Transit if the Service member is still in transit.
4	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	stop BAH as of the day before the Service member's departure.

Table 26-35. Delayed Dependent Travel When Service Member's Old PDS in the United States (BAH Area), New PDS Outside the United States (OHA Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start BAH based on the highest of either the old PDS or the dependent's location on whichever is later: (1) The day Government quarters assignment terminates. (2) The effective date specified by the authorizing or approving document. b. base the allowance on the new PDS the day the dependent departs if the Service member has arrived to the new PDS or change it to BAH-Transit if the Service member is still in transit.
2	is assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	a. start OHA based on the new PDS, the day Government quarters assignment terminates if the Service member has arrived at the new PDS. b. start BAH-Transit if the Service member is still in transit.
3	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. start BAH based on the highest of either the old PDS or the dependent's location on whichever is later: (1) The day the Service member departs from the old PDS. (2) The effective date specified by the authorizing or approving document. b. base the allowance on the new PDS the day the dependent departs if the Service member has arrived at the new PDS or change it to BAH-Transit if the Service member is still in transit.
4	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	stop BAH the day before the Service member's departure.

Table 26-36. Delayed Dependent Travel When Service Member's Old PDS Outside the United States (OHA Area), New PDS in the United States (BAH Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to the new PDS after Government quarters terminates,	start BAH based on the new PDS, if the Service member has arrived at the new PDS, or start BAH-Transit if the Service member is in transit.
2	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to private-sector housing at the old PDS after Government quarters terminates,	a. start OHA based on the old PDS on whichever is later: (1) The day Government quarters terminates. (2) The date private-sector housing is obtained. (3) The effective date specified by the authorizing or approving document. b. change to BAH based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is still in transit.
3	is assigned Government quarters	has not been approved by the Secretarial Process for the dependent's location	start BAH based on the new PDS when Government quarters terminates, if the Service member has arrived at the new PDS or start BAH-Transit if the Service member is still in transit.
4	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location,	a. continue OHA based on the old PDS on whichever is later: (1) The day the Service member departs from the old PDS. (2) The effective date specified by the authorizing or approving document. b. change to BAH based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is still in transit.
5	is not assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location,	stop OHA the day before the Service member's departure.

Table 26-37. Delayed Dependent Travel When Service Member's Old and New PDS are Outside the United States (OHA Area)

RULE	If the Service member	and a housing allowance	then
1	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to the new PDS after Government quarters terminates,	start OHA based on the new PDS if the Service member has arrived, or BAH-Transit if in transit.
2	is assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location and the dependent moves to private-sector housing after Government quarters terminates,	a. start OHA based on the old PDS on whichever is later: (1) The date Government quarters terminates. (2) The date private-sector housing is obtained. (3) The effective date specified by the authorizing or approving document. b. change to OHA based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is in transit.
3	is assigned Government quarters at the old PDS	has not been approved through the Secretarial Process for the dependent's location	start OHA based on new PDS if the Service member has arrived, or BAH-Transit if in transit, when the Government quarters assignment terminates.
4	is not assigned Government quarters at the old PDS	has been approved through the Secretarial Process for the dependent's location	a. continue OHA based on old PDS on whichever is later: (1) The Service member's departure date from the old PDS. (2) The effective date specified by the authorizing or approving document. b. change to OHA based on new PDS, the day the dependent departs if the Service member has arrived to the new PDS or to BAH-Transit if the Service member is in transit.
5	is not assigned Government quarters at the old PDS	has not been approved by the Secretarial Process for the dependent's location	stop OHA on the day before the Service member's departure.

Table 26-38. Housing Allowance for Service Member in Transit on a PCS

RULE	If the Service member is en route	and	then
1	from a PDS in the United States,	Government quarters at the old PDS were not assigned	a. continue BAH based on the old PDS through the day before the Service member reports to the new PDS, to include TDY en route. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.
2	from a PDS outside the United States,	Government quarters at the old PDS were not assigned	a. start BAH-Transit the day the Service member departs the OHA area through the day before the Service member reports to the new PDS, to include TDY en route. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.
3	from a PDS in the United States,	was not paid BAH at the old PDS because Government quarters were assigned,	a. start BAH based on the old PDS the day the Service member terminates Government quarters. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.
4	from a PDS outside the United States,	was not paid OHA at the old PDS because Government quarters were assigned,	a. start BAH-Transit the day the Service member departs the old PDS through the day before the Service member reports to the new PDS. b. start BAH or OHA based on the new PDS the day the Service member reports to the new PDS.

Table 26-39. Housing Allowance for Service Member in Transit for New Accession

RULE	If the Service member is	and the Service member	then
1	newly inducted, enlisted, reenlisted, or an officer candidate	has a dependent located in the United States,	a. start BAH based on the dependent's location beginning the date of enlistment, entry on AD, or the date AD pay begins through the day before the day the Service member reports to the first PDS, including a training location for 20 or more weeks. b. start BAH or OHA based on the PDS on the day the Service member reports to the first PDS.
2	newly inducted, enlisted, reenlisted, or an officer candidate	has a dependent located outside the United States,	a. start BAH based on the training location beginning the date of enlistment, entry on AD, or the date AD pay begins through the day before the day the Service member reports to the first PDS, including a training location for 20 or more weeks. b. start BAH or OHA based on the PDS on the day the Service member reports to the first PDS.
3	in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, and to the first PDS	has no dependents,	a. start BAH-Transit when the Service member is in a travel status between duty or training stations and start the new BAH or OHA based on the PDS the day the Service member reports to the new PDS, including a training location for 20 or more weeks. b. for an RC member, pay BAH or OHA based on the primary residence location at the time called or ordered to AD for the accession training duration, if the Service member maintains a residence and continues to be responsible for rent or owns the residence.
4	in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, and to the first PDS	has a dependent in the United States,	a. continue BAH based on the dependent's location in the United States through the day before the Service member reports to the new PDS. b. start BAH or OHA based on the first PDS the day the Service member reports to the first PDS.

Table 26-39. Housing Allowance for Service Member in Transit for New Accession (Continued)

RULE	If the Service member is	and the Service member	then
5	in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, and to the first PDS l	has a dependent outside the United States,	a. continue BAH based on the training site through the day before the Service member reports to the new PDS. b. start BAH or OHA based on the first PDS the day the Service member reports to the first PDS.
6	an Academy or ROTC graduate remaining at the graduation or commission location awaiting follow-on training and not assigned Government quarters	has no dependents,	a. pay BAH based on the graduation or commission location through the day before departure en route to the training location. b. apply BAH-Transit thereafter. See rule above for a Service member in the pipeline in a travel, leave en route, or proceed time status while transferring from the initial training location, between training locations, to the first PDS, and has no dependents.
7	a new accession Service member at a training site	who pays child support but does not have physical custody of the child and has no other dependents	Pay BAH-Diff if the child support meets or exceeds the BAH-Diff rate.

Table 26-40. Housing Allowance for Service Member in Transit for Final Discharge, Separation, or Retirement

RULE	If the Service member is	from	then
1	in a leave status away from the PDS awaiting final discharge	a PDS in the United States,	continue BAH based on the old PDS through the date of discharge.
2	processing for separation or retirement	a PDS in the United States,	continue BAH based on the old PDS through the date of separation or the day before the effective date of retirement.
3	processing for separation or retirement	a PDS outside the United States with a processing location in the United States,	a. start BAH based on the retirement or separation processing location beginning the day the Service member departs the PDS, pay through the date of separation or the day before the effective date of retirement, then stop the allowance; or b. continue housing allowance based on a dependent's location, if applicable, through the date of separation or the day before effective date of retirement, then stop the allowance.
4	processing for separation or retirement	a PDS outside the United States and returns to the United States after processing OCONUS,	a. start BAH based on the leave address provided as part of the final out-processing, beginning the day the Service member departs the PDS, pay through the date of separation or the day before the effective date of retirement, then stop the allowance; or b. continue housing allowance based on a dependent's location, if applicable, through the date of separation or the day before the effective date of retirement, then stop the allowance.
5	processing for separation or retirement	a PDS outside the United States and remains at the PDS,	continue OHA based on the PDS through the date of separation or the day before the effective date of retirement, provided the Service member continues to occupy private-sector leased or owned housing, then stop the allowance.

Table 26-40. Housing Allowance for Service Member in Transit for Final Discharge, Separation or Retirement (Continued)

RULE	If the Service member is	from	then
6	processing for separation or retirement	a PDS outside the United States and the Service member remains OCONUS but moves to a different country,	a. stop OHA based on the PDS when the Service member stops paying rent or when the Service member departs the PDS area, and either: b. start OHA based on the location OCONUS the Service member moves to establish a residence on the day the Service member obtains private-sector housing, pay through the date of separation or the day before the effective date of retirement, then stop the allowance; or **c.** continue housing allowance based on a dependent's location, if applicable, through the date of separation or the day before the effective date of retirement, then stop the allowance.

Table 26-41. Examples of BAH-RC or BAH/OHA Changes for an RC Member

RULE	If	and	then
1	a member is an AGR or is on orders for a contingency operation,	blank	BAH or OHA would begin on day 1 through the end of the orders.
2	a member is on orders for 15 days,	the orders are not extended or amended,	BAH-RC would begin on day 1 through the end of the orders.
3	a member is on orders for 15 days,	on day 9 the orders are extended or amended to add an additional 16 days,	BAH-RC would end on day 8 and BAH or OHA would begin on day 9 then continue through day 31.
4	a member is on orders for 15 days,	on day 11 a new set of 16-day orders are received commencing immediately following the first with no break,	BAH-RC would end on day 10 and BAH or OHA would begin on day 11 then continue through day 31.
5	a member is on orders for 15 days,	on day 7 a new set of 16-day orders are received to commence 2 days after the first orders end (2-day break),	BAH-RC continues through day 15 of initial orders; BAH-RC commences on day 1 of the new orders through day 16.

*REFERENCES

CHAPTER 26 – Housing Allowances

1.0 – GENERAL

	37 U.S.C. § 403

2.0 – INTRODUCTION

2.1	DSSR § 130

3.0 – DETERMINING DEPENDENCY

3.3.1.	26 C.F.R. § 1.152-1(a)(2)
3.4.2.1.1.	42 U.S.C., Chapter 7 26 C.F.R. § 1.152-1(a)(2)
3.4.2.1.2.	IRS Publication 501 (2023)
3.6	59 Comptroller General Decision (Comp. Gen.) 681 (1980)

4.0 – IMPACT OF CERTAIN CHILD CUSTODY AND FAMILY ARRANGEMENTS ON HOUSING ALLOWANCE

	37 U.S.C. § 421
4.3.2.	70 Comp. Gen. 703
4.5.2.2.	58 Comp. Gen. 100
4.5.2.3.	Comp. Gen. B-217665 Comp. Gen. B-180328 Comp. Gen. B-270432
4.5.2.3.1.	54 Comp. Gen. 665
4.5.3.1.5.	64 Comp. Gen. 121

5.0 – BASIC ALLOWANCE FOR HOUSING (BAH)

5.5.2.	37 U.S.C. § 1009(c)(2)
5.3	National Defense Authorization Act for Fiscal Year 2020, Public Law 116-92, Section 605, December 20, 2019 37 U.S.C. § 403(b)(7) 37 U.S.C. § 403(b)(8)
5.4	37 U.S.C. § 403(a)
5.5	10 U.S.C. § 2881 37 U.S.C. § 403(n) 37 U.S.C. § 403(o)

References (continued)

6.0 – OVERSEAS HOUSING ALLOWANCE

6.1	Office of the Assistant Secretary of Defense (OASD) Manpower and Reserve Affairs (M&RA) Memo, March 17, 2021
6.4.3.4.3.	JTR, Chapter 5, Section 0519
6.8	DSSR § 130
	DoDI 1400.25, Volume 1250, February 23, 2012

7.0 – FAMILY SEPARATION HOUSING (FSH) ALLOWANCE

	JTR, Chapter 5, Section 0504, paragraph 050405
	DoDI 1315.18, October 28, 2015, Incorporating Change 3, Effective June 24, 2019
	OASD (M&RA) Memo, August 12, 2020
	OASD (M&RA) Memo, January 5, 2020
	37 U.S.C. § 403(d)(1)
	OASD (M&RA) Memo, August 8, 2024

8.0 – GOVERNMENT QUARTERS

	10 U.S.C. § 1077
	10 U.S.C. § 2830

9.0 – PRIVATIZED HOUSING

	10 U.S.C. §§ 2871-2885

10.0 – ASSIGNMENT SITUATIONS

10.2.4.2.2.	37 U.S.C § 453(c)
10.5	DoDI 1241.01, April 19, 2016
	OASD (M&RA) Memo, October 29, 2020
	37 U.S.C. § 204(g) and (h)
	37 U.S.C. § 403(g)(6)(C)(iii)
	OASD (M&RA) Memo, August 8, 2024
	37 U.S.C. § 403(g)(3)
10.7	OASD (M&RA) Memo, August 12, 2020
10.8	OASD (M&RA) Memo, May 5, 2020
10.13	37 U.S. § 403
Table 26-17	OASD (M&RA) Memo, May 5, 2020
Table 26-18	OASD (M&RA) Memo, August 8, 2024

References (continued)

Table 26-19	OASD (M&RA) Memo, May 5, 2020
Table 26-23	OASD (M&RA) Memo, August 8, 2024

VOLUME 7A, CHAPTER 27: "FAMILY SEPARATION ALLOWANCE (FSA)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
2.3.1.3.	Revised Note for clarity.	Revision
All	Verified and updated references.	Revision

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CHAPTER 27

FAMILY SEPARATION ALLOWANCE (FSA)

1.0 GENERAL

1.1 Purpose

The chapter provides policy for FSA. FSA provides compensation for added expenses incurred because of an enforced family separation under one of the conditions in subparagraphs 2.3.1.1 through 2.3.1.3. FSA is payable to qualified members serving inside or outside the United States. It is not authorized when a member performs duty at any station under permissive orders (except when subparagraph 4.1.3 applies).

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code, section 427 ***(37 U.S.C. § 427)***. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ENTITLEMENT PROVISIONS

2.1 Types Authorized

FSA is payable to members with dependents and a member married to another member of the uniformed services regardless of any other dependency status. FSA is payable in addition to any other allowance or per diem, to which a member may be entitled. The member, however, may not receive more than one payment of FSA for the same period, even though qualified for FSA-Restricted (FSA-R), FSA-Ship (FSA-S), and FSA-Temporary (FSA-T). Members must complete a DoD ***(DD) Form 1561*** (Statement to Substantiate Payment of Family Separation Allowance) to substantiate entitlement to FSA.

2.2 Definitions

2.2.1. Dependents. The term “dependents” has the same meaning as defined in the Volume 7A, Definitions and is further defined in subparagraphs 2.2.1.1 through 2.2.1.4:

2.2.1.1. Child. A dependent child(ren) is an unmarried child(ren) of the member who is in the legal custody of the member. Legal custody includes a circumstance in which the member has been awarded joint physical, and legal custody of a dependent child(ren) as a result of a court ordered custody agreement or finalized divorce decree, which provides that the child(ren) physically reside with the member on an equal basis (no less than 14 days during a month) as compared to the time the child(ren) reside(s) with the former spouse, and the member’s actual physical custody of the child(ren) is precluded due to an enforced family separation

described under paragraph 2.3. Such a custody arrangement must be stipulated in the signed court order or divorce decree, subject to the verification by the Secretary of the Military Department concerned. See subparagraph 3.1.3.

2.2.1.2. Parents. The term "Parents" is defined in the Volume 7A, Definitions.

2.2.1.3. Spouse. An individual who is legally married to the Service member.

2.2.1.4. Ward. The term "Ward" is defined in the Volume 7A, Definitions.

2.2.2. Duty Station. The term "duty station" is defined in the Volume 7A, Definitions.

2.2.3. Permanent Duty Station (PDS). The term "PDS" is defined in the Volume 7A, Definitions.

2.2.4. Household. The term "household" means the same as "home" or "family." It applies to a collection of persons living under one roof, having one head or manager who controls and supervises the affairs of the family. For FSA purposes, this applies only to secondary dependents.

2.3 FSA

2.3.1. When Payable. FSA is payable to a member serving in any grade as a member with dependents. The member must meet all general requirements and one of the following conditions:

2.3.1.1. FSA - R

2.3.1.1.1. The member's dependents, including dependents acquired after the effective date of Permanent Change of Station (PCS) orders (see Table 27-1 (FSA Commencement Dates), rules 8 and 9), do not live in the vicinity of the member's homeport/PDS, and their transportation to or near the PDS is not authorized at government expense (see paragraph 4.1).

2.3.1.1.2. Transportation of dependents is authorized at government expense, but member elects an unaccompanied tour of duty because a dependent cannot accompany the member to, or at that homeport/PDS due to certified medical reasons, regardless of the date on which the member first made the election to serve an unaccompanied tour.

2.3.1.2. FSA - S. The member is on duty aboard a ship:

2.3.1.2.1. and the ship is away from the homeport continuously for more than 30 days: or

2.3.1.2.2. under orders to remain on board a ship while at homeport and whose duty on board the ship is for a continuous period of more than 30 days. When a member is under orders to remain on board a ship while at homeport, the days on the ship while at homeport

will count towards the more than 30 continuous days, except when a member is required to stay on board for disciplinary reasons.

NOTE: The dependents are not required to reside in the vicinity of the homeport.

2.3.1.3. FSA - T. The member is on Temporary Duty (TDY) or Temporary Assigned Duty (TAD) away from their PDS (PDS pertains to active component) or the home of residence (HOR) (HOR pertains to reserve component) continuously for more than 30 days, and the member's dependents do not reside at or near the TDY or TAD station. This includes members who are required to perform a period of the TDY or TAD before reporting to their initial station of assignment. Members on an unaccompanied tour are entitled to FSA-T for TDY or TAD periods of over 30 continuous days if the member's dependents do not reside at or near the TDY or TAD station and they do not reside near the PDS as defined in paragraph 3.3.

*NOTE: The DoD installation, base, or senior commanders must establish, in a written directive, the local area within which members are eligible for FSA, even if they come from different commands, units, installations, or Agencies. If the activity does not have a senior commander or is not located on a military installation, then the senior official determines the local area for that PDS location. The "local area" is defined as the area within the PDS limits and the metropolitan area around the PDS served by the local public transit systems; the local commuting area as determined by the AO or local Service or DoD Agency; and the separate cities, towns, or installations among which the public commutes on a daily basis. An arbitrary distance radius must not be defined for the local commuting area.

2.3.2. Amount Payable

Effective October 1, 2002, FSA is payable in a monthly amount of $250.

2.3.3. Conditions:

2.3.3.1. For specific commencement dates, see Table 27-1;

2.3.3.2. For overseas eligibility, see Table 27-2;

2.3.3.3. For specific dates to stop FSA, see Table 27-3; and

2.3.3.4. For specific conditions of entitlement, see Table 27-4.

2.3.4. Member Married to Member

2.3.4.1. FSA is payable to a member married to another member regardless of whether the member has any non-active duty dependents, when all other general conditions are met, and provided members were residing together immediately before being separated by reason of execution of military orders.

2.3.4.1.1. Except as provided in subparagraph 2.3.4.2, not more than one monthly FSA may be paid with respect to a married military couple for any month. Each member may be entitled to FSA within the same month, but both cannot simultaneously be entitled. Payment will be made to a member whose orders resulted in the separation. If both members receive orders requiring departure on the same day, then payment will go to the senior member.

2.3.4.1.2. If a member meets the requirements for credit of FSA, but entitlement is precluded by an existing entitlement status of the spouse, then the second member may, if still qualified, immediately become entitled to FSA upon termination of the spouse's status. The couple may qualify for sequential entitlements to FSA, provided military orders keep them continuously separated.

2.3.4.1.3. In order to qualify for a subsequent entitlement to FSA, a married member couple, no longer separated by reason of military orders, must reestablish a joint household and reside together.

2.3.4.2. FSA is payable to both married members when they reside together with their dependents immediately before being separated from dependents, by competent orders to assignments prescribed in subparagraphs 2.3.1.1 through 2.3.1.3. Each member's entitlement is determined individually based on assignment and separation from dependents. The dual allowance will continue until one of the members is no longer assigned to one of those duty assignments. The other member will continue to receive the allowance until no longer assigned to one of those duty assignments. This is true even when both members are assigned to the same duty location away from their dependents.

2.3.4.3. In the case of a member married to another member, and the couple has a child, one member may claim the child for entitlement to Basic Allowance for Housing and the other member, when otherwise entitled, may claim the child for entitlement to FSA. The FSA entitlement may alternate between members based on the same dependent. However, FSA may not be paid simultaneously to both members on behalf of the same dependent, except as provided in subparagraph 2.3.4.2. See subparagraph 4.1.4.

3.0 DEPENDENTS SEPARATION REQUIREMENTS

3.1 Dependents

A member is not considered "a member with dependents" for FSA entitlement when:

3.1.1. The sole dependent is placed in an institution for a known period of over 1-year or for an indefinite period, which may be expected to exceed 1-year;

3.1.2. The sole dependent is a spouse legally separated or child(ren) in the legal custody of another person. An exception occurs when the member has joint physical and legal custody of the child(ren) and the child(ren) otherwise would reside with the member at least 14 days each month, for the current assignment. In such assignment, the member will be considered as a "member with dependents" for FSA entitlement;

3.1.3. The member has been awarded joint legal and physical custody of the child(ren) as a result of a court ordered custody agreement or finalized divorce decree, which provides that the child(ren) physically reside with the member less than 14 days during the month;

3.1.4. The member's dependent parent does not reside in the home, which the member controls, supervises, and maintains for mutual use when circumstances permit; or

3.1.5. A dependent is entitled to active duty basic pay. This does not negate an entitlement to FSA to a couple comprised of a member married to another member with no other dependents. Such a couple is entitled to FSA.

3.2 Temporary Social Visits by Dependents

3.2.1. FSA-R. Credit continues to accrue while the member's dependents visit at or near the member's PDS, but for no longer than 3 continuous months. Facts clearly must show that the dependents merely are visiting (not changing residence) and that the visit is temporary and not intended to exceed 3 months. If, for unforeseen reasons (due to illness or other emergency), a bona fide social visit extends beyond 3 months, then stop credit for FSA at the end of the 3-month period. If the visit initially is intended to exceed 3 months, then stop FSA credit the day before the dependents arrive at the member's PDS. Credit is again authorized on and after the day that the dependents depart from the PDS. A member is entitled to FSA-R, even though one or more (but not all) dependents visit for longer than 3 months if the member is entitled on behalf of the dependents who are not visiting the member.

3.2.2. FSA-S. Credit continues to accrue to the member whose dependents are visiting at or near the duty station (or any port) continuously for 30 days or less. Facts must show that the dependents merely are visiting. If the visit exceeds 30 days, then entitlement to FSA-S ends on the day preceding the date of dependent arrival, unless the visit is extended because of illness or other emergency. Under such circumstances, payment of FSA-S is limited to 30 days. Entitlement to FSA-S exists if one or more (but not all) of the dependents visit for longer than 30 days if the member otherwise is entitled to FSA-S on behalf of the dependents who are not visiting the member.

3.2.3. FSA-T. Credit continues to accrue to a member whose dependents visit at or near the TDY or TAD continuously for 30 days or less. Facts must show that the dependents are merely visiting. If the visit exceeds 30 days, then the member is not entitled to FSA-T for any part of the period, unless the visit is extended because of illness or other emergency. Under such circumstances, payment of the allowance is limited to 30 days. Entitlement to FSA-T resumes on the day that the dependents depart the TDY or TAD, if the member's TDY or TAD extends for more than 30 days from that date. Entitlement to FSA-T exists if one or more (but not all) of the dependents visit for longer than 30 days if the member otherwise is entitled on behalf of the dependents who are not visiting the member.

3.3 Dependents Reside Near Duty Station

3.3.1. FSA does not accrue to a member if all of the dependents reside at or near the duty station. If some (but not all) of the dependents voluntarily reside near the duty station, then FSA may accrue on behalf of those dependents who do not reside at or near the duty station. Consider dependents as residing near a duty station if the member actually commutes daily, regardless of distance. Also, consider dependents as residing near a duty station if they live within a reasonable commuting distance of that station, whether or not the member commutes daily. A distance of 50-miles, one way, is normally considered to be within a reasonable commuting distance of a PDS or Home of Residence (HOR pertains to reserve component), but the 50-mile rule is not inflexible.

3.3.2. Unusual conditions may permit a determination that dependents do not live within a reasonable commuting distance, even though the distance involved is less than 50 miles one way. In a situation where the distance is less than 50 miles, but the time required to commute one way by commonly used route and method of transportation would exceed one and a half hours, the dependents will be considered as not residing near the member's duty station, unless the member actually commutes daily.

3.3.3. If dependents are authorized concurrent travel with the member to the duty station and are subsequently authorized to reside at a point over 50 miles from the member's duty station for personal reasons, rather than as a result of military restriction on dependents' travel, then FSA entitlement does not accrue.

3.3.4. In questionable cases, commanders may submit requests for determination through channels to the appropriate office listed:

3.3.4.1. Army:	Deputy Chief of Staff, G-1 ATTN: DAPE-PRC 300 Army Pentagon Washington, DC 20310
3.3.4.2. Navy:	Chief of Naval Operations, (N130) 701 South Courthouse Rd Arlington, VA 22204-2472
3.3.4.3. Air Force:	Commander, Air Force Personnel Center 550 C Street West Randolph AFB, TX 78150-6421
3.3.4.4. Marine Corps:	Commandant of the Marine Corps (RFF) James W. Marsh Center 3280 Russell Road MCB Quantico, VA 22134

4.0 CONDITIONS OF ENTITLEMENT

4.1 Entitlement Incident to PCS Reassignments

4.1.1. Continental United States (CONUS) Assignments. Conditions of FSA entitlement incident to regular CONUS PCS reassignments and permissive PCS reassignments are detailed in subparagraphs 4.1.1.1 through 4.1.1.3.

4.1.1.1. Entitlement to FSA upon regular PCS is authorized only when movement of a member's dependents to the new PDS is not authorized at government expense.

4.1.1.2. A member who is otherwise entitled to transportation of dependents at government expense, but whose dependent cannot accompany the member to or at that homeport/PDS due to certified medical reasons, is entitled to FSA under this subparagraph.

4.1.1.3. A member who otherwise is authorized movement of dependents at government expense to PDS is not so authorized when he or she is voluntarily reassigned on PCS under permissive orders. Separation from dependents under these circumstances is not an enforced separation due to government requirements. The member, therefore, is not entitled to FSA under this subparagraph.

4.1.2. Waiver Provision. See subparagraph 4.1.4 for circumstances in which waivers may be granted.

4.1.3. Overseas Assignments. Dependents are permitted in some areas overseas and not permitted in others (dependent-restricted areas). A member selected for PCS overseas to an area where his or her dependents are permitted must elect to serve either an unaccompanied or an accompanied tour.

4.1.3.1. Except as waived by the Secretary of the Military Department concerned, a member electing to serve an unaccompanied tour, in lieu of an accompanied tour at a PDS where his or her dependents are permitted, is not entitled to FSA-R for such a tour. A member who is in receipt of accompanied tour orders, and subsequently requests to serve an unaccompanied tour, to include a dependents-restricted tour, in lieu of an accompanied tour at a PDS where his or her dependents are permitted, is not entitled to FSA-R for such a tour. Secretarial waiver of this policy may be granted in situations where it would be inequitable to deny FSA-R to a member because of the unusual family or operational circumstances.

4.1.3.2. See applicable procedures for tour elections and secretarial waiver in the appropriate individual Military Service regulation.

4.1.3.3. Refer to Table 27-2 (FSA-R, Overseas Assignment) for FSA entitlement for otherwise eligible members assigned PCS overseas.

4.1.3.4. A member who voluntarily is reassigned PCS (overseas) under permissive orders from the station where he or she already is entitled to FSA-R remains entitled if reassigned

to an area overseas where dependents are not permitted (dependent-restricted tour) or under circumstances authorized by secretarial waiver.

4.1.4. Unusual Family or Operational Circumstances Defined. Unusual family or operational circumstances are defined as those in which the Secretary of the Military Department concerned determines that it is in the best interest of the government to permit payment of FSA to members who, through no fault of their own, must relocate in an unaccompanied status under certain circumstances.

4.1.4.1. The Military Services may waive provisions of subparagraphs 4.1.1.1, 4.1.1.2, and 4.1.1.3 when it is in the best interest of the government to permit payment to members who, through no fault of their own, must relocate in an unaccompanied status for reasons of equity in the unusual family or operational circumstances. Waiver under these circumstances is effective upon the date granted. This approval authority is hereby granted to:

4.1.4.1.1. Service Secretaries or their designated representatives at the headquarters level which governs compensation policy; or

4.1.4.1.2. Combatant commands and Service major commands.

4.1.4.2. Waiver authority should be used prudently.

4.1.4.3. Waiver under these circumstances is effective upon the date granted:

4.1.4.3.1. When ordered to a new overseas duty station where terrorist activity would make it inappropriate for dependents to accompany the member; or

4.1.4.3.2. When ships in overhaul make temporary homeport changes.

4.1.4.4. Provided the requirements of subparagraph 2.3.1 are met, other than the requirement that the member's dependents reside at the homeport or PDS, a waiver issued by the Secretary of the Military Department concerned will apply to the entire period of the deployment, an interim period, and redeployment.

4.1.5. Delays Caused by the Government (Table 27-2, Note 4). The following are examples of delays in transportation of dependents due to government reasons:

> Example 1: On July 1, a member's advance application for concurrent travel of dependents to the overseas station was disapproved by the CONUS commander due to lack of available government-owned transportation facilities. The commander's disapproval contained a statement that the anticipated delay for movement of dependents is more than 60 days. The member departed the old station on July 6 and arrived at the overseas station on July 7 where government quarters were not available. Dependents joined the member on September 26 having performed travel under orders dated September 10. The member was entitled to FSA for the period July 6 through September 25.

Example 2: The member applied for a dependency determination for his or her dependent mother on June 3 and was transferred overseas on September 14. After arrival overseas, the member received approval of the dependency application for his or her dependent mother retroactive to May 1. The mother was not authorized concurrent travel to the member's PDS because the determination of dependency had not been made on the effective date of those orders. Delay in processing the dependency application was caused by the government. Before the transfer overseas, the member had maintained quarters to be shared with his or her mother. An enforced separation resulted upon transfer overseas. Credit for FSA accrues from the date the member departed from the PDS or the first day of authorized travel time, whichever is later, through the day before the date that his or her dependent mother arrived at the overseas station.

4.1.6. Changes in Tour Elections. See Table 27-2, rules 12 and 13.

4.1.7. Dependents Evacuated. A member is entitled to FSA if separated from dependents as a result of either an authorized evacuation or an ordered evacuation, provided that the requirements for FSA are otherwise met. Payment does not begin until the 31st day of an ordered evacuation. FSA is not payable when evacuation is due to member or dependent misconduct.

NOTE: Once the authorized evacuation is approved, FSA is paid retroactively to when dependents are evacuated.

4.1.8. Dependents' Travel Prohibited Under Immigration Laws. No entitlement to FSA-R accrues if a dependent is authorized transportation at government expense but is not eligible under immigration laws for entry into the United States before a member reports to the new PDS. (Entitlement to FSA-T or FSA-S is not affected by this subparagraph.)

4.2 Unit Ordered on Exercise for More Than 30 Days

Otherwise qualified members of a unit are entitled to FSA-T when the unit is ordered on an exercise for more than 30 days.

4.3 FSA During a Missing Status

FSA-T continues to accrue to a qualified member while in a missing status unless there is a change in the status of the dependents, which would terminate entitlement. See Table 27-3 (Date to Stop FSA). A member may qualify for FSA-T while in a missing status if a continuous period of more than 30 days is completed after entry into the missing status. See paragraph 4.4.

Example: A member departed the PDS on TDY or TAD August 9, was downed by hostile fire while flying over enemy territory on September 2, remained in a missing status until November 4, and returned to PDS on November 10. The member qualified for FSA-T on September 8. If otherwise qualified, then entitlement exists for FSA-T for the period August 9 to November 9.

4.4 Computation of Single or Multiple Periods of More Than 30 Days

4.4.1. FSA-T for Single Periods. Credit for FSA-T may not be applied until the member has been on TDY or TAD away from his PDS continuously for more than 30 days. Compute this period as follows:

4.4.1.1. Count actual number of days in the month, including the day the member departs the PDS on TDY or TAD and the day of return to the PDS. Include the 31st day of the month in this computation, even though payment is made on a 30-day month basis, as prescribed in Chapter 1, section 2.0.

4.4.1.2. Include days of authorized travel time to and from the TDY or TAD station. When there is no delay en route chargeable as leave, count the day of departure from the PDS and the day of return to the PDS. When delay en route chargeable as leave is authorized, count the constructive day of departure and the constructive day of return. Compute these days as follows:

4.4.1.2.1. Constructive day of departure from the PDS either is the actual date of detachment plus days of authorized leave, proceed time, and permissive travel days used or the first day of authorized travel, whichever is later.

4.4.1.2.2. Constructive day of return to the PDS is the actual date of return minus number of days leave authorized and used, minus the number of permissive travel days actually used.

> Example 1: The member permanently stationed at site A is ordered TDY or TAD to site B for training of approximately 30 days. Training is to begin June 1. The member is authorized travel by privately owned conveyance (POC) as more advantageous to the government, and 5 days of leave en route. The member departs from site A on May 25 and uses 5 days of leave en route to site B. The member completes the training on June 27, departs from site B on June 28, and returns to duty at site A on June 30. Constructive day of departure is May 30. The period of absence is 32 days (May 30 - June 30). If a member qualifies under paragraph 2.3, then entitlement exists to FSA-T for 30 days (i.e., there is no entitlement for May 31 and June 30).

> Example 2: Circumstances are the same as in Example 1, except that the member uses 5 days of leave after completion of training. The member departs from site A on May 30, completes training on June 27, departs from site B on June 28, and returns to duty at site A on July 5. The constructive day of return is June 30. The period of absence is 32 days, computed as in Example 1. If the member otherwise qualifies, then entitlement exists to FSA-T for 30 days.

4.4.1.3. When TDY or TAD is authorized in conjunction with PCS, include days of authorized travel time to the TDY or TAD station and from the TDY or TAD station to the new duty station. When there is no delay en route or proceed time involved, count the day of departure

from the old duty station and the day of arrival at the new duty station. When delay en route and proceed time are authorized and used, the day of departure from the old station and the day of arrival at the new station will be constructed in the manner indicated in subparagraphs 4.4.1.2.1 and 4.4.1.2.2. Proceed time authorized and used will be included with the delay when making the computation. Consecutive assignments to TDY or TAD in conjunction with PCS may be combined in determining the 30-day period.

4.4.1.4. Under specific circumstances, when travel in connection with TDY or TAD is performed by POC for the convenience of the traveler, payment based on actual travel expenses may be more economical to the government than payment based on constructive travel time over a usually traveled route. In that case, the Joint Travel Regulations (JTR) authorizes travel payment based on the actual mode of transportation. In computing the more than 30 days required for entitlement to FSA-T under these circumstances, ensure that the computation is based on the mode of transportation, which governed payment of a particular member's travel allowance. Computation for FSA-T entitlement under this subparagraph is not necessarily based on constructive travel time.

4.4.1.5. If a member's TDY or TAD status is interrupted, then do not combine days before the interruption with those after the interruption to compute a continuous period of more than 30 days. Periods of leave, hospitalization, military confinement in a pay status, or short visits to the PDS do not interrupt the period unless the member is relieved from the attachment to the TDY or TAD station. A member who returns to the PDS to assume a duty status (such as participation in official flights) does interrupt a period of TDY or TAD. If leave en route is authorized after detachment from the TDY or TAD station, then add constructive travel time from the TDY or TAD station to the PDS to the period of TDY or TAD in determining the 30-day period.

4.4.2. FSA-T for Multiple Periods of Deployment. Provided the conditions of subparagraph 2.3.1.3 are met, the periods of FSA-T eligibility for multiple periods of TDY or TAD deployment, including the periods between such deployments, are calculated as follows:

4.4.2.1. Count. Although payment is made on a 30-day month basis, count the actual number of days in each applicable month, to include the 31st day of the month, as one of the actual days.

4.4.2.2. Computation. Calculate the FSA-T period of the initial TDY or TAD deployment to determine the initial deployment period as described in subparagraph 4.4.1.

4.4.2.3. Interim and Redeployment Period

4.4.2.3.1. The interim period begins on the day after the initial deployment through the day prior to redeployment. The interim period must be 30 days or less.

4.4.2.3.2. The redeployment period begins the day that the member departs the PDS and ends upon return to the PDS. The redeployment period must be more than 30 days and will be added to the interim period.

Example 1: The member permanently stationed at site A is ordered to perform TDY or TAD at site B for 45 days, with departure from PDS on January 2 and return to PDS on February 15. The member departs from PDS on March 18 for redeployment of 35 days. Since the member qualified for FSA-T for the initial deployment, he or she is eligible for continued FSA-T for the total 65 days of interim/redeployment period (actual interim period of 30 days and redeployment of 35 days).

Example 2: The member permanently stationed at site A is ordered to perform TDY or TAD at site B for 60 days, with departure from PDS on March 1 and return to PDS on April 29. The member departs from PDS on May 31 for redeployment of 40 days. Although the member qualified for the initial 60-day period deployment, he or she is ineligible for the interim period. The actual interim period is 31 days (April 30 - May 30). The member would be entitled to FSA-T for the actual redeployment period (40 days).

Example 3: The member permanently stationed at site A is ordered to perform TDY or TAD at site B for 31 days, with departure from PDS on June 1 and returns to the PDS on July 1. The member departs from PDS on July 2 for redeployment of 41 days. Since the member qualified for FSA-T for the initial deployment of 31 days, he or she is eligible for the continued FSA-T for the interim/redeployment period (actual interim period is 0 days, actual redeployment period is 41 days).

4.4.3. FSA-S for Single Periods. Credit for FSA-S may not be applied until the member has been on duty onboard a ship away from the homeport of the ship for a continuous period of more than 30 days. However, if a member is under orders to remain on board a ship while at homeport, the days on the ship while at homeport will count towards the more than 30 continuous days, except when a member is required to stay on board for disciplinary reasons. Periods of leave, TAD, hospitalization, military confinement in a pay status, or short visits by the member (not the ship) to the homeport of the ship do not interrupt the qualifying period unless the member is detached (PCS) from the ship. Consecutive assignments to duty onboard two or more ships away from the homeport may be combined to meet this requirement. See Example 5. In computing the continuous period of more than 30 days, count the actual number of calendar days (including the 31st day of the month) that the member was on duty onboard a ship while it was away from its homeport. Include in this computation the day of departure onboard a ship from its homeport (or the day the member joins or rejoins a ship away from its homeport, if applicable) and the day of return onboard a ship to its homeport. The following examples show how to compute the more-than-30-day period and the related amount of FSA-S payable.

Example 1: A member onboard a ship that departs its homeport on June 15 and returns on July 15 is entitled to FSA-S in the amount of $250 (actual period of 16 days in June and 15 days in July = 31 days; 16 days in June and 14 days in July = 30 days for payment).

Example 2: A member onboard a ship that departs its homeport on October 5 and returns on November 4 is entitled to FSA-S in the amount of $241.83 (actual

period of 27 days in October and 4 days in November = 31 days; 26 days in October and 3 days in November = 29 days for payment).

Example 3: A member onboard a ship that departs from its homeport on February 25 (non-leap year) and returns on March 26 is not entitled to FSA-S since the absence is not more than 30 days (actual period of 4 days in February and 26 days in March).

Example 4: A member who reports onboard a ship on May 25 while it is away from the homeport and returns with the ship to the homeport on June 30 is entitled to FSA-S in the amount of $291.67 (actual period of 7 days in May and 30 days in June = 37 days; 6 days in May and 29 days in June = 35 days for payment).

Example 5: A member onboard a ship A that departed from its homeport on August 2 was transferred (PCS) to ship B on August 18 (detached and attached the same day) while ship B was away from its homeport. The member remains aboard ship B until it returns to the homeport on September 6. The member is entitled to FSA-S in the amount of $283.33 (actual period of 30 days in August and 6 days in September = 36 days; 29 days in August and 5 days in September = 34 days for payment).

Example 6: A member onboard a ship departs its homeport on June 15 and returns to homeport on June 19 and the member is under orders to remain on board the ship for 14 days while at homeport beginning June 19. The ship departs homeport on July 3 and returns on July 15. Member is entitled to FSA-S in the amount of $250 (actual period of 16 days in June and 15 days in July = 31 days; 16 days in June and 14 days in July = 30 days for payment).

4.4.4. FSA-S for Multiple Periods of Deployment. Provided the conditions of subparagraph 2.3.1.2 are met, the periods of FSA-S eligibility for multiple periods of TDY or TAD deployment aboard a ship, including the period between such deployments, are calculated as follows:

4.4.4.1. Count. Although payment is made on a 30-day month basis, count the actual number of days in each applicable month by including the 31st day of the month as one of the actual days.

4.4.4.2. Computation. Calculate the FSA-S period of the initial deployment aboard a ship as described in subparagraph 4.4.3.

4.4.4.3. Interim and Redeployment Period

4.4.4.3.1. The interim period begins on the day after the initial deployment through the day prior to redeployment. The interim period must be 30 days or less.

4.4.4.3.2. The redeployment period begins on the day that the member departs the ship's homeport and ends upon returning to the homeport. The redeployment period must be more than 30 days and will be added to the interim period.

Example 1: A member is onboard a ship that departed from the homeport on January 2 and returned to the homeport on February 15. The same member is onboard a ship that departed from the homeport on March 18 for a redeployment of 35 days. Since the member qualified for FSA-S for the initial deployment, the member is eligible for continued FSA-S for the total 65 days of interim/redeployment period (actual interim period of 30 days and redeployment of 35 days).

Example 2: A member is onboard a ship that departed from the homeport on March 1 and returned to the homeport on April 29. The member also was onboard a ship that departed the homeport on May 31 for a redeployment of 40 days. Although the member qualified for the initial 60-day deployment, the member is ineligible for the interim period. Consequently, the actual interim period is 31 days (April 30 through May 30). The member would be entitled to FSA-S for the actual redeployment (40 days).

Example 3: A member is onboard a ship that departed from the homeport on June 1 and returned to the homeport on July 1. The same member was onboard a ship that departed the homeport July 2 for a redeployment of 41 days. Since the member qualified for FSA-S for the initial deployment of 31 days, the member is eligible for the continued FSA-S for the interim/redeployment period (actual interim period is 0 days, actual redeployment period is 41 days).

4.4.5. Restrictions. The following restrictions apply to subparagraphs 4.4.1 and 4.4.2:

4.4.5.1. There are separate 30-day requirements to qualify for FSA-T or FSA-S, and periods of TDY or TAD and duty aboard ship while away from homeport may not be combined for the purpose of FSA entitlement.

4.4.5.2. Periods of hospitalization or TDY or TAD for more than 30 days by the member at a place residing with his or her dependents may not be included when calculating whether the 30-day requirement was met.

4.5 Ship Moves from Homeport

4.5.1. When a ship moves from its homeport to another port within 50 miles of the homeport (or one and a half hours travel time as prescribed in paragraph 3.3), those members attached to the ship, whose dependents do not reside at or near such homeport under the criteria of paragraph 3.3, do not become entitled to FSA-S.

Example 1: A member, upon reassignment to a ship, moves the family to a location outside the current 50-mile (or one and a half hours travel time) limit from

the homeport of the ship. When the movement of the ship is less than 50 miles (or one and a half hours travel time) from the homeport, FSA-S is not payable to those members. If, however, the ship moves more than 50 miles (or one and a half hours travel time) from the homeport, then FSA-S is payable if members otherwise are entitled.

Example 2: A member, upon reassignment to a ship, moves the family to a location outside the current 50-mile (or one and a half hours) limit of the ship's homeport of the ship. Subsequently, the ship moves from the homeport and, on the 29th day, docks at a port inside the 50-mile (or one and a half hours travel time) limit of the homeport for 5 days. The ship then returns to the homeport. The docking of the ship within the 50-mile limit would, for purposes of this example, have the same consequence as if the ship had returned to its homeport since (a) the member's dependents do not reside at or near the homeport, and (b) the ship did not move to a location more than 50 miles (or one and a half hours travel time) from the port. Therefore, entitlement to FSA-S does not accrue.

Example 3: A member, upon reassignment to a ship, moves the family to a location outside the current 50-mile (or one and a half hours) limit of the homeport of the ship, but actually commutes. The movement of the ship from the homeport results in the member being unable to commute. In this example, the member's dependents would be considered as being in the area of the homeport. Since, after movement of the ship to a new location, the member is unable to commute, the member would meet the requirement for FSA-S, provided the dependents resided more than 50 miles (or one and a half hours travel time) from the new location.

Example 4: A member, upon reassignment to a ship, moves the family to a location within the 50-mile (or one and a half hours travel time) limit, the movement of the ship resulting in the residence being located outside the 50-mile (or one and a half hours travel time) limit for some of the members, but not all. Those members whose dependents reside more than 50 miles (or one and a half hours travel time) from the ship's new location and who do not commute, would fulfill the vicinity requirement for entitlement to FSA-S. Those members whose dependents reside within 50 miles (or one and a half hours travel time) of the ship's new location of the ship would not become entitled to FSA-S by virtue of the ship's movement.

4.5.2. Members are entitled to FSA-S when performing duty onboard a ship if the ship is away from the homeport for more than 30 continuous days. If, however, the ship arrives and remains at a port other than the homeport for a period of more than 30 days at a location where the member's dependents reside, then payment of the FSA-S is precluded if the member resides with the dependents. A member is entitled to FSA-S for redeployment if the member returned to the homeport after the original deployment for a period of 30 days or less and redeployed for a period of more than 30 continuous days.

4.6 Specific Conditions of Entitlement to FSA

See Tables 27-1, 27-2, 27-3, and 27-4.

Table 27-1. FSA - Commencement Dates

RULE	When an eligible member	and the member	then FSA credit
1	departs the PDS on PCS (not authorized FSA-R at old station), or TDY or TAD, including TDY or TAD in conjunction with PCS (note 1)	is not authorized proceed time or leave en route	starts on date of detachment from old station (note 1).
2	departs the PDS on PCS (not authorized FSA-R at old station), or TDY or TAD, including TDY or TAD in conjunction with PCS (note 1)	is authorized proceed time or leave en route	starts on the constructive date of detachment from the old PDS (either the actual date of detachment plus days of authorized leave and/or proceed time, or the first day of authorized travel, whichever is later) (note 1).
3	departs homeport aboard ship, including a ship in an inactive status (note 2)	remains in this status continuously for more than 30 days	starts on date of departure (notes 2 and 3).
4	joins or rejoins a ship away from homeport	remains on duty onboard a ship away from its homeport continuously for more than 30 days (note 2)	starts on first day that member boards ship away from its homeport (note 3).
5	acquires an initial dependent after the date of departure from old station en route to PCS overseas, but no later than the effective date of the PCS order (FSA-R) (notes 4 and 5)	meets conditions of Table 27-2, rule 1	starts on the date that a member acquires a dependent or the constructive date of detachment from old station (Table 27-2, rule 2), whichever is later.
6	acquires an initial dependent after the date of departure from old station en route to PCS overseas, but no later than the effective date of the PCS order (FSA-R) (notes 4 and 5)	meets conditions of Table 27-2, rule 13, note 3, or rule 14	(if any) starts according to Table 27-2, rule 13, note 3, or rule 14.
7	acquires an initial dependent after the date of departure from old station en route to PCS overseas (member is not entitled to FSA-R, at the overseas station), but no later than the effective date of the PCS order (note 4)	is on TDY or TAD en route with 30 days or more remaining after the date dependent is acquired, and not within commuting distance of dependent's residence	for the period of TDY or TAD starts on the date the member acquires dependent (FSA-T) (note 1).

Table 27-1. FSA - Commencement Dates (Continued)

RULE	When an eligible member	and the member	then FSA credit
8	a. acquires dependent after the effective date of the PCS orders (note 3), but before member's date of departure on subsequent reassignment PCS, and b. dependent does not live at or near the member's PDS (where member is not entitled to FSA-R)	is not on TDY or TAD	starts FSA-R on date member acquires dependent.
9	a. acquires dependent after the effective date of the PCS orders (note 3), but before member's date of departure on subsequent reassignment PCS, and b. dependent does not live at or near the member's PDS (where member is not entitled to FSA-R)	is on leave (co-resident with dependent or not)	starts FSA-R on date member acquires dependent.
10	a. acquires dependent after the effective date of the PCS orders (note 3), but before member's date of departure on subsequent reassignment PCS, and b. dependent does not live at or near the member's PDS (where member is not entitled to FSA-R)	is on TDY or TAD not within commuting distance of dependent's residence	starts FSA-T on date member acquires dependent.
11	a. acquires dependent after the effective date of the PCS orders (note 3), but before member's date of departure on subsequent reassignment PCS, and b. dependent does not live at or near the member's PDS (where member is not entitled to FSA-R)	is on TDY or TAD within commuting distance of dependent's residence (paragraph 3.3)	starts FSA-R on member's date of return to PDS.
12	a. acquires dependent after the effective date of the PCS orders (note 3), but before member's date of departure on subsequent reassignment PCS, and b. dependent does not live at or near the member's PDS (where member is not entitled to FSA-R)	is on TDY or TAD with 30 days or more remaining after the date dependent is acquired, and not within commuting distance of dependent's residence	for the period of TDY or TAD starts on the date that the member acquires a dependent (FSA-T) (note 1).

Table 27-1. FSA - Commencement Dates (Continued)

RULE	When an eligible member	and the member	then FSA credit
13	a. acquires dependent after the effective date of the PCS orders (note 3), but before member's date of departure on subsequent reassignment PCS, and b. dependent does not live at or near the member's PDS (where member is not entitled to FSA-R)	remains away from homeport aboard ship for more than 30 days after the date the dependent is acquired	starts on the date that the member acquires a dependent (FSA-S) (note 1).
14	has newly acquired dependent who joins member at duty station at member's expense	confirms whether dependent is making change of residence or temporary social visit	is based on paragraph 3.2 or subparagraph 3.3.3.
15	has newly acquired dependent who joins member at duty station at member's expense	relocates dependent away from duty station at member's expense	starts FSA-R on the date of a dependent's departure from the duty station (note 6).
16	has dependent depart overseas duty station at government expense because of evacuation (other than medical), under determination of the Secretary concerned as being in national interest, or for other emergency reasons not personal or caused by dependent's misconduct		starts on the 31st day of a dependent's departure from the duty station.
17	reports onboard a ship after a change of homeport has been declared	does not reside with dependents at or near the current homeport of the ship	starts on the date the member reports onboard a ship (note 7).

NOTES:

1. Do not pay FSA-T or FSA-S until the member has been on TDY or TAD or on duty aboard ship away from homeport continuously for more than 30 days (or, if applicable, for more than 30 days after the date that a dependent is acquired). In computing the amount payable, the 31st day of any month should be excluded from the computation and February should be treated as if it actually had 30 days. (See paragraph 4.4.)
2. If the ship returns to homeport and a member is under orders to remain on board a ship while at homeport the days on the ship while at homeport will count towards the more than 30 continuous days, except when a member is required to stay on board for disciplinary reasons.
3. Does not apply if the ship is in a port (other than its homeport) located within commuting distance of the residence of the member's dependents continuously for more than 30 days. Also, see paragraph 4.5.
4. The effective date of PCS orders is the date a member is required to begin travel from the old PDS or the last TDY or TAD, in order to arrive at the new PDS on the date authorized by the mode of transportation authorized. (JTR, Appendix A, Effective Date of PCS Order)

Table 27-1. FSA - Commencement Dates (Continued)

5. A member who acquired an initial dependent after the date of departure from old station en route PCS to CONUS from overseas or en route PCS within CONUS, but no later than the effective date of the PCS order, is entitled to travel for dependent at government expense based on JTR, Chapter 5. Therefore, the member is not entitled to FSA-R. (In this case, no tour election provision exists to overcome the travel provision.)
6. If already started under paragraph 3.2, the entitlement continues upon departure of dependents from the duty station.
7. FSA-R does not accrue if the member was onboard a ship when the change in homeport was declared, except under paragraph 4.1.

Table 27-2. FSA-R - Overseas Assignment

RULE	If an eligible member is	and	and	then the member('s)
1	selected for PCS overseas	the accompanied tour is not authorized		is entitled to FSA-R for the entire unaccompanied tour (notes 1 and 2).
2	selected for PCS overseas	elects the unaccompanied tour instead of the authorized accompanied tour		is not entitled to FSA-R for the length of such tour, including tour extensions (note 3).
3	selected for PCS overseas	elects the accompanied tour	concurrent travel is authorized and dependents travel with member	is not entitled to FSA-R.
4	selected for PCS overseas	is assigned to an automatic concurrent travel area or an advance application area	application for concurrent travel has been approved by the area commander	is entitled to FSA-R if dependents do not travel with the member for government reasons (notes 4 and 5).
5	selected for PCS overseas	in status covered by rule 4	dependents arrive at member's overseas station	FSA-R stops the day before date dependents arrive.
6	selected for PCS overseas to an advance application area	application for concurrent travel is disapproved by area commander		is entitled to FSA-R until dependents arrive at overseas station. (This rule is qualified by rules 7 and 8.)
7	selected for PCS overseas to an advance application area		member fails to comply with area regulations for entry of the dependents	FSA-R is stopped when timely action is not taken under applicable regulations (note 6).
8	selected for PCS overseas to an advance application area		there is a delay of more than 60 days in dependent's arrival (60-day period begins on date of orders)	entitlement to FSA-R continues through the day before dependents arrive at overseas station, not to exceed 60 days from date transportation of dependents is authorized, unless additional delay is caused by the government (note 5).

Table 27-2. FSA-R - Overseas Assignment (Continued)

RULE	If an eligible member is	and	and	then the member('s)
9	assigned overseas	one or more of the dependents live at or near the overseas station	member qualifies for FSA-R for the dependents who are not authorized to travel to the overseas station	is entitled to FSA-R.
10	assigned overseas	after arrival at overseas station, an accompanied tour is authorized (previously unavailable) and member elects the accompanied tour		entitlement to FSA-R continues through the day before dependents arrive at overseas station, not to exceed 60 days from date transportation of dependents is authorized, unless additional delay is caused by the government (note 5).
11	assigned overseas	after arrival at overseas station, an accompanied tour is authorized (previously unavailable) and member does not elect the accompanied tour		entitlements to FSA-R continues based on original assignment under rule 1.
12	assigned overseas	has previously elected the accompanied tour, but concurrent travel is not performed	the member reelects the unaccompanied tour before dependents depart CONUS	is not entitled to FSA-R on and after the date reelection is approved (note 3).
13	assigned overseas	has failed to make a tour election before arrival at new duty station	makes unaccompanied tour election after arrival at the overseas station	is not entitled to FSA-R for the entire unaccompanied tour (note 3).

Table 27-2. FSA-R - Overseas Assignment (Continued)

RULE	If an eligible member is	and	and	then the member('s)
14	assigned overseas	has failed to make a tour election before arrival at new duty station	elects accompanied tour after arrival at the overseas station	is entitled to FSA-R for the period starting with the date the tour is approved through the day before dependents arrive at overseas station, not to exceed 60 days from date transportation of dependents is authorized, unless additional delay is caused by the government (note 5).

NOTES:

1. In all cases, entitlement exists only if dependents do not live at or near the duty station. (See paragraph 3.3.) In areas where dependents are not permitted, member does not have to apply for transportation of dependents or to elect type of tour.
2. These tours include dependent restricted tours and situations where the member is not authorized to serve an accompanied-with-dependents tour in those locations where such tours are authorized.
3. The Secretary of the Military Department concerned may waive the provision in this rule to authorize FSA-R in cases where unusual family or operational circumstances exist for the member. See subparagraph 4.1.4 for conditions subject to waiver and individual Military Service regulations for procedures for requesting a waiver from the Secretary of the Military Department concerned.
4. Where dependents' travel delay is not due to government reasons, but member is required to perform TDY or TAD en route, family separation for period of TDY or TAD is considered to be due to military requirements and member is entitled to FSA-R under Table 27-4, rule 11.
5. Delays due to government reasons include:
   a. lack of transportation facilities,
   b. disapproval by CONUS commanders,
   c. disapproval for reasons of health (i.e., pregnancy of wife), and
   d. insufficient service retainability or time remaining in the overseas tour.
6. FSA-R continues if member acted timely to apply for transportation of the dependents and the application was disapproved because of the lack of service retainability or time remaining in the overseas tour.

Table 27-3. Date to Stop FSA

RULE	If a member	then FSA credit continues through the
1	has dependents who arrive at the duty station with intent to establish a residence	day before dependents arrive (note 1).
2	on next reassignment, arrives at a station where member does not qualify for FSA	day before the date on which the member arrives at new station (note 2).
3	returns from TDY or TAD of more than 30 days	day before date of the member's return from TDY or TAD (notes 3 and 4).
4	is in a non-pay status for any period	day before the date entering such status, except as provided in Chapter 1, paragraph 4.2.
5	has a sole dependent in an institution, and if the stay in the institution continues	day before 1-year from the date that the member's sole dependent entered an institution (note 5).
6	is onboard a ship away from its homeport	day before ship returns to homeport or date of detachment from ship, whichever is earlier (note 6).
7	reports onboard a ship after a change of homeport has been declared	effective date of the change of homeport.
8	has only secondary dependents who reside with relatives or friends	day before the date the dependents move to home of relatives or friends.
9	completes period of TDY or TAD of more than 30 days in conjunction with PCS	day before the date the member arrives at the new station (note 3).
10	has dependent(s) who return to the PDS after departing in conjunction with authorized or ordered evacuation	day before the date dependent(s) return.

NOTES:
1. See paragraph 3.2 for temporary social visits.
2. If a delay en route and/or proceed time is authorized and used, then use a constructive date of arrival. Constructive date will be computed by deducting the number of days' leave and/or proceed time authorized and used from the actual date of arrival.
3. If delay en route and/or proceed time is authorized, then use the constructive date. (See subparagraph 4.4.1.)
4. See Table 27-4, rule 20 and subparagraph 4.4.2.3 for interim and redeployment periods.
5. Applies when stay in the institution is initially not expected to exceed 1-year.

Table 27-3. Date to Stop FSA (continued)

6. FSA-S continues if the member is detached and attached the same day to another ship away from its homeport. However, if a member is under orders to remain on board a ship while at homeport, the days on the ship while at homeport will count towards the more than 30 continuous days, except when a member is required to stay on board for disciplinary reasons.

Table 27-4. FSA - Conditions of Entitlement

RULE	If a member	and	and	then
1	is on TDY or TAD, including TDY or TAD within the United States	the member is entitled to FSA-R when entering such status (note 1)	the member's PDS remains unchanged	FSA-R credit continues during TDY or TAD.
2	is hospitalized at or away from member's PDS including hospitalization in the United States	the member is entitled to FSA-R when entering such status (note 1)	the member's PDS remains unchanged	FSA-R credit continues during period hospitalized.
3	is in military confinement or otherwise restricted by military authority	the member is entitled to FSA-R when entering such status (note 1)	the member's PDS remains unchanged	FSA-R credit continues during period confined or restricted.
4	is on authorized leave (accrued or advance) at or away from member's PDS, including leave in the United States	the member is entitled to FSA-R when entering such status (note 1)	the member's PDS remains unchanged	FSA-R credit continues during leave.
5	is on authorized leave (accrued or advance) at residence where member's dependents reside	the member is entitled to FSA-R when entering such status (note 1)	member's leave is followed by a period of TDY or TAD (any number of days) within commuting distance of residence where member's dependents reside (paragraph 3.3)	FSA-R credit continues during leave but is suspended during period of TDY or TAD.
6	is on any status covered by rules 1 through 4, or enters such status		member's PDS changes	FSA-R credit stops (note 2).

Table 27-4. FSA - Conditions of Entitlement (Continued)

RULE	If a member	and	and	then
7	is reassigned PCS from a PDS in the United States to a hospital for observation or treatment	the member's application for transportation of dependents to the hospital is disapproved by the hospital commander upon determination that prolonged treatment is not expected (note 3)	member meets requirements in note 1	the member is entitled to FSA-R.
8	enters any status covered by rules 2, 3, and 4	the member is entitled to FSA-T when entering such status	member is not relieved from attachment to the TDY or TAD station	member continues to receive FSA-T.
9	is ordered to a hospital as a patient in attached status			the member is not entitled to FSA-T.
10	is on TDY or TAD for more than 30 days from member's PDS	the member does not qualify for FSA-R at PDS	member's PDS remains unchanged	the member is entitled to FSA-T for authorized travel time to and from TDY or TAD station and for duty at that station (note 4).
11	is performing recruit/basic training, pipeline school, Officer Candidate School (OCS), travel or TDY or TAD en route to initial PDS	the member is entitled to FSA-R at new PDS (notes 1 and 4)		the member is entitled to FSA-R for recruit/basic training, pipeline school, OCS, travel or TDY or TAD and authorized travel period (note 4).

Table 27-4. FSA - Conditions of Entitlement (Continued)

RULE	If a member	and	and	then
12	is on TDY or TAD for more than 30 days en route to a new permanent assignment	the member does not qualify for FSA-R at this new station		the member is entitled to FSA-T for authorized travel time to and from the TDY or TAD station and for duty at that station (note 4).
13	is on TAD	the member is entitled to FSA-S when entering such status (note 1)	member remains assigned to duty aboard a ship which is away from its homeport	FSA-S accrues during the entire period of TDY or TAD (notes 5 and 6).
14	is hospitalized away from the ship	the member is entitled to FSA-S when entering such status (note 1)	member remains assigned to duty aboard a ship which is away from its homeport	FSA-S accrues during the period of hospitalization (note 6).
15	is on authorized leave	the member is entitled to FSA-S when entering such status (note 1)	member remains assigned to duty aboard a ship which is away from its homeport	FSA-S accrues during period of leave (note 6).
16	is in military confinement on or away from the ship or otherwise restricted by military authority from performing duty			FSA-S accrues during the period that the member is confined or restricted.
17	is in any status covered by rules 13 through 16		the ship returns to homeport	entitlement to FSA-S ends on the day before ship returns to homeport (note 5).
18	is in any status covered by rules 13 through 16		member is detached from the ship while it is away from homeport	entitlement to FSA-S ends on date of detachment from ship (note 7).

Table 27-4. FSA - Conditions of Entitlement (Continued)

RULE	If a member	and	and	then
19	is in any status covered by rules 13 through 16		member is detached from ship while it is away from homeport and is later reassigned to ship while it is away from its homeport	FSA-S accrues from date of reassignment to ship provided ship does not return to homeport in less than 31 days (notes 5 and 6).
20	is on TDY or TAD redeployment of more than 30 days	current TDY or TAD follows earlier TDY or TAD of more than 30 days which qualified member for FSA-T	period between deployments is 30 days or less	member's entitlement to FSA-T continues.
21	is onboard a ship redeployed for more than 30 days	redeployment follows earlier deployment of more than 30 days which qualified member for FSA-S	period between deployments is 30 days or less	member's entitlement to FSA-S continues.
22	meets the qualifying requirements of any of the rules 1 through 21	member is married to another active duty member	the couple was residing together immediately before being separated by reason of military orders	member is entitled to FSA under the subparagraph 2.3.1.3.
23	executes PCS orders causing a separation from the member's spouse			member is entitled to FSA-R under subparagraph 2.3.1.1.
24	meets the qualifying requirements of any of the rules 1 through 21	the member is married to another active duty member and the couple has dependents	the couple and dependents were residing together immediately before each member is separated by reason of military orders	each member is entitled to FSA under the specific rule(note 8).

Table 27-4. FSA - Conditions of Entitlement (Continued)

NOTES:
1. Must meet the requirements of paragraph 2.3.
2. A new determination of entitlement is required if member's PDS changes.
3. More than 90 days is prolonged hospitalization.
4. Members are not entitled to FSA-R or FSA-T during authorized leave en route or proceed time (see Table 27-1, rules 1 and 2). See Table 27-3, rule 9 for date to stop FSA.
5. If the ship returns to homeport and a member is under orders to remain on board a ship while at homeport, the days on the ship while at homeport will count towards the more than 30 continuous days, except when a member is required to stay on board for disciplinary reasons.
6. If the dependent's residence is within commuting distance of the place where member is in such status, then FSA-S will continue for 30 days only.
7. Does not apply if member is detached and attached the same day to another ship away from its homeport (subparagraph 4.4.2.).
8. Not more than one monthly allowance may be paid with respect to each member of a married military couple for any month. The dual allowance will continue until one of the members is no longer assigned to one of those duty assignments. The other member will continue to receive the allowance until no longer assigned to one of those duty assignments.

*REFERENCES

CHAPTER 27: - FAMILY SEPARATION ALLOWANCE (FSA)

2.0 - ENTITLEMENT PROVISIONS

2.1	37 U.S.C. § 427
	DoD Instruction, 1340.24, September 17, 2009
	47 Comptroller General (Comp Gen) 788
2.2.1.	51 Comp Gen 116
	37 U.S.C. §§ 401, 421
2.2.4.	46 Comp Gen 148
2.3.1.	37 U.S.C. § 427
2.3.1.3. Note	Joint Travel Regulation, section 0206
2.3.2.	37 U.S.C. § 427(b)
2.3.2.3.	37 U.S.C. § 427(a)
2.3.4.	37 U.S.C. § 427(d)
2.3.4.3.	60 Comp Gen 154

3.0 - DEPENDENTS SEPARATION REQUIREMENTS

3.1.1.	51 Comp Gen 97
3.1.2.	43 Comp Gen 332, (Question 23)
	MS Comp Gen B-213658, June 26, 1984
	MS Comp Gen B-211693, July 15, 1983
	MS Comp Gen B-179976, November 7, 1974
3.1.3.	45 Comp Gen 170
	46 Comp Gen 148
3.2.1.	43 Comp Gen 596
3.2.2. and 3.2.3.	43 Comp Gen 332
3.3	43 Comp Gen 332, (Question 26)
	44 Comp Gen 572
	44 Comp Gen 217
	MS Comp Gen B-182098, October 9, 1975
	52 Comp Gen 912
	55 Comp Gen 991

4.0 - CONDITIONS OF ENTITLEMENT

4.1	37 U.S.C. § 427(d)
4.1.1.2.	37 U.S.C. § 427
	43 Comp Gen 527
4.1.1.3.	37 U.S.C. § 427
4.1.1.4.	37 U.S.C. § 427(c)
4.1.3. (Example 2)	44 Comp Gen 434
4.1.4.3.	37 U.S.C. § 427(c)

4.1.5.	43 Comp Gen 332
4.1.7.	43 Comp Gen 332
4.2	43 Comp Gen 596
4.3.2.	45 Comp Gen 633
4.4.1.1.	43 Comp Gen 596
	44 Comp Gen 537
4.4.1.2.	44 Comp Gen 537
4.4.1.2.2. (Example 1)	44 Comp Gen 537
4.4.1.5.	43 Comp Gen 755
	43 Comp Gen 748
4.4.2.	45 Comp Gen 838
	43 Comp Gen 748
	52 Comp Gen 912
	55 Comp Gen 991
Table 27-1	37 U.S.C. § 427
Rule 5	47 Comp Gen 67
Rule 7	43 Comp Gen 596
Rule 8	43 Comp Gen 332
Rule 9	43 Comp Gen 596
Rules 12-17	43 Comp Gen 332
Notes 4 and 5	43 Comp Gen 332
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Rule 1	43 Comp Gen 332
Rule 5	43 Comp Gen 596
Rule 10	43 Comp Gen 332
Note 3	43 Comp Gen 332
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Note 4	45 Comp Gen 838

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 28: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

VOLUME 7A, CHAPTER 29: "CLOTHING MONETARY ALLOWANCES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
3.5	Added Special Initial Clothing Allowance for Air Force and Space Force.	Revision
Table 29-1A & B; Table 29-2A & B; Table 29-3A & B; Table 29-5A & B; Table 29-6A & B; Table 29-7A & B; Table 29-8A & B; Table 29-9A & B	Updated with the Fiscal Years 2023 and 2024 Clothing Monetary Allowances.	Revision
Table 29-1C Table 29-2C Table 29-5C	April 2024: Inserted table for the U.S. Navy clothing rate changes effective April 1, 2024, in accordance with the Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, March 24, 2024.	Revision
Table 29-1D Table 29-5D	May 2024: Inserted table for the U.S. Air Force and U.S. Space Force clothing rate changes effective May 1, 2024, in accordance with the Department of the Air Force AF/A1 Memo, April 22, 2024.	Revision
Table 29-1E; Table 29-2D; Table 29-3C; Table 29-5E; Table 29-6C; Table 29-7C; Table 29-8C; Table 29-9C	November 2024: Updated tables with FY 2025 Clothing Allowances.	Addition
Table 29-7C	March 2025: Table updated Rule 15 in according with Department of the Air Force AF/A1 memo, February 7, 2025.	Revision

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CHAPTER 29

CLOTHING MONETARY ALLOWANCES

1.0 GENERAL

1.1 Purpose

The Secretary of Defense (SecDef) may, on an annual basis by law and under Presidential Executive Order, prescribe the quantity and kind of clothing to be furnished to an enlisted member of the Military Services and may prescribe the amount of cash allowance to be paid if the clothing is not furnished. It is DoD policy that the quantities and kinds of items of individual clothing to be furnished will be prescribed by the Service Secretary or the Commandant of the Marine Corps, under the parameters set by the Deputy Under Secretary of Defense – Military Personnel Policy (DUSD MPP).

1.2 Authoritative Guidance

The clothing monetary allowances policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code, section 418 (***37 U.S.C. § 418***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ALLOWANCES

2.1 Initial Clothing Allowance

Enlisted members receive the initial clothing allowance upon initial enlistment or upon other special qualification for entitlement to a prescribed outfitting of uniforms. The initial issue may be an in-kind issue or a combination of in-kind issue and cash payment.

2.2 Cash Clothing Replacement Allowance

Enlisted members receive the cash clothing replacement allowance, upon the anniversary month, each successive year following the provision of an initial clothing allowance. Cash clothing replacement allowances are for replacement of required uniform items based on a normal wear rate.

2.3 Extra Clothing Allowances

Extra clothing allowances are additional to initial and replacement allowances and do not reduce, replace, or otherwise affect them. Extra clothing allowances provide for unusual circumstances when:

2.3.1. An enlisted member may require additional uniform items; or

2.3.2. An officer (with a permanent duty station outside the United States) or enlisted member may require civilian clothes to perform their assigned duties.

3.0 INITIAL CLOTHING ALLOWANCES

3.1 Standard Initial Clothing Allowance – General Provisions

The standard initial clothing allowance is an in-kind issue, although a cash payment may be made for items not furnished in-kind. Each Service, as approved by the DUSD MPP, may prescribe cash payments for items specifically designated to be purchased by the member, rather than to be furnished in-kind. Additionally, if any of the items of clothing normally prescribed to be furnished in-kind are not available for issuance, then the initial allowance may be completed by paying the member the cash value of the balance remaining. The standard initial clothing allowance rates, including prescribed cash payments for personal purchase of specified items, are in Tables 29-1A, 29-1B, 29-1C, 29-1D and 29-1E. For the most current rates, see the ***Standard Initial Clothing Allowances*** table.

3.1.1. The total monetary value of items furnished in-kind, plus any cash payments, may not exceed the amounts for the total value of the applicable standard initial clothing allowance as established in Tables 29-1A, 29-1B, 29-1C, 29-1D and 29-1E. For the most current rates, see the Standard Initial Clothing Allowances table on DFAS.MIL.

3.1.2. If a Service member dies, is discharged, or is released from active-duty within 6 months of entitlement to an initial allowance, then the value of the initial allowance must be reduced to the items of clothing already supplied or amount credited up to that date.

3.1.3. Army and Marine Corps members, entitled to a standard initial clothing allowance, are furnished the allowance on an item or issue in-kind basis without establishing a monetary credit. Payment of the amount prescribed in the initial allowance as a cash allowance may be made immediately. Shortages of items being furnished on an in-kind basis must be recorded and issued when available to the Service member.

3.1.4. Navy, Air Force, and Space Force members, entitled to a standard initial clothing allowance, are credited with the amount of the allowance against which the authorized clothing is furnished. A member will receive the amount prescribed in the initial allowance as a cash payment for personal purchase of specified items. At the conclusion of the basic training period or within a period the Service considers appropriate, if any of the prescribed items of clothing to be furnished in-kind against the established credit are not available for issuance, then the initial allowance may be completed by paying the member the remaining balance in cash.

3.2 Standard Initial Clothing Allowance – Entitlement Criteria

Enlisted personnel (except those entitled to a special initial clothing allowance) must be furnished a standard initial clothing allowance under one or more of the following circumstances:

3.2.1. Upon first enlistment in the Service, or reenlistment in the same branch of the regular Military Service, if 3 months has expired from the date of last discharge or release from active-duty and the member is not reporting from a Reserve component that requires the member to maintain uniform clothing;

3.2.2. Upon enlistment or reenlistment in a Service, other than the one from which last discharged;

3.2.3. Upon reporting for or upon recall to active-duty for more than 6 months, after 3 months have expired from the date of last discharge or release from active-duty with the clothing required for service in a Reserve Component. In these cases, the initial allowance must be reduced to a partial standard initial clothing allowance under regulations of the appropriate Service, to account for clothing required to be in the person's possession upon call or recall to active-duty;

3.2.4. Upon being restored to duty, after being sentenced to confinement and punitive discharge, to the extent needed to fill the individual's clothing requirement;

3.2.5. Upon reenlisting within 3 months of last discharge or release from active-duty, when the Service member did not receive the complete initial allowance or was required to turn in issued clothing. The amount allowed, will be the difference between the current initial clothing allowance and the current value of issued clothing that remained in the member's possession upon the date of last discharge or release from active-duty, further reduced by any prior cash clothing payments toward the initial clothing allowance. Replacement allowances, issues, or payments are not considered the last authorization of the initial allowance;

3.2.6. Upon recall to active-duty after 3 months from the date of the last release from active-duty or retired enlisted personnel (including Service members of the Fleet Reserve and the Fleet Marine Corps Reserve) recalled to active-duty after 3 months from the date of the last release from active-duty or retirement. Only one such allowance will be authorized during any period of four consecutive years;

3.2.7. Upon reversion to service on active-duty for commissioned officers, or warrant officers, under temporary appointments who enlisted or reenlisted, or who reverted to service on active-duty in an enlisted (other than Chief Petty Officer) status, except for purposes of retirement. Only one such allowance is authorized in any period of 4 consecutive years; or

3.2.8. Upon reversion to enlistment in or reenlistment in the regular Navy, Naval officer candidates, and Naval Reserve Chief Petty Officers, who revert to or are enlisted or reenlisted in the regular Navy in pay grade E-6 or below, except for purposes of retirement, provided they previously have not received a standard initial clothing allowance during their current period of continuous active-duty.

3.3 Special Initial Clothing Allowance – General Provisions

Enlisted members assigned to a tour of duty, or who attain a status, requiring the wear of uniform clothing (other than special dress uniforms), may be authorized a special initial clothing

allowance. Special initial clothing allowance is authorized only once during any period of continuous active-duty. The special initial clothing allowance rates are in Tables 29-2A, 29-2B, 29-2C and 29-2D and Tables 29-3A, 29-3B and 29-3C. For the most current rates, see the Special Initial Clothing Allowances – ***Navy*** and ***AirForce and Space Force*** tables.

NOTE: Special Initial Clothing Allowance does not apply to the Army or Marine Corps.

3.3.1. The special initial clothing allowance is provided in lieu of the standard initial clothing allowance when it is the first initial allowance qualified for and issued. The special initial clothing allowance supersedes and replaces the standard initial clothing allowance and is considered the last authorization of an initial clothing allowance for a member who previously received a standard initial clothing allowance and subsequently qualifies for and is provided a special initial clothing allowance. The special initial clothing allowance may be issued in-kind, paid as a monetary payment, or provided as a combination, as established by the Service concerned.

3.3.2. Examples of uses for special initial clothing allowance are when members in an enlisted status enter an officer training program, are advanced to Chief Petty Officer in the Navy, or are assigned to a military band with uniform styles different than those for others in their pay grade.

3.4 Special Initial Clothing Allowance Navy – Eligibility Criteria

The Navy will furnish enlisted members with a special initial clothing allowance under one or more of the following circumstances:

3.4.1. Upon selection and acceptance for specified officer-training programs;

3.4.2. In pay grade E-6 or below, upon assignment to either the U.S. Naval Academy Band, U.S. Navy Band, Washington, DC, or selection for appointment as a Limited Duty Officer or Warrant Officer 1 in the Navy;

3.4.3. Upon first advancement to or first enlistment as a Chief Petty Officer in the Navy, while serving on active-duty, unless special initial clothing allowance was previously paid. Effective October 1, 2009, Chief Petty Officers of the Naval Reserve assigned to Selected Reserve and Voluntary Training Units are entitled to a full special initial clothing allowance upon first advancement to Chief Petty Officer;

3.4.4. For Chief Petty Officers in the Naval Reserve who were advanced before October 1, 2009, upon first reporting for active-duty for a period of 6 months or greater as a Chief Petty Officer of the Naval Reserve, provided no special initial clothing allowance has been previously paid either on active or inactive-duty. If a special initial clothing allowance has been previously paid on inactive-duty, then the Chief Petty Officer is entitled to a partial special initial clothing allowance in accordance with the Note at Tables 29-2A, 29-2B, 29-2C and 29-2D. See the Special Initial Clothing Allowances – Navy table on DFAS.MIL; or

3.4.5. Upon active-duty reenlistment or receipt of orders to active-duty as a Chief Petty Officer in the Navy, provided all of the following requirements are met:

3.4.5.1. Over 3 months have expired from the date of last discharge, release from active-duty or retirement;

3.4.5.2. The enlistment or reenlistment period is for a period of more than 6 months;

3.4.5.3. Appointment to temporary officer status is not coincident with the enlistment or reenlistment; and

3.4.5.4. The member has not received a special initial clothing allowance within the last 4 years while on inactive-duty.

*3.5 Special Initial Clothing Allowance Air Force and Space Force – Eligibility Criteria

The special initial clothing allowance is provided to Air Force and Space Force members upon selection and acceptance for specified officer-training programs and those assigned to a tour of duty, or status, requiring the wear of uniform clothing (other than special dress uniforms) of a style different from uniforms customary for most enlisted members of the Air Force and Space Force. Only one Special Initial Allowance is authorized during any period of continuous active-duty. See Tables 29-3A, 29-3B and 29-3C.

3.6 Partial Initial Clothing Allowances

Enlisted members will be paid a reduced or partial initial clothing allowance when payment of a full standard initial clothing allowance or full special initial clothing allowance is not warranted, due to an enlisted member reporting for or being recalled to active-duty for more than 6 months, after 3 months have expired from the date of last discharge or release from active-duty with the clothing required for service in a Reserve component.

4.0 CASH CLOTHING REPLACEMENT ALLOWANCES

4.1 General

Enlisted members receive cash clothing replacement allowances for uniform items for the replacement of military unique items required for wear. Enlisted members engaged in officer training programs or who are attending academy preparatory schools are not eligible for cash clothing replacement allowances. See Table 29-4 for specific entitlement rules. See Tables 29-5A, 29-5B, 29-5C, 29-5D and 29-5E for the cash clothing replacement allowance rates. For the most current rates, see the ***Cash Clothing Replacement Allowances***.

4.2 Basic Cash Clothing Replacement Allowance

Basic cash clothing replacement allowance is a preliminary replacement allowance for uniform items. It is used during the first 3 years of active service subsequent to receipt of a standard initial clothing allowance or a reduced or partial standard initial clothing allowance.

4.2.1. Basic cash clothing replacement allowance accrues to each enlisted member, beginning the first day of the month following the date of completion of 6 months of active-duty without regard to time lost. At the end of the member's anniversary month completing 1-year of uninterrupted active military service, the first payment is equal to one-half the applicable fiscal year rate then in effect.

4.2.2. When authorized under regulations of the Service concerned, enlisted members of a Reserve Component who received a reduced or partial standard initial clothing allowance may be authorized to accrue the basic cash clothing replacement allowance, beginning with the first day of the month following the date of call or recall to active-duty in a pay status.

4.2.3. The basic cash clothing replacement allowance continues for the first 3 years of continuous active-duty. It is payable for the second and third years at the end of the member's anniversary month, using the applicable rate then in effect.

4.3 Standard Cash Clothing Replacement Allowance

Standard cash clothing replacement allowance provides for replacement of uniform items after completion of 3 years of active service subsequent to receipt of a standard initial clothing allowance or a reduced or partial standard initial clothing allowance. It is the preliminary replacement allowance during the first 3 years of active service, subsequent to receipt of a reduced or partial or special initial clothing allowance.

4.3.1. When used as the follow-on to the basic cash clothing replacement allowance, the standard cash clothing replacement allowance accrues beginning with the first day of the month following the date the member completes 36 months active-duty, without regard to time lost. It continues during the remaining period of continuous active-duty and is payable annually at the end of the Service member's anniversary month, using the applicable rate then in effect.

4.3.2. When used as the preliminary replacement allowance for the special initial clothing allowance, the standard cash clothing replacement allowance accrues, beginning with the first day of the month following the date the special initial clothing allowance or a reduced or partial special initial clothing allowance was authorized without regard to time lost. It is payable annually, for the first 3 years of continuous active-duty, at the end of the Service member's anniversary month, using the applicable rate then in effect.

4.4 Special Cash Clothing Replacement Allowance

Special cash clothing replacement allowance provides for replacement of uniform items, after completion of 3 years of active service, subsequent to receipt of a special initial clothing

allowance. It accrues beginning with the first day of the month following the date the member completes 36 months active-duty, subsequent to receiving a special initial clothing allowance or a reduced or partial special initial clothing allowance, without regard to time lost, and continues during the remaining period of continuous active-duty. It is payable annually at the end of the Service member's anniversary month, using the applicable fiscal year rate then in effect. During the period for which the special cash clothing replacement allowance is payable, the Service member is not entitled to any other cash clothing replacement allowance.

5.0 EXTRA CLOTHING ALLOWANCES

5.1 General

Members may receive extra clothing allowances, in addition to any other entitled clothing allowance. Entitlement to or payment of an extra clothing allowance does not replace or reduce any other clothing allowance.

5.2 Supplementary Clothing Allowances

In addition to any other clothing allowance authorized, an enlisted member may become entitled to a supplementary clothing allowance. Supplementary clothing allowances may be authorized only for an enlisted member, assigned to duty in a special organization or detail, where the nature of the duty necessitates that he or she have, as a military requirement, additional quantities or special items of individual uniform clothing normally not required for most enlisted members in the same Service. Except for maternity uniforms, supplementary clothing allowances may not exceed 30 percent of the current value of the standard initial clothing allowance.

5.2.1. Entitlement

5.2.1.1. A supplementary clothing allowance may be issued in-kind, as a cash payment, or as a combination of issued in-kind and a cash payment. Generally, supplementary clothing allowances are cash payments to Navy, Air Force and Space Force members, while Army and Marine Corps members receive in-kind issues.

5.2.1.2. A member scheduled to serve in a qualifying assignment for at least 6 additional months, may receive a subsequent supplementary clothing allowance, on the anniversary of the initial supplementary clothing allowance. A Service member who has received a supplementary clothing allowance may not be authorized a subsequent supplementary allowance for the same items upon reassignment to duty if less than 12 months have elapsed since the last payment. Under circumstances deemed appropriate, the Service Secretary or the Commandant of the Marine Corps may waive this restriction.

5.2.1.3. As an exception to subparagraph 5.2.1.2., an otherwise qualified member may not receive the supplementary clothing allowance for maternity uniforms more often than once every 3 years.

5.2.2. Rates Payable

5.2.2.1. The Army provides supplementary clothing allowances as in-kind issues as described in ***Army Regulation 700-84***.

5.2.2.2. See Tables 29-6A, 29-6B and 29-6C for the Navy supplementary clothing allowance rates. For the most current rates, see the ***Supplementary Clothing Allowances – Navy*** tables.

5.2.2.3. See Tables 29-7A, 29-7B and 29-7C for the Air Force and Space Force supplementary clothing allowance rates. For the most current rates, see the ***Supplementary Clothing Allowances – AirForce and Space Force*** tables.

5.2.2.4. The Marine Corps provides supplementary clothing allowances as a combination of in-kind issues and cash payments. See Tables 29-8A, 29-8B and 29-8C for the Marine Corps supplementary clothing allowance cash payments. For the most current rates, see the ***Marine Corps Supplementary Clothing Allowances*** tables.

5.3 Civilian Clothing Allowances for Officers and Enlisted Personnel

In addition to any other clothing allowance authorized, Service members (officer or enlisted) directed by competent authority to dress in civilian clothing more than half the time when performing official duty, as a military requirement, may be authorized a civilian clothing allowance. In accordance with ***37 U.S.C. § 419***, an officer is authorized a civilian clothing allowance only if his or her permanent duty station is outside the United States. During any period in which an enlisted member is on an assignment requiring the wear of civilian clothing, the applicable replacement allowance for uniform items continues to accrue. The Service Secretary or the Commandant of the Marine Corps may prescribe reduced civilian clothing allowances, as appropriate for their respective Service, for personnel serving under conditions where the full authorized civilian clothing allowances in Tables 29-9A, 29-9B and 29-9C are not required. For the most current rates, see the ***Civilian Clothing Allowances for Officer and Enlisted*** tables.

5.3.1. Permanent Duty Civilian Clothing Allowances. The permanent duty civilian clothing allowance has two parts: the initial civilian clothing allowance; and the replacement civilian clothing allowance. The initial civilian clothing allowance is payable upon assignment to qualifying permanent duty when authorized by the Service concerned. When entitled, the replacement civilian clothing allowance is payable annually at the end of the service member's anniversary month using the applicable rate then in effect. The rates payable for the permanent duty civilian clothing allowances are in Tables 29-9A, 29-9B and 29-9C. For the most current rates, see the Civilian Clothing Allowances for Officer and Enlisted table on DFAS.MIL.

5.3.1.1. Initial Civilian Clothing Allowance. An initial civilian clothing allowance is paid only once in any 3-year period. It is not paid if the member has been out of a qualifying assignment for less than 12 months. If the member receives a follow-on permanent assignment requiring the wear of civilian clothing within 3 years of receiving an initial civilian clothing

allowance, or within 12 months of occupying a qualifying assignment, then he or she will receive the replacement civilian clothing allowance at the end of the original anniversary month.

5.3.1.2. Replacement Civilian Clothing Allowance. At the end of the anniversary month of the member commencing the qualifying assignment, a replacement civilian clothing allowance is payable if it is projected that he or she will serve at least 6 additional months in a qualifying assignment. The member becomes entitled, upon authorization of the Service concerned. A replacement civilian clothing allowance is not payable if it is projected the member will remain in the assignment less than 6 months beyond the anniversary month. A replacement civilian clothing allowance is payable, if the member actually serves 6 or more months in the assignment past the anniversary month.

5.3.1.3. Lump-Sum Payments. A member who will continue to meet the eligibility criteria for a civilian clothing allowance, on a career basis, may receive the initial civilian clothing allowance, and up to two replacement civilian clothing allowance payments, in an up-front lump-sum payment. The member may receive payment at the time of eligibility and only once in their career. During the member's first or second anniversaries after a lump-sum initial payment, if it is determined the member will not be remaining in a qualifying position for at least the next 6 months, the annual unearned portion for the year(s) not served will be recouped from the member. At the end of the anniversary months for the third and subsequent years of eligibility, the member will receive their replacement civilian clothing allowance payment.

5.3.1.4. Prior Civilian Clothing Payments. A member, authorized to receive permanent duty civilian clothing allowance, will have that allowance reduced by the prevailing value of any temporary duty civilian clothing allowance received within the preceding 12 months.

5.3.2. Temporary Duty Civilian Clothing Allowances. Generally, the temporary duty civilian clothing allowance is used when the permanent duty civilian clothing allowance is not applicable. The total amount of all temporary duty civilian clothing allowances payable in any 36-month period will not exceed the maximum allowed for temporary duty of at least 30 days. The amounts authorized by the Service concerned will be within the rates established in Tables 29-9A, 29-9B and 29-9C. For the most current rates, see the Civilian Clothing Allowances for Officer and Enlisted table on DFAS.MIL. The temporary duty civilian clothing allowance has two maximum rates based on the number of days the member is on temporary duty.

5.3.2.1. 15 Days. When competent authority determines the member will be on temporary duty at least 15 consecutive or accumulative days within a 30-day period, the maximum amount payable is found in Tables 29-9A, 29-9B and 29-9C. For the most current rates, see the Civilian Clothing Allowances for Officer and Enlisted table on DFAS.MIL. The 15-day threshold requirement does not apply to Explosive Ordnance Disposal and Explosive Detector Dog Personnel on U.S. Secret Service Support Duty, Defense Courier Service couriers, or Defense Threat Reduction Agency military personnel. These personnel may receive the maximum payment for temporary duty of at least 30 days, upon their initial temporary duty assignment, regardless of the length of their temporary duty.

5.3.2.2. 30 Days. When competent authority determines that a member will be on temporary duty at least 30 consecutive or accumulative days within a 36-month period, the maximum amount payable will be found in Table 29-9, less any amount paid within the past 36-month period. For the most current rates, see the Civilian Clothing Allowances for Officer and Enlisted table on DFAS.MIL.

5.3.3. Additional Temporary Duty Payments. In exceptional circumstances, the appropriate official, or the designated official, may make an exception to the maximum allowance permitted in a 36-month period and may authorize an additional payment of a 15-day or 30-day allowance or some lesser amount. The Assistant Secretaries of the Army, Navy and Air Force for Manpower and Reserve Affairs (M&RA), or the Deputy Chief of Staff for M&RA in the Marine Corps, may approve the additional allowance. They cannot delegate their authority.

6.0 MISCELLANEOUS CLOTHING PROVISIONS

6.1 Reserve Component Allowances

Reserve Component personnel on active-duty for periods of less than 6 months, or while on inactive-duty, are generally furnished the required individual clothing items as in-kind issues. Reserve Component personnel may receive the standard initial clothing allowance cash portion for items designated to be personally procured and not issued in-kind. Members of Reserve Components on active-duty for periods of less than 6 months or on inactive-duty are not entitled to any civilian clothing allowances. Further guidance for payment of clothing allowances for Reserve members is set forth in Chapters 57 and 58.

6.2 Lost or Damaged Clothing

The Service concerned will compensate an enlisted member for clothing items destroyed, damaged, lost, abandoned, captured, or otherwise rendered unusable, by an incident to military training or service, not caused by any fault or negligence of the member.

6.3 Clothing Price Adjustments

Enlisted members of the Navy, Air Force, and Space Force, entitled to an initial or partial initial clothing monetary allowance upon entering the Service, may require an adjustment to their pay records. A member's pay record is adjusted to reflect the difference between the old and the new fiscal year prices for items not issued, if the entitlement date is on or before September 30, for all clothing items not issued prior to October 1.

6.4 Settlement of Cash Clothing Allowances

A member will receive the cash clothing replacement allowance on the last day of their anniversary month. A member will receive a prorated cash clothing replacement allowance when discharged before the end of their anniversary month. The authorizing official approves payment for supplementary clothing allowances. See Table 29-10 for settlement of other cash clothing allowances.

*Table 29-1A. Standard Initial Clothing Allowances - Effective October 1, 2022
For the most current rates, see the Standard Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Standard Initial Clothing Allowance is	and the prescribed cash payment portion for purchase of specified items is
1	Army	Male	$1,799.23	$0
2		Female	$2,171.63	$406.60
3	Navy (E1-E6)	Male	$2,039.31	$125.26
4		Female	$2,203.04	$346.76
5	Air Force/	Male	$1,825.53	$0
6	Space Force	Female	$2,220.46	$494.09
7	Marine Corps	Male	$2,395.10	$0
8		Female	$2,326.09	$175.00

*Table 29-1B. Standard Initial Clothing Allowances - Effective October 1, 2023
For the most current rates, see the Standard Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Standard Initial Clothing Allowance is	and the prescribed cash payment portion for purchase of specified items is
1	Army	Male	$1,895.33	$0
2		Female	$2,269.60	$406.60
3	Navy (E1-E6)	Male	$2,190.74	$129.23
4		Female	$2,299.46	$336.22
5	Air Force/	Male	$1,954.43	$0
6	Space Force	Female	$2,325.59	$505.94
7	Marine Corps	Male	$2,690.06	$0
8		Female	$2,656.64	$175.00

*Table 29-1C. Standard Initial Clothing Allowances - Effective April 1, 2024
For the most current rates, see the Standard Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Standard Initial Clothing Allowance is	and the prescribed cash payment portion for purchase of specified items is
1	Army	Male	$1,895.33	$0
2		Female	$2,269.60	$406.60
3	Navy (E1-E6)	Male	$2,210.16	$129.23
4		Female	$2,318.88	$336.22
5	Air Force/	Male	$1,954.43	$0
6	Space Force	Female	$2,325.59	$505.94
7	Marine Corps	Male	$2,690.06	$0
8		Female	$2,656.64	$175.00

*Table 29-1D. Standard Initial Clothing Allowances - Effective May 1, 2024
For the most current rates, see the Standard Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Standard Initial Clothing Allowance is	and the prescribed cash payment portion for purchase of specified items is
1	Army	Male	$1,895.33	$0
2		Female	$2,269.60	$406.60
3	Navy (E1-E6)	Male	$2,210.16	$129.23
4		Female	$2,318.88	$336.22
5	Air Force/	Male	$2,077.84	$0
6	Space Force	Female	$2,459.67	$505.94
7	Marine Corps	Male	$2,690.06	$0
8		Female	$2,656.64	$175.00

*Table 29-1E. Standard Initial Clothing Allowances - Effective October 1, 2024
For the most current rates, see the Standard Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Standard Initial Clothing Allowance is	and the prescribed cash payment portion for purchase of specified items is
1	Army	Male	$2,060.93	$0
2		Female	$2,395.48	$400.50
3	Navy (E1-E6)	Male	$2,307.23	$139.49
4		Female	$2,476.78	$348.41
5	Air Force	Male	$2,223.27	$0
6		Female	$2,641.09	$520.36
7	Marine Corps	Male	$2,881.00	$0
8		Female	$2,927.80	$175.00
9	Space Force	Male	$2,223.27	$0
10		Female	$2,641.09	$520.36

*Table 29-2A. Navy Special Initial Clothing Allowances – Effective October 1, 2022
For the most current rates, see the Navy Special Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Special Initial Clothing Allowance is	and the prescribed cash payment portion to be paid is	and the Partial Initial Clothing Allowance for a member of the Reserves or Guard called to active-duty is
1	in pay grade E-6 or below and assigned to the U.S. Navy Band, Washington, DC, or the U.S. Naval Academy Band, or selected for appointment as a Limited Duty Officer in the Navy or Warrant Officer One in the Navy	Male	$1,243.85	$1,243.85	$0
2		Female	$1,214.26	$1,214.26	$0
3	eligible to wear the uniform of a Chief Petty Officer (E7-E9) (See Note)	Male	$1,243.85	$1,243.85	$1,243.85
4		Female	$1,214.26	$1,214.26	$1,214.26
5	selected for officer training in the Navy and enters Officer Candidate School, the Enlisted Commissioning Program, or the Seaman to Admiral Program	Male	$2,077.85	$2,077.85	$0
6		Female	$2,228.49	$2,228.49	$0

NOTE:

Navy Reserve personnel advanced to Chief Petty Officer on or after October 1, 2009, are entitled to the full special initial clothing allowance. Chief Petty Officers in the Navy Reserve, who were advanced before October 1, 2009, were only paid a partial special initial clothing allowance and are entitled to a partial initial clothing allowance when called to active-duty for 6 months or more.

*Table 29-2B. Navy Special Initial Clothing Allowances - Effective October 1, 2023
For the most current rates, see the Navy Special Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Special Initial Clothing Allowance is	and the prescribed cash payment portion to be paid is	and the Partial Initial Clothing Allowance for a member of the Reserves or Guard called to active-duty is
1	in pay grade E-6 or below and assigned to the U.S. Navy Band, Washington, DC, or the U.S. Naval Academy Band, or selected for appointment as a Limited Duty Officer in the Navy or Warrant Officer One in the Navy	Male	$1,280.38	$1,280.38	$0
2		Female	$1,239.46	$1,239.46	$0
3	eligible to wear the uniform of a Chief Petty Officer (E7-E9) (See Note)	Male	$1,280.38	$1,280.38	$1,280.38
4		Female	$1,239.46	$1,239.46	$1,239.46
5	selected for officer training in the Navy and enters Officer Candidate School, the Enlisted Commissioning Program, or the Seaman to Admiral Program	Male	$2,140.35	$2,140.35	$0
6		Female	$2,305.26	$2,305.26	$0

NOTE:

Navy Reserve personnel advanced to Chief Petty Officer on or after October 1, 2009, are entitled to the full special initial clothing allowance. Chief Petty Officers in the Navy Reserve, who were advanced before October 1, 2009, were only paid a partial special initial clothing allowance and are entitled to a partial initial clothing allowance when called to active-duty for 6 months or more.

*Table 29-2C. Navy Special Initial Clothing Allowances - Effective April 1, 2024
For the most current rates, see the Navy Special Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Special Initial Clothing Allowance is	and the prescribed cash payment portion to be paid is	and the Partial Initial Clothing Allowance for a member of the Reserves or Guard called to active-duty is
1	in pay grade E-6 or below and assigned to the U.S. Navy Band, Washington, DC, or the U.S. Naval Academy Band, or selected for appointment as a Limited Duty Officer in the Navy or Warrant Officer One in the Navy	Male	$1,280.38	$1,280.38	$0
2		Female	$1,239.46	$1,239.46	$0
3	eligible to wear the uniform of a Chief Petty Officer (E7-E9) (See Note)	Male	$1,280.38	$1,280.38	$1,280.38
4		Female	$1,239.46	$1,239.46	$1,239.46
5	selected for officer training in the Navy and enters Officer Candidate School, the Enlisted Commissioning Program, or the Seaman to Admiral Program	Male	$2,159.77	$2,159.77	$0
6		Female	$2,324.68	$2,324.68	$0

NOTE:

Navy Reserve personnel advanced to Chief Petty Officer on or after October 1, 2009, are entitled to the full special initial clothing allowance. Chief Petty Officers in the Navy Reserve, who were advanced before October 1, 2009, were only paid a partial special initial clothing allowance and are entitled to a partial initial clothing allowance when called to active-duty for 6 months or more.

*Table 29-2D. Navy Special Initial Clothing Allowances - Effective October 1, 2024
For the most current rates, see the Navy Special Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Special Initial Clothing Allowance is	and the prescribed cash payment portion to be paid is	and the Partial Initial Clothing Allowance for a member of the Reserves or Guard called to active-duty is
1	in pay grade E-6 or below and assigned to the U.S. Navy Band, Washington, DC, or the U.S. Naval Academy Band, or selected for appointment as a Limited Duty Officer in the Navy or Warrant Officer One in the Navy	Male	$1,324.18	$1,324.18	$0
2		Female	$1,265.60	$1,265.60	$0
3	eligible to wear the uniform of a Chief Petty Officer (E7-E9) (See Note)	Male	$1,324.18	$1,324.18	$1,324.18
4		Female	$1,265.60	$1,265.60	$1,265.60
5	selected for officer training in the Navy and enters Officer Candidate School, the Enlisted Commissioning Program, or the Seaman to Admiral Program	Male	$2,252.10	$2,252.10	$0
6		Female	$2,432.48	$2,432.48	$0

NOTE:

Navy Reserve personnel advanced to Chief Petty Officer on or after October 1, 2009, are entitled to the full special initial clothing allowance. Chief Petty Officers in the Navy Reserve, who were advanced before October 1, 2009, were only paid a partial special initial clothing allowance and are entitled to a partial initial clothing allowance when called to active-duty for 6 months or more.

*Table 29-3A. Air Force and Space Force Special Initial Clothing Allowances - Effective October 1, 2022
For the most current rates, see the Air Force and Space Force Special Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Special Initial Clothing Allowance is	and the prescribed cash payment portion to be paid is
1	a direct civilian accession student to the Air Force Officer Training School (AFOTS)	Male	$1,022.56	$1,022.56
2		Female	$1,323.85	$1,323.85
3	an enlisted accession student to the AFOTS	Male	$428.56	$428.56
4		Female	$428.56	$428.56
	assigned to the U.S. Air Force Academy Preparatory School	Male	$1,124.42	$1,124.42
6		Female	$1,124.42	$1,124.42

*Table 29-3B. Air Force and Space Force Special Initial Clothing Allowances - Effective October 1, 2023
For the most current rates, see the Air Force and Space Force Special Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Special Initial Clothing Allowance is	and the prescribed cash payment portion to be paid is
1	a direct civilian accession student to the Air Force Officer Training School (AFOTS)	Male	$1,047.10	$1,047.10
2		Female	$1,355.62	$1,355.62
3	an enlisted accession student to the AFOTS	Male	$438.85	$438.85
4		Female	$438.85	$438.85
	assigned to the U.S. Air Force Academy Preparatory School	Male	$1,151.41	$1,151.41
6		Female	$1,151.41	$1,151.41

*Table 29-3C. Air Force and Space Force Special Initial Clothing Allowances - Effective October 1, 2024

For the most current rates, see the Air Force and Space Force Special Initial Clothing Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the total value of the Special Initial Clothing Allowance is	and the prescribed cash payment portion to be paid is
1	a direct civilian accession student to the Air Force Officer Training School (AFOTS)	Male	$1,070.14	$1,070.14
2		Female	$1,385.47	$1,385.47
3	an enlisted accession student to the AFOTS	Male	$758.71	$758.71
4		Female	$707.17	$707.17
5	assigned to the U.S. Air Force Academy Preparatory School	Male	$1,176.74	$1,176.74
6		Female	$1,176.74	$1,176.74
*7	an enlisted accession student to the Warrant Officer Training School	Male	$758.71	$758.71
*8		Female	$707.17	$707.17

Table 29-4. Entitlement to Cash Clothing Replacement Allowances

RULE	When a member	and is not	then the member is entitled to an annual
1	completes 6 months of active-duty after last entitlement to a standard initial, partial standard initial, or reduced standard initial clothing allowance (Note 1)	missing, missing-in-action, captured, or detained in a foreign country; nor forfeiting total pay; nor in confinement under approved sentence providing a punitive discharge (Note 2); nor assigned to a command where clothing is replaced by an in-kind issue; nor undergoing training leading to a commission or attending an academy preparatory school; nor terminated from the status for which a special initial clothing monetary allowance was awarded	basic cash clothing replacement allowance, accruing from the first day of the month following the date of completion of 6 months active-duty through the end of 36 months of active-duty. On completion of 12 months of uninterrupted active-duty, payment will be made for one-half the annual rate and the full annual rate thereafter. Annual payments will be made at the end of the member's anniversary month of active-duty (Note 3).
2	completes 6 months of active-duty as an officer candidate (Note 1)	missing, missing-in-action, captured, or detained in a foreign country; nor forfeiting total pay; nor in confinement under approved sentence providing a punitive discharge (Note 2); nor assigned to a command where clothing is replaced by an in-kind issue; nor undergoing training leading to a commission or attending an academy preparatory school; nor terminated from the status for which a special initial clothing monetary allowance was awarded	basic cash clothing replacement allowance, accruing from the first day of the month following the date of completion of 6 months active-duty through the end of 36 months of active-duty. On completion of 12 months of uninterrupted active-duty, payment will be made for one-half the annual rate and the full annual rate thereafter. Annual payments will be made at the end of the member's anniversary month of active-duty (Note 3).

Table 29-4. Entitlement to Cash Clothing Replacement Allowances (Continued)

RULE	When a member	and is not	then the member is entitled to an annual
3	becomes entitled to a special initial, partial special initial, or reduced special initial clothing allowance	missing, missing-in-action, captured, or detained in a foreign country; nor forfeiting total pay; nor in confinement under approved sentence providing a punitive discharge (Note 2); nor assigned to a command where clothing is replaced by an in-kind issue; nor undergoing training leading to a commission or attending an academy preparatory school; nor terminated from the status for which a special initial clothing monetary allowance was awarded	standard cash clothing replacement allowance accruing from the first day of the month following the date the special initial clothing allowance is awarded and continuing for the first 36 months of such active-duty. Annual payments will be made at the end of the member's anniversary month of active-duty (Note 3).
4	completes 36 months of active-duty after last entitlement to a standard initial, partial standard initial, or a reduced standard initial clothing allowance (Note 1)	missing, missing-in-action, captured, or detained in a foreign country; nor forfeiting total pay; nor in confinement under approved sentence providing a punitive discharge (Note 2); nor assigned to a command where clothing is replaced by an in-kind issue; nor undergoing training leading to a commission or attending an academy preparatory school; nor terminated from the status for which a special initial clothing monetary allowance was awarded	standard cash clothing replacement allowance accruing from the first day of the month following the date of completion of 36 months active-duty. Annual payments will be made at the end of the member's anniversary month of active-duty (Note 3).

Table 29-4. Entitlement to Cash Clothing Replacement Allowances (Continued)

RULE	When a member	and is not	then the member is entitled to an annual
5	completes 36 months of active-duty after last entitlement to a special initial, partial special initial, or a reduced special initial clothing allowance (Note 1)	missing, missing-in-action, captured, or detained in a foreign country; nor forfeiting total pay; nor in confinement under approved sentence providing a punitive discharge (Note 2); nor assigned to a command where clothing is replaced by an in-kind issue; nor undergoing training leading to a commission or attending an academy preparatory school; nor terminated from the status for which a special initial clothing monetary allowance was awarded	special cash clothing replacement allowance accruing from the first day of the month following the date of completion of 36 months active-duty. Annual payments will be made at the end of the member's anniversary month of active-duty (Note 3).

NOTES:

1. The time period is computed without regard to lost time.
2. The term “approved sentence” means the date the sentence was approved by the convening authority.
3. If a member serves on this active-duty less than 12 months or less than 12 months after the last annual payment, then a prorated amount will be paid, calculated at one-twelfth of the annual rate for each whole month or fractional month served. Example: A member on a 3-year enlistment leaves service after serving 2 years, 6 months, and 10 days. The final payment would be an amount equal to 7/12 of the annual amount.

*Table 29-5A. Cash Clothing Replacement Allowances - Effective October 1, 2022
For the most current rates, see the Cash Clothing Replacement Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the value of the Basic Cash Clothing Replacement Allowance is	and the value of the Standard Cash Clothing Replacement Allowance is	and the value of the Special Cash Clothing Replacement Allowance is	and the value of the Reserve Special Cash Clothing Replacement Allowance is 18% of the previous column
1	Army	Male	$362.14	$517.34	N/A	N/A
2		Female	$369.48	$527.84	N/A	N/A
3	Navy (Note 1)	Male	$352.80	$504.00	$684.00	$132.12 (Note 2)
4		Female	$338.40	$482.40	$561.60	$101.10 (Note 2)
5	Air Force/	Male	$326.55	$466.50	N/A	N/A
6	Space Force	Female	$334.62	$478.03	N/A	N/A
7	Marine Corps	Male	$517.32	$738.84	N/A	N/A
8		Female	$513.48	$733.68	N/A	N/A

NOTES:

1. Members of the U.S. Naval Academy Band, the U.S. Navy Band, Washington, DC, and all Navy Chief Petty Officers receive special cash clothing replacement allowances as follow-on to the special initial clothing allowances.
2. Reserve Chief Petty Officers will receive 18 percent of the Active-Duty Special Cash Clothing Replacement Allowance. This allowance will be paid annually during the anniversary month of the qualifying member.

*Table 29-5B. Cash Clothing Replacement Allowances - Effective October 1, 2023
For the most current rates, see the Cash Clothing Replacement Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the value of the Basic Cash Clothing Replacement Allowance is	and the value of the Standard Cash Clothing Replacement Allowance is	and the value of the Special Cash Clothing Replacement Allowance is	and the value of the Reserve Special Cash Clothing Replacement Allowance is 18% of the previous column
1	Army	Male	$381.07	$544.38	N/A	N/A
2		Female	$388.86	$555.52	N/A	N/A
3	Navy (Note 1)	Male	$374.40	$536.40	$712.80	$128.30 (Note 2)
4		Female	$370.80	$529.20	$698.40	$125.70 (Note 2)
5	Air Force/	Male	$346.68	$495.24	N/A	N/A
6	Space Force	Female	$351.12	$501.60	N/A	N/A
7	Marine Corps	Male	$571.56	$816.48	N/A	N/A
8		Female	$562.80	$803.52	N/A	N/A

NOTES:

1. Members of the U.S. Naval Academy Band, the U.S. Navy Band, Washington, DC, and all Navy Chief Petty Officers receive special cash clothing replacement allowances as follow-on to the special initial clothing allowances.
2. Reserve Chief Petty Officers will receive 18 percent of the Active-Duty Special Cash Clothing Replacement Allowance. This allowance will be paid annually during the anniversary month of the qualifying member.

*Table 29-5C. Cash Clothing Replacement Allowances - Effective April 1, 2024
For the most current rates, see the Cash Clothing Replacement Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the value of the Basic Cash Clothing Replacement Allowance is	and the value of the Standard Cash Clothing Replacement Allowance is	and the value of the Special Cash Clothing Replacement Allowance is	and the value of the Reserve Special Cash Clothing Replacement Allowance is 18% of the previous column
1	Army	Male	$381.07	$544.38	N/A	N/A
2		Female	$388.86	$555.52	N/A	N/A
3	Navy (Note 1)	Male	$381.60	$543.60	$716.40	$129.00 (Note 2)
4		Female	$374.40	$532.80	$702.00	$126.36 (Note 2)
5	Air Force/	Male	$346.68	$495.24	N/A	N/A
6	Space Force	Female	$351.12	$501.60	N/A	N/A
7	Marine Corps	Male	$571.56	$816.48	N/A	N/A
8		Female	$562.80	$803.52	N/A	N/A

NOTES:

1. Members of the U.S. Naval Academy Band, the U.S. Navy Band, Washington, DC, and all Navy Chief Petty Officers receive special cash clothing replacement allowances as follow-on to the special initial clothing allowances.
2. Reserve Chief Petty Officers will receive 18 percent of the Active-Duty Special Cash Clothing Replacement Allowance. This allowance will be paid annually during the anniversary month of the qualifying member.

*Table 29-5D. Cash Clothing Replacement Allowances - Effective May 1, 2024
For the most current rates, see the Cash Clothing Replacement Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the value of the Basic Cash Clothing Replacement Allowance is	and the value of the Standard Cash Clothing Replacement Allowance is	and the value of the Special Cash Clothing Replacement Allowance is	and the value of the Reserve Special Cash Clothing Replacement Allowance is 18% of the previous column
1	Army	Male	$381.07	$544.38	N/A	N/A
2		Female	$388.86	$555.52	N/A	N/A
3	Navy (Note 1)	Male	$381.6	$543.60	$716.40	$129.00 (Note 2)
4		Female	$374.40	$532.80	$702.00	$126.36 (Note 2)
5	Air Force/	Male	$371.43	$530.62	N/A	N/A
6	Space Force	Female	$378.92	$541.32	N/A	N/A
7	Marine Corps	Male	$571.56	$816.48	N/A	N/A
8		Female	$562.80	$803.52	N/A	N/A

NOTES:

1. Members of the U.S. Naval Academy Band, the U.S. Navy Band, Washington, DC, and all Navy Chief Petty Officers receive special cash clothing replacement allowances as follow-on to the special initial clothing allowances.
2. Reserve Chief Petty Officers will receive 18 percent of the Active-Duty Special Cash Clothing Replacement Allowance. This allowance will be paid annually during the anniversary month of the qualifying member.

*Table 29-5E. Cash Clothing Replacement Allowances - Effective October 1, 2024
For the most current rates, see the Cash Clothing Replacement Allowances table on DFAS.MIL.

RULE	When an entitled enlisted member is	and is	then the value of the Basic Cash Clothing Replacement Allowance is	and the value of the Standard Cash Clothing Replacement Allowance is	and the value of the Special Cash Clothing Replacement Allowance is	and the value of the Reserve Special Cash Clothing Replacement Allowance is 18% of the previous column
1	Army	Male	$403.07	$575.82	N/A	N/A
2		Female	$401.41	$573.45	N/A	N/A
3	Navy (Note 1)	Male	$392.40	$561.60	$745.20	$134.14 (Note 2)
4		Female	$399.60	$568.80	$727.20	$130.90 (Note 2)
5	Air Force/	Male	$397.20	$567.48	N/A	N/A
6	Space Force	Female	$408.00	$582.96	N/A	N/A
7	Marine Corps	Male	$601.44	$858.96	N/A	N/A
8		Female	$610.20	$869.04	N/A	N/A

NOTES:

1. Members of the U.S. Naval Academy Band, the U.S. Navy Band, Washington, DC, and all Navy Chief Petty Officers receive special cash clothing replacement allowances as follow-on to the special initial clothing allowances.
2. Reserve Chief Petty Officers will receive 18 percent of the Active-Duty Special Cash Clothing Replacement Allowance. This allowance will be paid annually during the anniversary month of the qualifying member.

*Table 29-6A. Navy Supplementary Clothing Allowances - Effective October 1, 2022
For the most current rates, see the Navy Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When a Navy enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	duty as the Master Chief Petty Officer of the Navy or a Master Chief Petty Officer of a Fleet or Force	$220.00	annual.
2	duty as a recruit company commander at Naval training centers or Naval Air Reserve training unit (Memphis) and meets eligibility requirements (Note 2)	$220.00	
3	duty as a recruit drill instructor at naval training centers and meets eligibility requirements (Note 2)	$220.00	
4	duty as a midshipmen company advisor in pay grade E7 – E9 at the U.S. Naval Academy	$220.00	
5	duty as a musician with a Fleet/Area Band, U.S. Navy Band, Washington, DC or Naval Academy Band	$220.00	
6	assigned to a recruiting billet or a recruiting support billet (Note 3)	$220.00	
7	the USS CONSTITUTION	$220.00	only upon assignment.
8	the U.S. Navy Ceremonial Guard	$220.00	
9	duty with Naval Administrative Unit, Washington, DC	$125.00	
10	the Ceremonial Guard Unit, Naval Air Facility, Washington DC	$120.00	
11	a unit of the Armed Forces police or permanent shore patrol	$50.00	
12	duty in the executive part of the Department of the Navy located at the seat of government (field activities excluded)	$15.00	
13	duty in the Office of the SecDef including the Office of the Joint Chiefs of Staff	$15.00	
14	active-duty or Selected Reserve duty and the individual's condition requires the wearing of a maternity uniform	$472.84	once in 3 years.

Table 29-6A. Navy Supplementary Clothing Allowances (Continued)
Effective October 1, 2022

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1-year, except by special authority of the Service Secretary or designee.
2. Eligibility requires completion of Recruit Company Commander or Recruit Drill Instructor School.
3. Recruiting or recruiting support duty means active-duty assignment to: Navy recruiting areas, Navy recruiting districts, Navy recruiting "A" stations, Navy recruiting stations, Military Entrance Processing Stations, or to Naval Reserve activities. It also includes naval aviation cadet procurement teams at Naval Air Reserve activities. It is payable to recruiters after reporting to the enlisted Navy Recruiter Orientation Course or upon completion of the Veteran Recruiter Orientation. It is payable to recruiting support personnel upon receipt of orders to such duty. It is payable to members assigned to the Bureau of Naval Personnel controlled recruiting billets or a recruit support billet upon initial assignment when specialized training is not required prior to the recruiting assignment.

*Table 29-6B. Navy Supplementary Clothing Allowances - Effective October 1, 2023
For the most current rates, see the Navy Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When a Navy enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	duty as the Master Chief Petty Officer of the Navy or a Master Chief Petty Officer of a Fleet or Force	$225.28	annual.
2	duty as a recruit company commander at Naval training centers or Naval Air Reserve training unit (Memphis) and meets eligibility requirements (Note 2)	$225.28	
3	duty as a recruit drill instructor at naval training centers and meets eligibility requirements (Note 2)	$225.28	
4	duty as a midshipmen company advisor in pay grade E7 – E9 at the U.S. Naval Academy	$225.28	
5	duty as a musician with a Fleet/Area Band, U.S. Navy Band, Washington, DC or Naval Academy Band	$225.28	
6	assigned to a recruiting billet or a recruiting support billet (Note 3)	$225.28	
7	the USS CONSTITUTION	$225.28	only upon assignment.
8	the U.S. Navy Ceremonial Guard	$225.28	
9	duty with Naval Administrative Unit, Washington, DC	$128.04	
10	the Ceremonial Guard Unit, Naval Air Facility, Washington DC	$122.88	
11	a unit of the Armed Forces police or permanent shore patrol	$51.20	
12	duty in the executive part of the Department of the Navy located at the seat of government (field activities excluded)	$15.36	
13	duty in the Office of the SecDef including the Office of the Joint Chiefs of Staff	$15.36	
14	active-duty or Selected Reserve duty and the individual's condition requires the wearing of a maternity uniform	$435.88	once in 3 years.

Table 29-6B. Navy Supplementary Clothing Allowances (Continued)
Effective October 1, 2023

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1-year, except by special authority of the Service Secretary or designee.
2. Eligibility requires completion of Recruit Company Commander or Recruit Drill Instructor School.
3. Recruiting or recruiting support duty means active-duty assignment to: Navy recruiting areas, Navy recruiting districts, Navy recruiting "A" stations, Navy recruiting stations, Military Entrance Processing Stations, or to Naval Reserve activities. It also includes naval aviation cadet procurement teams at Naval Air Reserve activities. It is payable to recruiters after reporting to the enlisted Navy Recruiter Orientation Course or upon completion of the Veteran Recruiter Orientation. It is payable to recruiting support personnel upon receipt of orders to such duty. It is payable to members assigned to the Bureau of Naval Personnel controlled recruiting billets or a recruit support billet upon initial assignment when specialized training is not required prior to the recruiting assignment.

*Table 29-6C. Navy Supplementary Clothing Allowances - Effective October 1, 2024
For the most current rates, see the Navy Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When a Navy enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	duty as the Master Chief Petty Officer of the Navy or a Master Chief Petty Officer of a Fleet or Force	$275.14	annual.
2	duty as a recruit company commander at Naval training centers or Naval Air Reserve training unit (Memphis) and meets eligibility requirements (Note 2)	$275.14	
3	duty as a recruit drill instructor at naval training centers and meets eligibility requirements (Note 2)	$275.14	
4	duty as a midshipmen company advisor in pay grade E7 – E9 at the U.S. Naval Academy	$275.14	
5	duty as a musician with a Fleet/Area Band, U.S. Navy Band, Washington, DC or Naval Academy Band	$275.14	
6	assigned to a recruiting billet or a recruiting support billet (Note 3)	$275.14	
7	the USS CONSTITUTION	$275.14	only upon assignment.
8	the U.S. Navy Ceremonial Guard	$275.14	
9	duty with Naval Administrative Unit, Washington, DC	$156.20	
10	the Ceremonial Guard Unit, Naval Air Facility, Washington DC	$149.30	
11	a unit of the Armed Forces police or permanent shore patrol	$62.46	
12	duty in the executive part of the Department of the Navy located at the seat of government (field activities excluded)	$18.74	
13	duty in the Office of the SecDef including the Office of the Joint Chiefs of Staff	$18.74	
14	active-duty or Selected Reserve duty and the individual's condition requires the wearing of a maternity uniform	$502.55	once in 3 years.

Table 29-6C. Navy Supplementary Clothing Allowances (Continued)
Effective October 1, 2024

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active duty within 1-year, except by special authority of the Service Secretary or designee.
2. Eligibility requires completion of Recruit Company Commander or Recruit Drill Instructor School.
3. Recruiting or recruiting support duty means active duty assignment to: Navy recruiting areas, Navy recruiting districts, Navy recruiting "A" stations, Navy recruiting stations, Military Entrance Processing Stations, or to Naval Reserve activities. It also includes Naval aviation cadet procurement teams at Naval Air Reserve activities. It is payable to recruiters after reporting to the enlisted Navy Recruiter Orientation Course or upon completion of the Veteran Recruiter Orientation. It is payable to recruiting support personnel upon receipt of orders to such duty. It is payable to members in Bureau of Personnel controlled recruiting billets or a recruit support billet upon initial assignment, when specialized training is not required prior to the recruiting assignment.

*Table 29-7A. Air Force and Space Force Supplementary Clothing Allowances - Effective October 1, 2022
For the most current rates, see the Air Force and Space Force Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When an Air Force enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	a recruiting group or squadron	$288.52	annual.
2	duty as the Chief Master Sergeant of the Air Force and Space Force	$288.49	
3	duty as a Military Training Leader (Technical Training Schools)	$288.49	
4	duty as a professional military education instructor	$288.49	
5	duty as a basic military training instructor or manager	$288.49	
6	duty as an in-flight passenger service steward	$224.84	
7	Detachment 1, 4950th Test Wing	$224.84	
8	89th Air Wing Presidential Aircrew	$224.84	
9	duty as a cadet military training advisor at the U.S. Air Force Academy	$224.84	
10	duty as a basic military training instructor at the U.S. Air Force Academy Preparatory School	$224.84	
11	a military entrance processing station	$186.65	
12	USAF Honor Guard (Air Force Specialty Code 8G000)	$177.35	
13	89th Air Wing as a member of the security police	$152.64	
14	duty as the Chief Master Sergeant of the Air Force and Space Force Staff	$288.52	only upon assignment.
15	represent the Air Force as one of the 12 Outstanding Airmen of the Year	$288.52	
16	Hammer Ace	$224.89	
17	Headquarters U.S. Air Force/Chief of Staff as member of the security police	$152.64	
18	duty at a Major Command as a member of the security police Elite Guard	$152.64	
19	duty as a member of the security police Elite Gate Guards	$152.64	
20	duty as a student at the Security Forces Specialist Course (Law Enforcement & Security Specialist Students)	$123.05	

*Table 29-7A. Air Force and Space Force Supplementary Clothing Allowances (Continued)
Effective October 1, 2022

RULE	When an Air Force enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
21	active-duty and the individual's condition requires the wearing of a maternity uniform (Note 2)	$411.56	once in 3 years.
22	The U.S. Air Force Band, The U.S. Air Force Academy Band, or a regional Air Force Band	$224.89	
23	duty as a U.S. Air Force Academy radio maintenance work center technician	$186.69	
24	active-duty and the individual's condition requires the wearing of a maternity uniform when the individual is provided, as government issue, maternity working uniforms (e.g., hospital workers, Note 2)	$148.50	

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described and at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1 year, except by special authority of the Service Secretary or designee.
2. When the reduced maternity uniform allowance has been paid and the member subsequently qualifies for a full maternity uniform allowance within 3 years of the reduced payment, the member will receive only the difference between the two allowances. A member may not receive more than the full maternity uniform allowance value within any 36-month period. A reduced maternity uniform allowance may not be paid within 36 months of a full maternity uniform allowance.

*Table 29-7B. Air Force and Space Force Supplementary Clothing Allowances - Effective October 1, 2023
For the most current rates, see the Air Force and Space Force Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When an Air Force enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	a recruiting group or squadron	$295.44	annual.
2	duty as the Chief Master Sergeant of the Air Force and Space Force	$295.41	
3	duty as a Military Training Leader (Technical Training Schools)	$295.41	
4	duty as a professional military education instructor	$295.41	
5	duty as a basic military training instructor or manager	$295.41	
6	duty as an in-flight passenger service steward	$230.24	
7	Detachment 1, 4950th Test Wing	$230.24	
8	89th Air Wing Presidential Aircrew	$230.24	
9	duty as a cadet military training advisor at the U.S. Air Force Academy	$230.24	
10	duty as a basic military training instructor at the U.S. Air Force Academy Preparatory School	$230.24	
11	a military entrance processing station	$191.03	
12	USAF Honor Guard (Air Force Specialty Code 8G000)	$181.61	
13	89th Air Wing as a member of the security police	$156.30	
14	duty as the Chief Master Sergeant of the Air Force and Space Force Staff	$295.44	only upon assignment.
15	represent the Air Force as one of the 12 Outstanding Airmen of the Year	$295.44	
16	Hammer Ace	$230.29	
17	Headquarters U.S. Air Force/Chief of Staff as member of the security police	$156.30	
18	duty at a Major Command as a member of the security police Elite Guard	$156.30	
19	duty as a member of the security police Elite Gate Guards	$156.30	
20	duty as a student at the Security Forces Specialist Course (Law Enforcement & Security Specialist Students)	$126.00	

*Table 29-7B. Air Force and Space Force Supplementary Clothing Allowances (Continued)
Effective October 1, 2023

RULE	When an Air Force enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
21	active-duty and the individual's condition requires the wearing of a maternity uniform (Note 2)	$421.44	once in 3 years.
22	The U.S. Air Force Band, The U.S. Air Force Academy Band, or a regional Air Force Band	$230.29	
23	duty as a U.S. Air Force Academy radio maintenance work center technician	$191.17	
24	active-duty and the individual's condition requires the wearing of a maternity uniform when the individual is provided, as government issue, maternity working uniforms (e.g., hospital workers, Note 2)	$152.06	

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described and at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1 year, except by special authority of the Service Secretary or designee.
2. When the reduced maternity uniform allowance has been paid and the member subsequently qualifies for a full maternity uniform allowance within 3 years of the reduced payment, the member will receive only the difference between the two allowances. A member may not receive more than the full maternity uniform allowance value within any 36-month period. A reduced maternity uniform allowance may not be paid within 36 months of a full maternity uniform allowance.

*Table 29-7C. Air Force and Space Force Supplementary Clothing Allowances - Effective October 1, 2024
For the most current rates, see the Air Force and Space Force Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When an Air Force enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	a recruiting group or squadron	$301.94	annual.
2	duty as the Chief Master Sergeant of the Air Force and Space Force	$301.91	
3	duty as a Military Training Leader (Technical Training Schools)	$301.91	
4	duty as a professional military education instructor	$301.91	
5	duty as a basic military training instructor or manager	$301.91	
6	duty as an in-flight passenger service steward	$235.30	
7	Detachment 1, 4950th Test Wing	$235.30	
8	89th Air Wing Presidential Aircrew	$235.30	
9	duty as a cadet military training advisor at the U.S. Air Force Academy	$235.30	
10	duty as a basic military training instructor at the U.S. Air Force Academy Preparatory School	$235.30	
11	a military entrance processing station	$195.23	
12	USAF Honor Guard (Air Force Specialty Code 8G000)	$185.60	
13	89th Air Wing as a member of the security police	$159.74	
14	duty as the Chief Master Sergeant of the Air Force and Space Force Staff	$301.94	only upon assignment.
15	represent the Air Force as one of the Outstanding Airmen of the Year	$301.94	
16	Hammer Ace	$235.36	
17	Headquarters U.S. Air Force/Chief of Staff as member of the security police	$159.74	
18	duty at a Major Command as a member of the security police Elite Guard	$159.74	
19	duty as a member of the security police Elite Gate Guards	$159.74	
20	duty as a student at the Security Forces Specialist Course (Law Enforcement & Security Specialist Students)	$128.77	

*Table 29-7C. Air Force and Space Force Supplementary Clothing Allowances (Continued)
Effective October 1, 2024

RULE	When an Air Force enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
21	active-duty and the individual's condition requires the wearing of a maternity uniform (Note 2)	$430.71	once in 3 years.
22	The U.S. Air Force Band, The U.S. Air Force Academy Band, or a regional Air Force Band	$235.36	
23	duty as a U.S. Air Force Academy radio maintenance work center technician	$195.37	
24	active-duty and the individual's condition requires the wearing of a maternity uniform when the individual is provided, as government issue, maternity working uniforms (e.g., hospital workers, Note 2)	$155.40	

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described and at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1 year, except by special authority of the Service Secretary or designee.
2. When the reduced maternity uniform allowance has been paid and the member subsequently qualifies for a full maternity uniform allowance within 3 years of the reduced payment, the member will receive only the difference between the two allowances. A member may not receive more than the full maternity uniform allowance value within any 36-month period. A reduced maternity uniform allowance may not be paid within 36 months of a full maternity uniform allowance.

*Table 29-8A. Marine Corps Supplementary Clothing Allowances - Effective October 1, 2022
For the most current rates, see the Marine Corps Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When a Marine Corps enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	male Staff Non-Commissioned Officer (SNCO) white trousers (note 2)	$56.99	only upon assignment.
2	female SNCO white skirt (note 2)	$69.99	
3	female SNCO white slacks (note 2)	$56.99	
4	duty as a male student at the Naval Academy Preparatory School	$1,425.13	
5	duty as a female student at the Naval Academy Preparatory School	$1,444.11	
6	Sergeant Major of the Marine Corps	$263.90	
7	Recruiter (Vinyl Cover) (note 3)	$148.00	
8	Female Marine (Pumps) Allowance (note 4)	$50.00	

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described and at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1 year, except by special authority of the Service Secretary or designee.
2. This allowance is for Staff Non-commissioned officers (SNCO) that are required to wear the white skirt, slacks and/or Trousers and is authorized once every 3 years.
3. The Recruiter Commercial Vinyl Cover Allowance is for the commercial vinyl cap that recruiters are required to wear with their uniforms. A replacement is authorized once every 3 years for those who previously received a one-time automatic payment of this allowance and who are currently assigned to a specific recruiter billet military occupational specialty.
4. Female Marines are authorized a replacement, once every 3 years to purchase commercial black pump dress shoes. For Active-Duty, commercial black pump shoe allowance will be added to the Clothing Replacement Allowance Monthly Amount. For Reservists, the replacement In-kind allowance will need to be reported by the units' admin sections once every 3 years.

*Table 29-8B. Marine Corps Supplementary Clothing Allowances - Effective October 1, 2023
For the most current rates, see the Marine Corps Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When a Marine Corps enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	male Staff Non-Commissioned Officer (SNCO) white trousers (note 2)	$61.99	only upon assignment.
2	female SNCO white skirt (note 2)	$73.99	
3	female SNCO white slacks (note 2)	$65.99	
4	duty as a male student at the Naval Academy Preparatory School	$1,457.28	
5	duty as a female student at the Naval Academy Preparatory School	$1,482.23	
6	Sergeant Major of the Marine Corps	$280.90	
7	Recruiter (Vinyl Cover) (note 3)	$148.00	
8	Female Marine (Pumps) Allowance (note 4)	$50.00	

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described and at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1 year, except by special authority of the Service Secretary or designee.
2. This allowance is for Staff Non-commissioned officers (SNCO) that are required to wear the white skirt, slacks and/or Trousers and is authorized once every 3 years.
3. The Recruiter Commercial Vinyl Cover Allowance is for the commercial vinyl cap that recruiters are required to wear with their uniforms. A replacement is authorized once every 3 years for those who previously received a one-time automatic payment of this allowance and who are currently assigned to a specific recruiter billet military occupational specialty.
4. Female Marines are authorized a replacement, once every 3 years to purchase commercial black pump dress shoes. For Active-Duty, commercial black pump shoe allowance will be added to the Clothing Replacement Allowance Monthly Amount. For Reservists, the replacement In-kind allowance will need to be reported by the units' admin sections once every 3 years.

*Table 29-8C. Marine Corps Supplementary Clothing Allowances - Effective October 1, 2024
For the most current rates, see the Marine Corps Supplementary Clothing Allowances table on DFAS.MIL.

RULE	When a Marine Corps enlisted member is assigned to	then the Supplementary Clothing Allowance to be paid in cash is	and the frequency of payment is (Note 1)
1	male Staff Non-Commissioned Officer (SNCO) white trousers (note 2)	$61.99	only upon assignment.
2	female SNCO white skirt (note 2)	$73.99	
3	female SNCO white slacks (note 2)	$65.99	
4	duty as a male student at the Naval Academy Preparatory School	$1,489.86	
5	duty as a female student at the Naval Academy Preparatory School	$1,514.83	
6	Sergeant Major of the Marine Corps	$287.08	
7	Recruiter (Vinyl Cover) (note 3)	$151.25	
8	Female Marine (Pumps) Allowance (note 4)	$50.00	

NOTES:

1. The supplementary clothing allowances listed are, unless otherwise noted, payable upon initial assignment to a normal tour of the duties described and at the frequency specified in this table. Annual allowances will be paid upon assignment and upon each subsequent anniversary date of the initial assignment or entitlement, provided the member is projected to remain in the assignment for at least 6 additional months. Allowances to be paid as once in 3-year allowances, will be paid after 36 months from the date of any prior payment, provided the individual's condition/duties continue to require the supplementary allowance, and they are projected to remain in the assignment for at least 6 additional months. Members will be paid allowances only when first assigned to specified duty. A supplementary allowance may not be paid more frequently than once per year for similar duty, even if at different locations or commands or for subsequent recalls to active-duty within 1 year, except by special authority of the Service Secretary or designee.
2. This allowance is for Staff Non-commissioned officers (SNCO) that are required to wear the white skirt, slacks and/or Trousers and is authorized once every 3 years.
3. The Recruiter Commercial Vinyl Cover Allowance is for the commercial vinyl cap that recruiters are required to wear with their uniforms. A replacement is authorized once every 3 years for those who previously received a one-time automatic payment of this allowance and who are currently assigned to a specific recruiter billet military occupational specialty.
4. Female Marines are authorized a replacement, once every 3 years to purchase commercial black pump dress shoes. For Active-Duty, commercial black pump shoe allowance will be added to the Clothing Replacement Allowance Monthly Amount. For Reservists, the replacement In-kind allowance will need to be reported by the units' admin sections once every 3 years.

*Table 29-9A. Civilian Clothing Allowances for Officer and Enlisted Members - Effective October 1, 2022
For the most current rates, see the Civilian Clothing Allowances for Officer and Enlisted table on DFAS.MIL.

RULE	When an officer or enlisted member is entitled to a Civilian Clothing Allowance for	then the amount of payment is (Notes 1 and 2)
1	permanent duty initial payment	$1,171.80
2	permanent duty annual replacement payment	$391.32
3	temporary duty of at least 15 days in a 30-day period (Note 3)	$391.32
4	temporary duty of at least 30 days in a 36-month period	$781.20

NOTES:

1. By law, an officer is authorized a civilian clothing allowance only if the officer's permanent duty station is outside the United States.
2. Unless exception is given, the maximum amount payable, for all temporary duty performed in any 36-month period, will not exceed the maximum prescribed for duty of at least 30 days.
3. The 15-day qualification requirement does not apply to Explosive Ordnance Disposal and Explosive Detector Dog personnel on U.S. Secret Service support duty, Defense Courier Service couriers, or Defense Threat Reduction Agency military personnel. These personnel may be authorized up to the maximum temporary duty civilian clothing allowance for 30 days upon their initial temporary duty travel requirement.

*Table 29-9B. Civilian Clothing Allowances for Officer and Enlisted Members - Effective October 1, 2023
For the most current rates, see the Civilian Clothing Allowances for Officer and Enlisted table on DFAS.MIL.

RULE	When an officer or enlisted member is entitled to a Civilian Clothing Allowance for	then the amount of payment is (Notes 1 and 2)
1	permanent duty initial payment	$1,200.24
2	permanent duty annual replacement payment	$401.04
3	temporary duty of at least 15 days in a 30-day period (Note 3)	$401.04
4	temporary duty of at least 30 days in a 36-month period	$800.28

NOTES:

1. By law, an officer is authorized a civilian clothing allowance only if the officer's permanent duty station is outside the United States.
2. Unless exception is given, the maximum amount payable, for all temporary duty performed in any 36-month period, will not exceed the maximum prescribed for duty of at least 30 days.
3. The 15-day qualification requirement does not apply to Explosive Ordnance Disposal and Explosive Detector Dog personnel on U.S. Secret Service support duty, Defense Courier Service couriers, or Defense Threat Reduction Agency military personnel. These personnel may be authorized up to the maximum temporary duty civilian clothing allowance for 30 days upon their initial temporary duty travel requirement.

*Table 29-9C. Civilian Clothing Allowances for Officer and Enlisted Members - Effective October 1, 2024
For the most current rates, see the Civilian Clothing Allowances for Officer and Enlisted table on DFAS.MIL.

RULE	When an officer or enlisted member is entitled to a Civilian Clothing Allowance for	then the amount of payment is (Notes 1 and 2)
1	permanent duty initial payment	$1,226.88
2	permanent duty annual replacement payment	$410.04
3	temporary duty of at least 15 days in a 30-day period (Note 3)	$410.04
4	temporary duty of at least 30 days in a 36-month period	$817.92

NOTES:

1. By law, an officer is authorized a civilian clothing allowance only if the officer's permanent duty station is outside the United States.
2. Unless exception is given, the maximum amount payable, for all temporary duty performed in any 36-month period, will not exceed the maximum prescribed for duty of at least 30 days.
3. The 15-day qualification requirement does not apply to Explosive Ordnance Disposal and Explosive Detector Dog personnel on U.S. Secret Service support duty, Defense Courier Service couriers, or Defense Threat Reduction Agency military personnel. These personnel may be authorized up to the maximum temporary duty civilian clothing allowance for 30 days upon their initial temporary duty travel requirement.

Table 29-10. Settlement of Cash Clothing Allowances
(See Note)

RULE	When member is entitled to	and is a member of the				and has	then
		Army	Navy	Air Force and Space Force	Marine Corps		
1	a standard initial clothing allowance, a reduced or partial standard initial clothing allowance		X			completed 6 months of active-duty (Note)	settle balance of allowance due.
2	a standard initial clothing allowance, a reduced or partial standard initial clothing allowance		X	X		drawn clothing equaling or exceeding the allowance	settle amount, collect amount due from member, if appropriate.
3	a standard initial clothing allowance, a reduced or partial standard initial clothing allowance			X		completed 30 days of active-duty (Note)	settle balance of allowance due.
4	a standard initial clothing allowance, a reduced or partial standard initial clothing allowance		X			completed recruit training	settle balance of allowance due.

Table 29-10. Settlement of Cash Clothing Allowances (Continued)

RULE	When member is entitled to	and is a member of the				and has	then
		Army	Navy	Air Force and Space Force	Marine Corps		
5	a standard initial clothing allowance, a reduced or partial standard initial clothing allowance		X	X		reenlisted in the same branch of the Regular Service subsequent to expiration of 3 months from the date of last discharge or release from active-duty	pay or credit amount authorized immediately.
6	a special initial clothing allowance or a reduced or partial special initial clothing allowance		X	X			pay or credit amount authorized immediately.
7	an initial cash allowance for personal purchase of specified items	X	X	X	X	established entitlement to an initial clothing allowance	pay or credit amount authorized immediately.
8	a civilian clothing allowance	X	X	X	X		pay or credit amount authorized immediately.

NOTE:

On discharge, release from active-duty, or death, before completion of 6 months of active-duty (Navy), or 30 days (Air Force and Space Force), reduce the monetary clothing allowance to amount of clothing already supplied.

*REFERENCES

CHAPTER 29—CLOTHING MONETARY ALLOWANCES

1.0 – GENERAL

1.1	37 U.S.C. § 418

2.0 – CLOTHING ALLOWANCE ENTITLEMENT

	37 U.S.C. § 418
	DoD Directive 1338.05, January 12, 2005
	DoD Instruction (DoDI) 1338.18, January 7, 1998
	Office of the Under Secretary of Defense Personnel and Readiness (OUSD (P&R)) Memo, April 18, 2008

3.0 – INITIAL CLOTHING ALLOWANCES

3.4.2	Department of the Navy Chief of Naval Operations Memo, March 12, 2002
3.5	Air Force Instructions 36-3012, August 2019, paragraph 6.3.7

4.0 – CASH CLOTHING REPLACEMENT ALLOWANCES

4.2.1.	DoDI 1338.18, January 7, 1998, paragraph 5.3.2
4.3.1.	DoDI 1338.18, January 7, 1998, paragraph 5.3.3

5.0 – EXTRA CLOTHING ALLOWANCES

5.2	Assistant Secretary of Defense – Force Management & Personnel Memo, March 31, 1998
	OUSD (P&R) Memo, March 25, 2003
5.3	37 U.S.C. § 419

6.0 – MISCELLANEOUS CLOTHING PROVISION

6.2	DoDI 1338.18, January 7, 1998, paragraph 5.1.7

*REFERENCES (Continued)

Table 29-1A – STANDARD INITIAL CLOTHING ALLOWANCES

Department of the Army Office of the Deputy Chief of Staff G-4 Memo, September 7, 2022
Department of the Army Office of the Deputy Chief of Staff G-4 Memo, November 1, 2022
Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 30, 2022
Department of the Air Force AF/A1 Memo, September 26, 2022

Table 29-1B – STANDARD INITIAL CLOTHING ALLOWANCES

Department of the Army Office of the Deputy Chief of Staff G-4 Memo, September 7, 2023
Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 29, 2023
Department of the Air Force AF/A1 Memo, September 8, 2023

Table 29-1C – STANDARD INITIAL CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, March 24, 2024

Table 29-1D – STANDARD INITIAL CLOTHING ALLOWANCES

Department of the Air Force AF/A1 Memo, April 22, 2024

Table 29-1E – STANDARD INITIAL CLOTHING ALLOWANCES

Department of the Army Office of the Deputy Chief of Staff G-4 Memo, August 22, 2024
Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 24, 2024
Department of the Air Force AF/A1 Memo, October 1, 2024

Table 29-2A – NAVY SPECIAL INITIAL CLOTHING ALLOWANCE

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 30, 2022

*REFERENCES (Continued)

Table 29-2B – NAVY SPECIAL INITIAL CLOTHING ALLOWANCE

Department of the Navy Office of the Assistant Secretary
Manpower and Reserve Affairs Memo, September 29, 2023

Table 29-2C – STANDARD INITIAL CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary
Manpower and Reserve Affairs Memo, March 24, 2024

Table 29-2D – STANDARD INITIAL CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary
Manpower and Reserve Affairs Memo, October 1, 2024

Table 29-3A – AIR FORCE AND SPACE FORCE SPECIAL INITIAL CLOTHING ALLOWANCE

Department of the Air Force AF/A1 Memo,
September 26, 2022

Table 29-3B – AIR FORCE AND SPACE FORCE SPECIAL INITIAL CLOTHING ALLOWANCE

Department of the Air Force AF/A1 Memo,
September 8, 2023

Table 29-3C – AIR FORCE AND SPACE FORCE SPECIAL INITIAL CLOTHING ALLOWANCE

Department of the Air Force AF/A1 Memo,
October 1, 2024

Table 29-4 – ENTITLEMENT TO CASH CLOTHING REPLACEMENT ALLOWANCES

DoDI 1338.18, January 7, 1998

*REFERENCES (Continued)

Table 29-5A – CASH CLOTHING REPLACEMENT ALLOWANCES

Department of the Army Office of the Deputy Chief of Staff G-4 Memo, September 7, 2022
Department of the Army Office of the Deputy Chief of Staff G-4 Memo, November 1, 2022
Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 30, 2022
Department of the Air Force AF/A1 Memo, September 26, 2022

Table 29-5B – CASH CLOTHING REPLACEMENT ALLOWANCES

Department of the Army Office of the Deputy Chief of Staff G-4 Memo, September 7, 2023
Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 30, 2022
Department of the Air Force AF/A1 Memo, September 8, 2022

Table 29-5C – CASH CLOTHING REPLACEMENT ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, March 24, 2024

Table 29-5D – CASH CLOTHING REPLACEMENT ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, April 22, 2024

Table 29-5E – CASH CLOTHING REPLACEMENT ALLOWANCES

Department of the Army Office of the Deputy Chief of Staff G-4 Memo, August 22, 2024
Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 24, 2024
Department of the Air Force AF/A1 Memo, October 1, 2024

*REFERENCES (Continued)

Table 29-6A – NAVY SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 30, 2022

Table 29-6B – NAVY SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 29, 2023

Table 29-6C – NAVY SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 24, 2024

Table 29-7A – AIR FORCE AND SPACE FORCE SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Air Force AF-A1 Memo, September 26, 2022

Table 29-7B – AIR FORCE AND SPACE FORCE SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Air Force AF/A1 Memo, September 8, 2023

Table 29-7C – AIR FORCE AND SPACE FORCE SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Air Force AF/A1 Memo, October 1, 2024

Rule 15 — Department of the Air Force AF/A1 Memo, February 7, 2025

Table 29-8A – MARINE CORPS SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 30, 2022

Table 29-8B – MARINE CORPS SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary Manpower and Reserve Affairs Memo, September 29, 2023

*REFERENCES (Continued)

Table 29-8C – MARINE CORPS SUPPLEMENTARY CLOTHING ALLOWANCES

Department of the Navy Office of the Assistant Secretary
Manpower and Reserve Affairs Memo, September 24, 2024

Table 29-9A – CIVILIAN CLOTHING ALLOWANCES FOR OFFICER AND ENLISTED MEMBERS

DoDI 1338.18, January 7, 1998
Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, September 29, 2022

Table 29-9B – CIVILIAN CLOTHING ALLOWANCES FOR OFFICER AND ENLISTED MEMBERS

DoDI 1338.18, January 7, 1998
Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, September 28, 2023

Table 29-9C – CIVILIAN CLOTHING ALLOWANCES FOR OFFICER AND ENLISTED MEMBERS

DoDI 1338.18, January 7, 1998
Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, October 1, 2024

Table 29-10 – SETTLEMENT OF CASH CLOTHING ALLOWANCES

DoDI 1338.18, January 7, 1998

VOLUME 7A, CHAPTER 30: "OFFICERS' UNIFORM AND EQUIPMENT ALLOWANCE"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated February 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
6.3	Extended authorization date to September 30, 2025, per Public Law 118-31, section 628.	Revision
References	Updated to reflect current statutes and other supporting references.	Revision

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CHAPTER 30

OFFICERS' UNIFORM AND EQUIPMENT ALLOWANCE

1.0 GENERAL

1.1 Purpose

In accordance with guidance contained in this chapter, officers of the Armed Forces of the United States may be entitled to an initial uniform allowance and/or an additional active-duty uniform allowance as reimbursement for the purchase of required uniforms and equipment.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code, sections 415, 416, and 417 (37 U.S.C. §§ ***415***, ***416***, and ***417***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 INITIAL UNIFORM ALLOWANCE

2.1 General

Officers of the Armed Forces of the United States are entitled to an initial uniform allowance as provided in this section.

2.2 When Payable

2.2.1. Except as provided in subparagraph 2.2.2, the initial uniform allowance is payable only once to an officer upon:

2.2.1.1. First reporting for active duty (other than for training) for a period of more than 90 days. A member entering active duty as an officer in a Regular Component or upon Reserve Officer Training Corps (ROTC) graduation is considered to have entered into active duty for more than 90 days;

2.2.1.2. Completing at least 14 days of active duty or active duty for training as a member of a Reserve Component;

2.2.1.3. Completing 14 periods of inactive-duty training as a member of the Ready Reserve. Each period of inactive-duty training must be of at least 2 hours duration; or

2.2.1.4. Reporting for the first period of active duty required of a member of the Armed Forces Health Professions Scholarship Program.

2.2.2. In the case where a Reserve officer transfers to another Reserve Component that requires a different uniform, that Reserve officer may receive another initial uniform allowance.

2.3 Amount Payable

All officer personnel, commissioned or appointed in the Regular or Reserve Components of the Army, Navy, Air Force, and Marine Corps, are authorized $400 as reimbursement for the purchase of uniforms and equipment, regardless the source of commission or previous enlisted status.

2.4 Restrictions

2.4.1. If a member has received an initial uniform allowance in any amount as an officer, under conditions other than those listed in subparagraph 2.2.1, then the member cannot be entitled to the initial uniform allowance again.

2.4.2. Regular officers may not receive this allowance when transferring to another Military Service.

2.4.3. Only periods of duty that require wearing of the uniform are counted for entitlement to the initial uniform allowance.

2.4.4. An officer must be determined physically qualified for active duty before entitlement to an initial uniform allowance accrues.

3.0 ADDITIONAL ACTIVE-DUTY UNIFORM ALLOWANCE

3.1 General

Officers of Reserve Components, officers of the Army or Air Force of the United States without specification of component, and ROTC graduates appointed in the Regular Components are entitled to an additional active-duty uniform allowance as provided in this section.

3.2 When Payable

3.2.1. The additional active-duty uniform allowance is payable for each instance of entry or reentry into active duty, or active duty for training (including authorized travel time) for more than 90 days. The period served may be under orders specifying active duty for more than 90 days, or under two or more orders requiring a continuous period of more than 90 days active duty.

3.2.2. An officer commissioned in a Regular Component, upon ROTC graduation, accrues entitlement to the allowance on commencement of duty as a Regular officer. The officer is considered to have entered on active duty for more than 90 days.

3.3 Amount Payable

The additional active-duty uniform allowance is payable to qualified officers in the amount of $200, as reimbursement for the purchase of required uniforms and equipment.

3.4 Restrictions

3.4.1. The additional active-duty uniform allowance is not payable if the officer has received an initial uniform allowance of more than $400 during the current tour of active duty, or within 2 years prior to entering the current tour.

3.4.2. The additional active-duty uniform allowance is not payable when the tour of duty for which payment is being considered began within 2 years after the end of a previous period of active duty, or active duty for training, of more than 90 days. This applies whether or not a uniform allowance was paid for the previous tour of duty. It applies only if the prior service was performed as a Reserve officer, as an officer of the Army or Air Force of the United States without specification of component, or as a Regular officer commissioned upon ROTC.

3.4.3. An officer of a Reserve Component or of the Army or Air Force of the United States, without specification of component, is not due this allowance solely because of appointment in or transfer to the Army, Air Force, or another Reserve Component.

3.4.4. A Reserve officer ordered to an indefinite tour of active duty, or active duty for training, is not entitled to this allowance until the member completes more than 90 days of that tour.

3.4.5. Only periods of duty requiring the wearing of the uniform are counted for entitlement to the allowance prescribed in this paragraph.

3.4.6. To be entitled under this paragraph, an officer must be determined physically qualified for active duty.

3.5 Computation of 2-Year Period

Compute the 2-year period during which no active duty or active duty for training was performed as follows:

3.5.1. When an officer is ordered to active duty, or active duty for training, for a period of more than 90 days, the 2-year period begins on the day following the day of release from active duty or active duty for training.

Example 1: A Reserve officer was ordered to active duty for training under orders specifying a 92-day tour of duty to begin March 1, 2016, and to end May 31, 2016. The officer was released from active duty for training May 31, 2016. The 2-year period began on June 1, 2016. Entitlement to the next additional active duty

uniform allowance accrues if the officer is called to active duty, or active duty for training, for a period of more than 90 days on or after June 1, 2018.

Example 2: If the officer in Example 1 served 35 days of a tour of active duty under orders specifying duty of more than 90 days and was released from active duty for training April 4, 2016, then the 2-year period started April 5, 2016. Entitlement to the next additional active-duty uniform allowance accrues if the officer is called to active duty, or active duty for training for a period of more than 90 days, on or after April 5, 2018. Refund of allowance or any portion thereof is not required since entitlement was based on reporting for active duty for a period of more than 90 days.

3.5.2. When an officer is ordered to active duty for training for an indefinite period, and serves more than 90 days, the 2-year period begins on the day following the day of release from active duty.

Example 1: A Reserve officer was ordered to active duty for training for an indefinite period to begin March 1, 2016. The officer was released from active duty July 1, 2016. On the 91st day of duty (May 30, 2016), the officer was entitled to the allowance as of the first day of duty (March 1, 2016) if other conditions of entitlement were met. The 2-year period starts July 2, 2016. Entitlement to the next additional active-duty uniform allowance accrues if the officer is called to active duty, or active duty for training, for a period of more than 90 days on or after July 2, 2018.

Example 2: If the Reserve officer in Example 1 (subparagraph 3.5.2) was released from active duty on April 4, 2016, after serving only 35 days, then the officer would not be entitled to the additional active-duty uniform allowance for that period of active duty for training.

3.5.3. When an officer is separated from a Regular Component and is later appointed as an officer in a Reserve Component and ordered to active duty, or active duty for training, for more than 90 days, the 2-year period restriction in subparagraph 3.4.2 does not apply. Exception: Regular officers appointed upon completion of ROTC training after October 12, 1994, are subject to the 2-year restriction.

Example: An officer was separated from a Regular Component on June 30, 2016, and was appointed an officer in a Reserve Component on July 1, 2016. The member reported for active duty for more than 90 days on May 1, 2018. The member was entitled to the additional active-duty uniform allowance when reporting on the present tour of active duty, since the previous tour was as a Regular officer.

4.0 DETERMINATIONS

4.1 First Time Reporting for Active Duty and Allowances

An officer reporting for active duty for the first time, who meets the requirements for entitlement to the initial uniform allowance and the additional active-duty uniform allowance, is entitled to receive both allowances subject to the restrictions of paragraphs 2.4 and 3.4.

4.2 Received Initial Uniform Allowance

An officer who receives, or has previously received, an initial uniform allowance as an officer, under any conditions other than those listed in subparagraph 2.2.1, is not eligible to receive the initial uniform allowance upon transfer to, or appointment in, another Reserve Component or the Army or Air Force of the United States, without specification of component.

4.3 Reserve Officers' Uniform Allowance Entitlements

A Reserve officer who receives, or has previously received, an initial uniform allowance, under the conditions listed in subparagraph 2.2.1, and again qualifies for the initial uniform allowance and/or the additional active-duty uniform allowance by meeting the basic requirements, is eligible to receive the initial and/or the additional allowance upon transfer to, or appointment in, another Reserve Component or the Army or Air Force of the United States, without specification of component, if the wearing of a different uniform is required.

4.4 Reserve Officers' Additional Allowance Entitlement

If otherwise eligible, a Reserve officer is entitled to be paid the additional active-duty uniform allowance, even if the member has not received an initial uniform allowance.

5.0 CIVILIAN CLOTHING MONETARY ALLOWANCE

5.1 Officers' Civilian Clothing Allowance

Officers assigned to a permanent duty station outside the United States, who are required to wear civilian clothing all or a substantial portion of the time in the performance of official duty, may be authorized an allowance for civilian clothing.

5.2 Entitlement and Rate for Civilian Clothing Allowance

Entitlement criteria for civilian clothing allowances are specified in Chapter 29, paragraph 5.3 and allowance rates are at ***DFAS.MIL***.

6.0 ONE-TIME UNIFORM ALLOWANCE FOR OFFICERS WHO TRANSFER TO THE SPACE FORCE.

6.1 General

The Secretary of the Air Force may provide an officer who transfers from the Army, Navy, Air Force, or Marine Corps to the Space Force an allowance of not more than $400 as reimbursement for the purchase of required uniforms and equipment.

6.2 Relationship to Other Allowances

The allowance under this section is in addition to any allowance available under any other provision of law.

*6.3 When Payable

The authority for an allowance under this section shall apply with respect to any officer described in paragraph 6.1 who transfers to the Space Force:

6.3.1. During the period beginning on December 20, 2019, and ending on September 30, 2025; and

6.3.2. On or after the date the Secretary of the Air Force prescribes the official uniform for the Space Force.

*REFERENCES

CHAPTER 30 – OFFICERS' UNIFORM AND EQUIPMENT ALLOWANCE

2.0 – INITIAL UNIFORM ALLOWANCE

2.2	37 U.S.C. § 415(a)
2.2.2.	37 U.S.C. § 417(b)
2.3	37 U.S.C. § 415(a)
2.4.1.	37 U.S.C. § 415(b)
2.4.3	37 U.S.C. § 417(c)
2.4.4.	33 Comptroller General (Comp Gen) 250

3.0 – ADDITIONAL ACTIVE-DUTY UNIFORM ALLOWANCE

3.2.1.	33 Comp Gen 250
3.3	37 U.S.C. § 416(a)
3.4.1.	37 U.S.C. § 416(b)
3.4.2.	43 Comp Gen 265
3.4.4.	33 Comp Gen 242
3.4.5.	37 U.S.C. § 417(c)
3.5	42 Comp Gen 550

4.0 – DETERMINATIONS

4.3	37 U.S.C. § 417(b)
4.4	43 Comp Gen 729

5.0 – CIVILIAN CLOTHING MONETARY ALLOWANCE

37 U.S.C. § 419

6.0 – ONE-TIME UNIFORM ALLOWANCE FOR OFFICERS WHO TRANSFER TO THE SPACE FORCE

Public Law 116-283 § 606
Public Law 117-263 § 616
Public Law 118-31 § 628

VOLUME 7A, CHAPTER 31: "PERSONAL MONEY ALLOWANCE"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated October 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
References	Deleted statutes and supporting references no longer applicable.	Deletion

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CHAPTER 31

PERSONAL MONEY ALLOWANCE

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to Personal Money Allowance.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ENTITLEMENT

2.1 Officers

Officers, in the capacities listed in Table 31-1 (Personal Money Allowance - Amounts Payable) who are entitled to receive basic pay are also entitled to receive a Personal Money Allowance. This allowance is in addition to any other pay or allowance authorized.

2.2 Enlisted Members

An enlisted member serving as the Senior Enlisted member of his or her Military Service is also entitled to receive a Personal Money Allowance. This allowance is in addition to any other pay or allowance authorized.

3.0 MONTHLY AMOUNTS PAYABLE

See Table 31-1.

4.0 TAXABILITY AND WITHHOLDING TAX

Personal Money Allowance is subject to federal and state income tax withholding.

Table 31-1. Personal Money Allowance — Amounts Payable

RULE	If the member is serving	then the annual amount payable is	and is paid monthly at the rate of
1	as Chairman of the Joint Chiefs of Staff, Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army or Air Force, Chief of Naval Operations, Commandant of the Marine Corps, Chief of Space Operations, Commandant of the Coast Guard, or Chief of the National Guard Bureau (note 1)	$4,000 (note 2)	$333.33
2	as a senior member of the Military Staff Committee of the United Nations and entitled to the grade, pay, and allowances of a lieutenant general or vice admiral (note 1)	$2,200 plus $500 authorized in rule 4	$225.00
3	in the grade of general or admiral	$2,200	$183.33
4	in the grade of lieutenant general or vice admiral	$500	$41.67
5	as the Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, Sergeant Major of the Army, the Master Chief Petty Officer of the Navy, the Chief Master Sergeant of the Air Force, the Sergeant Major of the Marine Corps, the Senior Enlisted Advisor of the Space Force, the Master Chief Petty Officer of the Coast Guard, or the Senior Enlisted Advisor to the Chief of the National Guard Bureau (note 1)	$2,000	$166.67

NOTES:

1. This allowance is based on a specific duty assignment, and it does not accrue before the date member starts or after the date member is released from such duty assignment.
2. This amount is in place of any other Personal Money Allowance authorized.

*REFERENCES

CHAPTER 31 – PERSONAL MONEY ALLOWANCE

2.0 – ENTITLEMENT

37 U.S.C., sections 413-414

4.0 – TAXABILITY AND WITHHOLDING TAX

Title 26, Code of Federal Regulations (CFR), section 1.62-2
26 CFR § 31.3401(a)-1
31 CFR § 215.8

Table 31-1 37 U.S.C. §§ 413-414

VOLUME 7A, CHAPTER 32: "ADVANCE, LOCAL, PARTIAL, AND EMERGENCY PARTIAL PAY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated June 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	This chapter has been certified as current.	Current

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CHAPTER 32

ADVANCE, LOCAL, PARTIAL, AND EMERGENCY PARTIAL PAY

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to advance, local, partial, and emergency partial pay for members of the active and reserve components.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ADVANCE PAYMENTS

2.1 Advance Pay for Permanent Change of Station (PCS)

2.1.1. Commander's Responsibility. The member's commander has a responsibility to ensure that the advance of pay is used only to help with the financial burden of a PCS.

2.1.1.1. This financial burden can be complicated when a member files for bankruptcy. Commanders should be aware that if a member has filed for bankruptcy and then makes a request for an advance pay, some bankruptcy court jurisdictions hold that a creditor does not have the authority to recoup any post-petition debt, including advance pay, without permission from the bankruptcy court. This is true in cases when a member has filed a Chapter 13 bankruptcy.

2.1.1.2. In such instances, the government may not be able to collect any amount of the advance pay unless the Defense Finance and Accounting Service (DFAS) receives approval from the court or after the bankruptcy is discharged or terminated. Additionally, in situations when DFAS has withheld funds for repayment of the advanced pay, DFAS may have to return the funds to the member. Accordingly, commanders should approach such advance pay requests fully aware that the government may not be able to collect the advance pay from the member, even though the advanced pay may have been issued after the member filed for bankruptcy.

2.1.2. Entitlement. The eligibility and amounts payable are contained in Table 32-1.

2.1.3. Repayment. Advances are repaid per Table 32-2.

2.1.4. Effect on Allotments. Do not pay an advance of pay in an amount that will require the stoppage of allotments for insurance or support of dependents. No allotment may be started after the advance is made if that allotment would prevent repayment of the advance of pay within

the allowed period. If the separation of a member from the Service is imminent, then stop all allotments necessary to collect the advance.

2.2 Advance of Pay and Allowances

An advance of pay is to ease hardships imposed by the lack of regular payments when a member is mobilized, ordered to duty at a distant station, or deployed aboard ship for more than 30 days.

2.2.1. Entitlement. The eligibility and amounts payable are contained in Table 32-1.

2.2.2. Repayment. These advances are repaid per Table 32-2.

2.3 Advance Pay for Assignment of 1 Year or More to Hazardous Duty Pay Area

2.3.1. Entitlement. A member may be paid an advance of basic pay not to exceed 3 months less deductions. The conditions and amounts payable are contained in Table 32-1, rule 3.

2.3.2. Repayment. This advance is repaid based on Table 32-2, rule 11. However, advance pays not fully collected prior to the death of a member will not be collected against the estate of a deceased member.

2.4 Advance Pay When Ordered to Indoctrination Center

2.4.1. Entitlement. A member may be paid an advance of basic pay not to exceed 15 days. The conditions and amounts payable are contained in Table 32-1, rule 4.

2.4.2. Repayment. Collect the advance in full from the member's next available payday.

2.5 Advance of Basic Allowance for Subsistence (BAS)

2.5.1. Entitlement. An enlisted member may be paid an advance of BAS not to exceed 3 months if the member is entitled to BAS and the Commanding Officer (CO) authorizes the payment following a determination that it is necessary. Individual Military Service regulations may limit BAS advances to less than 3 months.

2.5.2. Repayment. This advance is repaid based on Table 32-2, rule 12.

2.6 Advance Pay Upon Evacuation of Members or Dependents

The purpose of this advance is to give funds to evacuated members or dependents to cover costs of travel, food, and other needs.

2.6.1. Entitlement. The eligibility and amounts payable are contained in Table 32-1, rule 5.

2.6.2. Repayment. The advances are repaid per Table 32-2, rule 13.

2.7 Advance of Allotment(s) to Dependents

The purpose of this advance payment is to allow a member to be paid the amount of an allotment(s) to dependent(s) if the member is assigned or scheduled for assignment to sea duty or other duty with a unit or command deployed or to be deployed outside the United States and the allotment(s) is made by the member not more than 60 days before the scheduled date of the assignment of the member to this duty.

2.7.1. Entitlement. The eligibility and amounts payable are contained in Table 32-1, rule 6.

2.7.2. Repayment. This advance is repaid per Table 32-2, rule 14.

2.8 Advance Pay for Members of the Armed Forces Health Professions Scholarship Program (AFHPSP) on Active Duty

2.8.1. Entitlement. An advance of pay, not to exceed basic pay for 1 month, may be paid to a member of the AFHPSP when reporting for the annual 45-day active-duty tour.

2.8.2. Repayment. Collect the advance in full by the end of the 45-day active-duty tour.

2.9 Advance of Housing Allowances

An advance of Basic Allowances for Housing and overseas housing allowance may be authorized under the terms and conditions in Chapter 26.

2.10 Advance Pay for Senior Reserve Officer Training Corps (SROTC) Cadets and Midshipmen Ordered to Field Training or Practice Cruises

2.10.1. Entitlement. An advance of pay, not to exceed the entitlement for 1 month, or the amount the SROTC member will accrue for the training, whichever is less, may be paid to an SROTC member who is ordered to perform field training or a practice cruise.

2.10.2. Repayment. Collect the advance in full from the member's field training or practice cruise entitlement.

2.11 Military Paydays

2.11.1. Payday is the first calendar day of the month after the month in which the entitlement was earned.

2.11.2. Except for payrolls otherwise payable on October 1, if the payday falls on a Saturday, Sunday, or federal legal holiday, payment is authorized on the preceding workday, but not more than 3 days before the scheduled payday. This exception applies to foreign holidays

recognized abroad by U.S. Forces. It also applies to payments made to members upon separation from the Military Service through retirement or discharge when the last day of active duty falls on a Saturday, Sunday, or federal legal holiday.

2.11.3. For payrolls otherwise payable on October 1, the DoD Comptroller will determine if the payroll may be dated in September.

3.0 LOCAL, PARTIAL, AND EMERGENCY PARTIAL PAYMENTS

3.1 Local and Partial Payments

Local and partial payments are authorized only for overseas areas where on-base military banking facilities are not readily available. Exceptions may be granted for members assigned to classified or contingency operations where the exigencies of their assignments may require local cash or partial payments. In this circumstance, the member's commander may authorize immediate cash payments up to the amount of accrued entitlement to date, when deemed appropriate to the mission (see Table 32-3).

3.2 Emergency Partial Payment

3.2.1. For members residing or assigned within the United States (including Alaska and Hawaii), this is a payment deemed time sensitive and required within 24 hours due to an unforeseen set of circumstances or the resulting state that calls for immediate action (see Table 32-3). Payment will be made in an expeditious manner, e.g., Direct Deposit or check payment. The supporting DFAS site may be able to affect overnight Electronic Funds Transfer (EFT) payment if circumstances warrant.

3.2.2. The member's commander, in coordination with the supporting finance office, may authorize emergency payments, up to the amount of accrued entitlement to date in the following circumstances:

3.2.2.1. Emergency pay and allowances earned to date as reflected on the member's pay account, when no pay was received on a regular payday or when there is a major medical emergency or death in the member's immediate family and payment is needed within 24 hours;

3.2.2.2. Emergency travel advance, when a traveler does not have a government travel charge card;

3.2.2.3. Discharge gratuity (as required by Chapter 35, Table 35-6), when payment is needed within 24 hours;

3.2.2.4. Payment of military death gratuity benefit to a beneficiary, when payment is needed within 24 hours;

3.2.2.5. Payment to military member of advance pay and allowances and/or evacuation allowance, when dependents must be evacuated as a result of a natural disaster or life-threatening situations; or

3.2.2.6. Payment to dependents, when forfeiture of pay and allowances is waived under conditions defined in Chapter 48, subparagraph 4.7.3.

Table 32-1. Advance Payments - Eligibility and Amounts Payable

RULE	A member in receipt of orders for (to)	and	when approved in writing by	may be paid an	in an amount	to be paid by the supporting DFAS site (note 1)
1	a PCS move, to include (note 2): a. between stations; b. to new station upon reenlistment (following a break in service); c. commencement of active duty by newly commissioned regular officer; d. change of home port; e. Reserve forces member in receipt of orders to active duty of 140 days or more; or f. extended active duty (Reserve or retired members)	the member signs a form confirming that the intended use of the funds is for the purposes stated in the form; and the PCS is not due to separation from service or trial by court-martial	the member's commanding or recruiting officer (including enlisted commandant of the Noncommissioned Officer (NCO) Academy) for grades E-3 and below (except as more restrictively prescribed in regulations of the Military Service concerned)	advance of basic pay	of 1 month of basic pay, less deductions (note 3)	to member's financial institution not earlier than 30 days prior to departure (note 4); en route; first duty station or after beginning travel to first duty station after completion of physical examination; or within 60 days after arrival at new/first duty station (home port, note 4) (note 5).
2	a PCS move, to include (note 2): a. between stations; b. to new station upon reenlistment (following a break in service); c. commencement of active duty by newly commissioned regular officer; d. change of home port; e. Reserve forces member in receipt of orders to active duty of 140 days or more; or f.extended active duty (Reserve or retired members)	the member signs a form confirming that the intended use of the funds is for the purposes stated in the form; and the PCS is not due to separation from service or trial by court-martial	the member's commanding or recruiting officer (including enlisted commandant of the NCO Academy)	advance of basic pay	not to exceed 3 months of basic pay, less deductions, if warranted and justified (notes 3 and 6)	to member's financial institution not earlier than 30 days prior to departure (note 4); en route; first duty station or after beginning travel to first duty station after completion of physical examination; or within 60 days after arrival at new/first duty station (home port, note 4) (note 5).

Table 32-1. Advance Payments - Eligibility and Amounts Payable (Continued)

RULE	A member in receipt of orders for (to)	and	when approved in writing by	may be paid an	in an amount	to be paid by the supporting DFAS site (note 1)
3	assignment for duty (permanent or temporary) for 1 year or more (or extended beyond 1 year) to an area where the member would receive hazardous duty pay under Title 37, U.S.C., section 351		the member's commanding or recruiting officer (including enlisted commandant of the NCO Academy)	advance of basic pay	of 1 month of basic pay, not to exceed 3 months, less deductions (notes 3 and 7)	to member's financial institution (note 8).
4	a training or indoctrination center on induction or enlistment		the center commander (including enlisted commandant of the NCO academy)	advance of basic pay	not to exceed 15 days of basic pay (notes 9 and 10)	advances will be deposited, via Direct Deposit/EFT to the basic trainee's account at the designated financial institution.
5	evacuation of member or dependents from a place outside the United States or other place as the Secretary of Defense designates (note 11)	evacuation of member or all military dependents in the area is ordered by the area commander, the State Department, or other authorized U.S. official		advance of basic pay, payable to the member or to the member's dependents, in one or more installments	as designated by the member, in a total amount of not more than 2 months of basic pay (net of any forfeiture and Montgomery G.I. Bill; no other deduction considered)	as an emergency local payment at permanent station or any military disbursing office either overseas or in the United States.

Table 32-1. Advance Payments - Eligibility and Amounts Payable (Continued)

RULE	A member in receipt of orders for (to)	and	when approved in writing by	may be paid an	in an amount	to be paid by the supporting DFAS site (note 1)
6	assignment to sea duty or other duty with a unit or command deployed or to be deployed outside the United States (note 12)	evacuation of member or all military dependents in the area is ordered by the area commander, the State Department, or other authorized U.S. official blank		advance of an allotment(s) for dependent(s)	equal to amount of the allotment(s) for 1 month (note 13)	as an emergency local payment at permanent station or any military disbursing office either overseas or in the United States.
7	the call or order to, or retention on, active duty of members of the uniformed services under 10 U.S.C. §§ 688, 12301(a), 12302, 12304,12304(a), 12304(b), 12305, 12406; 10 U.S.C. Chapter 15; or 14 U.S.C. § 712	has reported for duty but cannot be paid pay and allowances due within 14 days of reporting for that duty	the member's commander (including enlisted commandant of the NCO academy)	advance of pay and allowances	not to exceed 3 months of pay and allowances less deductions (notes 3 and 4)	to member's financial institution or mailed from DFAS central site to an address.
8	assignment to a distant duty station	pay and allowances cannot be paid regularly	the member's commander (including enlisted commandant of the NCO academy)	advance of pay and allowances	of not more than 3 months of basic pay and allowances, less deductions (note 3)	to member's financial institution or mailed from DFAS central site to an address.

Table 32-1. Advance Payments - Eligibility and Amounts Payable (Continued)

RULE	A member in receipt of orders for (to)	and	when approved in writing by	may be paid an	in an amount	to be paid by the supporting DFAS site (note 1)
9	assignment to a distant duty station	pay and allowances cannot be paid regularly	the member's commander (including enlisted commandant of the NCO academy)	advance of pay and allowances	of not more than 3 months of basic pay and allowances, less deductions, when approved by: Army or Air Force-Major Command; Navy-Office of Comptroller; USMC-Commandant of the Marine Corps (note 3)	to member's financial institution or mailed from DFAS central site to an address.
10	deployment aboard ship for more than 30 days (Navy-Marine Corps only)	pay and allowances cannot be paid regularly	the member's commander (including enlisted commandant of the NCO academy.)	advance of pay and allowances	of not more than the basic pay (plus submarine and sea duty pay for members attached to submarines) and allowances that will accrue during the period of deployment, less deductions (note 3).	to member's financial institution or mailed from supporting DFAS site to an address.

NOTES:

1. For emergency payment exceptions, see paragraph 3.2.
2. Temporary duty enroute does not preclude payment. An advance payment for a PCS move in the same geographical area of the member's prior duty station or home port, or place from which ordered to active duty, is authorized only when movement of the member's household at government expense is authorized per JTR, Chapter 5, Part C.

Table 32-1. Advance Payments - Eligibility and Amounts Payable (Continued)

NOTES (Continued):

3. Deductions:
   a. For advance pay computation (rules 1 and 2), the following deductions will be made:
      1. Forfeitures;
      2. Montgomery G.I. Bill;
      3. Federal/state income tax;
      4. Federal Insurance Contribution Act;
      5. Servicemembers Group Life Insurance;
      6. Armed Forces Retirement Home;
      7. Dependent Dental Plan;
      8. TRICARE;
      9. Monthly repayment of a prior advance;
      10. Indebtedness to the United States or its instrumentalities, whether scheduled (monthly debt installment) or unscheduled (one-time collection);
      11. Garnishments;
      12. Statutorily required support allotments in force;
      13. Court-ordered bankruptcy payments; and
      14. Thrift Savings Plan (TSP) (basic pay designation only).
   b. For advance of pay and allowances computation (rules 6, 7, 8, 9), include total of all allotments in force and TSP designations, i.e., special pays, incentive pays, and bonuses (if paid monthly).
4. The "30-day window" may be expanded to not exceed 90 days prior, and the "60-day window" may be expanded to not exceed 180 days after, when justified for extenuating circumstances and approved by the member's commander (including enlisted commandant of the NCO academy). The member must provide written justification indicating the specific circumstances requiring the early or late advance payment.
5. The request for an advance of pay must be made not later than 60 days after effective date of change or 60 days after vessel arrives at new home port/home yard, whichever is later.
6. The member must provide written justification clearly showing that accrual or anticipated out-of-pocket PCS expenses equal or exceed the amount of advance requested; requires written approval of the member's commander. The advance payment may be made in 1, 2, or 3 installments.
7. Upon request, the member will be granted an advance payment equaling 1 month of basic pay. The Secretary concerned, at his discretion, may grant a request for up to 2 or 3 months of advanced basic pay if member can justify financial hardship.
8. The member may request the advance at any time during the period of assignment. The earliest that the member may apply and receive the advance is the effective or start date of the assignment, as specified in the member's orders. This is generally when the member is authorized to begin travel to comply with the assignment order.
9. This advance is collected in full when the member receives their first regular pay.
10. For Army members only. Advances will be paid using Service's Stored Value Cards. An exception to the 15-day limit is authorized and an Army member may be advanced up to 21 days of basic pay for the purpose of paying the cost of round-trip travel to the member's home during annual holiday leave period (mid-December through early January). Collection of the advance will be made in the January processing cycle.
11. This advance is not payable for evacuation of individual dependents.
12. The advance payment may not be made more than 60 days before the scheduled date of the duty assignment.
13. Establish an allotment(s) for dependents in the member's pay record simultaneous to paying the advance.

Table 32-2. Repayment of Advances

RULE	When a member was paid an	and	begin collecting (note 1)	and when approved in writing by	at the rate of
1	advance(s) of pay incident to a PCS		the first day of the month following payment of advance(s)		1/12 of the amount(s) advanced each month for the next 12 months (notes 2, 3, and 4).
2	advance(s) of pay incident to a PCS	when justified by the member that repayment within 12 months would create severe hardship (note 5)	the first day of the month following payment of advance(s)	the member's commander (including enlisted commandant of the NCO academy	1/24 of the amount(s) advanced each month for the next 24 months (notes 2, 3, 6, and 7).
3	advance(s) of pay incident to a PCS	member's separation is imminent (includes members unexpectedly forced to retire under the Selected Early Retirement Board (SERB) (note 8)	immediately the remaining outstanding advance prorated over the remaining months of service		all unpaid pay and allowances, except enlisted separation advanced travel allowance (notes 9, and 10).
4	advance(s) of pay incident to a PCS	member's orders are revoked/ cancelled	immediately the outstanding balance in full.		
5	advance(s) of pay incident to a PCS	member dies	immediately the outstanding balance in full.		
6	advance(s) of pay and allowances (for duty at a distant station or deployed aboard ships for more than 30 days)		the first day of the month following payment of advance(s)		1/12 of the amount(s) advanced each month for the next 12 months (notes 2, 3, and 4).
7	advance(s) of pay and allowances (for duty at a distant station or deployed aboard ships for more than 30 days)	duty ends earlier than expected			equal monthly installments of not less than 1/12 of the unliquidated amount advanced per month for 12 months (notes 2 and 3).

Table 32-2. Repayment of Advances (Continued)

RULE	When a member was paid an	and	begin collecting (note 1)	and when approved in writing by	at the rate of
8	advance(s) of pay and allowances (for duty at a distant station or deployed aboard ships for more than 30 days)	member's separation is imminent (includes members unexpectedly forced to retire under the SERB (note 8)	immediately the remaining outstanding advance prorated over the remaining months of service		all unpaid pay and allowances, except enlisted advanced travel allowance (notes 9 and 10).
9	advance(s) of pay and allowances (for duty at a distant station or deployed aboard ships for more than 30 days)	member's orders are revoked/cancelled	immediately the outstanding balance in full.		
10	advance(s) of pay and allowances (for duty at a distant station or deployed aboard ships for more than 30 days)	member dies	immediately the outstanding balance in full.		
11	advance of basic pay when deployed in a combat zone for 1 year or more		the advance on the first day of the first month beginning on or after the date on which the member receives the advance pay		1/12 of the amount(s) advanced each month for the next 12 months (notes 2, 11, and 12).
12	advance of BAS (enlisted members)		the first day of the first month beginning after the payment of the advance		the amount of BAS accruing to the member's credit. If entitlement to BAS ends before repayment, then collect the balance due as an overpayment.
13	advance pay for evacuation of member or dependents		the first day of the month following payment of advance(s) (note 13)		1/12 of the amount(s) advanced (or remaining amounts if waiver applies) each month for the next 12 months (notes, 2, 11, 13, and 14).

Table 32-2. Repayment of Advances (Continued)

RULE	When a member was paid an	and	begin collecting (note 1)	and when approved in writing by	at the rate of
14	advance payment in the amount of an allotment(s) to dependents		the advance in the month following the month payment was made		1/6 of the amount(s) advanced each month for the next 6 months (notes 2 and 3).
15	advance because of a call or order to, or retention on, active duty of members of the uniformed services under 10 U.S.C. §§ 688, 12301(a), 12302, 12304,12304(a), 12304(b), 12305, 12406; 10 U.S.C. Chapter 15; or 14 U.S.C. § 712		the advance on the first day of the month after the payment of the advance		1/3 of the amount advanced each month for 3 months, or at the rate needed to repay the advance by the scheduled termination date of the orders, whichever is earlier.

NOTES:

1. In unusual circumstances, the initiation of collection action may be delayed if the delay is approved by the Secretary of the Military Department concerned, or designee. The repayment period will, in all cases, be scheduled to repay the advance before the member's expected date of separation.
2. Upon the member's request, repayment may be made in lump-sum or increased monthly amounts.
3. The repayment period will be scheduled to repay the advance before the member's expected date of separation. Repayment should be scheduled for completion before the start of a subsequent PCS move.
4. When executing PCS orders of less than 12 months, Reserve Component recipients of advance pay must accept a repayment schedule that provides for repayment by termination date of orders.
5. The member must provide written justification clearly showing that a 12-month repayment schedule would create severe financial hardship. The request must be approved in writing by the member's commander (including enlisted commandant of the NCO academy).
6. When request is disapproved, collection will be at the rate specified in rule 1.
7. When the repayment period is extended after the repayment schedule of less than 24 months is operating, repayment will be prorated per Military Service regulations, not to exceed the 24 months from the initial collection month.
8. If the member immediately reenlists, then repayment of the advance pay may be continued into the new enlistment. To extend repayment of an advance into retired pay, projected SERB retirees must submit a written request to extend repayment into retired pay that clearly demonstrates the circumstances of their hardship. The requests will be submitted via the member's chain of command to the Secretary of the Military Department concerned, or designee for a decision. If the request is approved, this approval document will be forwarded by the Service, as a part of the member packet, to DFAS Retired and Annuitant Pay to ensure the collection of the Advance pay.
9. Uncollected advances are treated as accounts receivable in the accounts of the disbursing officer. Such amounts remain a debt owed the United States by the member.

Table 32-2. Repayment of Advances (Continued)

NOTES (Continued):

10. Uncollected advances are treated as accounts receivable in the accounts of the disbursing officer. Such amounts remain a debt owed the United States by the member.
11. If a member is entitled to separation payment under 10 U.S.C. §§ 1174, 1174a, 1175, or 1175a and has a separation payment pending equal to or greater than the outstanding advance pay balance at separation, then the member may request that the repayment rate not be accelerated, and the existing rate continue. That portion of the advance not collected prior to separation will be deducted from the separation payment.
12. The repayment period will, in all cases, be scheduled to repay the advance before the member's expected date of separation.
13. The estate of a deceased member will not be required to repay any portion of the advanced pay paid to the member that is not repaid before the death of the member.
14. The Secretary of the Military Service concerned is authorized to waive recovery of an advance of not more than basic pay for 1 month when such recovery would be against equity and good conscience or against the public interest.
15. The Secretary of the Military Service concerned is authorized to extend repayment period up to a 24-month schedule.

Table 32-3. Payment Procedures

RULE	If payment type is a/an	then the payment practice for Overseas Command is (note 1)	then the payment practice for Continental United States (includes Alaska and Hawaii) is
1	local partial payment (note 2)	to pay bonuses, annual special pays, separation pay, death gratuity, unpaid pay and allowances, health and comfort, waiver of forfeitures for dependents.	not authorized.
2	emergency partial payment	to pay bonuses, annual special pays, separation pay, death gratuity, unpaid pay and allowances, health and comfort, waiver of forfeitures for dependents.	no local payment is made (note 3).
3	advance PCS	paid centrally via Direct Deposit/EFT, all pay grades 1 month pay (E-3 and below with CO's approval), max 3 months pay (E-4 and above) with CO's approval.	paid centrally via Direct Deposit/EFT.
4	advance basic pay	not applicable	to pay not more than 15 days basic pay at training or indoctrination center or centrally via Direct Deposit/EFT as systems become available (see paragraph 2.4).
5	advance BAS	a maximum of 3 months entitlement (note 2).	paid centrally via Direct Deposit/EFT a maximum of 3 months entitlement (note 2).
6	advance dependent evacuation allowance	a maximum of 2 months entitlement (note 2).	to pay a maximum of 2 months of basic pay paid locally as an emergency partial payment.
7	advance for an AFHPSP participant	not applicable	to pay a maximum of 1 month of basic pay when reporting for 45 days active-duty tour; paid centrally via Direct Deposit/EFT.
8	advance for a person in the SROTC	not applicable	to pay 1 month entitlement or the amount the member will accrue for the training; paid centrally via Direct Deposit/EFT.
9	advance overseas housing allowance	to pay 1 year accrued allowances determined on the basis of housing expenses, and the authorized overseas housing allowance and interim housing allowance may be paid locally if required.	not applicable
10	advance basic allowance for housing	not applicable	paid centrally via Direct Deposit/EFT.
11	advance for mobilization deployment of a member	to pay centrally via Direct Deposit/EFT a maximum of 3 months pay.	paid centrally via Direct Deposit/EFT a maximum of 3 months pay.

Table 32-3. Payment Procedures (Continued)

RULE	If payment type is a/an	then the payment practice for Overseas Command is (note 1)	then the payment practice for Continental United States (includes Alaska and Hawaii) is
12	advance for shipboard deployment of a member	to pay all pay due for Navy and Marine Corps members centrally via Direct Deposit/EFT. Not applicable to Army and Air Force members.	not applicable
13	advance for distant duty	to pay centrally via Direct Deposit/EFT a maximum of 3 months basic pay and allowances.	not applicable

NOTES:

1. Payments may be paid locally when consistent with mission requirements and nonavailability of DoD military banking facilities.
2. Local payments are authorized with commander's approval.
3. Emergency partial payment may be made when approved by the member's commander and coordinated with the local finance office for the following circumstances:
   a. Pay and allowances earned to date on the Master Military Pay Account when no pay was received on regular payday or when there is a major medical emergency or death in the immediate family of the member;
   b. Emergency travel advance when the traveler does not have a government travel charge card;
   c. Discharge gratuity (as required by Chapter 35 Table 35-7);
   d. Payment of death gratuity benefit to beneficiary;
   e. Payment to military member of advanced pay and allowances and/or evacuation allowance to evacuate dependents as a result of a natural disaster or life-threatening situation; or
   f. Payment to dependents when a member's forfeiture is waived in favor of those dependents.

REFERENCES

CHAPTER 32 – ADVANCE, LOCAL, PARTIAL AND EMERGENCY PARTIAL PAY

2.0 – ADVANCE PAYMENTS (3202)

2.1	37 U.S.C. § 1006(a) DoD Instruction (DoDI) 1340.18, September 11, 2012, Incorporating Change 1, Effective April 20, 2020
2.2	37 U.S.C. § 1006(b)
2.3	37 U.S.C. § 212
2.5	37 U.S.C. § 402(c)
2.6	37 U.S.C. § 1006(c)
2.7	37 U.S.C. § 1006(a) (2)
2.8	37 U.S.C. § 1006(i)
2.9	5 U.S.C. § 6103 37 U.S.C. § 1006(h)
2.10	37 U.S.C. § 403(a)
2.11	37 U.S.C. § 1006(j)

Table 32-1

Rule 3	37 U.S.C. § 212
Rule 5	37 U.S.C. § 1006(c)
Note 13	37 U.S.C. § 212

Table 32-2

Rule 5	37 U.S.C. § 1006(c)
Rule 10	37 U.S.C. § 1006(c)
Rule 11	37 U.S.C. § 212
Rule 13	37 U.S.C. § 1006
Note 1 & 8	DoDI 1340.18, September 11, 2012, Incorporating Change 1, Effective April 20, 2020
Note 6	Comptroller General B-144839, December 13, 1966
Note 12	37 U.S.C. § 212(d)
Note 13	37 U.S.C. § 1006(c)

VOLUME 7A, CHAPTER 33: "PAYMENTS ON BEHALF OF MENTALLY INCOMPETENT MEMBERS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated October 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision

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CHAPTER 33

PAYMENTS ON BEHALF OF MENTALLY INCOMPETENT MEMBERS

1.0 GENERAL

1.1 Purpose

This chapter establishes policy for members entitled to active duty pay and allowances while serving on active duty even though mentally incapable of managing their own affairs. This includes miscellaneous payments authorized on separation from the Military Service. See Chapter 35, section 7.0.

1.2. Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.). The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 PAYMENT

The appointment of a guardian, trustee, or other legal representative is a prerequisite to payment. For the designation of trustee and payment offices, see Table 33-1.

3.0 MEMBER MENTALLY INCAPACITATED BEFORE ENTRY ON ACTIVE DUTY

When it is shown that a member was judicially declared mentally incapacitated before induction or enlistment, the member is not entitled to pay and allowances. See Chapter 1, paragraph 5.5, and Table 1-15, rule 8.

4.0 FINALITY OF PAYMENTS TO TRUSTEE

Any payments on behalf of a mentally incompetent member to a designated trustee on behalf of a member to whom this Chapter applies are a complete discharge of the obligation of the United States as to amounts paid.

5.0 RESTRICTION AGAINST ACCEPTANCE OF FEES

A person serving in a legal, medical, fiduciary, or other capacity may not demand or accept a fee, commission, or other charge (except bonding fee) for any service performed in the administration of the account of a member to whom this Chapter applies.

Table 33-1. Payment of Mentally Incompetent Members

RULE	When	and member is in the	then the trustee is	and payment is made by
1	a court of competent jurisdiction has not appointed a guardian, committee, or other legal representative	Army, Air Force, or Space Force	designated by the Director, Defense Finance and Accounting Service (DFAS) - Cleveland	DFAS-Indianapolis.
2	a court of competent jurisdiction has not appointed a guardian, committee, or other legal representative	Navy or Marine Corps	designated by the Director, Defense Finance and Accounting Service (DFAS) - Cleveland	DFAS-Cleveland.
3	a court of competent jurisdiction has appointed a guardian, committee, or other legal representative	Army, Air Force, Space Force, Navy, or Marine Corps	not required	the appropriate office shown in rules 1 or 2, except as indicated in the note.

NOTE: Army Only: Local disbursing officer servicing the member's financial record may make payments.

REFERENCES

CHAPTER 33: PAYMENTS ON BEHALF OF MENTALLY INCOMPETENT MEMBERS

1.0 – GENERAL

Title 37, U.S.C, sections 601-604

3.0 – MEMBER MENTALLY INCAPACITATED BEFORE ENTRY ON ACTIVE DUTY

Deputy Secretary of Defense Memo, November 7, 2022
DFAS Office of General Counsel (OGC) Memo, March 11, 2024

4.0 – FINALITY OF PAYMENTS TO TRUSTEE

Deputy Secretary of Defense Memo, November 7, 2022
DFAS Office of General Counsel (OGC) Memo, March 11, 2024

5.0 – RESTRICTION AGAINST ACCEPTANCE OF FEES

Deputy Secretary of Defense Memo, November 7, 2022
DFAS Office of General Counsel (OGC) Memo, March 11, 2024

*Table 33-1

Public Law 116-92, section 952, December 20, 2019
Rules 1, 2
Deputy Secretary of Defense Memo, January 29, 1991
Comptroller of the Department of Defense Memo, February 1, 1991
DFAS Memo, August 26, 2010
DFAS Memo, September 9, 2010
DFAS Memo, August 29, 2011
Deputy Secretary of Defense Memo, November 7, 2022
DFAS Office of General Counsel (OGC) Memo, March 11, 2024

VOLUME 7A, CHAPTER 34: "PAY ENTITLEMENT OF MEMBERS MISSING, MISSING IN ACTION (MIA), INTERNED, AND PAYMENTS TO DEPENDENTS"

SUMMARY OF MAJOR CHANGES

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
References	Verified supporting statutes and references.	Revision

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CHAPTER 34

PAY ENTITLEMENT OF MEMBERS MISSING, MISSING IN ACTION (MIA), INTERNED, AND PAYMENTS TO DEPENDENTS

1.0 GENERAL

1.1 Purpose

This chapter establishes policy regarding pay entitlements of service members missing, MIA, interned, and payments to dependents. A member in a missing status is entitled to the pay and allowances to which the member was entitled when the missing status began, or to which the member later becomes entitled. The fact that the member did not receive payment before entering a missing status does not affect the right to a certain pay or allowance.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.), including Titles 10, 26, and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 DEPENDENT

See Volume 7A, Definitions for the general definition of a dependent. For the purposes of this chapter, the term dependent also means a person designated as a dependent in the "missing" member's official records, or a person determined to be a dependent of the "missing member" by the Secretary of the Military Service concerned.

3.0 MISSING PERSONS' PAY ACCOUNTS UNDER THE MISSING PERSONS ACT

The Secretary of the Military Service concerned makes official determinations on missing status or death. The Director of the Defense Finance and Accounting Service (DFAS) makes determinations necessary for the administration of missing persons' accounts under the Missing Persons Act. These include determinations of facts of dependency, starting, stopping, or changing allotments of pay, waiving recovery of erroneous payment or overpayment, and settling accounts.

4.0 ENTITLEMENT TO PAY AND ALLOWANCES WHILE IN A MISSING STATUS

4.1 General

See Table 34-1 for a list of all pay and allowances.

4.2 Basic Allowance for Housing (BAH) and Basic Allowance for Subsistence (BAS)

Members without dependents are entitled to BAH at the without-dependent rate. Enlisted members are entitled to BAS. Payments of these allowances are authorized from the beginning of the missing status, even though there was no housing or subsistence allowance entitlement before the missing status began.

5.0 ALLOTMENTS FOR MEMBERS IN MISSING STATUS

Allotments in effect before a member enters a missing status may be continued. As directed by the Director of DFAS, allotments may be initiated, suspended, resumed, increased, decreased, or discontinued where circumstances so warrant in the interests of the missing member, the dependents, or the government.

6.0 TAX WITHHOLDING FOR MEMBERS IN MISSING STATUS

See Chapter 44 for tax withholding for members in missing status.

7.0 REVIEW OF CASE AFTER 12 MONTHS AND FINDING OF DEATH

7.1 Review of Case After 12 Months

When a 12-month period (starting from the date of the member's absence) is about to end and the member has not been reported officially as dead, imprisoned or interned, the case is fully reviewed. After this review and when the 12-month period has ended, or following any later review warranted by information received, or other circumstances, the Secretary of the Military Service concerned:

7.1.1. Directs continuance of the member's missing status, if the member reasonably may be presumed to be living; or

7.1.2. Makes a finding of death.

7.2 Continuance of Member's Missing Status

When a member continues in a missing status under subparagraph 7.1.1, credit pay and allowances to his or her account. Allotments are continued, discontinued, increased, or initiated as provided in Chapters 40 through 43. When the Secretary of the Military Service concerned officially reports that a missing member is alive and in the hands of a hostile force, or is interned in a foreign country, allotment payments are authorized. These payments on the member's behalf continue through the date on which the Secretary of the Military Department concerned receives evidence that the member is dead. When a member returns to Military Service control, the member resumes control of allotments.

7.3 Finding of Death

A finding of death includes the date upon which death is presumed to have occurred for the purposes of stopping pay and allowances, settlement of accounts, and payment of death gratuities. This date is the day following the day the member has been absent 12 months, unless the missing status continues beyond that day. In this case, the date of death is the date determined by the Secretary of the Military Department concerned.

7.4 Change in Date of Death

Payment of an account made following a report, determination, or finding of death may not be recovered, and the case may not be reopened, because of a later report or determination fixing an earlier date of death. If a later date of death is established, then the account is reopened and settled on the basis of the later date.

8.0 PAYMENT OF DEATH GRATUITY

See Chapter 36 for payments when a member in a missing status is reported dead, or for whom a finding of death is made.

9.0 ACCRUED LEAVE

9.1 Accumulation

Members, while in a missing status, can accumulate leave without regard to any leave accrual limitations stated in Chapter 35. However, a member whose death is determined under section 7.0 may, in addition to leave accrued before entering a missing status, accrue not more than 150 days of leave during the period of a missing status, unless the actual date of death is found to have occurred on a date when the member had accrued leave in excess of 150 days. Leave accumulated while in a missing status may not be taken, but will be paid.

9.2 Settlement

Leave accumulated while in a missing status will be accounted for separately and settled according to subparagraphs 9.2.1 and 9.2.2.

9.2.1. Return From Missing Status. Members will be paid for all leave accumulated while in a missing status as soon as possible after return from a missing status. Items to be included in the accrued leave payment are provided in Chapter 35, paragraphs 2.2 and 2.3. Computation will be based on the rates to which the member was entitled on the date that his or her name was removed from the missing status.

9.2.2. Death in a Missing Status. Notwithstanding the death of a member while in a missing status, leave will continue to accrue to his or her account through the date that the Secretary of the Military Department concerned (or designee) receives evidence that the member is dead or

through the date of death as prescribed or determined under section 7.0. Although leave will accrue for the entire missing status period, the actual accrued leave settlement will vary according to circumstances.

9.2.2.1. Death Prior to Fifth Year MIA Status. Payment for unused leave accrued to the member's credit while in a missing status is for 150 days, providing that he or she was continued in a missing status for 5 or more years. Payment for 150 days is made even though it later is found that member's actual death occurred within the first 5 years after entry into missing status or upon entry into such status. Settlement for accrued leave is based on the amount of leave accrued to the member's credit before entering the missing status and the 150 days of leave described in paragraph 9.1. Items to be included in the accrued leave payment are identified in Chapter 35, paragraphs 2.2 and 2.3. Computation is based on the rates to which the member was entitled on the date of death.

9.2.2.2. Death Subsequent to Fifth Year MIA Status. When it is found that the member's actual death occurred subsequent to the fifth year after entry into a missing status, payment for unused leave accrued to his or her credit while in a missing status is for the total accrued until death. Settlement for accrued leave is based on the amount of leave accrued to the member's credit before entering the missing status plus the accrual until death described herein. Items to be included in the accrued leave payment are identified in Chapter 35, paragraphs 2.2 and 2.3. Computation is based on the rates to which the member was entitled on the date of death.

9.2.2.3. Death, MIA Status Less Than 5 Years. Payment for unused leave accrued to a member's credit while in a missing status, when he or she was continued in a missing status for less than 5 years, is for the total accrued through the date that the Secretary of the Military Department concerned makes a finding of death. Settlement for accrued leave is based on the amount of leave accrued to the member's credit before entering the missing status plus the accrual until finding of death described herein. Items to be included in the accrued leave payment are identified in Chapter 35, paragraphs 2.2 and 2.3. Computation is based on the rates to which the member was entitled on the date of death.

9.2.2.4. Special Conditions of Entitlement. Settlement of accrued leave for a deceased member who was promoted while in a missing status is based on the amount of leave accrued to his or her credit before entering the missing status and the amount of leave accumulated in a missing status as provided in the applicable provisions of subparagraphs 9.2.2.1, 9.2.2.2, or 9.2.2.3. Computation is based on the grade to which promoted and rate of pay in effect on the date of the presumed finding or the date of the determination of death. This will apply even though the Secretary of the Military Department concerned later determines that the member died before the date of promotion. See Table 34-1, rule 6.

10.0 SERVICE GUIDANCE

10.1 Army

10.1.1. See ***Army Regulation 638-8*** for casualty accounting, reporting, and notification.

10.1.2. See ***Joint Travel Regulation (JTR)*** for transportation of dependents, household goods, and personal effects.

10.2 Navy

10.2.1. See Military Personnel Management ***(MILPERSMAN) 1770*** series for casualty accounting, reporting, and notification.

10.2.2. See ***MILPERSMAN 4050 and MILPERSMAN 4650*** series, and the JTR for transportation of dependents, household goods, and personal effects.

10.3 Air Force and Space Force

10.3.1. See ***Air Force Instruction 36-3002*** for casualty accounting, reporting, and notification.

10.3.2. See the JTR for transportation of dependents, household goods, and personal effects.

10.4 Marine Corps

10.4.1. See Marine Corps Order ***(MCO) 3040.4*** for casualty accounting, reporting, and notification.

10.4.2. See ***MCO 4600.7A*****,** Marine Corps Transportation Manual, and the JTR for transportation of dependents, household goods, and personal effects.

Table 34-1 Pay and Allowances Which Accrue to Missing Members

RULE	When the member is	and is	then the member is	with accounts maintained in or administered by	And
1	Army	missing, MIA, interned in a foreign country, captured, beleaguered or besieged by a hostile force, or detained in a foreign country against the member's will	entitled to receive or have credited to the member's account the pay and allowances to which entitled when missing status began or to which the member becomes entitled later, as follows: Basic pay, Special pay, Incentive pay for hazardous duty, BAH (note 1), BAS (note 1), Family Separation Allowance (FSA) (note 2), Family Separation Housing, Per diem allowances for not more than 90 days (note 3), and Hostile Fire Pay if the member qualified immediately before entry to a missing status (note 4)	DFAS- Indianapolis (IN)	payments continue through the date the Military Service concerned receives evidence of death of the member, or date of presumption of death made by the Secretary of the Military Department concerned, or date of return to Military Service jurisdiction (note 5).

Table 34-1 Pay and Allowances Which Accrue to Missing Members (Continued)

RULE	When the member is	and is	then the member is	with accounts maintained in or administered by	And
2	Navy	missing, MIA, interned in a foreign country, captured, beleaguered or besieged by a hostile force, or detained in a foreign country against the member's will	entitled to receive or have credited to the member's account the pay and allowances to which entitled when missing status began or to which the member becomes entitled later, as follows: Basic pay, Special pay, Incentive pay for hazardous duty, BAH (note 1), BAS (note 1), Family Separation Allowance (FSA) (note 2), Family Separation Housing, Per diem allowances for not more than 90 days (note 3), and Hostile Fire Pay if the member qualified immediately before entry to a missing status (note 4)	DFAS- Cleveland (CL)	payments continue through the date the Military Service concerned receives evidence of death of the member, or date of presumption of death made by the Secretary of the Military Department concerned, or date of return to Military Service jurisdiction (note 5).

Table 34-1 Pay and Allowances Which Accrue to Missing Members (Continued)

RULE	When the member is	and is	then the member is	with accounts maintained in or administered by	And
3	Air Force or Space Force	missing, MIA, interned in a foreign country, captured, beleaguered or besieged by a hostile force, or detained in a foreign country against the member's will	entitled to receive or have credited to the member's account the pay and allowances to which entitled when missing status began or to which the member becomes entitled later, as follows: Basic pay, Special pay, Incentive pay for hazardous duty, BAH (note 1), BAS (note 1), Family Separation Allowance (FSA) (note 2), Family Separation Housing, Per diem allowances for not more than 90 days (note 3), and Hostile Fire Pay if the member qualified immediately before entry to a missing status (note 4)	DFAS-IN	payments continue through the date the Military Service concerned receives evidence of death of the member, or date of presumption of death made by the Secretary of the Military Department concerned, or date of return to Military Service jurisdiction (note 5).

Table 34-1 Pay and Allowances Which Accrue to Missing Members (Continued)

RULE	When the member is	and is	then the member is	with accounts maintained in or administered by	And
4	Marine Corps	missing, MIA, interned in a foreign country, captured, beleaguered or besieged by a hostile force, or detained in a foreign country against the member's will	entitled to receive or have credited to the member's account the pay and allowances to which entitled when missing status began or to which the member becomes entitled later, as follows: Basic pay, Special pay, Incentive pay for hazardous duty, BAH (note 1), BAS (note 1), Family Separation Allowance (FSA) (note 2), Family Separation Housing, Per diem allowances for not more than 90 days (note 3), and Hostile Fire Pay if the member qualified immediately before entry to a missing status (note 4)	DFAS-CL	payments continue through the date the Military Service concerned receives evidence of death of the member, or date of presumption of death made by the Secretary of the Military Department concerned, or date of return to Military Service jurisdiction (note 5).
5	Army, Navy, Air Force, Marine Corps or Space Force	officially determined to be absent without authority rather than in a missing status	not entitled to pay and allowances for any such period.		

Table 34-1 Pay and Allowances Which Accrue to Missing Members (Continued)

RULE	When the member is	and is	then the member is	with accounts maintained in or administered by	And
6	Army, Navy, Air Force, Marine Corps or Space Force	an officer, warrant officer, or enlisted member who receives a promotion while in a missing status (note 6)	entitled to pay and allowances of the pay grade to which promoted from the date of orders announcing the promotion.		
7	Army, Navy, Air Force, Marine Corps or Space Force	in a missing status and has a change of conditions upon which pay and allowances are based	entitled to the pay and allowances based on the changed conditions (note 7).		
8	Army, Navy, Air Force, Marine Corps or Space Force	an enlisted member who continues in missing status after expiration of term of service	entitled to continuance of pay and allowances.		
9	Army, Navy, Air Force, Marine Corps or Space Force	in receipt of or has placed to member's credit pay, wages, allowances, or other compensation from the hostile force	not charged or debited with any such amount against member's pay and allowances.		

Table 34-1 Pay and Allowances Which Accrue to Missing Members (Continued)

NOTES:

1. Members without dependents are entitled to BAH at the without-dependent rate. Enlisted members are entitled to BAS. See paragraph 4.2.
2. A member may qualify for FSA-Temporary while in a missing status if the continuous period of more than 30 days is completed after entering the missing status. (See Chapter 27, paragraphs 4.3 and 4.4.)
3. Travel per diem and clothing monetary allowances do not accrue during a missing status, even though member was entitled to them when missing status began.
4. See Chapter 44 to determine possible Combat Zone Tax Exclusion implications.
5. When facts or events warrant, the Secretary of the Military Department concerned may change or modify a prior determination.
6. This applies even though the Secretary of the Military Department concerned is later made aware that the member died before the date of promotion.
7. For example, if the sole dependent of a missing member dies, credit for BAH at the with-dependent rate ceases, and any allotment in force in the dependent's favor is stopped and deductions cease.

REFERENCES

CHAPTER 34 – PAY ENTITLEMENT OF MEMBERS MISSING, MISSING IN ACTION (MIA), INTERNED, AND PAYMENTS TO DEPENDENTS

3.0 – MISSING PERSONS' PAY ACCOUNTS UNDER THE MISSING PERSONS ACT

DoD Directive (DoDD) 5118.03, April 20, 2012
DoDD 5118.05, April 20, 2012

4.0 – ENTITLEMENT TO PAY AND ALLOWANCES WHILE IN A MISSING STATUS

4.2	52 Comptroller General (Comp Gen) 23

5.0 ALLOTMENTS FOR MEMBERS IN MISSING STATUS

DoDD 5118.03, April 20, 2012
DoDD 5118.05, April 20, 2012

6.0 – TAX WITHHOLDING FOR MEMBERS IN MISSING STATUS

26 U.S.C., section 112(d)(1)

7.0 – REVIEW OF CASE AFTER 12 MONTHS AND FINDING OF DEATH

37 U.S.C. §§ 555 and 556

9.0 – ACCRUED LEAVE

	10 U.S.C. § 701(f)
9.2.1.	37 U.S.C. § 501(h)
9.2.2.4.	51 Comp Gen 759

Table 34-1 – PAY AND ALLOWANCES WHICH ACCRUE TO MISSING MEMBERS

	37 U.S.C. §§ 452, 551, 552, 553, 555, 556, 558
Note 1	52 Comp Gen 23
Note 2	45 Comp Gen 633
Note 3	JTR, subparagraph 020315.B
	44 Comp. Gen. 657 (1965)
	37 U.S.C. § 551(3)
Note 7	52 Comp Gen 23

VOLUME 7A, CHAPTER 35: "SEPARATION PAYMENTS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated July 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
2.1.1.3	Updated subparagraph for selling leave more than 90 days.	Revision
2.2	Modified Special Leave Accrual in accordance with DoD Instruction 1327.06, June 16, 2009, Incorporating change 5, August 25, 2023, and the Office of the Assistant Secretary of Defense Manpower and Reserve Affairs memo September 5, 2023.	Revision
Table 35-6 Rules 5 and 6	April 2024: Stigmatizing language was modified in accordance with the Deputy Secretary of Defense memo, "Review of Policies to Eliminate Stigmatizing Language Related to Mental Health," dated November 7, 2022, and Defense Finance and Accounting Service Office of General Counsel Memo, dated March 11, 2024.	Revision
References	March 2024: Updated to reflect current statutes and supporting references.	Revision

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CHAPTER 35

SEPARATION PAYMENTS

1.0 GENERAL

1.1 Purpose

This chapter prescribes the policy for entitlements that members may receive when separating from military service.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ACCRUED LEAVE PAY

2.1 General Entitlement

2.1.1. A member who is discharged or separated under honorable conditions is entitled to payment of unused accrued leave unless the member continues on active duty under conditions that require accrued leave to be carried forward, or in the case of a Reserve Component member, the member elects to have the leave carried forward to the member's next period of active service. An enlisted member who voluntarily extends their enlistment for the first time is also entitled to payment for unused accrued leave.

2.1.1.1. Conditions for Payment of Unused Accrued Leave. See Tables 35-1 through 35-4 for specific rules governing whether a member may be paid for unused accrued leave.

2.1.1.2. Career Leave Payment Limitation of 60 days

2.1.1.2.1. Generally, a Service member is entitled to receive payment for no more than 60 days of accrued leave during a military career. See subparagraph 2.1.1.4 for exceptions.

2.1.1.2.2. A Service member eligible for an unused accrued leave settlement is authorized an election regarding payment or carryover of the leave. The member may elect to receive payment for a portion of the unused leave, not to exceed a career total of 60 days, and to have the remaining accrued leave carried forward to a new or extended enlistment. The total of paid and carried forward leave may exceed 60 days.

2.1.1.3. One-Time Leave Payment. An enlisted member of the Armed Forces who qualifies for Special Leave Accrual (SLA) as set forth in subparagraphs 2.2.2.2 through 2.2.2.5 and who would lose accumulated leave in excess of 90 days may elect to be paid up to 30 days of the excess leave. This leave payment does apply against the 60 days of leave paid during a career as stated in subparagraph 2.1.1.2.1. A member may exercise this option only once in their career.

2.1.1.4. Exceptions to the 60-Day Career Leave Payment Limitation

2.1.1.4.1. Contingency Operations. The 60-day leave payment limitation does not apply with respect to leave accrued by a member of a Reserve Component or retired Reserve; a retired member of the Regular Army, Regular Navy, Regular Air Force, or Regular Marine Corps; or a member of the Fleet Reserve or Fleet Marine Corps Reserve during any period while the member also is:

2.1.1.4.1.1. Serving on active duty in support of a contingency operation on or after December 5, 1991; or

2.1.1.4.1.2. Serving on active duty in connection with the Persian Gulf conflict (other than for training) under authority of Title 10, United States Code, sections 688, 12301, 12302, 12304, 12306, or 12307 (***10 U.S.C. § 688***, ***10 U.S.C. § 12301***, ***10 U.S.C. § 12302***, ***10 U.S.C. § 12304***, ***10 U.S.C. § 12306***, or ***10 U.S.C. § 12307***, on or after August 2, 1990.

2.1.1.4.2. Active Duty of 31 to 365 Days. The 60-day leave payment limitation does not apply to leave accrued by a member of a Reserve Component while serving on active duty, full-time National Guard duty, or active duty for training during a period of more than 30 days, but not in excess of 365 days, beginning on or after October 1, 2001.

2.1.1.4.3. Death on Active Duty. The 60-day leave payment limitation does not apply to leave accrued by a member who dies while on active duty (or a member or former member who dies after retirement or discharge, but before receiving payment of accrued leave). Payment of accrued leave for a deceased member is based upon the unused accrued leave that he or she carried forward into the leave year in which deceased, plus the unused leave that accrued during that leave year, beginning on or after February 10, 1996.

2.1.1.4.4. Career Leave Payment Total. Unused leave accrued specifically under the conditions of subparagraphs 2.1.1.4.1 through 2.1.1.4.3 is in addition to the member's career leave payment limitation of 60 days. Such unused leave may be carried forward into a new contract period of active duty and later be eligible for payment in addition to other leave to which the 60-day career ceiling applies. See paragraph 2.2 for rules that apply to accounting for accrued and used leave, and subparagraph 2.3.2 for calculating the payment amount and the possible application of the Combat Zone (CZ) Tax Exclusion (CZTE).

Example: On January 1, 2018, a National Guard member on active duty, under Title 32, is mobilized for 3 years with his unit under 10 U.S.C. § 12301. Although previously paid for career leave of 48 days, the member elected to carry forward all 32 days of accrued unused leave from the pre-mobilization period.

On April 6, 2018, he was discharged and immediately ordered to active duty for another period of 3 years. The member used leave from April 2 through April 5, 2018 (4 days). He has 36 days accrued unused leave at discharge (32 days from his balance brought forward, plus 8 days accrued under the mobilization, minus the 4 days of leave used). He may elect to be paid for a maximum of 16 days of leave at discharge, which includes the 12 days up to the 60-day limitation, plus 4 days of excepted leave (earned 8 days excepted leave less the 4 days used).

The remaining balance of 20 days (or more, if he takes payment for less than the full 16 days of leave) may be carried forward into the new active duty period. If a payment is made for 12 days or less, then 4 days of the carryover are an exception to the 60-day payment limitation and may be paid in the future if they remain unused.

2.1.2. Under regulations prescribed by the Secretary of the Military Department concerned, a member sentenced to unsuspended dismissal or unsuspended dishonorable or bad-conduct discharge by court-martial may be required to take leave pending review of the conviction (for example, appellate leave) as provided by ***10 U.S.C. § 876a***. Such member may elect to be paid in a lump sum for the leave accrued to his or her credit as of the day before the day the leave begins. Otherwise, each day of appellate leave will be charged as a day of leave and the member paid accordingly until all of the member's accrued leave is used. Payment will be based on the rate of basic pay to which the member was entitled on the day before the day leave is to begin.

2.1.3. A member who is discharged under other than honorable conditions forfeits all accrued leave at the time of discharge and is not entitled to payment for accrued leave, regardless of the length of time the separated member has served.

2.1.4. Except as provided in subparagraph 2.1.5, a member who receives an entry-level discharge before completing 6 months of active duty will be considered as having received an honorable discharge with payment of accrued leave being authorized.

2.1.5. A member, who is discharged before completing 6 months of active duty because of failure to serve satisfactorily, forfeits all accrued leave at the time of discharge. Such forfeiture also applies to any member with prior military service who had a break in service of 90 or more consecutive days. The following constitute reasons for failure to serve satisfactorily.

2.1.5.1. Enlisted reasons include:

2.1.5.1.1. Defective enlistment and induction (minority and fraudulent entry only);

2.1.5.1.2. Entry-level performance and conduct;

2.1.5.1.3. Unsatisfactory performance;

2.1.5.1.4. Drug and/or alcohol abuse rehabilitation failure;

2.1.5.1.5. Misconduct, moral, and/or professional dereliction;

2.1.5.1.6. Separation in lieu of trial by court-martial; or

2.1.5.1.7. Security (unless the member receives an honorable discharge).

2.1.5.2. Officer reasons include:

2.1.5.2.1. Separation for cause (e.g., officers separated for substandard performance of duty);

2.1.5.2.2. Dropped from the rolls;

2.1.5.2.3. Misconduct, moral, and/or professional dereliction;

2.1.5.2.4. Separation in lieu of trial by court-martial; or

2.1.5.2.5. Security (unless the member receives an honorable discharge).

2.2 Leave Accounting

2.2.1. Accrued leave must be carefully accounted for and accurately identified as to the time and circumstances under which it was earned. The number of days accrued and value of unused leave that is to be sold depends upon the timeframe and circumstances under which it was earned.

2.2.1.1. Leave earned is valued using only basic pay.

2.2.1.2. Leave accrued in a CZ or Qualified Hazardous Duty Area (QHDA), or while hospitalized because of action in such a zone or area, is generally known as CZTE leave. See Chapter 44, paragraph 2.3 for full descriptions of the circumstances under which such leave accrues. CZTE leave for enlisted members is exempt from federal and state income tax withholding. CZTE leave for officers is exempt from federal and state income tax withholding up to a specified limit. See subparagraph 2.3.2 for a discussion of tax exclusion limits. All leave earned during a month in which a member serves for any period of time in a CZ or QHDA area is CZTE leave. A single day of qualifying service in such circumstance qualifies all leave accrued in that month as CZTE leave.

2.2.1.3. A member of a Reserve Component who accumulates leave during a period of active service may carry over any accumulated leave to the member's next period of active service without regard to separation or release from active service if the separation or release is under honorable conditions. This accumulated leave is subject to fiscal year carry forward limitations 60 days.

2.2.2. Leave accrues to a Service member serving on active duty for 30 days or more. It accrues at the rate of 2½ days for each month of active service, excluding periods of absence from duty without leave, periods of confinement resulting from a court-martial, and periods of leave required to be taken pending review of a court-martial conviction. For partial months, it accrues at the rate of ½ day for any period of 6 days or less.

2.2.2.1. A member may not carry forward a leave balance of more than 60 days into a new fiscal year, except when entitled to Special Leave Accrual.

2.2.2.2. A member entitled to SLA may carry forward a combined total leave balance of up to 90 days (i.e., 60 days of ordinary leave plus 30 days of SLA leave). Under this exemption, unused leave may be carried forward until the end of the second fiscal year following the fiscal year in which the qualifying service is terminated.

2.2.2.3. The following members are eligible for SLA.

2.2.2.3.1. A member who serves on active duty while entitled to hostile fire/imminent danger pay for a continuous period of at least 120 days;

2.2.2.3.2. A member assigned to a designated deployable ship, mobile unit, or other similar prescribed duty as designated by the Secretary of the Military Department concerned; or

2.2.2.3.3. A member performing duties designated by the Secretary concerned as a qualifying duty.

2.2.2.3.4. A member described in subparagraphs 2.2.2.3.1 through 2.2.2.3.3 must receive written authorization for SLA from the first officer in the grade above O-6 in their chain of command.

2.2.2.4. The maximum amount of SLA leave that can be carried forward is the leave balance at the end of the fiscal year following the end of the SLA period not to exceed 90 days (i.e., 60 days of ordinary leave plus 30 days of SLA leave). The maximum amount will be reduced to a new level whenever the leave balance drops below the previously set level. If at any time, the leave balance drops to or goes below 60 days, then there is no longer any SLA protected leave.

2.2.2.4.1. Therefore, the actual maximum leave that can be carried forward into succeeding fiscal years is the lowest leave balance achieved following the completion of the SLA duty. If the SLA qualifying period crosses a fiscal year, then the entire leave balance (not to exceed 90 days) will be carried forward and the leave accrued from the beginning of the new fiscal year through the end of the SLA qualifying period will be added to establish the maximum.

2.2.2.4.2. Any portion of a leave balance in excess of 60 days that could have been taken before the end of the fiscal year had the member not been assigned to SLA qualifying duty will be included in the carryover amount.

2.2.2.5. For guidance regarding the period of transition from the previous SLA leave cap of 60 days (above the normal 60-day carry forward limit for a maximum total of 120 days) to the new SLA leave cap of 30 days (above the normal 60-day carry forward limit for a maximum total of 90 days), see the Office of the Assistant Secretary of Defense Manpower and Reserve Affairs memorandum, September 5, 2023.

2.2.2.6. Leave will be accounted for by crediting it sequentially in the chronological order in which it is accrued. Generally, when used, leave will be charged with the most recently accrued leave charged first. This method is known as Last In, First Out.

2.3 Leave Payments and Taxability

2.3.1. Payments for accrued leave are normally subject to taxation and income tax withholding.

2.3.2. Payments for CZTE leave for Service members are tax-exempt from federal taxation and not subject to federal or state income tax withholding up to the monthly limit specified by the Internal Revenue Service (IRS). That limit is different for enlisted members and officers. The limit is fully described in Chapter 44, subparagraph 2.2.1 and summarized as follows:

2.3.2.1. Enlisted members (E-1 and above) and warrant officers (W-1 through W-5) have no limitation or ceiling on the value of payments exempt from federal or state taxes and federal tax withholding for any month in which they qualify for an exemption.

2.3.2.2. Officers (O-1 and above) are subject to a limit on the value of federal tax-exempt payments and exemption from federal and state tax withholding for each month in which they qualify for an exemption. The exemption amount for officers is set at the value of the highest rate of enlisted basic pay plus the value of any hostile fire or imminent danger pay the officer may have been entitled to in that qualifying month. The applicable rate of enlisted basic pay would be that listed in Chapter 1, Table 1-10, Note 3 for the corresponding qualifying month. To determine whether the limitation will apply to a payment for accrued unused leave, the leave must be allocated to the months in which earned and for which the officer qualified for CZTE status.

2.3.2.2.1. The value of the leave for each individual month must be added to any payments the officer has received for that tax-exempt month and the total compared to the monthly limitation amount.

2.3.2.2.2. Tax exemption may only be given for the value of the portion of the CZTE leave that does not exceed the limitation available. Any payments for CZTE leave value that exceed the limitation available will be treated as taxable income.

Example: A Reserve Component O-6 with over 12 years of service began active duty on March 27, 2022, and reported temporary additional duty to a designated CZ on March 28, 2022. He departed the zone on May 4, 2022, and was separated from active duty and paid for unused accrued leave on May 6, 2022. The officer was entitled to monthly basic pay of $9,034.50 and to imminent danger pay

of $225. The monthly basic pay for the most senior enlisted member in each military service is $9,355.50 per month during that period. The officer has been paid for his active-duty service and is awaiting payment for his earned leave. He had previously sold back 58 days of leave at the end of other active-duty periods.

The officer earned .5 days of leave in March and in May and 2.5 days for April. The total of 3.5 days leave when added to the 58 days previously sold would exceed the maximum of 60 days that may be sold in a career. This leave, however, is exempt from payment limitation since the Reserve officer was on active duty for a period of more than 30 but less than 365 days. Payment of the .5 days of leave for both March and May is fully exempt from income tax and income tax withholding since the prior tax-free payments for his basic pay and hostile fire/imminent danger pay in those 2 months was well below the tax exemption limitation value of $9,580.50 (senior enlisted basic pay of $9,355.50 and hostile fire/imminent danger pay of $225).

However, only a portion of the 2.5 days of unused accrued leave attributable to April is exempt from income tax and income tax withholding. The officer has already received tax-exempt treatment of his April salary and imminent danger pay using all but $321.00 of his available exemption (exemption equals $9,580.50 and the amount used was the officer's base pay of $9,034.50 plus the hostile fire/imminent danger pay of $225, equal to $9,259.50). The 2.5 days of leave is valued at $752.88, leaving $431.88 of the leave payment subject to tax and tax withholding.

2.4 Leave Payments and Debts

Payments for accrued leave may be used to satisfy debts to the U.S. Government without restriction.

2.5 Leave Payment to Beneficiaries

Payments for accrued leave owed at death will be paid to the eligible beneficiary or beneficiaries under the provisions of Chapter 36, section 3.0.

2.5.1. If a member dies while on active duty of 30 days or more, then the accrued leave is payable along with all other unpaid pay and allowances to the eligible beneficiary.

2.5.2. If a member or former member dies after retirement or discharge, but before receiving any or all compensation for accrued leave, then the balance is payable to the eligible beneficiary. Claims for payment must be submitted to the appropriate following address:

Army and Air Force Members:

Director – Military Pay Operations Indianapolis
Defense Finance and Accounting Service (DFAS)-Indianapolis
DFAS-JFL/IN
8899 E. 56th Street
Indianapolis, IN 46249-0845

Navy Members:

Director – Military Pay Operations Navy
DFAS-Cleveland
DFAS-JFLADA
1240 E. 9th Street
Cleveland, OH 44199-2055

Marine Corps Members:

Director – Military Pay Operations Marine Corps
DFAS-Cleveland
MPO-JFLT
1240 E. 9th Street
Cleveland, OH 44199-2055

2.6 Inter Service Transfers

Every member has the option to elect to carryover some or all of their leave during an inter service transfer, regardless of enlisted, warrant officer, or commissioned officer status prior to or after the transfer.

2.6.1. An enlisted member transferring to another enlisted position may be paid for unused leave, subject to the career leave payment limitation.

2.6.2. An enlisted member transferring to an officer position may not be paid for unused leave.

2.6.3. A commissioned or warrant officer transferring to an officer position may not be paid for unused leave.

2.6.4. A commissioned or warrant officer transferring to an enlisted position may not be paid for unused leave.

3.0 SEPARATION PAY (NON-DISABILITY)

3.1 Entitlement

3.1.1. Full Separation Pay. Full payment of non-disability separation pay is authorized to Service members of the Regular and Reserve Components who have been involuntarily separated from active duty and have met each of the following four conditions:

3.1.1.1. The member has met one of the following criteria for active military service:

3.1.1.1.1. The member is on active duty or full-time National Guard duty and has completed at least 6 years, but less than 20 years, of active service. Reserve members not on the active-duty list when separated must have 6 years of continuous active duty or full-time National Guard duty immediately preceding separation. A period of active duty is considered continuous if any break in active service does not exceed 30 days; or

3.1.1.1.2. A member who is a Regular officer and is separated under ***10 U.S.C. Chapter 36*** (except under ***10 U.S.C. § 630(1)(A)***, ***10 U.S.C. § 643***, ***10 U.S.C. § 580***, or ***10 U.S.C. § 8373***) must have completed at least 6 years, but less than 20 years, of active service;

3.1.1.2. The member's separation must be characterized as "honorable" and none of the conditions apply that are listed in paragraph 3.2;

3.1.1.3. The member is being separated involuntarily, through either the denial of reenlistment or the denial of continuation on active duty or full-time National Guard duty, under one of the following four specific conditions:

3.1.1.3.1. The member must be fully qualified for retention but denied reenlistment or continuation. This includes a Service member who is eligible for promotion as established by the Secretary of the Military Department concerned, but is denied reenlistment or continuation on active duty under established promotion or high year of tenure policies;

3.1.1.3.2. The member must be fully qualified for retention but involuntarily separated under a Reduction in Force by authority designated by the Secretary of the Military Department concerned;

3.1.1.3.3. The member, if a Regular officer, commissioned or warrant, must be separated under 10 U.S.C. § 580, ***10 U.S.C. § 1165***, 10 U.S.C. § 8373, or Chapter 36 (except section 630(1)(A)); if a Reserve commissioned officer other than a commissioned warrant officer, must be separated or transferred to the retired Reserve under ***10 U.S.C. § 573*** or ***10 U.S.C. § 861***; or if a Reserve commissioned officer on the active-duty list or a Reserve warrant officer must be separated for similar reasons under military service policies; or

3.1.1.3.4. The member must be denied reenlistment or continuation on active duty or full-time National Guard duty under subparagraphs 3.1.1.3.1 through 3.1.1.3.3, and have accepted an earlier separation from active duty; and

3.1.1.4. The member must have entered into a written agreement with the military service concerned to serve in the Ready Reserve in a Reserve Component of the Armed Forces for a minimum period of 3 years following the separation from active duty.

3.1.1.4.1. A member who enters into this written agreement and is qualified for service in the Ready Reserve will, upon separation from active duty, be enlisted or appointed,

as appropriate, as a Reserve member by the military service concerned. If the person has a service obligation under ***10 U.S.C. § 651*** or any other law that is not completed at the time of separation from active duty, then the 3-year obligation begins on the day after the day the member completes the prior obligation.

3.1.1.4.2. A member who enters into this written agreement and is not qualified for enlistment or appointment in the Ready Reserve need not be enlisted or appointed by the military service concerned to be considered to have met this condition of eligibility for separation pay.

3.1.2. Sole Survivorship Discharge

3.1.2.1. A sole survivorship discharge is the separation of a member from the Armed Forces at the member's request when the member is the only surviving child in a family in which:

3.1.2.1.1. The father, mother, or one or more siblings served in the Armed Forces, and was killed; died as a result of wounds, accident, or disease; is in a captured or missing in action status; or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not gainfully employed because of the disability or hospitalization); and

3.1.2.1.2. The death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.

3.1.2.2. A member who receives a sole survivorship discharge will be entitled to full separation pay, even though the member completed less than 6 years of active service immediately before that discharge.

3.1.2.3. The amount of the full separation pay to be paid will be based on the years of active service actually completed by the member before the member's discharge.

3.1.2.4. Members who receive a sole survivorship discharge are not required to repay any unearned bonus, incentive pay, or similar benefit previously paid to the member.

3.1.2.5. The Secretary of the Military Department concerned may grant an exception to the requirement to terminate the payment of any unpaid amounts of a bonus, incentive pay, or similar benefit if he determines that termination of the payment of the unpaid amounts would be contrary to a personnel policy or management objective, would be against equity and good conscience, or would be contrary to the best interests of the United States.

3.1.3. Half Separation Pay. Half Separation Pay of non-disability separation pay is authorized to members of the Regular and Reserve Components who are involuntarily separated from active duty and have met each of the following five conditions:

3.1.3.1. The member meets the criteria for active service specified in subparagraph 3.1.1.1;

3.1.3.2. The member's separation must be characterized as "honorable" or "general (under honorable conditions)," and none of the conditions apply that are listed in paragraph 3.2;

3.1.3.3. The member must be separated involuntarily by the military service concerned through either the denial of reenlistment or the denial of continuation on active duty or the member is separated instead of board action as provided in DoD Instruction (DoDI) 1332.30, under one of the following specific conditions:

3.1.3.3.1. The member is not fully qualified for retention and is denied reenlistment or continuation by military service concerned, as provided for in DoDI 1332.14 or DoDI 1332.30 under any of the following conditions:

3.1.3.3.1.1. Weight control failure;

3.1.3.3.1.2. Parent or custody of minor child;

3.1.3.3.1.3. Military personnel security program;

3.1.3.3.1.4. Disability that existed before service;

3.1.3.3.1.5. Mental or physical conditions and circumstances not constituting a disability;

3.1.3.3.1.6. Alcohol or drug abuse rehabilitation failure; or

3.1.3.3.1.7. Failure to meet minimum retention standards;

3.1.3.3.2. Separated under a military service-specific program established as a half separation pay level by the Secretary of the Military Department concerned in accordance with ***10 U.S.C. § 1174***; or

3.1.3.3.3. Denied reenlistment or continuation on active duty by the military service concerned under subparagraphs 3.1.3.3.1 and 3.1.3.3.2, and accept an earlier separation from active duty; and

3.1.3.4. The member must have entered into a written agreement with the military service concerned to serve in the Ready Reserve of a Reserve Component for a minimum period of 3 years following separation from active duty.

3.1.3.4.1. A member who enters into this written agreement and is qualified for the Ready Reserve will, upon separation from active duty, be enlisted or appointed, as appropriate, as a Reserve member by the military service concerned. If the person has a service

obligation under 10 U.S.C. § 651 or any other provision of law that is not completed at the time of separation from active duty, then the 3-year obligation begins on the day after the day the member completes the prior obligation.

3.1.3.4.2. A member who enters into this written agreement and is not qualified for enlistment or appointment in the Ready Reserve need not be enlisted or appointed by the military service concerned to be considered to have met this condition of eligibility for separation pay.

NOTE: In extraordinary instances, the Secretary of the Military Department concerned may award full separation pay to a member otherwise eligible for half separation pay when the specific reasons for the separation and the overall quality of the member's service have been such that denial of full separation pay would be clearly unjust.

3.2 Limitations of Eligibility

Service members separated under the following circumstances are not eligible for separation pay:

3.2.1. The member is separated from active duty at the member's own request. The following examples will be considered to be a separation at the member's own request:

3.2.1.1. A member who declines training that the service offers to qualify for a new skill or rating as a precondition to reenlistment or continuation on active duty;

3.2.1.2. A member who requests separation as provided for in DoDI 1332.14 or under regulations established by the Secretary of the Military Department concerned;

3.2.1.3. An officer who is separated for twice failing to promote and either (or both) of those failures to promote was the result of the officer submitting a request in writing not to be selected for promotion or who otherwise directly caused the non-selection through written communication to the selection board in accordance with 10 U.S.C. § 614(b); or

3.2.1.4. An officer who is separated for twice failing to promote when he or she was offered and declined continuation on active duty for a period that is equal to, or more than the amount of service required to qualify the officer for retirement.

3.2.2. The member is separated from active duty during an initial term of enlistment or an initial period of obligated service. The initial term of enlistment or initial period of obligated service is the active service obligation that the member incurred upon initial enlistment or upon enrollment in a commissioning program. This limitation also applies to a member who desires to reenlist or continue at the conclusion of the initial term of enlistment or an initial period of obligation and is denied by the military service concerned;

3.2.3. The member is released from active duty for training or from full-time National Guard duty for training;

3.2.4. The member is immediately eligible at separation for retired or retainer pay based upon his or her military service;

3.2.5. The member is a warrant officer whose appointment is terminated and who then elects to enlist;

3.2.6. The member is separated as a result of the execution of a court-martial sentence;

3.2.7. The member is being dropped from the rolls of the military service concerned;

3.2.8. The member is being separated under other than honorable conditions;

3.2.9. The member is an enlisted member who is separated for unsatisfactory performance or misconduct, as set forth in DoDI 1332.14, except when half separation pay is authorized in subparagraph 3.1.3;

3.2.10. The member is an officer who is separated for substandard performance or acts of misconduct or moral or professional dereliction, except when half separation pay is authorized in subparagraph 3.1.3;

3.2.11. The member is separated under a military service-specific program established as a no-payment level by the Secretary of the Military Department concerned;

3.2.12. A determination is made by the Secretary of the Military Department concerned in an extraordinary case that the conditions under which the member is separated do not warrant a separation payment. This authority is not to be delegated. It is intended that only sparing use will be made of this discretionary authority to deny payment;

3.2.13. A Regular officer having twice failed for selection for promotion to the next higher grade is not entitled to separation pay if that officer, after such second failure of selection for promotion, is selected for and declines continuation on active duty for a period that is equal to, or more than the amount of service required to qualify the officer for retirement; or

3.2.14. A Reserve officer who, is not selected for promotion to the next higher grade for the second time and is to be discharged or released from active duty, and after such failure of promotion, is selected for and declines continuation on active duty:

3.2.14.1. If the period of time for which the officer was selected for continuation on active duty is less than the amount of service that would be required to qualify the officer for retirement, then the officer's discharge or release from active duty will be considered involuntary; or

3.2.14.2. If the period of time for which the officer was selected for continuation on active duty is equal to or more than the amount of service that would be required to qualify the officer for retirement, then the officer's discharge or release from active duty will not be considered involuntary.

3.3 Computation of Active Service

Compute active service time as follows:

3.3.1. Qualifying years, except as noted in subparagraph 3.1.1.1, do not have to be continuous; however, the last phase of the qualifying term must end immediately before the separation from active duty occurs;

3.3.2. Fractions of years will be computed by counting each full month of active service, in addition to the number of full years of active service, as 1/12 of a year. Disregard any remaining fractional part of a month;

3.3.3. Periods for which a Service member previously has received separation pay, severance pay, or readjustment pay may be counted for eligibility purposes (to ensure the member meets the minimum required years of active duty), but may not be used in the multiplier to determine the amount of separation pay for a subsequent separation;

3.3.4. Count periods of active military service in a Regular or Reserve Component. Include periods of active duty for training;

3.3.5. Do not include periods of absence without leave, confinement time awaiting trial that results in a conviction, confinement time while serving a court-martial sentence, and time lost while not on duty. Count time in service to make up for lost time; and

3.3.6. Do not include service as a cadet or midshipman while in a military service academy or a Reserve Officer Training Program.

3.4 Computation of Separation Pay

3.4.1. Full separation pay is 10 percent of the product of the number of years of active service and 12 times the monthly basic pay to which the Service member was entitled at the time of discharge or release from active duty. Table 35-5 also contains information related to computation of full separation pay.

Example, the formula for an E5 Service member who qualifies for separation pay and is separated after 8 years of active service may look like: 0.1((12 x $3,497.70 monthly base pay)(8)) = $33,577.92 full separation pay.

3.4.2. Half separation pay is one-half of the amount computed in subparagraph 3.4.1.

3.5 Recoupment of Separation Pay From Retired Pay, Retainer Pay, or Department of Veterans Affairs (VA) Disability Compensation

Service members who receive separation pay under any provisions of law based on service in the Armed Forces, and, subsequently, either qualify for retired or retainer pay under 10 U.S.C. (Armed Forces) or 14 U.S.C. (Coast Guard) or become eligible for disability compensation

administered by the VA, are subject to the recoupment of the gross taxable separation pay they received. Recoupment from retired pay, retainer pay, or VA disability compensation will be completed as follows:

3.5.1. If the Service member receives either retired or retainer pay, then recoupment will be accomplished through monthly deductions from each payment of retired or retainer pay payable to the retired member until the total amount of the deductions equals the gross taxable amount of separation pay received by the member. See Volume 7B, Chapter 4 for guidance on the calculation of the recoupment.

3.5.2. If the Service member receives VA disability compensation, then recoupment will be accomplished through a deduction from the VA disability compensation payable to the retired member in an amount that is equal to the gross taxable amount of separation pay made after September 30, 1996. The amount to be deducted from the VA disability compensation will be equal to the gross taxable amount of such separation pay, less the amount of federal income tax withheld from such pay at the flat withholding rate for supplemental payments prescribed under Publication 15, Department of the Treasury, IRS. This reduction, however, will not apply to disability compensation for which the entitlement to that disability compensation is based on a later period of active duty than the period of active duty for which the separation pay was received. See Volume 7B, Chapter 4 for guidance on the calculation of the recoupment.

4.0 READJUSTMENT AND SEVERANCE PAY (OTHER THAN DISABILITY) PROVISIONS

4.1 Readjustment Pay

Readjustment Pay is a lump-sum payment to members of a Reserve Component of any Military Service, members of the Army or Air Force without component, and Regular Army commissioned officers below the grade of O-4 who were on active duty (other than for training) on September 14, 1981, and were involuntarily released after completing at least 5 years of continuous active duty and who did not qualify for retirement. Separation Pay superseded Readjustment Pay.

4.2 Repay Readjustment or Severance Pay

Members, who received readjustment or severance pay before September 15, 1981, and who, on or after September 15, 1981, became entitled to retired or retainer pay under 10 U.S.C. (Armed Forces) or 14 U.S.C. (Coast Guard), are required to repay the readjustment or severance pay, in accordance with the laws in effect on September 14, 1981.

4.3 Refund Upon Retirement

A Reserve member who received a readjustment payment on separation after June 28, 1962, and before September 15, 1981, and who later qualifies for retired or retainer pay under 10 U.S.C. (Armed Forces) or 14 U.S.C. (Coast Guard), (upon completing 20 years of active service), must refund 75 percent of the gross readjustment pay, without interest, by immediate

deduction from retired or retainer pay. This is not required if readjustment pay had been waived or refunded under paragraph 4.4.

4.4 Waiver or Refund Before Retirement

A member may waive entitlement to readjustment pay. Also, the full amount of readjustment pay may be refunded before retirement. Under either condition, the member will receive retired, or retainer pay immediately upon retirement or transfer to the Fleet Reserve or Fleet Marine Corps Reserve.

4.5 VA Disability Compensation

When a member who receives readjustment pay before September 15, 1981, becomes entitled to VA disability compensation, the VA deducts 75 percent of the readjustment payment from future VA compensation. The VA does not make a deduction when VA disability compensation is based on a later period of service. A member who elected, on or before June 27, 1962, to receive readjustment pay in lieu of VA disability compensation may have been awarded disability compensation effective on and after June 28, 1962. The VA reduces the disability compensation by 75 percent of the readjustment payment, unless readjustment pay was waived or refunded.

5.0 DISABILITY SEVERANCE PAY

5.1 Entitlement

A member separated from the military service for physical disability is entitled to severance pay, if qualified, as prescribed in personnel regulations of the military service concerned. When a member is entitled to disability severance pay, separation orders specify this entitlement. Academy cadets and midshipmen may be entitled to severance pay if it is determined that they have a qualifying disability, and they have separated as a result of that disability.

5.2 Disability Incurred During Non-pay Status

A member who incurs a disability while in a total pay forfeiture status as defined in Chapter 48, section 5.0 is not entitled to disability severance pay. This is true even though the Secretary of the Military Department concerned remits the unexecuted portion of the sentence, including all uncollected forfeitures.

5.3 Computation

5.3.1. Formula. To compute disability severance, pay, multiply the sum of the highest applicable basic pay amount (described in subparagraph 5.3.3) for 2 months by the number of combined years (but not over 19) of active service and inactive-duty points. Do not include as basic pay the 25-percent increase prescribed under certain conditions for a Navy or Marine Corps member retained on active duty after enlistment expires.

5.3.2. Years of Service. The member's separation orders will specify the total combined years of active service and inactive-duty points to be counted in computing severance pay. Round this total to the nearest whole year, with 6 months or more rounded up. The maximum number of years of service for computing the disability severance pay will be 19 years. The minimum number of years for computation purposes will be:

5.3.2.1. Six years in the case of a member separated from the Armed Forces for a disability incurred in the line of duty in a CZ (as designated by the SecDef) or incurred during the performance of duty in combat-related operations (as designated by the SecDef); or

5.3.2.2. Three years in the case of any other member.

5.3.3. Grade at Which Disability Severance Pay is Computed. Compute severance pay based on the basic pay of the following highest grade or rank described:

5.3.3.1. The grade or rank in which the member is serving on the date placed on the Temporary Disability Retired List (TDRL) or, if not applicable at separation;

5.3.3.2. A higher temporary or permanent grade or rank than that subparagraph 5.3.3.1 in which member served satisfactorily as determined by the Secretary of the Military Department concerned; or

5.3.3.3. For those selected for promotion to a permanent regular or reserve grade, if the disability for which the member was separated found during a physical examination, then the grade or rank to which the member would have been promoted if there was no disability. For those who would have been promoted to a temporary grade or rank had it not been for the discovery of the disability, then that temporary grade or rank if eligibility for promotion was required to be based on cumulative years of service or years in grade.

> Example: An E-6 has 11 years, 4 months, and 9 days of active service and 76 inactive-duty training periods (points) on the date of separation for physical disability. Compute the entitlement as follows:
> 11 years, 4 months, 9 days = 11.3583 years
> 76 points / 360 = .2111 years
> Total Service = 11.5694 years
> Since it is a decimal greater than or equal to .5, round the total upward to 12 years.
> 12 years times 2 months of basic pay of an E-6 over 10 equals the amount of disability severance pay.

NOTE: For purposes of this calculation, the number of points credited for activities other than active service or funeral honors, may not exceed 60 points for any anniversary year that closed before September 23, 1996; 75 points for anniversary years that closed on or after September 23, 1996; 90 points for anniversary years that close on or after October 30, 2000; and 130 points for anniversary years that close on or after October 30, 2007.

5.4 Taxability and Withholding

5.4.1. General. Disability severance pay is normally taxable income. However, it is not subject to tax withholding or reporting if at least one of the following two conditions exists:

5.4.1.1. The entitlement resulted from combat-related injury or illness, as determined by the Secretary of the Military Department concerned, which happens as a result of any of the following activities:

5.4.1.1.1. As a direct result of armed conflict;

5.4.1.1.2. While performing extra-hazardous service, even if the service does not directly involve combat;

5.4.1.1.3. Under conditions simulating war, including maneuvers or training; or

5.4.1.1.4. By an instrumentality of war, such as weapons; or

5.4.1.2. The member is entitled to disability compensation as determined by the VA or has received a proposed disability rating from the VA at the time of separation through the Integrated Disability Evaluation System.

5.4.2. Withholding Taxes. Income taxes are withheld from all payments of disability severance pay unless the member qualifies for an exemption under subparagraph 5.4.1.

5.4.3. Entitlement to VA Disability Compensation After Payment of Disability Severance Pay

5.4.3.1. A member's disability severance pay may still qualify for an exemption from taxation under subparagraph 5.4.1.2 after disability severance pay has been paid if the VA determines that the member is entitled to VA disability compensation.

5.4.3.2. Depending upon when a member receives notification of disability compensation, refund of the income taxes withheld may be requested from DFAS or the IRS.

5.4.4. Receipt of Official Notification of VA Disability Compensation in the Same Tax Year of the Disability Severance Pay Payment

5.4.4.1. A member may request refund of taxes withheld from the gross taxable amount of their disability severance pay payment from DFAS if notification of disability compensation from the VA is received in the same tax year in which the member received disability severance pay. See subparagraph 2.5.2 for the addresses of the DFAS sites.

5.4.4.2. A refund request must include documentation evidencing the VA's award of disability compensation and must be received and processed by DFAS on or before December 31st of the year in which the disability severance pay payment was paid. If a refund is

processed before December 31st, but after the Military Payroll Systems end of year cut off (typically around December 20th), a corrected IRS Form W2c may be issued by DFAS.

Example: Member received disability severance pay on January 2, 2018. On December 1, 2018, the VA issues an award letter to member authorizing disability compensation. Member may submit a request for refund to DFAS for processing before December 31, 2018.

5.4.5. VA Disability Compensation Awarded in a Tax Year Subsequent to the Year of the Disability Severance Pay Payment

5.4.5.1. A member must obtain a refund for income taxes withheld from their disability severance pay payment from the IRS in accordance with their procedures when the date of the VA's award of disability compensation is in a tax year subsequent to the year in which the member received disability severance pay.

5.4.5.2. DFAS will not issue a corrected W-2 to a member as a result of a VA determination in a year subsequent to the year in which the disability severance payment was paid. The member may claim a reduction in the year of payment's taxable income from the CZ in accordance with their procedures.

Example: Member received disability severance pay on January 2, 2018. On June 1, 2019, the VA issues an award letter to member authorizing disability compensation. Member may request a refund only from the IRS.

5.5 Availability to Liquidate Debts

Disability severance pay may be used to liquidate debts to the U.S. Government.

5.6 Recoupment From VA Compensation

The VA deducts disability severance compensation from any VA compensation for the same disability to which the member or member's dependents become entitled. There are two exceptions:

5.6.1. No deduction will be made in the case of disability severance pay received by a member for a disability incurred in the line of duty in a CZ or incurred during performance of duty in combat-related operations (as designated by the SecDef); or

5.6.2. No deduction will be made from any death compensation to which a member's dependents become entitled after the member's death.

5.7 Other Benefits and Claims

A member who is paid disability severance pay is not entitled to any payment from the military service for, or arising out of, service performed by the member before separation. This does not prohibit payment if an amount is due the member on the date of separation or if a claim is allowed under law.

6.0 CONTRACT CANCELLATION PAY AND ALLOWANCES

6.1 Entitlement

Reserve members released from active duty (other than for training) without their consent before the end of their active-duty agreement made under ***10 U.S.C. § 12311***(a) are entitled to a special payment under ***10 U.S.C. § 12312***. This payment is in addition to any pay and allowances to which the member is otherwise entitled.

6.2 Computation

To compute the amount payable, multiply the number of years and fraction of years of the unexpired period of service under the contract, by the sum of basic pay, special pay, and allowances for 1 month to which the member is entitled on the day of release. Count a fraction of a month that is 15 days or more as a whole month and disregard a fraction of a month that is less than 15 days. Separation orders show the number of years and months of unexpired service for which contract cancellation pay and allowances are payable.

6.3 Restrictions

A member is not entitled to the special payment authorized by this section if:

6.3.1. Dismissed or discharged under the sentence of a court-martial;

6.3.2. Released because of an unexplained absence without leave of at least 3 months;

6.3.3. Released because of conviction and sentence to confinement in a federal or state penitentiary or correctional institution which sentence has become final;

6.3.4. Released because of a physical disability resulting from intentional misconduct or willful neglect;

6.3.5. Eligible for retired pay, separation pay, or severance pay under another provision of law (this restriction does not apply to readjustment pay);

6.3.6. Placed on a TDRL; or

6.3.7. Released to accept an appointment, or to be enlisted, in a Regular Component of an Armed Force.

6.4 Withholding Tax

Contract cancellation pay is subject to withholding tax.

6.5 Availability to Liquidate Debts

Contract cancellation pay may be used to liquidate debts to the U.S. Government.

7.0 MISCELLANEOUS SEPARATION PAYMENTS

7.1 Discharge Gratuity

See Table 35-6.

7.2 Travel Allowance on Separation

See ***Joint Travel Regulations (JTR)***, Chapter 5 and Volume 9.

8.0 VOLUNTARY SEPARATION PAY (VSP)

8.1 Entitlement

A member who separates voluntarily may, under conditions prescribed by the Secretary of the Military Department concerned, be paid VSP. The authority to separate a member in conjunction with VSP applies through December 31, 2025.

8.2 Eligibility

The Secretary of the Military Department concerned, may offer a member the opportunity to apply for VSP if the member:

8.2.1. Has served on active duty or full-time National Guard for more than 6 years but less than 20 years;

8.2.2. Has served at least 5 years of continuous active duty or full-time National Guard duty immediately preceding the date of separation from active duty;

8.2.3. Has not been approved for payment of a voluntary separation incentive under ***10 U.S.C. § 1175***;

8.2.4. Meets such other requirements as the Secretary of the Military Department concerned, may prescribe, which may include requirements relating to years of service; skill; rating; military specialty; competitive category, grade or rank; remaining period of obligated service; or any combination of these factors; and

8.2.5. Requests separation from active duty or full-time National Guard duty.

8.3 Initial Term of Obligated Service

Effective January 1, 2009, the member is required to complete the initial term of obligated service in addition to meeting requirements in paragraph 8.2 prior to separation. Prior to January 1, 2009, a member's obligation to complete an initial term of obligated service before separation will be subject to the discretion of the Secretary of the Military Departments concerned. For the purpose of this section, "initial term of obligated service" means the initial period of required active-duty service incurred upon commissioning or enlistment, together with any additional period of required active-duty service incurred during the initial period of required active-duty service.

8.4 Ineligible for VSP

The Secretary of the Military Department concerned, will not offer a member the opportunity to apply for VSP if a member:

8.4.1. Does not meet any of the eligibility requirements of paragraph 8.2;

8.4.2. Is discharged with disability severance pay under section 5.0 (***10 U.S.C. § 1212***);

8.4.3. Is transferred to the TDRL under ***10 U.S.C. § 1202*** or ***10 U.S.C. § 1205***;

8.4.4. Is being evaluated for disability retirement under ***10 U.S.C. Chapter 61***;

8.4.5. Has previously been discharged with VSP;

8.4.6. Is subject to pending disciplinary action or is subject to administrative separation or mandatory discharge under any other provision of law or regulation;

8.4.7. Is approved for retirement under temporary early retirement authority; or

8.4.8. Has not completed the 4 year service obligation incurred from requesting transfer of the Post 9/11 GI Bill benefits.

8.5 Application for VSP

A member may request and subsequently enter into a written agreement with the Secretary of the Military Department concerned to separate from active duty or full-time National Guard duty. The Secretary concerned may require the member to accept an appointment or enlistment in, or transfer to, the Ready Reserve of a Reserve Component for a period of not less than 3 years, as a condition of receipt of VSP and benefits.

8.6 Approval for VSP

The Secretary of the Military Department concerned will determine each year the number of Service members to be separated, and provided separation pay and benefits during the fiscal

year beginning in such year. Eligible members will not be automatically entitled to receive VSP based solely upon request. The Secretary of the Military Department concerned will review all applications for voluntary separation and approve only those that meet the needs of the Military Departments. A member whose request is approved will be separated from active duty.

8.7 Computation of VSP

8.7.1. The Secretary of the Military Department concerned will specify the amount of VSP to be paid to an individual, but the amount may not be greater than four times the full amount of separation pay that a member of the same pay grade and years of service would receive for an involuntary separation under 10 U.S.C. § 1174.

8.7.2. Compute years of active service according to the formula in subparagraphs 3.3.2, 3.3.4, 3.3.5, and 3.3.6. Do not count any period of prior military service for which the member has received separation pay under any provision of law relating to members of the Armed Forces. When computing partial years of service, round the fractional parts of a year to the nearest 1/10 of 1 percent or 3 decimal points.

Example: If the officer has 10 years and 7 months of service, then the multiplier would be 10.583.

8.8 Payment

VSP may be paid in a single lump sum. In the case of a member who has completed at least 15 years but fewer than 20 years of active service at the time of separation under this program, VSP may be paid, at the election of the Secretary of the Military Department concerned, in:

8.8.1. A single lump sum;

8.8.2. Installments over a period not to exceed 10 years; or

8.8.3. A combination of lump sum and such installments.

8.9 Repayment of VSP When a Member Qualifies for and Receives Retired Pay

8.9.1. A member who is paid VSP and later qualifies to receive retired pay will have deducted from each payment of such retired pay a monthly installment as specified by the Secretary of the Military Department concerned. The total amount of retired pay deductions will equal the gross VSP amount paid to the member. More information can be found in Volume 7B, Chapter 4, section 9.0.

8.9.2. The requirement to repay VSP following retirement from the Armed Forces does not apply to a member who is eligible to retire at the time the member applied for and was accepted for VSP benefits.

8.9.3. The Secretary of the Military Department concerned, may waive the requirement to repay VSP if it is determined that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

8.10 VA Disability Compensation

A member who received the VSP and subsequently qualifies for disability compensation from the VA is subject to recoupment of the gross amount of VSP paid, less federal income taxes withheld from such pay. The VA administers the recoupment program for affected members. If the disability for which the member receives VA compensation was incurred or aggravated during a period of later active duty, then no recoupment of VSP is required, regardless of when it was paid. In individual cases, the Secretary of the Military Department concerned, may waive the requirement to repay the VSP if it is determined that recovery would be against equity and good conscience and would be contrary to the best interests of the United States. A blanket waiver for multiple members within a service signed by a Secretary of the Military Department concerned is not authorized.

8.11 Members Returned to Active Duty

8.11.1. Except for the provisions in subparagraphs 8.11.2, 8.11.3, and 8.11.4, members who return to active duty in a Regular or Reserve Component for 180 consecutive days or more will have deducted from each payment of basic pay a monthly installment amount specified by the Secretary of the Military Department concerned. The total amount of basic pay deduction will equal the gross amount of VSP paid to the member.

NOTE: The computation of the repayment will be calculated on a day-to-day basis.

8.11.2. Recoupment will not be required for a member who is involuntarily recalled to active duty or full-time National Guard in accordance with 10 U.S.C. §§ 12301(a), (b), or (g); 12302; 12303; 12304; ***10 U.S.C. § 12304a;*** or ***10 U.S.C. § 12304b***, or ***32 U.S.C. § 502***(f)(1)(A).

8.11.3. Recoupment will not be required for a member who is recalled or performs active duty or full-time National Guard duty, in accordance with ***10 U.S.C. § 101(d)(1)***, (2), or (5); ***10 U.S.C. § 12319***; ***10 U.S.C. § 12503***; or ***32 U.S.C. §§ 114***; ***32 U.S.C. § 115***.

8.11.4. Recoupment is not required for a member who is recalled or performs full-time National Guard duty in accordance with 10 U.S.C. § 12301(d) or 32 U.S.C. § 502(f)(1)(B), as long as the period service is less than 180 consecutive days and with the consent of the Service member.

8.11.5. This subparagraph will not apply to a member who:

8.11.5.1. Is involuntarily recalled to active duty or full-time National Guard duty; and

8.11.5.2. In the course of such duty, incurs a service-connected disability rated as total under ***38 U.S.C. § 1155***.

8.11.6. The SecDef may waive, in whole or in part, repayment required under subparagraph 8.11.1 if the SecDef, determines that recovery would be against equity and good conscience or contrary to the best interest of the United States. Requests for waiver under this authority should be forwarded to the Under Secretary of Defense for Personnel and Readiness (USD (P&R)).

9.0 VOLUNTARY RETIREMENT INCENTIVE (VRI)

Title ***10 U.S.C. § 638b*** provided that the Secretary of Defense could authorize the Secretary of a Military Department to provide a VRI payment to an officer of the Armed Forces under that Secretary's jurisdiction. This authority expired December 31, 2018. The total number of officers who were permitted to be provided a VRI payment was limited to no more than 675 officers. Provisions regarding the payment of VRI may be found in the archived versions of this chapter and the DoDI 1332.44.

Table 35-1. PAYMENT OF ACCRUED LEAVE – OFFICERS AND ENLISTED MEMBERS – SEPARATION WITHOUT IMMEDIATE REENTRY ON ACTIVE DUTY
(Note 1)

	If a member has been on active duty for 30 or more consecutive days and	and	then accrued leave is
1	is discharged (including as a result of resignation)	separation is under honorable conditions (note 2)	payable (notes 3 and 4).
2	is released from active duty (note 5)	separation is under honorable conditions (note 2)	payable (notes 3, 4, 6, and 7).
3	retires		payable (notes 3, 4, and 8).
4	is transferred to Fleet Reserve or Fleet Marine Corps Reserve		payable (notes 3, 4, and 8).
5	is discharged for fraudulent enlistment after completing 6 months of active duty	discharge characterization is under other than honorable conditions	not payable (note 9).
6	is released from duty because of void enlistment or void induction due to erroneous enlistment or defective enlistment after completing 6 months of active duty	discharge characterization is under other than honorable conditions	not payable (note 9).
7	is discharged from service as a cadet or midshipman at a military service academy, or as a midshipman elsewhere		not payable (note 9).
8	dies while on active duty	member was not put to death as lawful punishment for a crime or a military offense	payable to beneficiary with other unpaid pay and allowances as prescribed in Chapter 36, section 3.0 (notes 4 and 10).
9	receives a discharge that is not characterized before completing 6 months of active duty	separation is for failure to serve satisfactorily for any reason set forth in subparagraph 2.1.5.	not payable.

Table 35-1. PAYMENT OF ACCRUED LEAVE – OFFICERS AND ENLISTED MEMBERS – SEPARATION WITHOUT IMMEDIATE REENTRY ON ACTIVE DUTY (Continued)
(Note 1)

RULE	If a member has been on active duty for 30 or more consecutive days and	and	then accrued leave is
10	receives a discharge that is not characterized before completing 6 months of active duty	separation is not for unsatisfactory performance or misconduct for any reason set forth in subparagraph 2.1.5.	payable.

NOTES:

1. Any member who is discharged under other than honorable conditions forfeits all accrued leave.
2. If member is discharged or relieved from active duty because of expiration of term of service (ETS) and is under investigation as an alleged security risk, do not pay accrued leave until investigation is completed and the character of the discharge determined. If discharge is under honorable conditions, then accrued leave may be paid.
3. The period when a member is home awaiting further orders in connection with physical evaluation board proceedings is charged as leave, to the extent that leave is available, beginning with the day after member arrives home or the day after constructive travel time ends, whichever is earlier. Limit payment to accrued leave remaining at time of retirement or discharge. Authorized absence under these circumstances in excess of accrued leave is not chargeable as leave.
4. A member may be paid for a maximum of 60 days accrued leave during a military career. See subparagraph 2.1.1.3 for exceptions.
5. A period of active duty as a Reserve or National Guard member meets the 30-day requirement if it covers 30 or more consecutive days, even though it may be directed by more than one order covering unrelated duties.
6. If a Reserve member is entitled to pay and allowances during a disability period after a specified tour of active duty has expired, then the period after that expiration date is not included in the period for which accrued leave is paid.
7. Reserve members may elect to carry forward unused accrued leave to their next period of active duty.
8. A member may not take accrued leave in lieu of payment beyond the effective date of retirement.
9. These rules do not apply when an individual inducted or enlisted into the military service is discovered by military service medical authorities to have been medically unfit for induction at the time of entrance into the military service and such individual is released from military control for such reason.

Table 35-1. PAYMENT OF ACCRUED LEAVE – OFFICERS AND ENLISTED MEMBERS – SEPARATION WITHOUT IMMEDIATE REENTRY ON ACTIVE DUTY (Continued)
(Note 1)

10. Accrued leave is payable retroactive to February 28, 1961, for a member in a missing status whose death is prescribed under Chapter 34, section 7.0. Payment is made according to Chapter 34, section 10.0.

Table 35-2. PAYMENT OF ACCRUED LEAVE – OFFICERS – SEPARATION WITH IMMEDIATE REENTRY ON ACTIVE DUTY

RULE	If	has been on active duty for 30 or more consecutive days and is	and	then accrued leave is
1	an officer of any military service	retired	immediately reenters on active duty	not payable.
2	an officer of any military service	separated, on a day other than the end of the specified period of active duty, for the purpose of reentering on active duty in any status within any Armed Force (note 1)		not payable.
3	an officer of any military service	transferred to a different military service by separation and immediate reappointment	immediately enters on active duty with the other military service	not payable.
4	an officer of any military service	separated for having failed selection to a higher grade	immediately reenters on active duty in an enlisted status	payable (notes 2 and 3).
5	a Reserve officer of any military service	released from active duty under honorable conditions under 10 U.S.C. § 12313 or similar laws authorizing release of Reserve officers at convenience of government, not for the purpose of reentering active service	immediately reenters on active duty (including active duty in enlisted or warrant officer status) for the purpose of retirement	payable (note 3).
6	a Reserve officer of any military service	released from active duty under honorable conditions at end of a specified period of time member agreed to serve or was obligated to serve (notes 1 and 4)	immediately reenters on active duty (note 1)	payable (notes 3 and 5).

Table 35-2. PAYMENT OF ACCRUED LEAVE – OFFICERS – SEPARATION WITH IMMEDIATE REENTRY ON ACTIVE DUTY (Continued)

	If	has been on active duty for 30 or more consecutive days and is	and	then accrued leave is
7	a commissioned officer of any military service, who simultaneously holds a warrant officer appointment	released from active duty as a commissioned officer	reverts to warrant officer status and continues on active duty	not payable.
8	a temporary officer of the Navy or Marine Corps whose enlistment has expired	reverted to enlisted status and simultaneously discharged	immediately reenlists	payable at rate of pay of rank held at time of reversion (note 3).

NOTES:

1. A National Guard member serving on active duty under Title 10 or Title 32, who is ordered to active duty under the other title (Title 10 or Title 32), is considered to have met the obligated service period for which the member agreed to serve (for the purposes of accrued, unused leave payment only), regardless of the unexpired time remaining on that Title 10 or Title 32 obligation. The member is not considered separated for the specific purpose of reenlisting or reentering active duty. Accrued unused leave is payable.
2. Officers who, after notification of an impending discharge, resign for the purpose of continuing a military career are not entitled to payment of accrued leave.
3. A member may be paid for a maximum of 60 days of accrued leave during a military career. See subparagraph 2.1.1.3 for exceptions.
4. A Reserve officer, who remains on active duty beyond ETS of initial obligation while awaiting Regular officer appointment, is not entitled to payment of unused accrued leave, as the separation to accept the appointment is not considered to be at the end of a specified period. The officer must be separated on the expiration date of the initial obligation for entitlement to exist.
5. Reserve members may elect to carry forward unused accrued leave to their next period of active duty.

Table 35-3. PAYMENT OF ACCRUED LEAVE – ENLISTED MEMBERS – SEPARATION WITH IMMEDIATE REENTRY ON ACTIVE DUTY

RULE	If an enlisted member	has been on active duty for 30 or more consecutive days and	and	then accrued leave is (note 1)
1	of any military Service	on or after October 5, 1999, is discharged for the specific purpose of enlisting or reenlisting (note 2)	immediately reenlists or immediately reenters on active duty	payable.
2	of any military Service	prior to October 5, 1999, is separated under honorable conditions upon expiration of enlistment or is released from active duty under honorable conditions at the end of a specified period of time or was obligated to serve (notes 3, 4, and 5)	immediately reenlists or immediately reenters on active duty	payable
3	of any military Service	prior to October 5, 1999, is separated before ETS or obligated period of duty for the specific purpose of enlisting or reenlisting (notes 5 and 6)		not payable.
4	of any military Service	is discharged for the purpose of accepting a commission or appointment as a warrant officer in any military service		not payable.
5	of any military Service	enlistment is extended		is contingent on rules in Table 35-4.
6	of any military Service	extension of enlistment is canceled before or during service under the extension		is contingent on rules in Table 35-4.
7	of any military Service	is retired	continues on or is recalled to active duty	not payable.
8	of any military Service	accepts an appointment as a cadet or midshipman without being discharged from enlisted status	enters on duty as a cadet or midshipman	payable as though member was discharged on day before date appointment was accepted.

Table 35-3. PAYMENT OF ACCRUED LEAVE – ENLISTED MEMBERS – SEPARATION WITH IMMEDIATE REENTRY ON ACTIVE DUTY (Continued)

RULE	If an enlisted member	has been on active duty for 30 or more consecutive days and	and	then accrued leave is (note 1)
9	inducted under the Universal Military Training and Service Act, or enlisted in the Regular Army under that Act	is separated under honorable conditions at the end of the period member is required to serve	immediately enlists or reenlists	payable.
10	of the Army or Air Force, who has more than 20 but less than 30 years of service,	is retired and transferred to the Reserve Component of the member's military service	is immediately ordered into active service	not payable.
11	of the Navy or Marine Corps	is transferred to the Fleet Reserve or Fleet Marine Corps Reserve	continues on active service without a break in active service	not payable.

NOTES:

1. A member may be paid for a maximum of 60 days of accrued leave during a military career. See subparagraph 2.1.1.3 for exceptions.
2. For these purposes, the term "discharge" means separation or release from active duty under honorable conditions, or termination of an enlistment in conjunction with the commencement of a successive enlistment (without regard to the date of the expiration of the term of the enlistment being terminated).
3. A member is considered as discharged upon expiration of enlistment if discharged not more than 1 year before the normal expiration date of the enlistment. The date of normal expiration of enlistment is excluded in computing the 1-year period.
4. An extension of the active duty obligation does not create an entitlement under this rule.
5. A National Guard member serving on active duty under Title 10 or Title 32, who is ordered to active duty under Title 10 or Title 32, is considered to have met the obligated service period for which the member agreed to serve (for the purposes of accrued unused leave payment only), regardless of the unexpired time remaining on that Title 10 or Title 32 obligation. The member is not considered separated for the specific purpose of reenlisting or reentering active duty. Accrued unused leave is payable.
6. A member is not considered as having been discharged for the purpose of enlisting or reenlisting if discharge occurs not more than 12 months before the normal expiration of the extension period. The date of normal expiration of the extension period is excluded in computing the 12-month period.

Table 35-4. PAYMENT OF ACCRUED LEAVE – ENLISTED MEMBERS – EXTENSION OF ENLISTMENT: DISCHARGE AND REENLISTMENT BEFORE EXTENSION IS COMPLETED

RULE	If an enlisted member of	has been on active duty for 30 or more consecutive days and	and member	then accrued leave is (note 1)
1	any military Service	enlistment is involuntarily extended	continues on active duty in extension period	not payable until discharge.
2	any military Service	voluntarily extends enlistment, regardless of duration of extension	continues on active duty in extension period	payable on day before effective date of extension (leave accrued during extension is paid on discharge after extension is completed) (note 2).
3	any military Service, whose enlistment has been involuntarily extended	is separated under honorable conditions upon expiration of the involuntary extension of enlistment	immediately reenlists	payable.
4	any military Service, whose enlistment has been involuntarily extended	is separated under honorable conditions, before extension period expires, for purpose of reenlisting	immediately reenlists	payable.
5	any military Service, who has voluntarily extended enlistment	prior to October 5, 1999, extension is canceled before service under it begins and member is discharged under honorable conditions at normal expiration of enlistment		payable.
6	any military Service, who has voluntarily extended enlistment	prior to October 5, 1999, extension is canceled after service under it begins and member is discharged under honorable conditions, for purpose of reenlisting		not payable.

Table 35-4. PAYMENT OF ACCRUED LEAVE – ENLISTED MEMBERS – EXTENSION OF ENLISTMENT: DISCHARGE AND REENLISTMENT BEFORE EXTENSION IS COMPLETED (Continued)

	If an enlisted member of	has been on active duty for 30 or more consecutive days and	and member	then accrued leave is (note 1)
7	any military service, who has voluntarily extended enlistment	on or after October 5, 1999, extension is canceled after service under it begins and member is discharged under honorable conditions, for purpose of reenlisting		payable.

NOTES:

1. A member may be paid for a maximum of 60 days of accrued leave during a military career. See subparagraph 2.1.1.3 for exception.
2. No payment can be made on second or subsequent extensions.

Table 35-5. SEPARATION PAY ENTITLEMENT AND COMPUTATION

RULE	If a member is	and is involuntarily discharged or released from active duty because of (note 1)	then compute separation pay at
1	an officer (notes 2 and 3)	failure to be selected for promotion (note 4)	10 percent of 12 months of basic pay multiplied by years and fractions of a year based on additional full months of active service.
2	a warrant officer separated during the 3-year probationary period	failure to be selected for promotion	10 percent of 12 months of basic pay multiplied by years and fractions of a year based on additional full months of active service.
3	a warrant officer	second failure to be selected for promotion and does not enlist or the request to enlist is denied, and is not retained on active duty in grade above W-4	10 percent of 12 months of basic pay multiplied by years and fractions of a year based on additional full months of active service.
4	a Reserve member	non-selection for an additional tour of active duty for which the member volunteered unconditionally	10 percent of 12 months of basic pay multiplied by years and fractions of a year based on additional full months of active service.
5	a chaplain	failure to maintain professional qualifications	10 percent of 12 months of basic pay multiplied by years and fractions of a year based on additional full months of active service.
6	a Reserve member	separation at any time prior to the completion of a specified period of active duty or indefinite period of active duty	10 percent of 12 months of basic pay multiplied by years and fractions of a year based on additional full months of active service.
7	a warrant officer or Reserve officer	age (notes 5 and 6)	10 percent of 12 months of basic pay multiplied by years and fractions of a year based on additional full months of active service.

Table 35-5. SEPARATION PAY ENTITLEMENT AND COMPUTATION (Continued)

NOTES:

1. Includes member's acceptance of an earlier release before the scheduled involuntary separation date, as directed by the Secretary of the military service concerned.
2. Includes a Regular commissioned officer with more than 6 years of commissioned service.
3. Includes a Regular officer continued on active duty pursuant to ***10 U.S.C. § 637a*** or a Reserve officer continued on active duty after failure to be selected for promotion, upon expiration of the period of continuation on active duty, or upon separation if continuation is declined.
4. Includes officer not found qualified for promotion to grade of First Lieutenant or Lieutenant Junior Grade.
5. Includes members separated after expiration of Secretarial retention period.
6. If the member is eligible for voluntary retirement, then the member is not entitled to separation pay even though the member does not apply for retirement concurrently with release from active duty.

*Table 35-6. ENTITLEMENT TO DISCHARGE GRATUITY

RULE	If	is	and	and	and	then
1	an enlisted member of any military Service	a prisoner released from confinement in a military or contract prison to parole, appellate review leave, or expiration of sentence			has less than $25 in possession	pay the member the difference between funds in possession and $25 (note).
2	an enlisted member of any military Service	discharged for fraudulent enlistment	discharge is not for returning member to another branch of the Armed Forces on account of absence without authority from that branch	the member is present to receive the discharge	has less than $25 in possession	pay the member the difference between funds in possession and $25 (note).
3	an enlisted member of any military Service	discharged under other than honorable conditions	discharge is not for returning member to another branch of the Armed Forces on account of absence without authority from that branch		has less than $25 in possession	pay the member the difference between funds in possession and $25 (note).

Table 35-6. ENTITLEMENT TO DISCHARGE GRATUITY (Continued)

RULE	If	is	and	and	and	then
4	an enlisted member of any military Service	discharged from active duty because of void enlistment	enlistment is void because it was contracted when member was under age		has less than $25 in possession	pay the member the difference between funds in possession and $25 (note).
***5**	an enlisted member of any military Service	discharged from active duty because of void enlistment	enlistment is void because it was contracted when member was mentally incapacitated			do not pay a discharge gratuity.
***6**	an enlisted member of any military Service	discharged for minority with pay and allowances payable through date of discharge	enlistment is void because it was contracted when member was mentally incapacitated			do not pay a discharge gratuity.

NOTE:

Funds in the member's possession include personal funds and any item paid at the time of discharge or release, excluding mileage and cash advanced incident to furnishing transportation in kind.

*REFERENCES

CHAPTER 35 – SEPARATION PAYMENTS

2.0 – ACCRUED LEAVE PAY

2.1.1.	37 U.S.C. § 501
2.1.1.3.	10 U.S.C. § 701(e)
	37 U.S.C. § 501(b)(6)
	DoDI 1337 June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph 1.h(4)
2.1.1.4.	37 U.S.C. § 501(b)(6)
2.1.1.4.3	37 U.S.C. § 501(d)(1)
2.1.2.	10 U.S.C. § 706
2.1.3.	37 U.S.C. § 501(e)(1)
2.1.4.	37 U.S.C. § 501(e)(2)
	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph 1.g
2.1.5.	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph 1.g(1)
2.2.1.1.	37 U.S.C. § 501(b)(1)
2.2.1.3.	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph 1.b(7)
2.2.2.	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph 1.f
2.2.2.1.	10 U.S.C. § 701(b)
	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraphs 1.f and 1.h
2.2.2.2.	10 U.S.C. § 701(e)(1) & (3)
	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph 1.h
	Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, September 5, 2023
2.2.2.3.	10 U.S.C. § 701(e)(2)
	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph 1.h(2)
2.2.2.4.	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023, Enclosure 2, paragraph i
2.3	26 U.S.C. § 112
2.4	5 U.S.C. § 5514
	34 Comptroller General (Comp Gen) 504
2.5	37 U.S.C. § 501(d)(1)
2.6.1	37 U.S.C. § 501(b)(3)
2.6.2	37 U.S.C. § 501(b)(2)
2.6.3	37 U.S.C. § 501(b)(2)
	DoDI 1300.04, July 25, 2017, paragraph 3.1(c)(2)

2.6.4	37 U.S.C. § 501(b)(4)

3.0 – SEPARATION PAY (NON-DISABILITY)

3.1-3.3	DoDI 1332.29, March 3, 2017, paragraph 3.1
3.1.1.	10 U.S.C. § 1174
3.1.2.	10 U.S.C. § 1174(i)
3.1.2.4	37 U.S.C. § 373(b)(3)(A)(i)
3.1.2.5	37 U.S.C. § 373(b)(3)(A)(ii)
3.2.1.2.	DoDI 1332.14, January 27, 2014, Incorporating Change 7, June 23, 2022 DoDI 1332.30, May 11, 2018, Incorporating Change 3 September 9, 2021
3.2.9.	DoDI 1332.14, January 27, 2014, Incorporating Change 7, June 23, 2022, paragraph 3.a.(3).8(d)
3.2.13.	10 U.S.C. § 1174(a)(3)
3.2.14.	10 U.S.C. § 1174(c)(4) 39 Comp Gen 223 39 Comp Gen 226
3.4 and 3.5	DoDI 1332.29, March 3, 2017, paragraph 3.2
3.5.2.	10 U.S.C. § 1174(h)(2)

4.0 READJUSTMENT AND SEVERANCE PAY (OTHER THAN DISABILITY) PROVISIONS

	10 U.S.C. § 1174(h)

5.0 – DISABILITY SEVERANCE PAY

5.1	10 U.S.C. § 1203 10 U.S.C. § 1206 10 U.S.C. § 1217
5.2	34 Comp Gen 65
5.3.1.	10 U.S.C. § 1212(a)
5.3.2.	10 U.S.C. § 1208 10 U.S.C. § 1212 39 Comp Gen 291
5.3.3.	10 U.S.C. § 1212
5.3.3.2.	38 Comp Gen 268
5.3.3.3.	46 Comp Gen 17
5.3 NOTE	DoDI 1215.07, July 30, 2019, Incorporating Change 1 May 17, 2021, paragraph 3.4.f
5.4	26 U.S.C. § 104 St. Clair v. U.S., 778 F. Supp. 894
5.6	10 U.S.C. § 1212(d)
5.6.2.	10 U.S.C. § 1212(d)(3)

5.7	10 U.S.C. § 1213

6.0 – CONTRACT CANCELLATION PAY AND ALLOWANCES

6.1	10 U.S.C. § 12311(a) 10 U.S.C. § 12312

7.0 – TRAVEL ALLOWANCES ON SEPARATION

7.2	Joint Travel Regulations, Chapter 5

8.0 – VOLUNTARY SEPARATION PAY (VSP)

	DoDI 1332.43, November 28, 2017 10 U.S.C. § 1175a
	DoDI 1332.43, November 28, 2017
8.1	10 U.S.C. § 1175a(a) 10 U.S.C. § 1175a(k)
8.2	10 U.S.C. § 1175a(b)
8.3	DoDI 1332.43, November 28, 2017, paragraph 3.2.f
8.4	10 U.S.C. § 1175a(b)(2)
8.5	10 U.S.C. § 1175a(d)
8.6	10 U.S.C. § 1175a(d)
8.7	10 U.S.C. § 1175a(f)
8.7.1.	10 U.S.C. § 1174
8.8	10 U.S.C. § 1175a(g)
8.9	10 U.S.C. § 1175a(h)
8.10	10 U.S.C. § 1175a(h)(2)
8.11	10 U.S.C. § 1175a(j)

9.0 – VOLUNTARY RETIREMENT INCENTIVE (VRI)

	10 U.S.C. § 638b DoDI 1332.44, June 24, 2014, Incorporating Change 1, March 25, 2020 (cancelled April 9, 2021)

Table 35-1 – PAYMENT OF ACCRUED LEAVE – OFFICERS AND ENLISTED MEMBERS – SEPARATION WITHOUT IMMEDIATE REENTRY ON ACTIVE DUTY

Rule 7	37 U.S.C. § 504
Rule 8	37 U.S.C. § 501(a)
Rule 9	DoDI 1332.14, January 27, 2014, Incorporating Change 6, September 1, 2021
Note 3	43 Comp Gen 802
Note 4	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023

Note 9	37 U.S.C. § 501
Note 10	37 U.S.C. § 501

Table 35-2 – PAYMENT OF ACCRUED LEAVE – OFFICERS – SEPARATION WITH IMMEDIATE REENTRY ON ACTIVE DUTY

Rule 1	30 Comp Gen 328
Rule 2	31 Comp Gen 387
	37 U.S.C. § 501
Rule 3	10 U.S.C. § 716
	37 U.S.C. § 501
Rule 4	31 Comp Gen 668
Rule 6	35 Comp Gen 25
Note 3	37 U.S.C. § 501
Note 4	Comp Gen B-176858, December 12, 1973
Note 5	DoDI 1327.06, June 16, 2009, Incorporating Change 5, August 25, 2023

Table 35-3 – PAYMENT OF ACCRUED LEAVE – ENLISTED MEMBERS – SEPARATION WITH IMMEDIATE REENTRY ON ACTIVE DUTY

Rule 1	37 U.S.C. § 501
Rule 2	10 U.S.C. § 1171
Rule 8	36 Comp Gen 334
Note 1	37 U.S.C. § 501
Note 3	10 U.S.C. § 1171
	30 Comp Gen 280
	42 Comp Gen 399
Note 6	10 U.S.C. § 1171
	30 Comp Gen 280
	42 Comp Gen 399

Table 35-4 – PAYMENT OF ACCRUED LEAVE – ENLISTED MEMBERS – EXTENSION OF ENLISTMENT: DISCHARGE AND REENLISTMENT BEFORE EXTENSION IS COMPLETED

Rule 2	37 U.S.C. § 906
	37 U.S.C. § 501
	48 Comp Gen 127
Rule 4	37 U.S.C. § 501
	30 Comp Gen 531
Rule 5	42 Comp Gen 447
	Comp Gen B-150737, March 27, 1963
Rule 6	42 Comp Gen 447
	Comp Gen B-150737, March 27, 1963
Rule 7	Public Law 106-65, section 671, October 5, 1999

Note 1	37 U.S.C. § 501
Note 2	48 Comp Gen 127

Table 35-5 – SEPARATION PAY ENTITLEMENT AND COMPUTATION

Rule 7	10 U.S.C. § 1164
	10 U.S.C. § 14515-14516
Note 6	10 U.S.C. § 1174(c)

Table 35-6 – ENTITLEMENT TO DISCHARGE GRATUITY

Rule 1	10 U.S.C. § 956
Rule 2	10 U.S.C. § 1048
Rule 3	10 U.S.C. § 771a
Rule 4	39 Comp Gen 860
Rule 5	10 U.S.C. § 504(a)
	39 Comp Gen 742
	Deputy Secretary of Defense Memo, November 7, 2022
	DFAS Office of General Counsel (OGC) Memo, March 11, 2024
Rule 6	10 U.S.C. § 504(a)
	39 Comp Gen 860
	Deputy Secretary of Defense Memo, November 7, 2022
	DFAS OGC Memo, March 11, 2024

VOLUME 7A, CHAPTER 36: "PAYMENTS ON BEHALF OF DECEASED MEMBERS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
2.0	Updated the "Death Gratuity" section content for accuracy and clarity. Renumbered subsequent paragraphs.	Revision
3.0	Updated the "Settling Deceased Members' Account" section content for accuracy and clarity. Renumbered subsequent paragraphs.	Revision
4.0	Added the "Housing Allowance Following Service Member's Death" section. Transferred policy from Chapter 26, paragraph 261014.	Addition
5.0	Added the "Payments to Legally Incapacitated Beneficiaries" section.	Addition
6.0	Added the "Prohibition of Payment to Beneficiary Who Killed Decedent" section.	Addition
Table 36-1	Updated "Table 36-1" for clarity.	Revision
Table 36-2 Table 36-5	Updated Tables "36-2 and 36-5" to comply with the Air Force Manual 65-116, Volume 1, dated February 24, 2023.	Revision
References	Updated supporting statutes and references.	Revision

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CHAPTER 36

PAYMENTS ON BEHALF OF DECEASED MEMBERS

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to provide policy pertaining to the processing of payments on behalf of deceased military members.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 10, 24, 29, 31, 34 and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

*2.0 DEATH GRATUITY

A death gratuity in a total amount of $100,000 is payable to one or more eligible beneficiaries of a deceased individual as set forth in this section.

2.1 Death of Members on Active Duty or Inactive Duty Training and Certain Other Persons

Death gratuity will be paid, regardless of whether death occurred in the line of duty or as the result of a member's misconduct, to eligible beneficiaries of the following (except a temporary member of the Coast Guard Reserve):

2.1.1. A member who dies while on active duty or while traveling to or from such duty;

2.1.2. A person who dies either while traveling to, from, or while at a place for final acceptance or for entry upon active duty (other than for training) in the Military Service; who has been ordered or directed to go to that place, and who has been:

2.12.1. Provisionally accepted for that duty; or

2.1.2.2. Selected, under the Military Selective Service Act, for duty in that Military Service;

2.1.3. A member whose death is determined by administrative finding under the Missing Persons Act;

2.1.4. A National Guard or Reserve member who:

2.1.4.1. Dies while on inactive duty training (other than work or study in connection with a correspondence course of an armed force or attendance, in an inactive status, at an educational institution under the sponsorship of an armed force or the Public Health Service); or

2.1.4.2. When authorized or required by an authority designated by the Secretary, assumed an obligation to perform active duty for training, or inactive duty training (other than work or study in connection with a correspondence course of an armed force or attendance, in an inactive status, at an educational institution under the sponsorship of an armed force or the Public Health Service), and who dies while traveling directly to or from that active duty for training or inactive duty training or while staying at the National Guard or Reserve member's residence, when so authorized by proper authority, during the period of such inactive duty training or between successive days of inactive duty training;

2.1.5. A member of a Reserve Officers' Training Corps (ROTC) who dies while performing annual training duty under orders for a period of more than 13 days or while performing authorized travel to or from that annual training duty; or any applicant for membership in an ROTC who dies while attending field training or a practice cruise, or while performing authorized travel to or from the place where the training or cruise is conducted; or, effective May 1, 2017, a graduate of a ROTC who has received a commission but has yet to receive a first duty assignment.

2.2 Death After Discharge or Release From Duty or Training

Death gratuity will be paid to eligible beneficiaries of the following persons (except a person who was a temporary member of the Coast Guard Reserve at the time of death):

2.2.1. A person who dies during the 120-day period beginning on the day following discharge or release from:

2.2.1.1. Active Duty (including for retirement for either disability or length of service); or

2.2.1.2. Inactive-duty training (other than work or study in connection with a correspondence course of an armed force or attendance, in an inactive status, at an educational institution under the sponsorship of an armed force or the Public Health Service).

2.2.2. For death gratuity to be payable due to the death of a person described in subparagraph 2.2.1, the Secretary of Veterans Affairs (VA) must determine:

2.2.2.1. The death resulted from an injury or disease incurred or aggravated during the active duty or inactive-duty training from which discharged or released or during travel directly to or from such duty; and

2.2.2.2. The decedent was discharged or released under conditions other than dishonorable from the last period of duty or training performed.

2.3 Definitions

2.3.1. Active Duty. Active duty is full-time duty in the active service of a Uniformed Service, including active duty training (full-time training duty, annual training duty, or attendance, while in the active service, at a school designated as a Military Service school by law or by the Secretary concerned). (The exception to this definition is noted in subparagraphs 2.1.2 and 2.1.3).

2.3.2. Member. A member of the Military Service is a person appointed, enlisted, or inducted into a branch of the Military Services, including Reserve Components and cadets or midshipmen of the Military Service Academies. In paragraphs 2.3 - 2.11, the term "member" also includes a decedent who was not a member at death but for whom a death gratuity is payable under paragraph 2.1.

2.3.3. Reserve Components. The Reserve Components consist of the U.S. Army National Guard, Army Reserve, Navy Reserve, Marine Corps Reserve, U.S. Air National Guard, and the Air Force Reserve.

2.4 Beneficiaries

2.4.1. Designated Beneficiary. Effective July 1, 2008, a member may designate one or more persons, to receive a portion of the death gratuity using ***DoD (DD) Form 93***, Record of Emergency Data.

2.4.1.1. The portion payable to the designee must be specified in 10 percent increments. Where a total of less than 100 percent is assigned among designated beneficiaries, the remaining balance will be paid in accordance with subparagraph 2.4.3. If the designation is not in a 10 percent increment, the percentage designated will be rounded down to the nearest 10 percent increment and any undesignated portion will be paid in accordance with subparagraph 2.4.3.

2.4.1.2. From May 25, 2007, through June 30, 2008, a member was permitted to designate a person other than those on the survivor precedent list mandated by law at that time to receive up to 50 percent of the amount payable under paragraph 2.6.

2.4.1.3. On or after, January 28, 2008, if a member has a spouse but designates a person other than the spouse to receive a portion of the amount payable, then the Secretary concerned will provide notice of the member's designation to the spouse.

2.4.2. Conflicting Designations. If a member provides conflicting information on the DD Form 93 regarding designation of beneficiaries and their corresponding shares of the death gratuity, then payment will be made only to the extent that there are unambiguous designations.

Example: A member completes the February 2023 version of the DD Form 93. The member completes block 13 by designating his mother to receive 100 percent of the death gratuity, and completes block 16 by designating his mother and his sister to each receive 50 percent of the death gratuity, resulting in conflicting designations. In this situation, 50 percent of the death

gratuity would be payable to the mother, and the remaining 50 percent would be paid in accordance with subparagraph 2.3.2.

2.4.3. Beneficiary Under Order of Precedence. If a member does not make a designation under subparagraph 2.4.1, or designates only a portion of the amount payable, or makes an ambiguous or erroneous designation that results in an undesignated portion, the beneficiary or beneficiaries eligible for payment of the undesignated amount of the death gratuity will be determined based on the following order of precedence:

2.4.3.1. To the surviving spouse of the member;

2.4.3.2. If no surviving spouse, then the child or children of the member and descendants of deceased children, by representation;

2.4.3.3. If no survivor in accordance with subparagraphs 2.4.3.1 or 2.4.3.2, then the parents of the member, in equal shares, or to the surviving parent;

2.4.3.4. If no survivor in accordance with subparagraphs 2.4.3.1 through 2.4.3.3, then the duly appointed legal representative of the member's estate; or

2.4.3.5. If no survivor in accordance with subparagraphs2.4.3.1 through 2.4.3.4, then the person(s) determined to be entitled under the laws of the state in which the member was domiciled.

2.4.3.6. Treatment of Parents. For the purpose of subparagraph 2.4.3.3, only one father and one mother may be recognized in any case, and preference will be given to those who exercised a parental relationship on the date or most nearly before the date on which the member died.

2.4.3.7. Death of Eligible Survivor. If an eligible survivor dies before receipt of the death gratuity, it will be paid to the living survivor next in the order of precedence.

2.4.4. Effect of a Will. A bequest of a death gratuity in a will does not constitute a legal designation for receipt of death gratuity, nor is the death gratuity part of the member's estate, as it is not money owed to the member. The applicable statutory provisions concerning beneficiaries for death gratuity, as described in subparagraphs 2.4, control, not the will.

2.5 Documentation Required for Payment

2.5.1. Official notification of the death of an individual listed in ***10 U.S.C. section 1475(a)*** or **1476** Official notification of death must be documented on ***DD Form 1300*** (Report of Casualty), a Death Certificate, or determination by the Secretary concerned, or his or her authorized designee that the individual listed in 10 U.S.C. § 1475(a) has died.

2.5.2. A DD Form 397, Claim Certification and Voucher for Death Gratuity Payment.

2.5.2.1. The DD Form 397 is used to process payment to an individual who has been identified by the Service as a proper beneficiary in accordance with 2.6.

2.5.2.2. An individual who believes that they are entitled to payment of death gratuity may file a written claim for payment using the DD Form 397. A written claim for payment of death gratuity must be received by the Service within six years of the date of death of a decedent described in paragraph 2.1 or in the case of a decedent described in paragraph 2.2, six years from the date on which the Secretary of the Veteran Affairs makes its determination as required. No payment may be made based upon an untimely claim. Refer to paragraph 5.1 for cases where a beneficiary is a minor or otherwise legally incapacitated.

2.5.3. Any other documentation required in this Chapter or otherwise requested by a responsible official in order to determine entitlement to payment.

2.5.4. Refer to section 5.0 for additional requirements for payment where a claim is made on behalf of a person with a legal incapacitation.

2.6 Determining Eligible Beneficiaries

When officially notified that a member of his or her command has died, the commanding officer (CO) maintaining the member's personnel or service records determines if there is an eligible death gratuity beneficiary in accordance with paragraph 2.4, as further explained in Table 36-1. Attorneys responsible for advising the Service will aid in cases involving a question of law. In a case where relationship to the member is of questionable validity or legality, Service attorneys will aid in review and will consult with Defense Finance and Accounting Service (DFAS) Office of General Counsel as needed.

2.6.1. Lawful Spouse. If a decedent is survived by a spouse, the following evidence will be used to determine whether an eligible beneficiary exists:

2.6.1.1. Entitlement to Basic Allowance for Housing (BAH) or evidence of assignment of government quarters to a member and spouse; or

2.6.1.2. Documentary evidence of marriage and proof of termination of any prior marriage of either the beneficiary or decedent.

2.6.2. Children. If a decedent is survived by a child or children, but is not survived by a spouse, the following evidence will be used to determine whether an eligible beneficiary exists:

2.6.2.1. Documentary evidence that demonstrates the termination of any marriage of the decedent, including a certified copy of the spouse's death certificate, a divorce decree, or an annulment decree.

2.6.2.2. Base eligibility of child or children upon documentary proof of relationship, including:

2.6.2.2.1. Biological Child. The original or certified copy of the original birth certificate; or

2.6.2.2.2. Legally Adopted Child. A certified court order of adoption in the case of a legally adopted child.

2.6.2.2.3. Stepchild. A marriage certificate reflecting the marriage between member and one of the child's biological parents, original or certified copy of the child's birth certificate, and proof that the stepchild was part of the member's household.

2.6.2.2.4. Illegitimate Child. Proof of parentage of a child born out of wedlock, including:

2.6.2.2.4.1. A written acknowledgement of parentage of a child that is signed by the decedent's death; or

2.6.2.2.4.2. A court order reflecting a judicial determination of paternity made before the decedent's death; or

2.6.2.2.4.3. A court order reflecting that the decedent was required to contribute to the child's support; or

2.6.2.2.4.4. A written determination by the Secretary of VA that the child has been proven to be a child of the decedent.

2.6.3. Parents. If the decedent is not survived by a spouse or child (or child's descendants) and has not officially designated any other individual(s) to receive the full death gratuity, then the parent beneficiary must furnish:

2.6.3.1. Documentary evidence that demonstrates the termination of any marriage entered into by the decedent, including a certified copy of the spouse's death certificate, a divorce decree, or an annulment decree; and

2.6.3.2. An affidavit (written statement that is signed and notarized) by the parent confirming that, to the best of his or her knowledge, the decedent has no living children and, if the decedent ever had children that those children have no surviving children.

2.6.4. In Loco Parentis. A person who stood in loco parentis (in the place of a parent) does not qualify for the death gratuity as a "parent" of the member. A member must designate such a person in order for that person to qualify as an eligible beneficiary.

2.7 Determinations Affecting Entitlement

2.7.1. Death as Lawful Punishment. No death gratuity is payable in the case of a member whose death is the result of a lawful punishment for a crime or military offense, except when such death was inflicted by a hostile force with which the Armed Forces of the United States was engaged in armed conflict.

2.7.2. Absence Without Leave (AWOL) or Absence Over Leave (AOL). A death gratuity is payable in the case of a member whose death occurs while he or she is in an unauthorized absence status, either AWOL or AOL, including being in custody of civil authorities, provided the date of death is prior to the normal expiration of contracted duty.

2.7.3. Desertion. No death gratuity is payable in the case of a member who is a declared deserter at the time of his or her death unless it is later found that the declaration was in error.

2.8 Exemptions

2.8.1. Death gratuity payments may not be used to satisfy indebtedness (including overpayments).

2.8.2. The death gratuity amount is excluded from gross income for tax purposes. Also, see Chapter 44, Table 44-4, Rule 16.

2.9 Immediate Payments

Immediate payment of a death gratuity (within 24 hours, if possible) will be made when the eligible beneficiary can be determined, and there is no doubt as to the propriety of payment.

2.10 Responsibility for Payment of Death Gratuity

See Tables 36-2 through 36-6.

2.11 Erroneous Payment

An erroneous payment of death gratuity is one made to a person who was not entitled to the payment under the law.

2.11.1. Make a second payment to the rightful beneficiary when the error resulted from improper maintenance of records or administrative negligence. Do not delay this payment pending recovery of the erroneous payment from the ineligible recipient.

2.11.2. Do not make a second payment of death gratuity to a different person if the original payment was based on written statements of record made by the member, and the government had no reason to doubt that the individual had been designated by the member as a beneficiary or held the relationship status to the member as stated by the member.

*3.0 SETTLING DECEASED MEMBERS' ACCOUNTS

3.1 General

Payment of any unpaid pay and allowances (UPPA) due on behalf of a deceased member of the Armed Forces will be made to one or more eligible beneficiaries of the deceased member described in paragraphs 3.3 and 3.4. UPPA include:

3.1.1. Pay and allowances due and unpaid at death, including settlement of accrued leave (subject to limitation in Chapter 35, subparagraph 2.1.1.4.3). Entitlement restrictions apply. Any pay and allowances unpaid at death will be offset by any outstanding debts.

3.1.1.1. Family Separation Allowance (FSA). If a member dies within the first 30-days of qualifying duty, then the member is not entitled to FSA-Ship (S) (Chapter 27, subparagraph 2.3.1.2) or FSA-Temporary (T) (Chapter 27, subparagraph 2.3.1.3). FSA-S and FSA-T will be excluded from the final settlement of the member's military pay account.

3.1.1.2. Hardship Duty Pay – Location (HDP-L). Service members permanently assigned or serving in a temporary duty or deployed or attached status for over 30 consecutive days in an HDP-L designated area will receive HDP-L. If a member dies within the first 30-days of qualifying duty, then the member is not entitled to HDP-L (Chapter 17, subparagraph 2.1.2). HDP-L will be excluded from the final settlement of the member's military pay account;

3.1.2. Amounts due for travel, per diem, transportation of dependents, and shipment of household goods, subject to split disbursement requirements for the Government Travel Charge Card;

3.1.3. Member's savings deposits and interest thereon;

3.1.4. If a member receiving a bonus or other pay or benefits under an agreement conditioned on the member satisfying eligibility requirements dies before receiving the full amount under the agreement (including contracted future year anniversary payments) and if death is not caused by the member's misconduct, then the remaining bonus balance is payable as a lump sum for inclusion in the settlement of the deceased member's final military pay account. If the death is determined to have been the result of the member's misconduct, then no further payments may be made, and unearned portions of amounts paid to the member must be recouped and will reduce the amount of UPPA payable. Refer to Chapter 2; or

3.1.5. Proceeds of any checks for items in subparagraphs 3.1.1 through 3.1.4, unnegotiated by the member before death.

3.2 Documentation Required for Payment

3.2.1. Official Notification. Official notification of the death or finding of death of the member must be documented on DD Form 1300 (Report of Casualty), a Death Certificate, or

determination by the Secretary concerned, or his or her authorized designee, that the member has died.

3.2.2. A Standard Form (SF) 1174, Claim for Unpaid Compensation of Decease Member of the Uniformed Services.

3.2.2.1. The SF 1174 is used to process payments to an individual who has been identified by the Services as a proper beneficiary in accordance with paragraphs 3.3-3.4.

3.2.2.2. An individual who believes that they are entitled to payment of UPPA may file a claim for payment by using the SF 1174. A written claim for payment of UPPA must be received by the Service within six years of the date of death of a member. No payment may be made based upon an untimely claim. Refer to paragraph 5.1 where a beneficiary is a minor or otherwise legally incapacitated.

3.2.3. Any other documentation required in this Chapter or otherwise requested by the responsible official to determine entitlement to payment.

3.2.4. Refer to section 5.0 for additional requirements for payment where a claim is made on behalf of a person with a legal incapacitation.

3.3 Designated Beneficiary

A member may designate any person, related or not, to receive the member's UPPA. Designation of a beneficiary for must have been executed by the member and filed and received by the Service in accordance with regulations governing such designations. When more than one beneficiary has been named, the percentages specified by the member govern payment. If no percentages have been specified, then payment will be divided equally among designated beneficiaries.

3.4 Beneficiary Under Order of Precedence

3.4.1. Order of Precedence. If a member did not designate a beneficiary for UPPA, or designated only a portion of the amount payable, payment of the undesignated amount is made in the following order of precedence:

3.4.1.1. The surviving spouse of the member;

3.4.1.2. If no surviving spouse, then the child or children of the member and descendants of deceased children, by representation;

3.4.1.3. If no survivor in accordance with subparagraphs 3.4.1.1 or 3.4.1.2, then the parents of the member, in equal shares, or to the surviving parent;

3.4.1.4. If no survivor in accordance with subparagraphs 3.4.1.1 through 3.4.1.3, then the duly appointed legal representative of the member's estate; or

3.4.1.5. If no survivor in accordance with subparagraphs 3.4.1.1 through 3.4.1.4, then the person(s) determined to be entitled under the laws of the state in which the member was domiciled.

3.4.2. Adopted Child. An adopted child is a legal heir in every state and is therefore, entitled to payment of UPPA if otherwise proper. If the deceased member's child is adopted by others, then the child is a beneficiary only in those states where an adopted child inherits from the child's natural parent.

3.4.3. Stepchild. A stepchild is not an eligible beneficiary unless adopted by the deceased member.

3.5 Death of Beneficiary

If a beneficiary dies after the member but before receiving payment of UPPA, it may be paid to the beneficiary's estate upon presentation of an SF 1174. If the beneficiary does not have an estate established and the UPPA is $3,000 or less, it may be paid to the deceased survivors of the beneficiary in the order of precedence set out in paragraph 3.4. If the UPPA is greater than $3,000, DFAS may pay it in accordance with laws of the domicile of the deceased beneficiary. If doubt exists as to entitlements, refer the issue to DFAS.

3.6 Tax Abatement

See Chapter 44, paragraph 2.4 if the member's death was caused by terrorist or military action overseas.

3.7 Advance of Pay

The following applies to a deceased member's final pay computation:

3.7.1. Except for an advanced pay paid under the provisions of Chapter 32, paragraph 2.3, when a member is in a combat zone and receiving imminent danger or hostile fire pay, advance pays that have not been repaid prior to the death of the member remain a debt to the United States for the unliquidated amount. Advance pays paid under paragraph 2.3 and not fully collected at the time of death will not be collected against the estate of a deceased member.

3.7.2. A member may receive an early payment of pay and allowances due to a regular payday falling on a weekend or legal holiday. If the member dies before the last day of that pay period, then no collection will be taken for any extra days of pay received.

3.8 Prohibition

Any payments made under this section prohibit recovery of those payments by any other person.

*4.0 Housing Allowance Following Service Member's Death

BAH or OHA continuation or payment to the surviving dependent of a Service member who dies on AD is authorized for 365 days. It is paid to the dependent who, on the date of the Service member's death:

4.0.1. was not occupying Government quarters; or

4.0.2. was occupying Government quarters on a rental basis, or

4.0.3. was occupying Government quarters, but vacates those quarters within 365 days of the Service member's death.

4.1 Not Payable

The housing allowance is not payable to a surviving dependent of an RC member if that RC member dies while on inactive duty. See section 6.0 concerning payment to a dependent who killed the Service member.

4.2 Payment Priority

Payments to a surviving dependent are made first to the current spouse. If there is no current spouse, the housing allowance is divided equally among the dependents on whose behalf the deceased Service member was receiving a with-dependent housing allowance or who were living with the member in Government quarters. No payment may be made to any individual for whom the member was not receiving a with-dependent housing allowance or who were not in the member's physical custody at the time of the member's death.

4.3 Payment Amount and Method

The housing allowance is paid at the rate that is payable for members of the same grade and dependency status as the deceased Service member for the area where the dependents are residing. The housing allowance may be paid quarterly as an advance payment, but must be reconciled. Housing allowance payments to the dependent are not subject to collection of any debts owed by the deceased Service member to the United States.

4.4 Surviving Service Member Spouse

The allowance in this paragraph may be paid to a deceased Service member's spouse even if the spouse is also a Service member entitled to basic pay. The allowance is paid to the surviving Service member spouse in addition to any other pay and allowances to which the surviving Service member spouse is authorized as a Service member. The following payment rules apply:

4.4.1. Dual housing-allowance payments are authorized for a surviving Service member spouse.

4.4.2. When any dependents other than a surviving Service member spouse are involved, the housing allowances are paid in the same manner that was provided for before the Service member's death. If the surviving Service member spouse was drawing the without-dependent housing allowance on the Service member's date of death, that rate would continue for 365 days. On day 366, the surviving Service member spouse's housing allowance could change to the with-dependent rate.

4.4.3. If the family vacates Government quarters, the surviving Service member spouse is paid the housing allowance that would have been paid to the deceased Service member, as well as the housing allowance to which the surviving Service member spouse is authorized. In this case, the surviving Service member spouse may determine on whose behalf the with-dependent and the without-dependent housing allowances are paid.

4.4.4. If the deceased Service member was receiving a with-dependent housing allowance solely for a dependent who may not be claimed by the surviving Service member spouse, the surviving Service member spouse is only authorized housing allowance continuation at the without-dependent rate. The remainder—the difference between the with-dependent and without-dependent rates—is divided equally among the dependents on whose behalf the deceased Service member was receiving the with-dependent rate.

4.4.5. When a deceased Service member had a Service member spouse (spouse) but no other dependents, and the spouse and deceased Service member were each assigned to single-type Government quarters on the date of death (i.e., the deceased member was not receiving a housing allowance other than BAH-Partial), the following rules apply:

4.4.5.1. While the spouse continues to reside in single-type Government quarters, the spouse is entitled to BAH-Partial based on his or her own service, and no housing allowance based on the deceased member.

4.4.5.2. If the spouse remains in service and moves out of single-type Government quarters and into non-Government quarters within 365 days of the date of death, the spouse is entitled to a housing allowance at the without-dependent rate based on his or her own service, and BAH-Partial based on the deceased member for the balance of the 365-day period.

4.4.5.3. If the spouse separates from service within 365 days of the date of death, the spouse is entitled to payment of a with-dependent housing allowance based on the deceased member's last PDS location for the balance of the 365-day period.

4.5 Rate Defining Location

4.5.1. If a Service member with a dependent dies on AD while assigned to a PDS in the United States, then the housing allowance for the dependent is based on the deceased Service member's PDS, regardless of the location where the dependent chooses to reside unless the dependent is in receipt of a Secretarial waiver.

4.5.2. If a Service member with a dependent dies on AD while assigned to a PDS outside the United States, then the housing allowance for the dependent is based on the location where the dependent resides, or chooses to reside, in the United States. If the dependent stays overseas, the housing allowance is based on the OHA rate—and the documented cost—for the location where the dependent resides. It then changes to BAH based on the United States location where the dependent later decides to reside on the date that any dependent arrives there or the date that all dependents have departed the PDS location, whichever is later.

4.5.3. If a Service member with a dependent dies on AD and a dependent resides in Government quarters, then the housing allowance for the dependent is based on the dependent's location the day that the Government housing facilities were vacated. That rate continues for 365 days, less the number of days the Government housing facilities were occupied following the date of the Service member's death. If the Government housing was outside the United States, pay the housing allowance based on the location where the dependent chooses to reside.

*5.0 Payments to Legally Incapacitated Beneficiaries

The following provisions apply where an eligible beneficiary of death gratuity and/or UPPA, unless otherwise noted, is a minor or a mentally incapacitated adult.

5.1 Time Limit for Claim

As set forth in subparagraphs, 2.5.2 and 3.2.2, there is a six-year limit for making a claim for death gratuity or UPPA. A beneficiary's legal disability (e.g., status as a minor or mentally incapacitated adult) does not toll or extend the time period for submission of a claim. An authorized representative must file a claim on behalf of the beneficiary within the six-year time limit.

5.2 Minor Beneficiary

5.2.1. For purposes of this Chapter, a "minor" is a person who has not reached the age of majority under the law of the state where the person resides. Refer to Volume 7B, Appendix H for the age of majority by State and United States Possession.

5.2.2. If a minor is entitled to a death gratuity and/or UPPA in an amount of $10,000 or less, then payment for the minor beneficiary may be made:

5.2.2.1. To the minor's parent, including an adoptive parent, as natural guardian when the parent provides a notarized statement attesting to all the following conditions.

5.2.2.1.1. A legal guardian has not been appointed for the minor beneficiary;

5.2.2.1.2. The parent has custody of the minor;

5.2.2.1.3. The parent will hold the payment for the sole use and benefits of the minor until the minor reaches adulthood;

5.2.2.1.4. The parent will account to the minor for such amount when the minor reaches adulthood; and

5.2.2.1.5. The parent will hold the government harmless in the event the minor, when he/she reaches the age of majority (adulthood), brings any legal action challenging the government's payment to the minor's parent.

5.2.2.2. To the minor's non-parent legal guardian where one has been appointed. The individual appointed as the legal guardian must provide a notarized statement attesting to all of the following conditions, as well as a certified copy of the court order appointing the legal guardian.

5.2.2.2.1. The individual has been appointed as the legal guardian of the minor;

5.2.2.2.2. The guardian will hold the payment for the sole use and benefit of the minor until the minor reaches adulthood;

5.2.2.2.3. The guardian will account to the minor for such amount when the minor reaches adulthood; and

5.2.2.2.4. The guardian will hold the government harmless in the event the minor, when he/she reaches the age of majority (adulthood), brings any legal action challenging the government's payment to the minor's guardian.

5.2.3. If a minor is entitled to a death gratuity and/or UPPA in an amount exceeding $10,000, then payment may only be made to the guardian or conservator of minor's estate appointed by a court to receive such payments for the minor's benefit, even where the guardian or conservator is the child's parent, thereby providing the government a means of obtaining a good acquittance. A certified copy of the court order appointing the guardian or conservator of the minor's estate must be provided before payment can be made. Guardianship or conservatorship of the minor as a person is not sufficient.

5.2.4. For purposes of determining to whom payment can be made under subparagraphs 5.2.2 and 5.2.3, if a minor is entitled to payment of both death gratuity and UPPA, those amounts must be aggregated.

5.2.5. Payment of housing allowance provided for under section 4.0 may be made to a minor beneficiary's parent or legal guardian, regardless of the amount of the payment.

5.3 Mentally Incapacitated Adult

If an eligible beneficiary is an adult who has been determined under state law to be mentally incapacitated, mentally incompetent, or otherwise requiring a guardian, trustee, conservator, committee, or other such person to make decisions concerning the beneficiary's financial affairs, then payment may be made an appointed guardian, trustee, conservator, committee, or other such person. A certified copy of the court order making such appointment is required for payment under this Chapter.

*6.0 Prohibition of Payment to Beneficiary Who Killed Decedent

No payment of a benefit discussed in this Chapter may be made to a person who killed the decedent unless there is evidence that clearly absolves that person of any felonious intent. In the absence of such evidence, the eligible beneficiary for payment of the amount that would have otherwise been payable to that person is determined in accordance with the applicable designation of beneficiary or order of precedence as if that person had not survived the decedent.

*Table 36-1. Eligible Survivors Where No Designated Beneficiary - Death Gratuity

RULE	Death gratuity is payable to the following living survivor(s) of the decedent	which is defined as
1	lawful spouse	a man or woman legally married to the decedent at the time of death.
2	child, or children, without regard to age or marital status, in equal shares	a legitimate child.
3		a legally adopted child.
4		a stepchild if a member of the decedent's household at the time of death.
5		an illegitimate child of a female decedent; or an illegitimate child of a male decedent, if a. the decedent acknowledged the child in writing signed by him; b. a court determined the child to be the decedent's before his death; c. the decedent has been judicially ordered to contribute to the child's support; or d. the Secretary of the VA determined the child to be the decedent's.
6	surviving parent(s) in equal shares	the natural father or mother; or
7		the father or mother through adoption.
8	other person(s)	any next of kin of the decedent entitled under the laws of the domicile of the member at the time of the decedent's death.

*Table 36-2. Responsibility for Payment of Death Gratuity - General

RULE	If the deceased	then payment is made by
1	was a member of the Army, Army National Guard, or Army Reserves	the Defense Finance and Accounting Service (DFAS) Indianapolis (IN) or the member's servicing finance center as specified in Table 36-3.
2	was a member of the Navy or Navy Reserves	DFAS Cleveland (CL) or the designated disbursing officer as specified in Table 36-4.
3	was a member of the Air Force, Air National Guard, Air Force Reserves, or Space Force	the Air Force Personnel Center (AFPC) - Operating Location (OL) IN.
4	was a member of the Marine Corps or Marine Corps Reserve	DFAS-CL as specified in Table 36-6.
5	is retired and dies within 120-days of retirement	DFAS-CL, Retired and Annuitant Pay
6	was discharged under honorable conditions, and dies within 120-days of separation	the DFAS site responsible for servicing the deceased member's military pay account.
7	is a member whose death is determined by administrative finding under the Missing Persons Act	the DFAS site responsible for servicing the deceased member's military pay account.
8	was a member of a Senior ROTC (SROTC)	the DFAS site responsible for servicing the deceased member's military pay account.
9	is a person who dies while traveling to, from, or while at a place for final acceptance or for entry upon active duty (other than for training) in the Military Service; who has been ordered or directed to go to that place, and who has been provisionally accepted for that duty; or selected, under the Military Selective Service Act, for duty in that Military Service	the DFAS site that would have maintained the individual's military pay account.

Table 36-3. Responsibility for Payment of Death Gratuity – Army

RULE	If the beneficiary is a(n)	then death gratuity is settled by
1	Adult	the deceased members' servicing finance office. (note 1)
2	Minor	DFAS-IN.
3	Doubtful case (note 2)	DFAS-IN.

NOTES:

1. The deceased member’s servicing finance office will be responsible for making payment for all adult beneficiaries who fall within the established guides of paragraph 2.3.
2. Doubtful cases include:
   a. All cases coming under subparagraphs 2.6.1, 2.6.2, 2.6.3, or any questionable cases under paragraph 2.5;
   b. Common-law widow or widower; or
   c. A member’s minor child, an adopted child without properly certified court adoption papers, and an illegitimate child.

Table 36-4. Responsibility for Payment of Death Gratuity - Navy

RULE	When eligibility of beneficiary or propriety of payment is	and determination is made that eligible beneficiary is	and	then death gratuity is paid by
1	not doubtful	a lawfully designated beneficiary	Navy Casualty Assistance (N135C) certifies beneficiary and payment amount,	DFAS-CL upon authorization from N135C.
2	not doubtful	a lawfully designated beneficiary	beneficiary requests local payment, after N135C certifies beneficiary and payment amount,	the disbursing officer authorized by N135C to make payment.
3	doubtful (notes 1, 2, and 3)	required to be determined by N135C	N135C certifies beneficiary and payment amount,	DFAS-CL upon authorization from N135C.

NOTES:

1. Doubtful cases include “common law widow or widower.”
2. All cases coming under subparagraph 2.4.4 and paragraph 2.7 are doubtful cases.
3. Doubtful cases include a member’s minor child, adopted child without properly certified court adoption papers, and an illegitimate child.

*Table 36-5. Responsibility for Payment of Death Gratuity - Air Force and Space Force

RULE	When eligibility of beneficiary or propriety of payment is	and determination is made that eligible beneficiary is	and	then death gratuity is settled by
1	not doubtful	a lawful spouse (notes 1 and 2); or adult child or children (notes 2 and 3); or a designated relative (notes 2, and 4). Minor children are paid by DFAS along with those identified in rule 3	upon receipt of notification of death (note 5)	the AFPC - OL (IN).
2	not doubtful	a designated non-relative	upon receipt of notification of death (note 5)	the AFPC - OL (IN).
3	doubtful	one of those listed in notes 1, 2, and 3	upon receipt of notification of death (note 5)	the AFPC - OL (IN).

NOTES:

1. AFPC – OL (IN) settles death gratuity payment to "common-law widow or widower."
2. AFPC – OL (IN) settles all cases coming under subparagraphs 2.6.1, 2.6.2, 2.6.3, and any questionable cases under subparagraph 2.4.4.
3. AFPC – OL (IN) settles doubtful cases, including: all minor children, all adopted children without properly certified court adoption papers, and all illegitimate children.
4. Relatives consist of a member's parents, brothers, sisters, or any combination thereof.
5. If death occurs while a member is on a Permanent Change of Station move, then the "losing" home installation notifies.

Table 36-6. Responsibility for Payment of Death Gratuity - Marine Corps

RULE	When the CO determines that the eligible beneficiary is	and eligibility of beneficiary or propriety of payment is	and	and	then death gratuity is paid by
1	a lawful spouse or a designated parent	not doubtful	the spouse or parent resides with the member at or near member's duty station or in the vicinity of the member's home port	the disbursing officer has access to member's pay and service records	DFAS-CL upon Commandant of the Marine Corps Casualty Section authorization.
2	a lawful spouse or a designated parent	not doubtful	the spouse or parent resides with the member at or near member's duty station or in the vicinity of the member's home port	payment is requested by the CO of an activity located in an outlying area	DFAS-CL upon Commandant of the Marine Corps Casualty Section authorization.
3	a lawful spouse or a designated parent	not doubtful	the spouse or parent resides with the member at or near member's duty station or in the vicinity of the member's home port	member's unit is deployed, and the CO of the deployed unit requests by message that payment be made	DFAS-CL upon Commandant of the Marine Corps Casualty Section authorization.
4	a lawful spouse, child or children, designated, or non-designated relatives (note1)	doubtful (notes 2, 3, and 4)	the spouse or parent resides with the member at or near member's duty station or in the vicinity of the member's home port	member's unit is deployed, and the CO of the deployed unit requests by message that payment be made	DFAS-CL upon Commandant of the Marine Corps Casualty Section authorization.
5	a lawful spouse, child or children, designated, or non-designated relatives (note1)	not doubtful	the relative did not reside with the member at or near member's duty station or home port	member's unit is deployed, and the CO of the deployed unit requests by message that payment be made	DFAS-CL upon Commandant of the Marine Corps Casualty Section authorization.
6	a lawful spouse, child or children, designated, or non-designated relatives (note1)	not doubtful	the relative did not reside with the member at or near member's duty station or home port	payment is requested by the CO of an activity located near residence of the designated beneficiary	DFAS-CL upon Commandant of the Marine Corps Casualty Section authorization.

Table 36-6. Responsibility for Payment of Death Gratuity - Marine Corps (Continued)

NOTES:

1. Relatives consist of a member's parents, brothers, sisters and other next of kin of the member entitled under the laws of domicile of the member at the time of the member's death.
2. Doubtful cases include “common law widow or widower.”
3. All cases coming under subparagraph 2.4.4 and paragraph 2.7.
4. Doubtful cases include a member’s minor child, an adopted child without properly certified court adoption papers, and an illegitimate child.

*REFERENCES

CHAPTER 36 – PAYMENTS ON BEHALF OF DECEASED MEMBERS

2.0 – DEATH GRATUITY

2.0.	10 U.S.C. § 1478(a)
2.1.	10 U.S.C. § 1475
2.2.	10 U.S.C. § 1476
2.2.2.2.	10 U.S.C. § 1480(b)
2.4.	10 U.S.C. § 1477
2.4.1.1.	Mills v. Secretary of the Army, 371 F. Supp. 3d 423, 429 (S.D. Ohio 2019)
2.5.	10 U.S.C. § 1479
2.5.2.1.	AR 637-1, para. 16-9 Department of the Air Force Instruction 36-3002M paragraph 4.9.3 Marine Corps Order 34040.4, Chapter 4, Section 3, para. 2(b) MILPERSMAN 1770-280, para. 12(d)
2.5.2.2.	31 U.S.C. § 3702
2.6.	10 U.S.C. § 1479 10 U.S.C. § 1477
2.7.1.	10 U.S.C. § 1480(a)
2.7.2.	29 Comp Gen 294
2.7.3.	31 Comp Gen 645
2.8.2.	26 U.S.C. § 134(b)(3)(C)
2.11.	37 Comp Gen 131

3.0 – SETTLING DECEASED MEMBERS' ACCOUNTS

3.1.	10 U.S.C. § 2771
3.1.1.	37 U.S.C. § 501(d)
3.1.1.1.	37 U.S.C. § 427(a)(2)
3.1.1.2.	DoDI 1340.26, September 25, 2017, Change 1 Effective January 11, 2019 para. 4.4
3.2.	10 U.S.C. § 2771
3.2.2.2.	31 U.S.C. § 3702
3.3.	Comp Gen B-187037
3.4.2. and 3.4.3.	Comp Gen B-91021, February 6, 1950 10 U.S.C. § 2771
3.5	Comp Gen B-696787-O.M., May 2, 1979
3.7.1.	37 U.S.C. § 212(c) 37 U.S.C. § 1006(d)
3.7.2.	37 U.S.C. § 1006 (h)

4.0 – Housing Allowance Following Service Member's Death	
	37 U.S.C. § 403(l)
5.0 – Payments to Legally Incapacitated Beneficiary	
	31 U.S.C. § 3702 Defense Office of Hearings and Appeals Claims Case No.02082608 (March 26, 2003)
6.0 – Prohibition of Payment to Beneficiary Who Killed Decedent	
	34 Comp Gen 103
Table 36-2	Air Force Manual (AFMAN) 65-116, Volume (Vol.) 1, February 24, 2023
Table 36-3	Military Pay E-Message 09-020
Table 36-4	Military Personnel Manual 1770-280, August 4, 2014
Table 36-5	AFMAN 65-116, Vol. 1, February 24, 2023

VOLUME 7A, CHAPTER 37: "BENEFITS FOR MEMBERS HELD AS CAPTIVES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated October 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
References	Updated supporting statutes and references.	Revision

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CHAPTER 37

BENEFITS FOR MEMBERS HELD AS CAPTIVES

1.0 GENERAL

1.1 Purpose

This chapter describes the policy provisions for benefits for members who are held as captives as determined by the Secretary of Defense.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 5 and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 FORMER CAPTIVE PAYMENT

2.1 Entitlement Provisions

A former captive is a member who was held in a captive status. Entitlement may only be authorized by the Secretary of Defense. Once the Secretary of Defense makes a "hostile action" determination, which is the authority for former captive payments, the Military Service Secretaries will provide the names and dates of entitlements to their respective Defense Finance and Accounting Service (DFAS) Center. Entitlement dates may not include any of the following without specific case-by-case approval of the Secretary of Defense:

2.1.1. Dates in a captive status which are not dates of actual physical custody by a hostile force (for example, dates evading capture where the presence of a hostile force prevented escape or rescue); or

2.1.2. Dates that are doubtful that the missing status was the result of hostile action or was the result of membership in the Uniformed Services. Commanders will forward any request with justification via the appropriate Military Service chain of command. When authorized, the DFAS Center concerned will make payment.

2.2 Rates

2.2.1. For each day a member was held in a captive status, payment will be 50 percent of the then-current world-wide average per diem rate. Status beginning and ending days (for example, day of return to military control) are days of entitlement. Payment must be made within 1 year after the member's captive status ends. Rates will be obtained from the Office of the Under Secretary of Defense (Personnel and Readiness) (Military Personnel Policy/Compensation), 1500 Defense Pentagon, Washington, D.C. 20301-1500.

2.2.2. Former captives may receive more than the 50 percent rate when specifically approved by the Secretary of Defense. Recommendations justifying a higher percentage will be forwarded through command channels via the appropriate Military Service Secretary.

2.3 Death of Member

If a member dies while in a captive status, any amount due is considered pay and allowances for the purposes of Chapter 34.

2.4 Exceptions

2.4.1. The Secretary of Defense may defer payment for anyone (within the 1-year payment window) charged with a captivity-related offense and may deny payment if the member is convicted in a court of competent jurisdiction. If convicted, whether or not payment has been made, commanders will forward the case to the Secretary of Defense with justified recommendations for payment determination. Payments previously made and later denied must be collected.

2.4.2. No payment is authorized when the Congress specifically provides for prisoner of war (POW) compensation for captivity periods. See section 3.0.

2.5 Taxability

Payments to former captives generally are not taxable if the captive status resulted from the deprivation of personal rights, such as terrorist activity. However, if the captive status resulted from an engagement with another nation's armed forces, then payment may be taxable and reported as taxable income. See Chapter 44, Table 44-1 for possible applicability of the combat zone tax exclusion.

3.0 POW COMPENSATION

Payment authorized by the Congress, for a specific period of captivity as a POW, is made by the Secretary of the Treasury, and is not considered to be an Uniformed Services pay and allowances entitlement. DFAS is not involved in this payment procedure or its tax reporting consequences.

4.0 SAVINGS ALLOTMENT

Military Service Secretaries may allot part or all of a captive's pay and allowances (except what is already allotted) to an interest-bearing savings fund that is maintained by the Secretary of the Treasury. The Secretary of the Treasury establishes the withdrawal procedures for this savings fund.

*REFERENCES

CHAPTER 37 - BENEFITS FOR MEMBERS HELD AS CAPTIVES

2.0	Former Captive Payment	
		Title 5, U.S.C., section 5569(d)(2) 37 U.S.C. § 551 37 U.S.C. § 559(c)
	2.4.1.	37 U.S.C. § 559(c)(3)
	2.4.2	37 U.S.C. § 559(a)(1)
4.0	Savings Allotment	
		37 U.S.C. § 559(b)

VOLUME 7A, CHAPTER 38: "SERVICE ACADEMY CADETS, MIDSHIPMEN, AND SERVICE ACADEMY PREPARATORY SCHOOL STUDENTS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

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The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
Table 38-1	Updated the rations rate for the calendar years 2023 and 2024 in accordance with the "Food Service Charges at Appropriated Fund Dining Facilities and the Military Academies" as listed on the Office of the Under Secretary of Defense (Comptroller) website.	Revision
Table 38 -1	January 2025. Added the rations rate for the calendar year 2025 in accordance with the Office of the Under Secretary of Defense (Comptroller) memo, dated December 20, 2024.	Addition
References	Updated statutes and supporting references.	Revision

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CHAPTER 38

SERVICE ACADEMY CADETS, MIDSHIPMEN, AND SERVICE ACADEMY PREPARATORY SCHOOL STUDENTS

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to the pay and allowances for cadets at the U.S. Military Academy, the U.S. Air Force Academy, the Coast Guard Academy, and midshipmen at the U.S. Naval Academy.

1.2 Authoritative Guidance

The pay and allowances policies and requirements for cadets and midshipmen established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.), section 203(c) ***(37 U.S.C. § 203(c))***. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ENTITLEMENTS

2.1 Monthly Pay

Cadets at the U.S. Military Academy, the U.S. Air Force Academy, the Coast Guard Academy, and midshipmen at the U.S. Naval Academy are entitled to pay at the monthly rate of 35 percent of the basic pay of a commissioned officer in the pay grade O-1 with less than 2 years of service. This monthly rate is prescribed in Chapter 1, Table 1-7. Note: The actual monthly pay rate for cadets and midshipmen are set by Executive Order.

2.2 Rations

Cadets and midshipmen are entitled to commuted rations while on leave, on temporary duty or temporary assigned duty at the daily rate established by the Office of the Under Secretary of Defense (Comptroller) as prescribed in Table 38-1.

2.3 Incentive and Special Pays

Cadets and midshipmen are not entitled to incentive pay for hazardous duty or special pay for duty subject to hostile fire or imminent danger.

2.4 Start and Stop Dates

See Table 38-2.

2.5 Continuance of Pay and Allowances

Pay and allowances continue to accrue to cadets or midshipmen while they are absent in an official missing or missing-in-action status. See Chapter 34. Cadets and midshipmen also are entitled to full pay while traveling under orders.

2.6 Death Benefits

Death gratuity entitlement and settlement of unpaid pay and allowances instructions are contained in Chapter 36.

2.7 Settlement for Unused Accrued Leave

Since cadets and midshipmen do not earn leave, they are not entitled to lump-sum leave benefits.

3.0 OTHER STUDENTS

3.1 Service Academy Preparatory School Students

3.1.1. A student at the U.S. Military Academy Preparatory School, the U.S. Naval Academy Preparatory School, or the U.S. Air Force Academy Preparatory School, who was selected to attend the preparatory school from civilian life, is entitled to monthly student pay at the same rate as provided for cadets and midshipmen.

3.1.2. A student at the U.S. Military Academy Preparatory School, the U.S. Naval Academy Preparatory School, or the U.S. Air Force Academy Preparatory School, who, at the time of the student's selection to attend the preparatory school, was an enlisted member of the uniformed services, will receive the monthly basic pay at the rate prescribed for the student's pay grade and years of service as an enlisted member or at the rate provided for cadets and midshipmen under section 2.0, whichever is greater.

3.2 Foreign Cadets and Midshipmen

Persons from a foreign nation, who are receiving instruction at the Military Service academies are entitled to the same pay, commuted rations, and travel and transportation allowances as authorized for U.S. cadets and midshipmen.

4.0 DEDUCTIONS FROM MONTHLY PAY

4.1. Allotments

The Military Department concerned determines whether cadets and midshipmen may register allotments of pay.

4.2 Collections of Indebtedness

For general policies and requirements relating to the collection of indebtedness, see Volume 16. Private indebtedness for services (e.g., laundry, dry cleaning, shoe repair) is not an indebtedness collectible under Volume 16.

4.3 Servicemembers' Group Life Insurance (SGLI)

Academy cadets and midshipmen are eligible for SGLI coverage while on full-time duty as a cadet or midshipman at a Service academy. See Chapter 47. Details covering the administration of the SGLI program for cadets or midshipmen are contained in the pay procedural instructions of the Military Service academy concerned.

4.4 Taxes

The basic pay of cadets and midshipmen is subject to federal and state withholding tax (Chapter 44) and Federal Insurance Contribution Act tax (Chapter 45).

5.0 ADVANCE PAY FOR CLOTHING AND EQUIPMENT PURCHASES

5.1 General

The Secretary of the Military Department concerned prescribes the amount to be advanced each new cadet or midshipman to cover the cost of initial clothing and equipment. The amount advanced is deducted in regular installments from the cadet's or midshipman's monthly pay until fully collected.

5.2 Discharge

Any cadet or midshipman who is discharged (whether voluntarily or involuntarily) before graduation and before the total amount has been repaid, must turn in as much of the clothing and equipment of a distinctive military nature as is necessary to liquidate the balance owed. If a cadet or midshipman is discharged and the value of the turned-in clothing and equipment does not cover the balance owed, then the value of the turned-in clothing and equipment is applied to the balance owed and the remainder of the advance owed is cancelled, regardless of reason for discharge.

6.0 TRAVEL AND TRANSPORTATION ALLOWANCES

The travel and transportation allowances payable to cadets and midshipmen are prescribed in the Joint Travel Regulations.

*Table 38-1. Ration Rates

Effective	Breakfast	Lunch	Dinner	Total
October 1, 1999	$1.05	2.15	2.15	$5.35
October 1, 2000	$1.05	2.20	2.20	$5.45
October 1, 2001	$1.10	2.25	2.25	$5.60
October 1, 2002	$1.15	2.30	2.30	$5.75
October 1, 2003	$1.20	2.35	2.35	$5.90
October 1, 2004	$1.25	2.55	2.55	$6.35
October 1, 2005	$1.30	2.60	2.60	$6.50
October 1, 2006	$1.30	2.65	2.65	$6.60
October 1, 2007	$1.35	2.80	2.80	$6.95
October 1, 2008	$2.10	3.85	3.85	$9.80
January 1, 2009	$2.30	4.25	4.25	$10.80
January 1, 2010	$2.30	4.25	4.25	$10.80
January 1, 2011	$2.30	4.25	4.25	$10.80
January 1, 2012	$2.45	4.55	4.55	$11.55
January 1, 2013	$2.50	4.60	4.60	$11.70
January 1, 2014	$2.55	4.65	4.65	$11.85
January 1, 2015	$3.45	5.55	4.85	$13.85
January 1, 2016	$3.05	4.90	4.30	$12.25
January 1, 2017	$3.05	4.90	4.30	$12.25
January 1, 2018	$3.05	4.95	4.30	$12.30
January 1, 2019	$3.05	4.95	4.30	$12.30
January 1, 2020	$3.05	5.00	4.35	$12.40
January 1, 2021	$3.20	5.20	4.50	$12.90
January 1, 2022	$3.40	5.40	4.75	$13.55
January 1, 2023	$3.75	6.00	5.25	$15.00
January 1, 2024	$3.85	6.15	5.35	$15.35
January 1, 2025	$3.90	6.20	5.45	$15.55

NOTE: If current year is not listed, see ***Reimbursable Rates*** in Tab G at the Office of the Under Secretary Defense (Comptroller) website.

Table 38-2. Dates to Start and Stop Pay and Allowances

RULE	When a cadet or midshipman	then cadet and midshipmen pay and allowances
1	has been admitted officially to one of the Service academies	start on the day of admission (note 1).
2	has been discharged and later reappointed to one of the Service academies	are stopped on date of discharge and start again on day of reappointment (note 1).
3	has been dismissed by sentence of court-martial	stop on the date of termination of service as specified in orders directing dismissal.
4	has been dismissed from the academy by other than court-martial action before graduating	stop on date of dismissal.
5	dies before graduation	stop on the date of death.
6	is appointed a second lieutenant in the Army or Air Force upon graduation	stop on the day before the date of graduation.
7	is commissioned in the Regular Navy or Marine Corps	stop on the day before the date of formal acceptance of appointment.
8	is placed voluntarily in a leave without pay status	stop on the day before the member enters a leave without pay status. If the member is readmitted to the academy, then the pay and allowances start again, on the day of readmission.
9	is not appointed a second lieutenant in the Army or Air Force immediately upon graduation	continue until the member is appointed a second lieutenant or is discharged (note 2).

NOTES:

1. An Oath of Allegiance must be taken before first payment is made.
2. In case of appointment, active-duty pay is payable from date of graduation (Chapter 1, Table 1-3, Rule 5); therefore, an adjustment is necessary between cadet pay received and active duty pay due.

*REFERENCES

CHAPTER 38 – SERVICE ACADEMY CADETS, MIDSHIPMEN, AND SERVICE ACADEMY PREPARATORY SCHOOL STUDENTS

2.0 – ENTITLEMENTS

2.1	37 U.S.C. § 203(c)
2.2	37 U.S.C. § 422(b)
	43 Comptroller General (Comp Gen) 94
2.3	30 Comp Gen 31
	47 Comp Gen 781
2.6	26 Comp Gen 373
2.7	37 U.S.C., § 504

3.0 – OTHER STUDENTS

3.1.1.	37 U.S.C. § 203(e)(1)
3.1.2.	37 U.S.C. § 203(e)(2)
3.2	10 U.S.C. § 347(a)(5)

4.0 – DEDUCTIONS FROM MONTHLY PAY

4.3	38 U.S.C. §§ 1965 (5)(a), 1968(a)(2)

5.0 – ADVANCE PAY FOR CLOTHING AND EQUIPMENT PURCHASES

10 U.S.C. §§ 7450, 8460, 9450
Defense Finance and Accounting Service - Denver Memo, May 21, 2002

Table 38-1

Office of Under Secretary of Defense (Comptroller) Memo, December 12, 2022
Office of Under Secretary of Defense (Comptroller) Memo, December 13, 2023
Office of Under Secretary of Defense (Comptroller) Memo, December 20, 2024

Table 38-2

Rule 6	37 U.S.C. § 204(f)
Rule 8	46 Comp Gen 261

VOLUME 7A, CHAPTER 39: "PAY OF SERVICE ACADEMY OFFICIALS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated May 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
Table 39-1	Revised and reorganized "Table 39-1" content for clarity and understanding.	Revision
References	Updated the "References" with supporting statutes and references.	Revision

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CHAPTER 39

PAY OF SERVICE ACADEMY OFFICIALS

1.0 GENERAL

1.1 Purpose

This chapter establishes policy guidance pertaining to the pay of Military Service academy officials.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Titles 10 and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section, are listed in a reference section at the end of the chapter.

2.0 PROVISIONS

A commissioned officer serving as an appointed official at a Military Service academy is entitled to the pay grade, pay, and allowances established by law for the position. A commissioned officer detailed as an official at a Military Service academy is not entitled to an increase in pay and allowances because of such detail, except as provided. The leader of the Naval Academy Band has the pay grade prescribed for such positions by the Secretary of the Navy.

3.0 PAY AND ALLOWANCES

The pay and allowances authorized for academy officials are indicated in Table 39-1 (Pay and Allowances - Academy Officials).

4.0 LIBRARIAN

An officer of the Regular Army who is retired from active service, may be detailed on active duty to serve as librarian of the U.S. Military Academy. While serving as librarian, the officer is entitled to the pay and allowances prescribed for the officer's grade and cumulative years of service. Include the time spent in retirement in the computation of the officer's cumulative years of service.

5.0 LEAVE OF ABSENCE – FACULTY AND OTHER OFFICERS

Professors, assistant professors, instructors, and other officers, at either the U.S. Military Academy or the U.S. Air Force Academy, may be granted a leave of absence for the period of suspension of the ordinary academic studies. The Superintendent concerned may grant such leave without deduction of pay and allowances.

6.0 TRAVEL AND TRANSPORTATION ALLOWANCES

Members serving as officials at Military Service academies are entitled to travel and transportation allowances.

*Table 39-1. Pay and Allowances — Academy Officials

RULE	When an officer is serving as	at the U.S. Military Academy	at the U.S. Naval Academy	at the U.S. Air Force Academy	and	then the officer is entitled to the pay and allowances prescribed for
1	Superintendent	X	X	X		the officer's military grade and cumulative years of service.
2	Dean of the Academic Board	X				a brigadier general using the officer's cumulative years of service.
3	Dean of the Faculty			X		a brigadier general using the officer's cumulative years of service.
4	Commandant of Cadets	X		X		the officer's military grade and cumulative years of service.
5	Permanent Professor	X		X	is serving as head of a department or has been a permanent professor for more than 6 years	a colonel, or the equivalent grade in the Space Force, using the officer's cumulative years of service (note 1).
6	Permanent Professor	X		X	is not serving as head of a department and has been a permanent professor for 6 years or less	a lieutenant colonel, or the equivalent grade in the Space Force using the officer's cumulative years of service (note 1).

Table 39-1. Pay and Allowances — Academy Officials (Continued)

RULE	When an officer is serving as	at the U.S. Military Academy	at the U.S. Naval Academy	at the U.S. Air Force Academy	and	then the officer is entitled to the pay and allowances prescribed for
7	Permanent Professor	X	X	X	has over 36 years of creditable service for pay purposes	the officer's military grade and cumulative years of service, plus additional pay of $250 per month (note 2).
8	Director of Admissions	X		X	has served as Director of Admissions for more than 6 years	a colonel, or the equivalent grade in the Space Force using the officer's cumulative years of service (note 3).
9	Director of Admissions	X		X	has served as Director of Admissions for 6 years or less	a lieutenant colonel, or the equivalent grade in the Space Force using the officer's cumulative years of service (notes 1 and 3).
11	Naval Academy Band Leader		X			the grade prescribed by the Secretary of the Navy (note 4).
12	Second Naval Academy Band Leader		X			a warrant officer W-1 using the officer's cumulative years of service.
13	Librarian	X			has retired from active service may be detailed on active duty to serve as librarian	the officer's grade and cumulative years of service. Include the time spent in retirement in the computation of the officer's cumulative years of service.

Table 39-1. Pay and Allowances — Academy Officials (Continued)

NOTES:

1. A person, appointed from the Regular Army or the Regular Air Force, or the Regular Space Force as a permanent professor, or the Director of Admissions, who has served in that position for 6 years or less, is entitled to the pay of a colonel after the date on which he or she would have been promoted had he or she been selected for promotion from among officers in the promotion zone.
2. Do not use the additional pay in computation of retired pay.
3. An officer detailed to serve as Director of Admissions, who is serving in a temporary grade higher than those shown in column D, rules 10 through 12, is entitled to the pay and allowances prescribed for the higher temporary grade in which the officer is serving.
4. Compute the applicable number of cumulative years of service as outlined in Chapter 1.

*REFERENCES

CHAPTER 39 – PAY OF SERVICE ACADEMY OFFICIALS

2.0 – PROVISIONS (3902)

37 U.S.C., section 207
37 U.S.C. § 424
37 U.S.C. § 203
10 U.S.C. §§ 7431-7462
10 U.S.C. §§ 8451-8481
10 U.S.C. §§ 9431-9462

5.0 – LEAVE OF ABSENCE - FACULTY AND OTHER OFFICERS (3905)

10 U.S.C. § 7441
10 U.S.C. § 9441

Table 39-1 – PAY AND ALLOWANCES — ACADEMY OFFICIAL

	Public Law (P.L.) 115-232, section 601, August 13, 2018 P.L. 116-283 § 923(d)(9)(A)(i), January 1, 2021
Rule 1	10 U.S.C. §§ 7434, 8451a, 9434
Rule 2	10 U.S.C. § 7435(b)
Rule 3	10 U.S.C. § 9435
Rules 5 & 6	10 U.S.C. §§ 7436(a), 9436(a)
Rule 7	37 U.S.C. § 203(b)
Rules 8 & 9	10 U.S.C. §§ 7436(b), 9436(b)
Rules 14 & 15	37 U.S.C. §§ 207(d), 424(d)
Note 1	10 U.S.C. §§ 7436(a), 9436(a) P.L. 116-283 § 923(d)(9)(A)(i), January 1, 2021
Note 2	37 U.S.C. § 203(b)
Note 3	10 U.S.C. §§ 7436(b), 9436(b)

VOLUME 7A, CHAPTER 40: "GENERAL PROVISIONS GOVERNING ALLOTMENTS OF PAY (OTHER THAN CHILD AND SPOUSAL SUPPORT ALLOTMENTS REQUIRED BY LAW)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
8.2	Modified Stigmatizing language in accordance with the Deputy Secretary of Defense memo, "Review of Policies to Eliminate Stigmatizing Language Related to Mental Health," dated November 7, 2022.	Revision
References	Updated supporting statutes and references.	Revision

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CHAPTER 40

GENERAL PROVISIONS GOVERNING ALLOTMENTS OF PAY (OTHER THAN CHILD AND SPOUSAL SUPPORT ALLOTMENTS REQUIRED BY LAW)

1.0 GENERAL

1.1 Purpose

This chapter prescribes the general policy for all allotments authorized for deduction from a member's pay account. Military personnel identified in section 4.0 may authorize allotments from their pay for the purposes set forth in Chapters 40, 42, and 43. The provisions of this chapter do not apply to child and spousal support allotments started as required by law when a member fails to make periodic payments under a support order. See Chapter 41 for applicable provisions under those circumstances.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), Titles 37 and 38. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ADMINISTRATION OF ALLOTMENTS

2.1 Establishment, Discontinuance, and Changes to Existing Allotments

An allotment may by established, discontinued, or changed using a properly executed DoD Form 2558, commonly referred to as ***DD Form 2558***, Authorization to Start, Stop or Change an Allotment, a written request from a member (or from an agent acting under a specific power of attorney), or an automated data exchange system (from specific organizations). A Service member's written signature is not required to effect an allotment from pay when automated data exchange is utilized. Members are permitted to use automated computer programs that allow using a personal identification number to establish, discontinue, or change an allotment. Allotments will be established, discontinued, or changed only after the member's identity has been validated.

2.2 Administrative Changes

An allottee may make administrative changes without the member's consent. Administrative changes are changes to a financial institution name, address, account number, or routing transit number. Administrative changes will only be made after validation of the allottee's identity.

2.3 Administrative Stoppage

When a financial institution notifies the member's servicing allotment payment office that the member's account has been cancelled or terminated, the payment office will administratively stop the allotment. The servicing allotment payment office will immediately credit any monies it receives from the financial institution to the member's account and notify the member of the allotment stoppage.

3.0 AUTHORIZED ALLOTMENTS

3.1 General

Voluntary allotments of military pay and allowances by Service members in active Military Service are limited to discretionary and non-discretionary allotments.

3.2 Discretionary Allotments

Members are authorized no more than six discretionary allotments. To start a discretionary allotment on and after January 1, 2015, members will certify that, "Under the penalty of the Uniform Code of Military Justice, I certify that this allotment is NOT for the purchase, lease, or rental of personal property or payment toward personal property." Authorized discretionary allotments include:

3.2.1. Deposits to a financial institution, mutual fund company, or investment firm (for other than the prohibited purposes listed in subparagraph 3.3.1.);

3.2.2. Voluntary payment to a dependent or other relative. (Members may designate discretionary allotments to a spouse, former spouse(s), other dependents, and/or relative(s) not legally designated as a dependent(s). Support allotments may be made payable directly to a court, a state agency, a court trustee, a welfare agency, or to a child's guardian or custodian. This allotment may be made payable to a financial organization for credit to the allottee's account);

3.2.3. Payment of premiums for insurance;

3.2.4. Payment of mortgage or rent for real property; and

3.2.5. Deposits into the Savings Deposit Program.

3.3 Discontinuance and Grandfathering of Discretionary Allotments

3.3.1. Discontinuance

Effective January 1, 2015, members are not authorized to start allotments for the purchase, lease, or rental of personal property. Personal property includes vehicles (e.g., automobiles, motorcycles, or boats), appliances or household goods (e.g., a washer, dryer,

furniture), electronics (e.g., a laptop, tablet, cellphone, or television), and other consumer items that are tangible and movable.

3.3.2. Grandfathering

Allotments described in subparagraph 3.3.1 that exist on a member's pay account prior to January 1, 2015, may continue, and members may change the amount of these existing allotments.

3.4 Non-Discretionary Allotments

Non-discretionary allotments of military pay and allowances by members in active Military Service are limited to the following:

3.4.1. Purchase of U.S. savings bonds through ***TreasuryDirect***;

3.4.2. Repayment of loans to the Army Emergency Relief, Navy and Marine Corps Relief Society, Air Force and Space Force Aid Society, and American Red Cross;

3.4.3. Voluntary liquidation of indebtedness to the United States that includes the following:

3.4.3.1. Indebtedness incurred due to defaulted notes insured by the Federal Housing Administration or guaranteed by the Department of Veterans Affairs; and

3.4.3.2. Payment of amounts due under the Retired Serviceman's Family Protection Plan, in the case of retired Military Service members serving on active duty;

3.4.4. Any other indebtedness to any department or agency of the United States Government (except to the Military Department that pays the member);

3.4.5. Any repayment of debts owed to an organization for funds administered on behalf of the United States Government and any such debts assigned to a collection agency;

3.4.6. Payment for pledges for charitable contributions to the following:

3.4.6.1. Combined Federal Campaign (CFC); only one such allotment is authorized for any Military Service member; and

3.4.6.2. Army Emergency Relief, Navy and Marine Corps Relief Society, or Affiliates of the Air Force and Space Force Assistance Fund; only one such allotment is authorized for any Military Service member;

3.4.7. Allotments to the Department of Veterans Affairs for deposit to the Post-Vietnam Era Veterans Educational Assistance Program.

The allotment must be divisible by $5 and with a minimum amount of $25 and not more than $100. Upon the Service member's authorization, the allotment must run a minimum of twelve consecutive months, unless the member suspends participation or terminates enrollment due to personal hardship or release from active duty;

3.4.8. Payment of delinquent federal, state, or local income or employment taxes; and

3.4.9. Lease payments when members are assigned to privatized housing units under the Military Housing Privatization Initiative. See Chapter 43, section 4.0.

4.0 ELIGIBLE ALLOTTERS

4.1 Members on Extended Active Duty

Commissioned and warrant officers, and enlisted members on extended active duty may make pay allotments.

4.2 Allotments Continued to Retired Status

To aid members in the transition from active duty to retired status, members on active duty may transfer all existing authorized discretionary allotments to the retired pay system as approved allotments.

5.0 PAY AND ALLOWANCES WHICH MAY BE ALLOTTED

5.1 Maximum Amount for Allotment

For members assigned within the continental United States, include the following items in computing the maximum amount of pay and allowances that may be allotted:

5.1.1. Basic Pay;

5.1.2. Basic allowance for housing for members with dependents and members without dependents including family separation housing;

5.1.3. Basic allowance for subsistence;

5.1.4. Incentive Pays:

5.1.4.1. Aviation Incentive Pay;

5.1.4.2. Critical Skills Incentive Pay;

5.1.4.3. Hazardous Duty Pay; and

5.1.4.4. Submarine Duty Pay; and

5.1.5. Special Pays:

5.1.5.1. Assignment Incentive Pay;

5.1.5.2. Health Professions Officers Special and Incentive Pays to include:

5.1.5.2.1. Board Certification Pay; and

5.1.5.2.2. Incentive Pay;

5.1.5.3. Career Sea Pay;

5.1.5.4. Career Sea Pay Premium;

5.1.5.5. Continuation Pays for Nuclear-Qualified, Engineering and Scientific, Judge Advocate, and Surface Warfare Officers;

5.1.5.6. Designated Unit Pay;

5.1.5.7. Diplomate Pay for Psychologists;

5.1.5.8. Diving Duty Pay;

5.1.5.9. Enlisted Members Extending at Designated Overseas Locations;

5.1.5.10. Officers Holding Position of Unusual Responsibility and of a Critical Nature; and

5.1.5.11. Special Duty Assignment Pay.

5.2 Members Assigned Outside the Continental United States

Include the following pay and allowance items in addition to those listed in paragraph 5.1:

5.2.1. Cost-of-Living Allowance;

5.2.2. Family Separation Allowance – Restricted only;

5.2.3. Family Separation for Housing Allowance;

5.2.4. Hardship Duty Pay;

5.2.5. Hostile Fire/Imminent Danger Pay (applies only to members in designated areas); and

5.2.6. Overseas Housing Allowance.

5.3 Amounts Withheld From Pay and Allowances

The following amounts must be withheld from the maximum amount of pay and allowances that may be allotted:

5.3.1. Federal, State, and Federal Insurance Contributions Act taxes;

5.3.2. The repayment of debts properly chargeable against a member's pay account (does not include repayments of advance pay);

5.3.3. Premiums of Servicemembers' Group Life Insurance (SGLI) and Family SGLI; and

5.3.4. Montgomery GI Bill deduction.

5.4 Commander's Restriction

Commanders may further restrict the total amount a member may allot when necessary to help the member meet essential personal needs.

6.0 PERIODS OF ALLOTMENTS

Allotments will deduct for indefinite periods except those made to Military Service relief organizations; to the American Red Cross; to the United States Government for either repayment of indebtedness or payment of delinquent federal income taxes; for CFC charity drive donations; or for payment of delinquent state or local income or employment taxes.

7.0 ALLOTMENT PAYMENT OFFICES

7.1 Air Force, Space Force, and Army

Defense Finance and Accounting Service (DFAS)-Indianapolis pays all Air Force, Space Force, and Army allotments.

7.2 Marine Corps and Navy

DFAS-Cleveland pays all Marine Corps and Navy allotments.

8.0 SPECIAL SITUATIONS

8.1 Minors

Allotments may not be made payable to children under 16 years of age, but may be made payable to the children's guardian or custodian. Members' spouses are authorized allottees regardless of their age.

*8.2 Mentally Incapacitated Persons

Allotments may not be made payable to mentally incapacitated persons. However, they may be made payable to a guardian or to the care facility where the person resides.

8.3 Power of Attorney

The holder of a member's special power of attorney may use that document to establish, change, or stop an allotment. The special power of attorney must specifically state the authority to establish, change, or stop allotments. A general power of attorney is not acceptable to establish, change, or stop an allotment.

8.4 Member Awaiting Trial by Court Martial

8.4.1. Members may not register allotments between the date that a Court Martial is ordered and the date of the approval or disapproval of the sentence, except when the convening authority has instructed a member to establish an allotment for deferred forfeitures.

8.4.2. Discontinue allotments whenever:

8.4.2.1. It is necessary to permit collection of the forfeiture in the monthly amount specified and within the time limitation stated in the Court Martial sentence; or

8.4.2.2. A member is sentenced to forfeit all pay and allowances due from the date the convening authority approves the sentence. This applies even though the convening authority defers the forfeitures and suspends the discharge when ordering the sentence into execution.

8.4.3. A prisoner may register allotments provided the amount of pay and allowances not forfeited is sufficient to cover allotment deductions.

8.5 Returned Absentees, Deserters, and Prisoners

Allotments will not be registered for a returned absentee or deserter, unless the paying DFAS site has verified the member's pay status.

8.6 Fraudulent Enlistment

When pay is suspended pending final action on the determination of fraudulent entitlement, pay and allowances are not eligible for allotment.

8.7 Reduced Pay of Allotter

Allotments are discontinued when a reduction in grade or stoppage of pay results in insufficient funds for allotments in effect.

9.0 RIGHT TO ALLOTMENT IN CASE OF DEATH

9.1 Death of Allotter

Upon the death of the member, all allotments are revoked. After receipt of notice of the member's death, the paying allotment office will not make further allotment payments. Deductions made from the member's pay, but not paid to the allottee, become part of the member's arrears of pay. The issuance of a check for an allotment does not constitute payment until it is negotiated and the payee collects the amount. Consequently, an amount for which an allotment check was issued becomes part of the member's arrears of pay when the allotment check is not negotiated. Allotments paid after the member's death may not be collected from the allottee, with two exceptions:

9.1.1. Allotments established erroneously after notice of the member's death; and

9.1.2. Unearned insurance premiums (insurance premiums paid 1 month in advance of the day payment is due). See Military Service procedural instructions for actions required by the disbursing officer maintaining the pay account.

9.2 Death of Allottee

When an allottee does not cash or negotiate an allotment check prior to the allottee's death, the check, even if it has been endorsed, does not become part of an allottee's estate. It is not subject to any expense incurred by, or on behalf of, the allottee before or after death. Unnegotiated allotment checks will be returned to the office from which they were issued. Allotment checks that have been returned will be credited to the member's account or paid in accordance with Military Service instructions if the member has been separated from the Military Service.

10.0 ALLOTMENT OVERPAYMENT RESPONSIBILITIES

Reference Volume 5, Chapter 5, section 0507 for determination of liability for disbursing officers. For collections of debts owed to the Department of Defense, refer to Volume 16.

*REFERENCES

CHAPTER 40 - GENERAL PROVISIONS GOVERNING ALLOTMENTS OF PAY (OTHER THAN CHILD AND SPOUSAL SUPPORT ALLOTMENTS REQUIRED BY LAW)

1.0 – GENERAL

Title 37, U.S.C. § 701

3.0 – AUTHORIZED ALLOTMENTS

3.2	Office of the Under Secretary of Defense (OUSD) Comptroller (C) Memo, November 21, 2014
3.3	OUSD (C) Memo, November 21, 2014
3.4	PL 116-92, section 952, dated December 20, 2019
3.4.7.	38 U.S.C. §§ 3201-3243

7.0 – ALLOTMENT PAYMENT OFFICES

7.1	PL 116-92, section 952, dated December 20, 2019

8.0 – SPECIAL SITUATIONS

8.2	Deputy Secretary of Defense memo, "Review of Policies to Eliminate Stigmatizing Language Related to Mental Health," dated November 7, 2022.

9.0 – RIGHT TO ALLOTMENT IN CASE OF DEATH

Comptroller General Decision (Comp. Gen.) B-225873.2, March 28, 1991
Comp. Gen. B-225873, September 25, 1987
Comp. Gen. B-169453, April 20, 1970

VOLUME 7A, CHAPTER 41: "GARNISHMENTS AND OTHER INVOLUNTARY ALLOTMENTS"

SUMMARY OF MAJOR CHANGES

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated the formatting and hyperlinks to comply with current administrative instructions.	Revision
5.3.1.	Changed Army Regulation (AR) 37-104-4 to AR 637-1.	Revision
References	Verified supporting statutes and references.	Current

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CHAPTER 41

GARNISHMENTS AND OTHER INVOLUNTARY ALLOTMENTS

1.0 GENERAL

1.1 Purpose

This chapter establishes policy for garnishments assessed against members, allotments for child and spousal support, levies against member's pay and allowances for child support obligations, and involuntary allotments of pay for debt collections other than child or spousal support.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.), including Titles 15, 26, and 42. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 GARNISHMENT OF PAY FOR ENFORCEMENT OF CHILD SUPPORT AND ALIMONY OBLIGATIONS

2.1 General

*2.1.1. The processing of garnishment orders for child support and/or alimony from the pay of individuals receiving remuneration for employment from the United States is governed by ***42 U.S.C. § 659*** and ***Title 5, Code of Federal Regulations (CFR), part 581***. The purpose of this section is to provide information unique to the collection of child support and/or alimony from the pay of active-duty members and members of the Reserve Components (RC). The provisions of 42 U.S.C. § 659 and 5 CFR part 581 take precedence when in conflict with this chapter.

2.1.2. Moneys due from or payable by the United States to active-duty members and members of the RC not on active duty are subject to legal process to enforce a legal obligation to pay child support or alimony. Legal process issued by foreign courts may be honored under this authority if issued by a court of competent jurisdiction of a country with which the United States has an agreement, requiring the United States to honor such process. Such an agreement has been reached with the Federal Republic of Germany for cases where active-duty members are stationed in the Federal Republic of Germany (see paragraph 2.8 for additional information). When the law of the state or foreign nation in which the issuing court is located conflicts with the federal law, the more restrictive law applies.

2.2 Legal Process Defined

Legal process is any writ, order, summons, or other similar process in the nature of a garnishment action. Legal process may be issued by:

2.2.1. A court of competent jurisdiction within any state, territory, or possession of the United States;

2.2.2. A court of competent jurisdiction in any foreign country with which the United States has entered into an agreement that obligates the United States to honor such process; or

2.2.3. An authorized official according to an order of such a court of competent jurisdiction or pursuant to state or local law.

2.3 Pay Subject to Garnishment

Except for amounts excluded under paragraph 2.4, all moneys due uniformed personnel, regardless of duty status or component, which are considered to be based upon remuneration for employment, are subject to garnishment. The items of pay and bonuses subject to legal process include the following:

2.3.1. Basic pay (including Military Service academy cadet, academy officials, and midshipmen pay), but excluding reduction for educational benefits under the Montgomery G.I. Bill (MGIB);

2.3.2. Special pay (including enlistment and reenlistment bonuses);

2.3.3. Incentive pay;

2.3.4. Accrued leave payments (basic pay portion only);

2.3.5. Readjustment pay;

2.3.6. Severance pay (including disability severance pay);

2.3.7. Lump-Sum Reserve bonus;

2.3.8. Inactive duty training pay; and

2.3.9. Separation pay.

2.4 Pay and Allowances Not Subject to Garnishment

The following items of pay and allowances are not subject to legal process:

2.4.1. Basic allowance for subsistence;

2.4.2. Basic allowance for housing;

2.4.3. Family separation allowance;

2.4.4. Station allowances;

2.4.5. Clothing allowances-enlisted;

2.4.6. Uniform allowances-officers;

2.4.7. Personal money allowance;

2.4.8. Discharge gratuity;

2.4.9. Position Pay (Navy only);

2.4.10. Reserve Officer Training Corps subsistence allowance;

2.4.11. Death gratuity;

2.4.12. Allowance for recruiting expenses;

2.4.13. Travel and transportation allowances; and

2.4.14. Armed Forces Health Professions Scholarship Program monthly stipend.

2.5 Disposable Earnings

Disposable earnings are a member's gross pay subject to garnishment less deductions for the following items, which are not subject to legal process:

2.5.1. Amounts withheld in payment of debts owed to the United States, except that an indebtedness based on a levy for income tax under ***26 U.S.C. § 6331*** will not be excluded in complying with legal process for the support of minor children if the legal process was entered prior to the date of the levy;

2.5.2. Regular federal income tax withholding (FITW) and state income tax withholding:

2.5.2.1. When required or authorized by law; or

*2.5.2.2. When amounts withheld are not greater than would be the case if the individual claimed all dependents to which he/she was entitled.

2.5.3. Federal Insurance Contribution Act (FICA) tax;

2.5.4. Armed Services Retirement Home;

2.5.5. Servicemembers' Group Life Insurance premiums;

2.5.6. Retired Serviceman's Family Protection Plan premiums;

2.5.7. Survivor Benefit Plan premiums;

2.5.8. Thrift Savings Plan contributions; and

2.5.9. Other amounts required by law to be deducted (e.g., fines and forfeitures ordered by a court-martial or a commanding officer).

2.6 Maximum Amount of Pay Subject to Garnishment

Unless a lower maximum garnishment limitation is provided by applicable state or local law, the maximum part of disposable earnings for any pay period, which is subject to legal process, will not exceed:

2.6.1. Fifty percent of disposable earnings if the member concerned asserts by affidavit or other acceptable evidence that he or she is providing over half of the support for a spouse or dependent child (other than a spouse or dependent child with respect to whose support the legal process is issued);

2.6.2. Sixty percent if the member concerned is not supporting a spouse or dependent child; or

2.6.3. If it appears from the face of the legal process that the member is in arrears for a period which is 12 weeks prior to the beginning of that pay period, then the maximum percentage under subparagraph 2.6.1, is 55 percent and under subparagraph 2.6.2, is 65 percent.

2.7 Allotments to Be Discontinued

2.7.1. The following allotments are subject to legal process. When possible, allow the member to determine which allotments are to be stopped. If the member refuses or is unable to advise which allotment should be stopped to permit compliance with the legal process, then the allotments will be involuntarily stopped in the following order:

2.7.1.1. Combined Federal Campaign (CFC) - Charity Drive;

2.7.1.2. U.S. Savings Bond;

2.7.1.3. Financial organizations;

2.7.1.4. MGIB contributions;

2.7.1.5. Repay loans to Service Relief Agencies and Red Cross;

2.7.1.6. Payment to dependents/relatives;

2.7.1.7. Emergency payment to dependents;

2.7.1.8. Repay home loans;

2.7.1.9. Commercial life, health, and dental insurance;

2.7.1.10. Navy-Mutual Aid Insurance; and

2.7.1.11. U.S. Government Insurance.

2.7.2. The allotments of pay for the repayment of indebtedness to the United States and repayment of delinquent federal taxes are not subject to legal process and should not be stopped.

2.8 Agents Designated to Accept Legal Process

2.8.1. The Defense Finance and Accounting Service (DFAS) Garnishment Law Directorate, or designated representatives, are responsible for receiving and processing all legal processes concerning active-duty members and members of the RC not on active duty. Any legal process for the purpose of enforcing an obligation to pay child support and/or alimony served on DoD entities, other than those served in accordance with subparagraph 2.8.2, will be forwarded to the following designated address for processing.

DFAS Office of General Counsel
Attn: Garnishment Law Directorate
PO Box 998002
Cleveland, OH 44199-8002
Telephone: 1-888-332-7411
Toll-free Fax: 1-877-622-5930

2.8.2. In the case of active-duty members stationed in the Federal Republic of Germany, all legal processes issued by German courts are to be served in the manner prescribed by German law to the appropriate liaison agency listed for such members.

2.8.2.1. Army, Navy and Marine Corps
Office of the Judge Advocate
HQ USAREUR
Postfach 42 02 24
65103 Wiesbaden

*2.8.2.2. Air Force and Space Force
HQ USAFE/AFRICA/JA
Gegbaude 527
66877 Ramstein-Flugplatz
Germany

Legal processes issued by German courts, and received by the liaison agencies listed in paragraph 2.8.2, will be reviewed to determine whether they comply with applicable German law. In addition, the liaison agencies will determine whether the member was served notice and certification of service issued in accordance with the provisions of Article 32(1)(a) of the German Supplementary Agreement in the prior German court proceeding which resulted in an order creating the member's obligation to pay child support or alimony. Once the appropriate liaison agency listed in paragraph 2.8.2 determines that legal process issued by a German court is legally sufficient and in compliance with the notice provisions of Article 32(1)(a), the legal process will be implemented or forwarded to the appropriate official designated in subparagraph 2.8.1 for appropriate processing. The legal process terminates when the active member is no longer stationed in the Federal Republic of Germany, or when the liaison agencies receive a termination order.

2.9 Implementing Legal Process

Once a legal process has been served in the United States, the designated agent indicated in subparagraph 2.8.1, will take, or initiate the following actions:

2.9.1. Review the legal process to determine whether it is regular on its face, appears to conform to the laws of the jurisdiction from which it was issued, was issued to enforce a member's legal obligation to provide child support and/or alimony, and contains sufficient information to accurately identify the member;

2.9.2. Notify the member within 15 calendar days after valid service of legal process. The written notification will explain the potential effect of the legal process on the member's pay, including allotments, and advise the member that the member has the burden of raising any available defenses, such as lack of personal jurisdiction or failure to comply with the ***Servicemembers' Civil Relief Act***, in the appropriate court. A copy of the legal process will be included with the written notice. The notice will be sent to the member's address of record in the military pay system, or through myPay, if the member has a valid email address in the myPay system.

2.9.3. Within 30 calendar days of effective service, or such longer period as may be allowed by applicable State law:

2.9.3.1. Determine the amount of the member's disposable earnings;

2.9.3.2. Where required, file an answer to the legal process with the court in which the proceeding was brought and answer any interrogatories regarding the pay and allowances due the member. The designated agent may use its standard answer form for this purpose; and

2.9.3.3. Pay the amount due pursuant to legal process. Governmental agencies, including DoD agencies, are not required to vary their pay or disbursing cycles to comply with legal process;

2.9.4. If the designated official is served with legal process concerning more than one legal obligation owed by the same member, then the legal obligations will be satisfied from the available funds in the following order of priority:

2.9.4.1. Legal process to enforce current support will have priority over legal process to enforce support arrearages;

2.9.4.2. Legal process to enforce current child support will have priority over legal process to enforce current alimony;

2.9.4.3. Legal process to enforce a child support and/or alimony obligation will have priority over involuntary allotments of pay to enforce commercial debts (see section 5.0); and

2.9.4.4. If the legal process is to enforce more than one child support obligation, and there are not enough funds available to fully satisfy all legal processes served, then the available funds will be allocated among the obligations in proportion to the amounts of current child support due. All other obligations will be satisfied on a first-come, first-served basis; and

2.10 Indemnification

*2.10.1. Neither the DoD, nor any officer or employee, will be liable for any payment made from moneys due from, or payable by, the DoD to any individual pursuant to legal process regular on its face, if such payment is made in accordance with 42 U.S.C. § 659**,** 5 CFR part 581, and section 2.0.

2.10.2. Neither the United States, nor any disbursing officer or any governmental entity, will be liable under this part to pay monetary damages for failure to comply with a legal process.

3.0 STATUTORY ALLOTMENTS FOR CHILD AND SPOUSAL SUPPORT

3.1 General

3.1.1. The processing of statutory allotments for child support and/or alimony from the pay of active duty military members is governed by ***42 U.S.C. § 665***. This authority takes precedence when in conflict with this section.

3.1.2. Upon proper notification from an authorized person, DFAS will start a statutory child or child and spousal support allotment from the pay and allowances of a member on extended active duty when the member has failed to make periodic payments, under a support order, in an amount equal to the support payable for 2 months or longer.

3.2 Definitions

The following definitions apply to section 3.0.

3.2.1. Authorized Person. An authorized person is any agent or attorney of a state having in effect a plan approved under 42 U.S.C. § 665**,** who has the duty or authority to seek recovery of any amounts owed by a member as child or child and spousal support; and the court that has the authority to issue an order against a member for the support and maintenance of a child, or any agent of such court.

3.2.2. Child Support. Child support consists of periodic payments for the support and maintenance of a child or children, subject to and in accordance with state or local law. This includes, but is not limited to, payments to provide for health care, education, recreation, and clothing, or to meet other specific needs of the child or children.

3.2.3. Designated Official. The designated official is the DFAS Site Director or designee authorized to receive and to process notices under this chapter. The DFAS designated official and address is:

DFAS Office of General Counsel
Attn: Garnishment Law Directorate
PO Box 998002
Cleveland, OH 44199-8002
Telephone: 1-888-332-7411
Toll-free Fax: 1-877-622-5930

3.2.4. Notice. A notice is a court order, letter, or similar documentation issued by an authorized person providing notification that a member has failed to make periodic support payments under a support order.

3.2.5. Spousal Support. Spousal support consists of periodic payments for the support and maintenance of a spouse or former spouse, in accordance with state or local law. It includes, but is not limited to, separate maintenance, alimony while litigation continues, and maintenance. Spousal support does not include any payment for transfer of property or its value by an individual to his or her spouse or former spouse in compliance with any community property settlement, equitable distribution of property, or other division of property between spouses or former spouses.

3.2.6. Support Order. A support order is any order providing for child or child and spousal support issued by a court of competent jurisdiction within any state, territory, or possession of the United States, including Indian tribal courts, or in accordance with administrative procedures established under state law that affords substantial due process and is subject to judicial review.

3.3 Disposable Earnings

3.3.1. Include the following items in computing the disposable earnings for members assigned within the continental United States:

3.3.1.1. Basic pay (including Military Service academy cadet and midshipmen pay);

3.3.1.2. Basic allowance for housing for members with dependents, and for members without dependents in the grade of E-7 or higher;

3.3.1.3. Basic allowance for subsistence for commissioned and warrant officers;

3.3.1.4. Career sea pay;

3.3.1.5. Diving pay;

3.3.1.6. Flying pay (all crew members);

3.3.1.7. Proficiency pay or special duty assignment pay;

3.3.1.8. Special pay for medical, dental, optometry, and veterinary officers; and

3.3.1.9. Submarine pay.

3.3.2. Include the following additional items in computing the disposable earnings for members assigned outside the continental United States:

3.3.2.1. Family Separation Allowance - Restricted;

3.3.2.2. Hardship duty pay – location;

3.3.2.3. Special pay for duty subject to hostile fire and imminent danger (applies only to members permanently assigned in a designated area);

3.3.2.4. Special pay for overseas extensions;

3.3.2.5. Overseas housing allowance; and

3.3.2.6. Cost-of-living allowance.

3.3.3. After including the items in subparagraphs 3.3.1 and 3.3.2, subtract the following items to compute the final disposable earnings value:

3.3.3.1. Amounts the member owes the United States;

3.3.3.2. Deductions for the Armed Forces Retirement Home;

3.3.3.3. Fines and forfeitures;

3.3.3.4. Federal and state employment and income taxes to the extent that the amount deducted is consistent with the member’s tax liability;

3.3.3.5. Deductions for Servicemembers' Group Life Insurance;

3.3.3.6. Advances of pay the member received before the date the designated official received notice of the support allotment. (In computing future advance pay requests, deduct the amount of the allotment required by law. See Chapter 32, Table 32-1);

3.3.3.7. Amount of salary offset for travel charge card debt; and

3.3.3.8. Other amounts required by law to be deducted.

3.4 Notice to Designated Official

3.4.1. An authorized person will send to the designated official a signed notice that includes:

3.4.1.1. A statement that delinquent support payments equal or exceed the amount of support payable for 2 months under a support order, and a request that an allotment be established;

3.4.1.2. A certified copy of the support order. If the support order, on its face, appears to conform to the laws of the jurisdiction from which it was issued, then the designated official will not be required to ascertain whether the authority that issued the order had obtained personal jurisdiction over the member;

3.4.1.3. The amount of the monthly support payment. Such amount may include arrearages, if a support order specifies the payment of such arrearages. The notice will indicate how much of the amount payable will be applied toward liquidation of the arrearages;

3.4.1.4. A statement that delinquent support payments are more than 12 weeks in arrears, if appropriate;

3.4.1.5. The following information that identifies the member:

3.4.1.5.1. Full name;

3.4.1.5.2. Social security number; and

3.4.1.5.3. Military Service of the member;

3.4.1.6. The full name and address of the allottee. The allottee will be an authorized person, or designee, or the recipient named in the support order;

3.4.1.7. Any limitations on the duration of the support allotment; and

3.4.1.8. A certification that the official sending the notice is an authorized person.

3.4.2. The notice will be sent by mail or delivered in person to the designated official. The designated official will note the date and time of receipt on the notice.

3.4.3. The notice is effective when it is received in the office of the designated official.

3.5 Notice to Member and Member's Commanding Officer

3.5.1. Upon receipt of a notice of delinquent support payments, together with all required supplementary documents and information, the designated official will review the notice in order to identify the member from whom moneys are due and payable.

3.5.2. If the notice does not sufficiently identify the member, or if the member identified in the notice is not currently entitled to receive military pay, then the notice will be returned directly to the authorized person with an explanation of the reason for its return.

3.5.3. In cases where the designated official is able to identify the member, then as soon as possible, but not later than 15 calendar days after the date of receipt of the notice, the designated official will send to the member, at his or her duty station, a copy of the notice and other legal documentation served on the designated official, along with a letter informing the member of the following:

3.5.3.1. That notice has been received from an authorized person;

*3.5.3.2. That the maximum limitations provided in ***15 U.S.C. § 1673***, (the Consumer Credit Protection Act) apply, and a request that the member submit supporting affidavits or other documentation necessary for determining the applicable percentage limitation;

3.5.3.3. That the member may submit supporting affidavits or other documentation as evidence that the information contained in the notice is in error;

3.5.3.4. That by submitting supporting affidavits or other necessary documentation, the member consents to the disclosure of such information to the party requesting the support allotment;

3.5.3.5. The amount or percentage that will be deducted if the member fails to submit the documentation necessary to enable the designated official to respond to the notice within the prescribed time limits;

3.5.3.6. That a consultation with a judge advocate or legal officer will be provided by the Military Department concerned, if possible, and that the member should immediately contact the nearest legal services office; and

3.5.3.7. The date that the allotment is scheduled to begin.

3.5.4. The designated official will provide the member's commanding officer, or designee, with a copy of the notice and other legal documentation served on the designated official.

The designated official will notify the member's commanding officer, or designee, of the need for consultation between the member and a judge advocate or legal officer.

3.5.5. The member's commanding officer, or designee, will confirm in writing to the designated official within 30 days of notice that the member received a consultation concerning the member's support obligation and the consequences of failure to make payments, or when appropriate, of the inability to arrange such consultation and the status of continuing efforts to fulfill the consultation requirement.

3.5.6. If, within 30 days of the date of the notice, the member has furnished the designated official affidavits or other documentation showing the information in the notice to be in error, then the designated official will consider the member's response. The designated official will return to the authorized person, without action, the notice for a statutory support allotment together with the member's affidavit and other documentation, if the member submits substantial proof of error, such as:

3.5.6.1. The support payments are not delinquent; or

3.5.6.2. The underlying support order in the notice has been amended, superseded, or set aside.

3.6 Payments

3.6.1. The designated official will establish a statutory allotment in an amount necessary to comply with the support order and to liquidate arrearages, if provided by a support order by the first end-of-month payday after the designated official is notified that the member has consulted with a judge advocate or legal official, or that a consultation was not possible, but not later than the first end-of-month payday after 30 days have elapsed from the date of notice to the member. However, the military pay offices will not be required to vary their normal pay and disbursement cycles to comply with notice under this section.

3.6.2. The maximum amount to be allotted under this section, together with any other moneys withheld for support from the member, will not exceed:

3.6.2.1. Fifty percent of the member’s disposable earnings for any month in which the member asserts by affidavit or other acceptable evidence that he or she is supporting a spouse, dependent child, or both, other than a party in the support order. When the member submits evidence, copies will be sent to the authorized person, together with notification that the member’s support claim will be honored. If the authorized person contests the support claim, then that person may refer the matter to the appropriate court or other authority for resolution;

3.6.2.2. Sixty percent of the member's disposable earnings for any month in which the member fails to assert by affidavit or other acceptable evidence that he or she is supporting a spouse, dependent child, or both; or

3.6.2.3. Regardless of the limitations in subparagraphs 3.6.2.1 and 3.6.2.2, an additional 5 percent of the member's disposable earnings will be withheld when the notice states that the total amount of the member's support payments is 12 or more weeks in arrears.

3.6.3. If several notices are sent with respect to the same member, then payments will be satisfied on a first-come, first-served basis within the amount limitations in subparagraph 3.6.2.

3.6.4. Payment of statutory allotments will be enforced over other voluntary deductions and allotments when the member's gross pay and allowances are not sufficient to permit all authorized deductions and collections. The member will be allowed to choose which discretionary allotments to cancel. If the member refuses or is unable to advise which allotments to cancel, then voluntary allotments will be cancelled in the following order:

3.6.4.1. CFC allotment;

3.6.4.2. Savings Bond allotment;

3.6.4.3. Discretionary allotment payable to a financial organization for deposit to the member's account (includes allotments payable to a mutual fund or investment firm and allotments to pay for personal or car loans);

3.6.4.4. MGIB contributions;

3.6.4.5. Allotment to repay loans to Military Service relief agencies and the American Red Cross; and

3.6.4.6. Discretionary allotments in the following order:

3.6.4.6.1. Payments to dependents/relatives;

3.6.4.6.2. Emergency payment to dependents;

3.6.4.6.3. Repayment of home loans and payment of rent;

3.6.4.6.4. Commercial life, health, and dental insurance;

3.6.4.6.5. Navy Mutual Aid Insurance; and

3.6.4.6.6. U.S. Government Insurance.

3.6.5. The authorized person or allottee will notify the designated official promptly if the operative court order upon which the allotment is based is vacated, modified, or set aside.
The designated official will also be notified of any events affecting the allottee's eligibility to receive the allotment, such as the former spouse's remarriage, if a part of the payment is for spousal support, and notice of a change in eligibility for child support payments under circumstances of

death, emancipation, adoption, or attainment of majority of a child whose support is provided through the allotment.

3.6.6. A statutory allotment established under section 3.0 will be adjusted or discontinued upon notice from the authorized person.

3.7 Indemnification

Neither the DoD, nor any of its officers or employees, will be liable for any payment made from moneys due from, or payable by, the DoD to any individual pursuant to notice regular on its face, if such payment is made in accordance with 42 U.S.C. § 659 and section 3.0.

4.0 LEVY ON PAY AND ALLOWANCES FOR ENFORCEMENT OF CHILD SUPPORT OBLIGATIONS

4.1 Authority

The Secretary of the Treasury, upon receiving the certification of the Secretary of Health and Human Services, will assess and collect the amount certified as unpaid child support in the same manner as if the amount were a delinquent federal tax, the collection of which would be jeopardized by delay. (See Chapter 44.)

4.2 Satisfaction of Levy

When the Secretary of the Treasury issues a notice of levy, satisfy the levy in the manner prescribed in Chapter 44. However, in the case of a first assessment against an active duty, retired (including members of the Fleet Reserve and Marine Corps Fleet Reserve), or Reserve member for unpaid child support, satisfaction of the levy will be stayed for a period of 60 days immediately following notice and demand. If a portion of such member's pay is being withheld in garnishment or attachment pursuant to a judgment entered by a court of competent jurisdiction for the support of minor children, then the amount of pay withheld is exempt from the levy.

5.0 INVOLUNTARY ALLOTMENT OF PAY FOR DEBT COLLECTION OTHER THAN CHILD OR SPOUSAL SUPPORT

5.1 General

*5.1.1. The processing of involuntary allotments of pay for debt collection other than child or spousal support is governed by ***5 U.S.C. § 5520a(k)*** and ***32 CFR part 113***. These authorities take precedence when in conflict with this section.

5.1.2. Moneys due from, or payable by, the United States to an active-duty member are subject to involuntary allotment to satisfy a judgment for a debt for other than child or spousal support owed to a third party and issued by a court of competent jurisdiction within any state, territory, or possession of the United States.

5.1.3. Involuntary Allotment process

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the "DoD Components").

b. Does not apply to:

(1) Indebtedness of a Service member to the Federal Government.

(2) Processing of indebtedness claims to enforce judgment against Service members for alimony or child support. Legal processes instituted in civil courts to enforce judgments against Service members for the payment of alimony or child support will be acted on pursuant to Sections 651 through 669b of Title 42, U.S.C., and Volume 7A of DoD 7000.14-R.

(3) Claims by State or municipal governments, including tax collection actions.

5.2 Definitions

The following definitions apply to section 5.0.

5.2.1. Designated Agent. A designated agent is an agent responsible for receiving and processing the involuntary allotment application for active-duty members;

*5.2.2. Active-Duty Member. An active-duty member is a regular member or any member of the RC on active duty pursuant to a call or order for a period in excess of 180 days at the time an application for involuntary allotment is received by DFAS, excluding members in a prisoner of war or missing in action status and retired members;

5.2.3. Exigency of Military Duty. The exigency of military duty is a military assignment or mission-essential duty that, because of its urgency, importance, duration, location, or isolation, necessitates the absence of a member of the Military Services from appearance at a judicial proceeding or prevents the member from being able to respond to a notice of application for an involuntary allotment. Exigency of military duty is normally presumed during periods of war, national emergency, or when the member is deployed.

5.2.4. Final Judgment. The final judgment is a valid, enforceable order or decree, issued by a court from which no appeal may be taken, or from which no appeal has been taken within the time allowed, or from which an appeal has been taken and finally decided.

5.3 Service Directives

The following source directives contain detail on entitlements, policies, and procedures for allotments for commercial debts:

*5.3.1. Army: Army Regulation ***(AR) 637-1***, Military Pay, Allowances Policy and Incentives;

5.3.2. Air Force and Space Force: Department of the Air Force Instruction ***(DAFI) 36-2906***, Personal Financial Responsibility; and

5.4 Involuntary Allotment Application

5.4.1. Designated Agent. The designated agent responsible to receive and process the involuntary allotment applications concerning active-duty members may be contacted at the following address:

DFAS Office of General Counsel
Attn: Garnishment Law Directorate
PO Box 998002
Cleveland, OH 44199-8002
Telephone: 1-888-332-7411
Toll-free Fax: 1-877-622-5930

*5.4.2. Creditor's Application. The creditor initiates the involuntary allotment process by mailing a completed application package, the "Involuntary Allotment Application," DoD ***(DD) Form 2653***, and a certified copy of the final judgment to the designated agent named in subparagraph 5.4.1. A creditor may also submit a certified copy of a Transcript of Judgment, an Abstract of Judgment, or a Notice of Entry of Judgment. The date the documents is imaged in the DFAS system is used as the date of service. Involuntary Allotment Applications submitted by a licensed attorney for the creditor must include evidence of the Attorney Client relationship with the creditor. Involuntary Allotment Applications submitted by an assignee must provide the designated agent with evidence of a properly documented assignment.

5.4.3. Review of Application

5.4.3.1. The designated agent will first identify the pertinent member, and determine whether the member has any funds available for the involuntary allotment. If the designated agent is unable to identify the member, then the designated agent will return the application package directly to the applicant with an explanation of the deficiency.

5.4.3.2. If the member does not have funds available, then the designated agent will stop any further legal processing, and notify the creditor in writing of the reason why no funds are available, and that the creditor must re-serve the involuntary allotment application at a later date. The reasons that no funds are available may include the following:

5.4.3.2.1. The member has separated from military service and is no longer receiving military pay;

5.4.3.2.2. Involuntary allotments are honored on a first-come, first-served basis. If the designated agent is already implementing a previously served involuntary allotment against the member's pay, then no funds will be available until the previous involuntary allotment amount is satisfied; or

5.4.3.2.3. If the member's pay is subject to a previously served garnishment or statutory allotment for spousal or child support, and the amount of the spousal or child support deduction exceeds the maximum amount of pay subject to involuntary allotment (see subparagraph 5.8.4.2), then no funds will be available for the involuntary allotment until the child support deduction is reduced to an amount that is less than the maximum amount of pay subject to involuntary allotment.

*5.4.3.3. If the member has funds available for the involuntary allotment, then the designated agent will conduct a legal review of the application to ensure that it complies with the requirements of 32 CFR part 113 and Department of Defense Instruction 1344.09, to include compliance with the Servicemembers' Civil Relief Act in the judicial proceeding resulting in the final judgment, and determining that the member's pay could be garnished under applicable state law.

5.4.3.4. When the designated agent receives an application package based upon a final judgment, which on its face, appears to conform to the laws of the jurisdiction from which it was issued, the designated agent will not be required to ascertain whether the court that issued the judgment had obtained personal jurisdiction over the member.

5.4.3.5. If the designated agent rejects the creditor's application after the legal review, then the designated agent will provide the creditor with a written notice of any deficiencies.

5.5 Notice to Member and Member's Commanding Officer

5.5.1. Notice Package

*5.5.1.1. The designated agent will send a notification letter, along with a copy of the application package and a ***DD Form 2654***, "Involuntary Allotment Notice and Processing," to the pertinent member, and to the member's commanding officer, in care of the member's unit address of record in the military pay system.

5.5.1.2. The notice letter to the member and the member's commanding officer will state that the involuntary allotment will be established against the member's pay if a response is not received within 90 calendar days from the original date of mailing, unless the member has been granted an extension to respond (see subparagraph 5.6.1.2).

*5.5.1.3. The DD Form 2654 itself provides step-by-step instructions for completing the form and returning it to the designated agent. Paragraph 5.6 is a summary of the response process.

5.5.2. Final Notification Letter. If the designated agent has not received a response to the notice package within 60 days of the date the package was mailed, then the designated agent will send a letter to the member and the member's commanding officer stating that if no response is received or request for extension granted within 90 calendar days from the original date the notice package was mailed, then the involuntary allotment will be established against the member's pay.

5.6 Response by Member and Member's Commanding Officer to Notice of Involuntary Allotment

5.6.1. Commanding Officer's Initial Actions

5.6.1.1. Upon receipt of the notice and accompanying documentation, the commander will determine whether the member is assigned to the commander's unit and available to respond to the involuntary allotment application.

*5.6.1.2. If the member is temporarily unavailable to respond, then the member's commanding officer may grant a reasonable extension of time for the member's response. The commanding officer will notify the designated agent, by completing Section II of the DD Form 2654 and returning a copy of the form to the designated agent, that the member has been granted an extension of time to respond, the date the response is due, and the reason(s) for the extension. The commanding officer should provide appropriate documentation supporting the determination. In the absence of any additional correspondence from the member's commanding officer, the involuntary allotment application may be automatically processed within 15 calendar days after the date a response was due, including any approved extension response date.

*5.6.1.3. If the member is available for counseling, within 5 days of receipt of the application package and the DD Form 2654, then the commanding officer will notify the member of the application, provide the member with a copy of the entire application package, and counsel the member using and completing Section III of the DD Form 2654. The commanding officer's counsel will include notifying the member that he or she has 15 calendar days from receipt of the commanding officer's notice to complete Section IV of the DD Form 2654 and return it to the commanding officer.

5.6.2. Member's Response

*5.6.2.1. After receiving the commanding officer's notification, the member completes Section IV of the DD Form 2654. In Section IV, the member may either acknowledge that the applicant's judgment is valid and consent to the establishment of an involuntary allotment, or contest the involuntary allotment by asserting any of the following defenses, which the member must support with appropriate evidence:

5.6.2.1.1. That the member's rights under the Servicemembers' Civil Relief Act were not complied with during the judicial proceeding upon which the application is based;

*5.6.2.1.2. That exigencies of military duty caused the member's absence from appearing in a judicial proceeding forming the basis for the judgment upon which the application is sought;

5.6.2.1.3. That information contained in the application is false or erroneous in material part;

5.6.2.1.4. That the judgment has been fully satisfied, superseded, or set aside;

5.6.2.1.5. That the judgment has been materially amended, or partially satisfied; or

5.6.2.1.6. That there is a legal impediment to the establishment of the involuntary allotment. For example, the judgment debt has been discharged in bankruptcy, or the automatic stay of enforcement of debts applies because the member has filed for bankruptcy protection, or that the applicant is not the judgment creditor or a proper successor in interest to the creditor.

*5.6.2.2. After completing Section IV, the member returns the DD Form 2654 to his or her commanding officer.

*5.6.3. Commanding Officer's Completion and Return of DD Form 2654

*5.6.3.1. The member's commanding officer completes Section V of the DD Form 2654 and returns it to the designated agent, along with any supporting evidence provided by the member. In Section V, the commanding officer indicates one of the following:

5.6.3.1.1. The member refused to respond by the authorized suspense date, and the form is returned without Section IV being completed by the member; or

5.6.3.1.2. The member has completed Section IV, and the form is returned for appropriate action.

*5.6.3.2. If the member has asserted an "exigencies of military duty" defense in Section IV of the DD Form 2654, then the commanding officer must determine whether the member has validly asserted this defense, and note his or her determination in Section V of the form.

*5.6.3.3. If the commanding officer supports the member's "exigencies of military duty" defense, then the commanding officer must provide the title and address of an appeal authority in Section V in case the applicant wishes to appeal the commanding officer's determination. The appeal authority is the commander immediately superior to the commanding officer who made the determination. If the commanding officer does not designate an appeal authority, then the designated agent will return the DD Form 2654 to the commanding officer with

instructions that this information must be provided in order to complete the form and support the member's "exigencies" defense.

*5.7 Review of Completed DD Form 2654 and Supporting Documentation

*5.7.1. Member Did Not Complete Section IV of DD Form 2654. If the member refused to complete Section IV of the DD Form 2654, then the designated agent will honor the application and implement deductions against the member's pay to satisfy the judgment against the member.

*5.7.2. Member Completes Section IV of DD Form 2654

*5.7.2.1. If the member completes Section IV of the DD Form 2654 and has asserted the "exigencies" defense, and the member's commanding officer has confirmed the "exigencies" defense and provided an appeal authority in Section V of the form, then the designated agent will reject the involuntary allotment application, and provide the applicant with written notice advising the applicant of the following:

5.7.2.1.1. The reason for rejecting the application;

5.7.2.1.2. The name and address of the appeal authority;

5.7.2.1.3. The applicant has 60 days from the date of the designated agent's notice to appeal the commanding officer's "exigencies" determination to the appeal authority;

5.7.2.1.4. The appeal must be in writing and contain sufficient evidence to overcome the presumption that the commander's exigency determination was correct;

5.7.2.1.5. The appeal authority will decide an appeal within 30 days of its receipt, and promptly notify the applicant of the decision. The 30-day decision period may be extended in times of deployment, war, national emergency or other similar situations;

5.7.2.1.6. If the appeal is successful, then the applicant must submit a written request along with a copy of the appeal authority's decision to the designated agent within 15 days of receipt of the decision; and

*5.7.2.1.7. Upon receiving notice of the successful appeal, the designated agent will continue the review of the application package and the DD Form 2654**.**

5.7.2.2. If the member has completed Section IV of the form, and has not asserted the "exigencies" defense, or has asserted it but the member's commanding officer did not confirm it, or if the applicant has successfully appealed an "exigencies" determination, then the designated agent will determine whether the member has successfully asserted any other defenses against the involuntary allotment.

5.7.2.2.1. If the designated agent determines that the member has successfully asserted one or more defenses against the involuntary allotment application, then the

designated agent will reject the application, and notify the applicant in writing of the reason(s) for the rejection.

5.7.2.2.2. If the designated agent determines that the member has not successfully asserted any defenses against the involuntary allotment, then the designated agent will implement deductions against the member's pay to satisfy the judgment against the member.

5.8 Pay Subject to Involuntary Allotment

5.8.1. Types of Pay Subject to Involuntary Allotment. Only the following types of pay are subject to the involuntary allotment process:

5.8.1.1. Basic pay (excluding the reduction for education benefits under the MGIB;

5.8.1.2. Special pay, to include:

5.8.1.2.1. Health care professionals (Including optometrists, dental officers, psychologists, non-physician health care providers, registered nurses, nurse anesthetists, nurse corps officers, and medical officers);

5.8.1.2.2. Veterinarians;

5.8.1.2.3. Diving duty;

5.8.1.2.4. Foreign duty;

5.8.1.2.5. Career sea pay;

5.8.1.2.6. Command pay;

5.8.1.2.7. International military headquarters;

5.8.1.2.8. Proficiency pay and special duty assignment pay for enlisted members;

5.8.1.2.9. Reenlistment bonus;

5.8.1.2.10. Enlistment bonus;

5.8.1.2.11. Prior service enlistment bonus;

5.8.1.2.12. Hostile fire or imminent danger pay;

5.8.1.2.13. Nuclear officer continuation bonus;

5.8.1.2.14. Nuclear career accession bonus;

5.8.1.2.15. Nuclear career annual incentive pay;

5.8.1.2.16. Enlisted members extending duty at designated overseas locations;

5.8.1.2.17. Foreign language proficiency pay;

5.8.1.2.18. Officers in critical acquisition positions extending period of active duty;

5.8.1.2.19. Aviator Bonus;

5.8.1.2.20. Selective Reenlistment Bonus;

5.8.1.3. Incentive pay, including:

5.8.1.3.1. Hazardous duty;

5.8.1.3.2. Aviation incentive pay; and

5.8.1.3.3. Submarine duty;

5.8.1.4. Accrued leave payments (basic pay portion only);

5.8.1.5. Readjustment pay; and

5.8.1.6. Severance pay, including disability severance pay.

5.8.2. Pay and Allowances Not Subject to Involuntary Allotment. Separation pay is not subject to involuntary allotment. In addition, allowances paid under U.S.C. Titles 10 and 37, and other reimbursements for expenses incurred in connection with duty in the Military Service or allowances in lieu thereof, are not subject to the involuntary allotment.

5.8.3. Other Amounts Not Subject to Involuntary Allotment. After computing the pay subject to involuntary allotment, the following items must be deducted to compute the amount of disposable pay subject to involuntary allotment:

5.8.3.1. Federal and state income tax withholding (amount is limited to that which is necessary to fulfill the member's tax liability);

5.8.3.2. FICA tax;

5.8.3.3. Armed Forces Retirement Home;

5.8.3.4. Servicemembers' Group Life Insurance;

5.8.3.5. Indebtedness to the United States (including tax levies);

5.8.3.6. Fines and forfeitures ordered by a court-martial or a commanding officer; and

5.8.3.7. Amounts otherwise required by law to be deducted from a member's pay (except payments for garnishments for child support, alimony or mandatory allotments for child or spousal support).

5.8.4. Maximum Amount of Pay Subject to Involuntary Allotment

5.8.4.1. The involuntary allotment will not exceed the lesser of 25 percent of a member's pay subject to involuntary allotment or the maximum percentage of pay subject to garnishment proceedings under the applicable state law.

5.8.4.2. If the member's pay is subject to a garnishment or statutory allotment for spousal or child support, in addition to the involuntary allotment application, then the combined amounts deducted from the member's pay will not exceed the lesser of 25 percent of a member's pay subject to involuntary allotment or the maximum percentage of pay subject to garnishment proceedings under the applicable state law. If the maximum percentage allowed for involuntary allotments would be exceeded by both deductions, then garnishments and statutory allotments for spousal and child support take priority over the involuntary allotment.

5.8.5. Voluntary Allotments to be Discontinued. Payment of an involuntary allotment will be enforced over other voluntary deductions and allotments when the member's net pay is not sufficient to permit all authorized deductions and collections. If necessary, voluntary allotments will be cancelled in the following order:

5.8.5.1. CFC;

5.8.5.2. Savings bonds;

5.8.5.3. Payment to a financial organization for deposit to the member's account (includes allotments payable to a mutual fund or investment firm and allotments to pay for personal or car loans);

5.8.5.4. MGIB Program contributions;

5.8.5.5. Repay loans to Military Service relief agencies and the American Red Cross; and

5.8.5.6. Discretionary allotments in the following order:

5.8.5.6.1. Payments to dependents/relatives;

5.8.5.6.2. Emergency payment to dependents;

5.8.5.6.3. Repayment of home loans and payment of rent;

5.8.5.6.4. Commercial life, health, and dental insurance;

5.8.5.6.5. Navy Mutual Aid Insurance; and

5.8.5.6.6. U.S. Government Insurance.

5.9 Starting Involuntary Allotment Payments

5.9.1. The designated agent will begin involuntary allotment payments within 30 days after the 90-day notification process described in subparagraph 5.5.1.2 is complete. The designated agent is not required to vary the normal military pay and disbursement cycles to comply with the application package.

5.9.2. Payment of involuntary allotments will be enforced over other voluntary deductions and allotments when the member's net pay is not sufficient to permit all authorized deductions and collections. The member will be allowed to choose which discretionary allotments to cancel. If the member refuses or is unable to advise which allotments to cancel, then allotments will be cancelled in accordance with subparagraph 5.8.5.

5.10 Stopping Involuntary Allotment Payments

*5.10.1. Involuntary allotment payments will continue until the amount specified in the judgment is collected, including interest as annotated by the applicant in Section I of DD Form 2653, "Involuntary Allotment Application."

5.10.2. The designated agent will stop involuntary allotment payments prior to satisfying the judgment amount if one of the following conditions applies:

5.10.2.1. The member separates from active duty at which time the applicant will be informed that the allotment is discontinued because the member is no longer receiving military pay;

5.10.2.2. The applicant notifies the designated agent that the operative court order upon which the allotment is based has been vacated, modified, or set aside, or the designated agent is notified of an event affecting the applicant's eligibility to receive the allotment; or

5.10.2.3. The applicant requests that the involuntary allotment be discontinued.

5.10.3. The applicant will refund directly to the member any amounts overpaid within 30 days of discovery or notice of overpayment.

5.11 Final Interest

*5.11.1. Within 30 days following collection of the amount of the judgment, including interest annotated in Section I of the DD Form 2653, the applicant may submit one final statement showing any unpaid balance due to interest that accrued during the payment period.

5.11.2. The final statement must be accompanied by a statement of account showing how the remaining interest was calculated.

*5.12 Indemnification

Neither the DoD, nor any officer or employee thereof, will be liable for failure to make payment or for any payment made from moneys due from, or payable by, the Military Services to any individual pursuant to an application package that is regular on its face, if such payment is made in accordance with this section and 32 CFR part 113.

*REFERENCES

CHAPTER 41: GARNISHMENTS AND OTHER INVOLUNTARY ALLOTMENTS

2.0 - GARNISHMENT OF PAY FOR ENFORCEMENT OF CHILD SUPPORT AND ALIMONY OBLIGATIONS

2.1	42 U.S.C. § 659
	5 CFR part 581
2.4.9	5 CFR part 581.104(h)(2)(i)
2.5	26 U.S.C. § 6331
2.9	5 CFR part 581.302
	5 CFR part 581.305(f)
2.10	42 U.S.C. § 659

3.0 - STATUTORY ALLOTMENTS FOR CHILD AND SPOUSAL SUPPORT

3.1	42 U.S.C. § 665
3.2	42 U.S.C. § 665
3.3	15 U.S.C. § 1672
3.5	15 U.S.C. § 1673
3.7	42 U.S.C. § 659

4.0 - LEVY ON PAY AND ALLOWANCES FOR ENFORCEMENT OF CHILD SUPPORT OBLIGATIONS

4.1	26 U.S.C. § 6305

5.0 - INVOLUNTARY ALLOTMENT OF PAY FOR DEBT COLLECTION OTHER THAN CHILD AND OR SPOUSAL SUPPORT

5.1	5 U.S.C. § 5520a(k)
	32 CFR part 113
5.8	32 CFR part 113.3
5.8.3.7	42 U.S.C. § 659
	42 U.S.C. § 665

VOLUME 7A, CHAPTER 42: "DISCRETIONARY ALLOTMENTS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
5.2.1	Changed Army Regulation (AR) 37-104-4 to AR 637-1.	Revision
5.2.3	Updated the "Commercial Insurers" subparagraph, to include the U.S. Space Force in accordance with Public-Law (P.L.) 116-92, section 952, dated December 20, 2019, and the Department of Defense Instruction 1344.07_Department of the Air Force Instruction 36-2925, dated April 26, 2023.	Revision
Table 42-1 Table 42-2 Table 42-3	Updated tables to include the U.S. Space Force in accordance with P.L. 116-92, section 952, dated December 20, 2019.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 42

DISCRETIONARY ALLOTMENTS

1.0 GENERAL

1.1 Purpose

This chapter prescribes the policy for Military Service members having discretionary allotments. Service members are authorized no more than six discretionary allotments. Additionally, Service members are authorized no more than one discretionary allotment to the same allottee. To start a discretionary allotment on and after January 1, 2015, Service members will certify that, "Under the penalty of the Uniform Code of Military Justice, I certify that this allotment is NOT for the purchase, lease, or rental of personal property or payment toward personal property." See sections 3.0 through 7.0 for examples of allowable allotments.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Title 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ADMINISTRATION OF DISCRETIONARY ALLOTMENTS

2.1 Discontinuance

Effective January 1, 2015, Service members are not authorized to start allotments for the purchase, lease, or rental of personal property. Personal property includes vehicles (e.g., automobiles, motorcycles, or boats), appliances or household goods (e.g., a washer, dryer, furniture), electronics (e.g., a laptop, tablet, cellphone, or television), and other consumer items that are tangible and movable.

2.2 Grandfathering

Allotments described in paragraph 2.1 that exist on a Service member's pay account prior to January 1, 2015, may continue, and Service members may change the amount of these allotments. If, for any reason, an allotment described in paragraph 2.1 is stopped, the allotment is not authorized to be restarted.

2.3 Other Provisions

See Chapter 40, section 3.0 for other administrative provisions regarding allotments.

3.0 ALLOTMENTS TO FINANCIAL INSTITUTIONS

Service members may have an allotment to a financial institution, mutual fund company, or investment firm where the Service member is the owner of the account. If there are multiple accounts at the same financial institution, the payments must be combined into one allotment amount.

4.0 ALLOTMENTS TO DEPENDENTS OR RELATIVES

Service members may authorize allotments of pay to their dependents, relatives, or former spouse(s). The allotment may be payable to an individual or to a financial organization for credit to the account of the allottee, or a joint account of the allotter and allottee.

5.0 INSURANCE ALLOTMENTS

5.1 General

Service members may have an allotment for the payment of insurance premiums.

5.2 Commercial Insurers

Commercial insurers are eligible allottees. All new allotments for paying premiums on commercial insurance must be approved under the following Military Service regulations:

* 5.2.1. Army: Army Regulation (AR) ***(AR) 637-1*** and ***AR 210-7***;

5.2.2. Navy and Marine Corps: Secretary of the Navy Instruction ***(SECNAVINST) 1740.2F Series***; or

* 5.2.3. Air Force and Space Force: DoD Instruction (DoDI) 1344.07_Department of the Air Force Instruction ***(DAFI) 36-2925***.

All payments to an insurer are made to the home office of the agency issuing the policy or to a branch office named by the home office. A Service member is not authorized to establish an insurance allotment to a financial institution where the allotment is established for and/or controlled by the insurance company. A Service member may have more than one allotment for commercial insurance. If the Service member has more than one insurance policy with the same company, then premium payments must be combined into one allotment to that company.

5.3 Navy Mutual Aid Insurance (Navy and Marine Corps Only)

The Navy Mutual Aid is an authorized allottee for the payment of life insurance. If the Service member has both the regular premium and the extra hazardous duty premium, then the payments must be combined into one allotment.

5.4 Effective Dates for Starting, Changing, and Stopping Allotments

Tables 42-1, 42-2, and 42-3 prescribe effective dates to start, change, or stop allotments.

6.0 ALLOTMENTS FOR PAYMENT OF MORTGAGE OR RENT

Service members may authorize allotments of pay for mortgage or rent payment to a financial institution, mortgage company, realtor, or to a landlord.

7.0 ALLOTMENT FOR THE SAVINGS DEPOSIT PROGRAM

Service members may authorize an allotment into the Savings Deposit Program. This allotment will be processed in accordance with the procedural instructions of the Military Service concerned. The restrictions in Chapter 51 are applicable when starting this type of allotment.

*Table 42-1. Dates to Start Insurance Allotments

RULE	If a Service member of	authorizes a/an	then start allotment effective the first day of the month
1	the Army, Air Force or Space Force	insurance allotment	specified by the Service member, if authorization will reach the allotment office before the date specified in Military Service procedural regulations. The allotment may be effective with the month allotter enters on duty but only when an enlisted Service member, warrant officer, or graduate of a Service academy is commissioned, or when an enlisted Service member is appointed as a warrant officer.
2	the Navy or Marine Corps	commercial insurance or a Navy Mutual Aid allotment	specified by the Service member, if authorization will reach the allotment office before the date specified in Military Service procedural regulations.

*Table 42-2. Dates to Change Insurance Allotments

RULE	If a Service member of	has a	and the	then start allotment effective the first day of the month	and start new allotment effective the first day of the month
1	the Army, Air Force or Space Force	commercial insurance	Service member or accounting and finance officer requests a change in the allotment	specified in the allotment document, if authorization will reach the allotment office before the date specified in Military Service regulations	following the month the old allotment is stopped.
2	the Navy or Marine Corps	commercial insurance or a Navy Mutual Aid allotment	Service member or accounting and finance officer requests a change in the allotment	specified in the allotment document, if authorization will reach the allotment office before the date specified in Military Service regulations	following the month the old allotment is stopped.

*Table 42-3. Dates to Stop Insurance Allotments

RULE	If a Service member of the	authorizes a	and	then stop allotment effective the first day of the
1	Army, Air Force or Space Force	commercial insurance allotment	the Service member requests the allotment to be stopped	month specified by the Service member, if authorization will reach the allotment office before the date specified in Military Service procedural regulations.
2	Navy or Marine Corps	commercial insurance or a Navy Mutual Aid allotment	the Service member requests the allotment to be stopped	month specified by the Service member, if authorization will reach the allotment office before the date specified in Military Service procedural regulations.
3	Army, Air Force or Space Force	commercial insurance allotment	is absent without leave (AWOL) for 10 days or more	latest month in which enough pay accrues to satisfy deduction.
4	Navy or Marine Corps	commercial insurance or Navy Mutual Aid allotment	is AWOL for 15 days (or less, if allotment discontinuance is necessary to prevent overpayment)	month before the month in which absence began, if authorization will reach allotment office before the date specified in Military Service procedural regulations; otherwise, stop the month the absence began.
5	Army, Air Force or Space Force	commercial insurance allotment	the convening authority approves a court-martial sentence imposing total forfeiture of pay and allowances	latest month in which enough pay accrues to satisfy deduction.
6	Navy or Marine Corps	commercial insurance or Navy Mutual Aid allotment	the convening authority approves a court-martial sentence imposing total forfeiture of pay and allowances	month prior to the date in which the convening authority approves the court-martial sentence.

*Table 42-3. Dates to Stop Insurance Allotments (Continued)

RULE	If a Service member of the	authorizes a	and	then stop allotment effective the first day of the
7	Army, Air Force or Space Force	commercial insurance allotment	has insufficient "take home" pay to satisfy Internal Revenue Service (IRS) notice of levy	month before the month in which IRS notice of levy is received. (Stop insurance allotments only if discontinuance of other discretionary allotments will not satisfy the levy.)
8	Navy or Marine Corps	commercial insurance, or Navy Mutual Aid allotment	has insufficient "take home" pay to satisfy IRS notice of levy	month before the month in which IRS notice of levy is received. (Stop insurance allotments only if discontinuance of other discretionary allotments will not satisfy the levy.)
9	Army, Air Force or Space Force	commercial insurance allotment	has insufficient pay, because of reduction in grade, nonpay status, or stoppage of pay, to warrant continuance of allotment	latest month in which enough pay accrues to satisfy deduction. Avoid stopping allotment unnecessarily or earlier than required.
10	Army, Navy, Air Force, Marine Corps or Space Force	commercial insurance or a Navy Mutual Aid allotment	is separated, retires, or dies	(See procedural regulations of Military Service concerned.)

*REFERENCES

CHAPTER 42 - DISCRETIONARY ALLOTMENTS

2.0 - ADMINISTRATION OF DISCRETIONARY ALLOTMENTS

37 U.S.C., section 701

2.1 Office of the Under Secretary of Defense (OUSD) Memo, November 21, 2014

5.0 - INSURANCE ALLOTMENTS

5.2.1. AR 637-1, July 26, 2021
AR 210-7, October 18, 2007
5.2.2. SECNAVINST 1740.2F, June 18, 2019
5.2.3. DODI1344.07_DAFI 36-2925, April 26, 2023
Public Law (P.L.) 116-92, section 952, December 20, 2019

6.0 - ALLOTMENTS FOR PAYMENT OF MORTGAGE OR RENT

OUSD Memo, November 21, 2014

Table 42-1 – DATES TO START INSURANCE ALLOTMENTS

P.L. 116-92, section 952, December 20, 2019

Table 42-2 – DATES TO CHANGE INSURANCE ALLOTMENTS

P.L. 116-92, section 952, December 20, 2019

Table 42-3 – DATES TO STOP INSURANCE ALLOTMENTS

P.L. 116-92, section 952, December 20, 2019

VOLUME 7A, CHAPTER 43: "NONDISCRETIONARY ALLOTMENTS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
References	Updated statutes and supporting references.	Revision

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CHAPTER 43

NONDISCRETIONARY ALLOTMENTS

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to provide the policies for members of the Armed Forces to initiate nondiscretionary allotment deductions from their pay accounts.

1.2 Authoritative Guidance

The pay policies and requirements established by the Department of Defense (DoD) in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 5, 10, and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ALLOTMENTS FOR THE PURCHASE OF SAVINGS BONDS

The U.S. Department of the Treasury (Treasury) discontinued the purchase of paper savings bonds through federal payroll deduction effective October 1, 2010. Military members may purchase electronic savings bonds by establishing a personal ***TreasuryDirect*** account with the Treasury and then initiating a nondiscretionary allotment made payable to the Treasury at their TreasuryDirect account. Members are authorized one nondiscretionary allotment for the purchase of bonds.

2.1 Establishment of Allotment

Members electing to purchase electronic savings bonds will first create an account in TreasuryDirect. This account can be used to purchase multiple bonds. Once created, members must either log into myPay or contact their servicing finance office to establish an allotment to the TreasuryDirect account. The following information is required to initiate the allotment:

2.1.1. The routing transit number for TreasuryDirect is 051736158,

2.1.2. The TreasuryDirect account number provided by the Treasury, and

2.1.3. The specific dollar amount (as opposed to a percentage of pay) to be deducted monthly.

NOTE: The myPay system also requires that the member designate an account type either checking or savings, even though that designation is inapplicable to an allotment to a TreasuryDirect account.

2.2 Change or Cancellation of Allotments

Members may change or cancel their allotments through myPay, or through their servicing finance office.

2.3 Administration of Allotments

Details covering the administration of savings bond allotments are contained in the procedural instructions of the Military Service concerned.

2.4 Safekeeping of Bonds

The Federal Reserve Bank printed and mailed all U.S. Savings Bonds previously stored in safekeeping by the Defense Finance and Accounting Service to members. Members who did not receive all their savings bonds will need to file a claim with the U.S. Treasury Bureau of Fiscal Services through TreasuryDirect. To file a claim, members need to follow the instructions found on the TreasuryDirect website. Members must create a TreasuryDirect account, as the reissued bonds will be deposited to the account electronically.

3.0 CHARITABLE CONTRIBUTIONS

3.1 General

3.1.1. Combined Federal Campaign (CFC). In accordance with Title 5, Code of Federal Regulations, part 950 ***(5 CFR 950)***, annual solicitations for donations to various community charity drives have been coordinated into a single combined fund-raising campaign. Basic information on the CFC and the DoD CFC Overseas Campaign is contained in the DoD Instruction ***(DoDI) 5035.01***.

3.1.2. Service Relief Organizations (SROs). Members are authorized to make charitable contributions by allotment to the Army Emergency Relief, Navy and Marine Corps Relief Society, or affiliates of the Air Force Assistance Fund.

3.1.3. Allotment. Members meeting the requirements of this section may authorize a class C allotment for a charitable contribution to the CFC (domestic or overseas) or to any of the Military SROs indicated in subparagraph 3.1.2. All allotments authorized are paid centrally by the offices shown in Chapter 40, section 7.0.

3.2 Limitations

Allotments for CFC and SROs must be at least $1 per month, and each allotter is authorized only one CFC and one SRO allotment.

3.3 Discontinuance (CFC Only)

Once an allotment is stopped, it may not be reinstated during the current allotment period. (This limitation does not apply to Navy or Marine Corps members when the allotment is stopped because of change in pay group.) An allotment stops:

3.3.1. At the end of the authorized withholding period;

3.3.2. Upon member's written request; or

3.3.3. Upon separation (except when discharged and immediately reenlisted at the same station without a break in service), release from active duty, transfer to the Fleet Reserve or Fleet Marine Corps Reserve, retirement, or death.

3.4 Transfer

When a member participating in a CFC campaign is transferred, the CFC allotment continues unless the member submits a written discontinuance request.

3.5 Administration of Allotment

Details covering charitable contribution allotments are in the procedural instructions of the Military Department concerned.

4.0 NONDISCRETIONARY ALLOTMENT FOR PRIVATIZED HOUSING PAYMENT

4.1 General

The Military Housing Privatization Initiative (MHPI) authorizes assignment of Service members to privatized housing units. Service members assigned to privatized housing units are entitled to Basic Allowance for Housing (BAH). The member may be required to make lease payments for such housing in the form of an allotment. A member is authorized to initiate a nondiscretionary allotment for this payment.

4.2 Restrictions

4.2.1. A member is authorized only one nondiscretionary allotment for the privatized housing payment.

4.2.2. A change to the member's BAH amount due to promotion, demotion, administrative, or legislative action may require a change to the allotment amount. Under these or other circumstances, the Service member is responsible for ensuring the allotment amount is changed.

4.2.3. The Service member is responsible for reconciling overpayments or underpayments with the property manager.

4.2.4. The nondiscretionary allotment is restricted to lease payments to entities participating in the MHPI. An allotment to private individuals, corporations, firms, partnerships, companies, state or local government, or housing authority of a state or local government, not associated with the MHPI, is not authorized.

5.0 NONDISCRETIONARY ALLOTMENT (SALARY OFFSET) FOR DELINQUENT TRAVEL CHARGE CARD DEBT

5.1 Authority

Under the provisions of the "Travel and Transportation Reform Act of 1998," heads of agencies may, upon written request of a federal contractor, collect, by deduction from the amount of pay owed to an employee of the agency, any undisputed amount of funds the employee owes to the travel charge card contractor that is delinquent. The Act defines the term 'employee' as an individual employed in or under an agency, including a member of any of the Uniformed Services. A member of one of the Uniformed Services is an employee of that Uniformed Service.

5.2 Procedures

Salary offset for a military member's undisputed delinquent travel charge card debt must follow the procedures contained in Volume 16, Chapter 2 and Chapter 3. The amount deducted from a member's pay for any pay period may not exceed 15 percent of disposable pay for the pay period, unless the member consents in writing to the deduction of a greater percentage of pay. Disposable pay will be calculated in accordance with Chapter 41.

*REFERENCES

CHAPTER 43 - NONDISCRETIONARY ALLOTMENTS

2.0 - ALLOTMENTS FOR THE PURCHASE OF SAVINGS BONDS

2.1	31 CFR 363
2.3	37 U.S.C., section 553(a)

3.0 - CHARITABLE CONTRIBUTIONS

	5 CFR 950
	DoDI 5035.01, June 6, 2017, Change 2, April 13, 2022
3.1.1.	Executive Order 13743, October 13, 2016

4.0 - NONDISCRETIONARY ALLOTMENT FOR PRIVATIZED HOUSING PAYMENT

	10 U.S.C. § 2882

5.0 - NONDISCRETIONARY ALLOTMENT (SALARY OFFSET) FOR DELINQUENT TRAVEL CHARGE CARD DEBT

5.1	5 U.S.C. § 5520a(k)(2)
	Public Law 105-264, section 2(d), October 19, 1998
	5 U.S.C. § 5520a
	DoDI 1344.09, February 1, 2022
5.2	5 U.S.C. § 5514

VOLUME 7A, CHAPTER 44: "WITHHOLDING OF INCOME TAX"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
Table 44-1	May 2025: Added Gaza Strip's Mediterranean Territorial Seas in accordance with the Office of the Assistant Secretary of Defense Manpower and Reserve Affairs Memo, dated May 13, 2025.	Addition
Table 44-1	Added Israel and Kenya as Designated Direct Support Area for Combat Zone Tax Exclusion for an indefinite period.	Addition
Table 44-3	Added end dates for Albania, Montenegro, and Serbia.	Revision
References	Updated to reflect current statutes and policy memos.	Revision

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CHAPTER 44

WITHHOLDING OF INCOME TAX

1.0 GENERAL

1.1. Purpose

The purpose of this chapter is to describe the Federal Income Tax Withholding (FITW) and State Income Tax Withholding (SITW) requirements and procedures for Service member wages.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with ***Title 26, United States Code (U.S.C.), section 112*** and ***37 U.S.C. § 351***. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 WITHHOLDING FROM CURRENT PAY

2.1 Wages Subject to FITW and SITW

The taxable pay of all Service members is subject to FITW and SITW, except as listed in paragraph 2.2. See Table 44-4. The taxable value of certain non-cash fringe benefits is also subject to federal and applicable state income taxes. See Table 44-4, rules 21 and 22.

2.2 Wages Not Subject to FITW and SITW

2.2.1. Combat Zone (CZ) Tax Exclusion (CZTE)

2.2.1.1. Effective November 21, 1995. All compensation of an enlisted member or warrant officer received for a month in which the enlisted member or warrant officer performed active duty in a CZ or Qualified Hazardous Duty Area (QHDA) (referenced in subparagraph 2.3.1) qualifies for the CZTE under subparagraph 2.3.2. For commissioned officers, no more than an amount equal to the maximum CZTE in effect for any month during any part of which such officers perform active duty in a CZ or QHDA, qualifies for the CZ or QHDA tax exclusion under subparagraph 2.3.2.

2.2.1.2. Maximum CZTE. The amount of the maximum combat zone tax exclusion in effect for a qualifying month equals the sum of the basic pay for the senior enlisted member (see Chapter 1) and the amount of hostile fire or imminent danger pay actually payable to the officer for the qualifying month. Also see Table 44-4, rules 1 through 4.

2.2.2. Puerto Rico and Commonwealth of Northern Mariana Islands (CNMI)

The U.S. Treasury Department has entered into an agreement with Puerto Rico and CNMI that requires the withholding of U.S. territorial income taxes instead of U.S. federal income tax for Service members who claim Puerto Rico or CNMI as their state of legal residence or domicile (as determined by applicable territorial laws and the Servicemembers Civil Relief Act under ***50 U.S.C. § 4001***) and are serving:

2.2.2.1. On active duty in the regular or reserve components of the:

2.2.2.1.1. Army,

2.2.2.1.2. Navy,

2.2.2.1.3. Air Force and Space Force,

2.2.2.1.4. Marine Corps, or

2.2.2.1.5. Coast Guard,

2.2.2.2. In the National Guard and participating in exercises or performing duty under ***32 U.S.C. § 502***; or

2.2.2.3. In the Ready Reserve and participating in scheduled drills or training periods or are serving on active duty for training under ***10 U.S.C. § 10147***.

2.3 CZTE for Active Service in a CZ, QHDA or in Direct Support of a CZ or QHDA

2.3.1. Locations

2.3.1.1. Designated Direct Support Areas of a CZ. Table 44-1 contains the CZ designated direct support areas as of the date of this publication. For the most current areas, see the ***Designated Direct Support Areas of a Combat Zone (CZ)*** table.

2.3.1.2. Designated CZ Areas. Table 44-2 contains the designated CZ areas and the Executive Orders authorizing the designations, as of the date of this publication. For the most current CZ areas, see the ***Combat Zone Tax Exclusion (CZTE)*** table.

2.3.1.3. QHDA. Table 44-3 contains the QHDAs and the public laws authorizing the QHDAs, as of the date of this publication. For the most current QHDAs, see the ***Qualified Hazardous Duty Areas*** table.

2.3.2. Qualification for CZTE for Active Service in a CZ, QHDA or in Direct Support of a CZ or QHDA. A Service member is entitled to CZ or QHDA tax exclusion for any month during any part in which:

2.3.2.1. Active Service. The member performs active service in a CZ or QHDA designated area. Periods in the zone or area during which a member is absent from the duty assignment because of sickness, wounds, internment by the enemy, or other lawful cause are periods of active service.

2.3.2.2. Prisoner Of War (POW) or Missing In Action (MIA). The member becomes a POW or MIA while in active service in a CZ or QHDA. Such personnel are deemed, to continue in active service in the CZ or QHDA for the period for which they are entitled to a POW or MIA status for military pay purposes.

2.3.2.3. Absence. The member is granted official leave or is authorized to depart from assigned duty in a CZ or QHDA for other lawful cause and is directed to perform Temporary Additional Duty or Temporary Duty (TAD/TDY), unless the member is absent for the entire calendar month for leave or TAD/TDY.

2.3.2.4. Airspace. The member is present, however briefly, in the CZ or QHDA on official duty. When the airspace over a CZ or QHDA is included as part of the zone or area, a member who passes over or through the zone or area during the course of a trip between two points, both of which lie outside the zone or area, is entitled to an exclusion only if the member is assigned to official TAD/TDY to the airspace of the zone or area, or qualifies for hostile fire or imminent danger pay as a result of the flight. If the airspace is not designated for hostile fire or imminent danger pay (but is part of the designated zone or area), then a member must be assigned to perform duty in the airspace rather than flying over the zone or area as in an incidental part of the trip to qualify for the exclusion. The fact that most members are in an official duty status when flying through a designated airspace should not be construed to mean they are assigned to the airspace to perform duty and are therefore entitled to the exclusion. The following examples apply:

Example 1. Member A is assigned as a navigator in an air unit stationed outside the CZ. On June 4, during the course of a flight between his home base and another base outside the CZ, the aircraft on which he serves as a navigator flies over a CZ (given that the airspace is part of the designated CZ). Member A is not on official TAD/TDY in the airspace of the CZ and does not qualify for hostile fire or imminent danger pay as a result of the flight. Accordingly, he is not deemed to have served in a CZ since he passes through the zone without either being on official duty to the CZ or qualifying for hostile fire or imminent danger pay.

Example 2. Same scenario as example 1, except that the airspace is not part of the designated zone and Member B is entitled to hostile fire or imminent danger pay as a result of the flight. Member B is deemed to have served in a CZ and is entitled to the CZTE if his duties are determined to be in direct support of the military operation in the zone.

Example 3. Member C is a navigator in an air unit stationed outside a CZ. On June 4, she is ordered to perform duty (execute a mission) in the airspace over the CZ (which is part of the designated zone) and return to her home station outside the CZ. Member C is not entitled to hostile fire or imminent danger pay as a result of

the flight. She is, however, entitled to the CZTE for the month of June for performing official TAD/TDY in the airspace (CZ) during that period.

2.3.2.5. Direct Support. The member performs military duties in areas outside the CZ or QHDA in direct support of military operations in the CZ or QHDA and qualifies for hostile fire or imminent danger pay under 37 U.S.C. § 351. (The hostile fire or imminent danger pay entitlement must be related to activities or circumstances in the CZ or QHDA.) Unit commanders who believe that their personnel qualify for CZTE treatment under this provision must request the appropriate designation. The Principal Deputy Under Secretary of Defense (USD) for Personnel and Readiness (P&R) is responsible for designating direct support areas in accordance with (IAW) DoD Instruction (DoDI) 1340.25, paragraph 4(b)(3). Once the area has been designated as a direct support area, all members serving in that area, who also receive hostile fire or imminent danger pay will qualify for CZTE benefits, unless otherwise specified.

2.3.2.5.1. When members are entitled to tax exclusion under this paragraph, entitlement continues for periods of absence, prisoner or missing status, and TAD/TDY as stated for service in the actual CZ or QHDA in subparagraphs 2.3.2.1, 2.3.2.2, 2.3.2.3, or 2.3.2.4.

2.3.2.5.2. Military service is considered to be in direct support if it has the effect of maintaining, upholding, or providing assistance for those involved in military operations in the CZ or QHDA. The following examples are provided to assist in determining whether personnel qualify for CZ or QHDA tax exclusion. In each case, personnel must also be entitled to hostile fire pay or imminent danger pay:

Example 1. Services rendered on a supply vessel transporting supplies to a CZ or QHDA are in direct support of military operations in the CZ or QHDA, because the act of transporting necessary supplies is a function included within the concept of providing direct support of military operations.

Example 2. If an aircraft in a nearby country outside the CZ or QHDA is used to transport supplies and personnel into the CZ or QHDA, then the members of the ground crews who load the aircraft and the maintenance personnel who maintain the aircraft all qualify for CZ or QHDA tax exclusion. In addition, members who maintain and control the airstrip (e.g., as a meteorologist or air traffic controllers) are performing services in direct support of military operations in the CZ or QHDA and qualify for the tax exclusion.

Example 3. Members of a unit or installation who support and assist other members of that unit or installation who serve in direct support of military operations in a CZ or QHDA are considered to be serving in direct support of military operations in the CZ or QHDA. Generally, all members who serve in support of operations at an installation where some members serve in direct support of military operations in a CZ or QHDA are considered to be serving in direct support of military operations in that CZ or QHDA (e.g., unit or installation personnel for an airstrip would qualify).

2.3.2.6. Hospitalization. The member is hospitalized or re-hospitalized in any location as a result of wounds, disease, or injury incurred while serving in a CZ or QHDA or while serving in areas identified in subparagraph 2.3.2.5. A member is considered as hospitalized or re-hospitalized until such time as status as a hospital patient ceases by reason of discharge from the hospital. CZ or QHDA tax exclusion under this subparagraph will not apply to any months beginning more than 2 years after the date specified by the President in an Executive Order as the date of the termination of combatant activities in the CZ.

2.3.3. Periods for Which Tax Exclusion Does Not Apply. Members who are in the CZ or QHDA merely for their own convenience, e.g., while on leave from a duty station not in the zone or area, are not entitled to the exclusion.

2.3.4. Tax Abatement in Case of Death

2.3.4.1. A member who dies in a CZ or QHDA or as a result of wounds, disease, or injury incurred while serving in the CZ or QHDA is exempt from federal income tax for:

2.3.4.1.1. The tax year in which death occurs, and

2.3.4.1.2. Any prior tax year ending on or after the first day served in a CZ or QHDA.

2.3.4.2. Income tax liability is forgiven for any federal income tax owed for a prior year that remains unpaid on the date of death.

2.3.4.3. If an individual in a CZ or a QHDA is in missing status and is declared dead by Secretarial determination, for purposes of the tax abatement rules stated in subparagraph 2.3.4.1, the date of death is the date of the determination and not earlier. The tax abatement rules in subparagraph 2.3.4.1 do not apply for any taxable year that begins more than 2 years after it is determined that the area in which the Service member went missing is no longer a CZ or QHDA under 26 U.S.C. § 112.

2.3.4.4. The deceased member's survivors, executor, or administrator may contact the Internal Revenue Service (IRS) for guidance in claiming the tax abatement.

2.3.5. Termination Date Other Than Cases of Hospitalization. In no case will the tax exclusion authorized in subparagraphs 2.3.2.1 through 2.3.2.6, for active duty members, extend beyond the effective date specified in an Executive Order terminating the designation of the CZ. In the case of QHDAs, the exclusion will not extend beyond the effective date of the termination of hostile fire or imminent danger pay for the area.

2.4 Tax Abatement for Death Caused by Terrorist or Military Action Overseas

A member whose death was caused by terrorist or military action (excluding training exercises) qualifies for federal tax abatement under the provisions of ***26 U.S.C. § 692(c)***. No federal income tax liability is imposed on the deceased member for the year of death and for prior

tax year(s) beginning with the tax year before the injuries or wounds occurred. The deceased member's survivors, executor, or administrator may contact the IRS for guidance in claiming the tax abatement.

2.5 Rate of Withholding

2.5.1. General. The FITW/SITW will be IAW Treasury Department Circular E and Treasury Department regulations governing SITW as implemented in Military Service directives.

2.5.2. Additional FITW and SITW. A member, entitled to CZTE while TAD or TDY, may authorize that regular withholding be continued. A member entitled to CZTE may authorize an additional amount to be withheld. The member's pay account will be adjusted for the CZTE. See the applicable procedural instructions of the Military Service concerned for preparation of additional tax withholding requests and effective dates.

2.6 State and Local Taxes

2.6.1. Tax Requirements. The state in which a member claims legal residence (i.e., domicile) may tax compensation and other income regardless of the member's location. Compensation for Military Service, however, is not taxable by any state, territory, possession, political subdivision, or district that is not the member's legal residence.

2.6.2. Legal Residence. Each member must designate a legal residence and report any changes of legal residence. A member's legal residence does not change solely because of a change of permanent station. Legal residence at the time of entry into the Armed Forces remains the same until changed by the member. A member makes notification of legal residence or change of legal residence by submitting a DoD (DD) Form 2058, State of Legal Residence Certificate.

2.6.3. Native Americans. Native American Service members who claim a federally recognized tribal reservation as their state of legal residence are not subject to state taxes. A Native American Service member makes notification of a federally recognized tribal reservation as a state of legal residence by submitting a DD 2058-2, Native American SITW Exemption Certificate.

2.6.4. Withholding. Compensation for military service that is subject to federal taxation is also subject to the mandatory withholding of income taxes on behalf of those states (including the District of Columbia) that have entered into an agreement for the purpose of such withholding with the Secretary of the Treasury. See a list of the current States/Territories who have withholding agreements with the Treasury Department on the Defense Finance and Accounting Service (DFAS) website ***(DFAS.mil)***.

2.6.5. Disclosure of Withholding Information. The furnishing of annual wage and tax information of military members to states (including the District of Columbia) that have a withholding agreement with the Treasury Department must comply with the Privacy Act of 1974. Based upon regulatory provisions pertaining to disclosure to the states, the wages of a member who claims exemption from withholding should not be reported to a state without the member's consent. In lieu of reporting the wages of members who claim exemption from state tax

withholding, name, social security number, and the member's claimed basis for exemption will be provided to the state. This rule applies to all Military Services and pay systems.

2.6.6. Delinquent Taxes. DoD has no authority to involuntarily collect delinquent state tax liabilities of members.

2.7 Nonresident Aliens

2.7.1. Tax Liability. A Service member, who is a nonresident alien, is liable for U.S. income tax on pay attributable to service performed in the United States, even if such pay is not subjected to FITW because of the provisions in subparagraph 2.7.2. A nonresident alien member's pay attributable to service performed outside the United States is not subject to U.S. income tax. Service in a possession of the United States is considered duty outside the United States. A nonresident alien member is not disqualified from eligibility for any of the income exclusions or withholding exemptions set forth in Chapters 44 and 45 because of a nonresident alien status.

2.7.2. Income Tax Withholding. The pay of a nonresident alien for any period of service within the United States exceeding 60 calendar days is subject to FITW. Such pay also may be subject to SITW, depending on the state residency status of the alien. Pay for periods of service within the United States of 60 calendar days or less, or for service outside the United States, is not subject to FITW or SITW. The nonresident alien member nevertheless is subject to federal income taxation, and may be subject to state income taxation, on pay for all days of service within the United States and is responsible for reporting and paying any tax due on all such income.

3.0 COLLECTION OF DELINQUENT FEDERAL TAXES BY LEVY

3.1 Authority

When a member does not pay any federal income tax due within 30 days after the IRS has issued a notice and payment demand to the member, the IRS may collect the tax by levy on the member's salary or other income. Receipt by the cognizant Military Service (or DFAS Site) of a levy notice is the legal authority to commence collection of the delinquent federal income taxes after taking into consideration the appropriate exemptions.

3.2 Levy Processing Procedures

3.2.1. The IRS serves the tax levy by mail. The IRS Form 668-W(c), Notice of Levy on Wages, Salary, and Other Income, includes instructions for the employer (Military Service) and the employee (member).

3.2.2. Upon receipt of the levy, the disbursing officer immediately:

3.2.2.1. Completes part 3 and returns the levy to the IRS if no funds are due the member (for example, higher precedence deductions (Chapter 52, Table 52-1) or if the member is in a status described in paragraph 3.3); or

3.2.2.2. Forwards parts 2 through 5 to the member if funds are due or soon will become due.

3.2.3. The member certifies his or her filing status and number of personal exemptions and returns parts 3 and 4 to the disbursing officer within 3 days (or other period authorized by the IRS in coordination with the Military Service concerned and as established within Military Service regulations). If the member does not return parts 3 and 4, then the levy will be processed as if the member is "married filing a separate return with one personal exemption."

3.2.4. The levy will continue in effect until the amount due in the levy notice is collected or until released by the IRS.

3.2.5. Forward a misrouted levy notice or levy release to the member's servicing DFAS Site.

3.3 Effect on Members in a CZ or QHDA

3.3.1. The disbursing officer immediately will complete part 3, with appropriate notations, and return the levy to the IRS if the member is:

3.3.1.1. Serving (performing official duties) in a designated CZ or QHDA for any period of time;

3.3.1.2. Serving (performing official duties) outside a designated CZ or QHDA, but in direct support of military operations in a CZ or QHDA, and in receipt of hostile fire or imminent danger pay as a result of duties performed in direct support of designated CZ or QHDA operations;

3.3.1.3. Continuously hospitalized as a result of service in a designated CZ or QHDA (limited to 5 years of hospitalization in the United States); or

3.3.1.4. In a missing status.

3.3.2. Levy deferment remains in effect for 180 days after a member no longer meets any of the criteria listed in subparagraph 3.3.1. The levy deferment begins again (including a new 180-day clock) when a member re-qualifies for deferment (again meets one of the criteria listed in subparagraph 3.3.1), with one exception. Re-hospitalization for a previously treated wound, illness, or injury does not re-qualify a member, nor does it stop/restart a 180-day clock.

3.4 Attachment of Earnings and Payment to IRS

3.4.1. The member's "take home pay," minus exempt amounts claimed via the member's certified claim on part 3 of the levy, will be attached and sent to the IRS until the levy is satisfied or released by the IRS. The member's usual pay deductions will continue while the levy is in effect.

3.4.2. When exemptions are equal to or exceed the member's "take home pay," the disbursing officer will so advise the IRS office that served the levy.

4.0 INSTALLMENT COLLECTION OF DELINQUENT TAXES

4.1 Agreement for Liquidation of Federal Tax Indebtedness by Payroll Deductions

A member may arrange with the IRS to pay delinquent taxes by monthly deductions from pay using IRS 2159, Payroll Deduction Agreement. A member may not cancel an agreement once it is in effect. The Military Services handle agreements in accordance with subparagraphs 4.1.1 through 4.1.3.

4.1.1. Army. Collect and pay to IRS as prescribed for payment of indebtedness to instrumentalities and agencies of the government.

4.1.2. Navy and Marine Corps. Process the agreement as a T allotment if the period of liquidation is 3 months or longer. If the period is less than 3 months, then the disbursing officer pays each month to IRS in the amount of the deduction.

4.1.3. Air Force and Space Force. Process as a Class T allotment.

4.2 Change of Member's Status During Liquidation Period

See Table 44-4.

*Table 44-1. Designated Direct Support Areas of a CZ
The most current listing is on the Designated Direct Support Areas of a Combat Zone (CZ) table. (Note 1)

Location	Effective Dates	
	From	Through
Djibouti – Military Personnel serving in Djibouti due to their service in direct support of military operations in the Afghanistan CZ (note 2).	July 1, 2002	
*Gaza Strip Mediterranean Territorial Seas and Air Space – Military Personnel serving in Israel due to their service in direct support of military operations in the Arabian Peninsula CZ specifically, the Arabian Peninsula, the Red Sea and Iraq, as designated by Executive Order 12744 (note 3).	March 16, 2023	
*Israel – Military Personnel serving in Israel due to their service in direct support of military operations in the Arabian Peninsula CZ specifically, Iraq, as designated by Executive Order 12744. The land area of Israel includes Jerusalem and the Golan Heights and excludes the West Bank (note 3).	March 16, 2023	
Jordan – Military Personnel serving in Jordan due to their service in direct support of military operations in the Afghanistan CZ (note 2).	September 19, 2001	
Jordan – Military Personnel serving in direct support of military operations in the Arabian Peninsula CZ (note 3).	March 19, 2003	
*Kenya – Military Personnel serving on the land area or adjacent littoral waters of the Cooperative Security Location (CSL) Manda Bay Kenya in direct support of military operations in the Arabian Peninsula CZ, specifically the Gulf of Aden as designated by Executive Order 12744. The land area and adjacent littoral waters of the CSL Manda Bay, Kenya are defined by the following latitude and longitude coordinates: 2°08’44”S - 40°53’20”E, 2°08’48”S - 40°56’00”E, 2°11’18”S - 40°53’15”E, 2°11’31”S - 40°56’00”E (note 3).	September 26, 2023	

Table 44-1. Designated Direct Support Areas of a CZ (Continued)
The most current listing is on the Designated Direct Support Areas of a Combat Zone (CZ) table. (Note 1)

Location	Effective Dates	
	From	Through
Lebanon – Military Personnel serving in Lebanon in direct support of military operations in the Arabian Peninsula CZ (note 3).	February 12, 2015	
Pakistan – Military Personnel serving in Pakistan due to their service in direct support of military operations in the Afghanistan CZ (note 2).	September 19, 2001	
Somalia – Military Personnel serving in: 1. Somalia due to their service in direct support of military operations in the Afghanistan CZ; 2. Somalia airspace; or 3. Water area of the Somali Basin including the following coordinates: - 11°10'N-51°15'E; - 06°00'N-48°30'E; - 05°00'N-50°30'E; - 11°30'N-53°34'E; - 05°00'N-50°30'E; - 01°00'N-47°00'E; - 03°00'S-43°00'E; - 01°00'S-41°00'E; and - 06°00'N-48°30'E (note 2).	January 1, 2004 January 1, 2007 January 1, 2007	
Syria – Military Personnel serving in Syria due to their service in direct support of military operations in the Arabian Peninsula CZ (note 3).	January 1, 2004	
Turkey – Military Personnel serving in Turkey east of the 33.51 degrees East Longitude due to their service in direct support of military operations in the Arabian Peninsula CZ (note 3).	September 19, 2016	
Yemen – Military Personnel serving in Yemen due to their service in direct support of military operations in the Afghanistan CZ (note 2).	April 10, 2002	

Table 44-1. Designated Direct Support Areas of a CZ (Continued)
The most current listing is on the Designated Direct Support Areas of a Combat Zone (CZ) table. (Note 1)

NOTES:

1. In order to have CZTE treatment of wages for services performed in a designated direct support area, a member must be entitled to hostile fire or imminent danger pay while performing service in the designated direct support area.
2. The Afghanistan CZ is the area designated by Executive Order 13239.
3. The Arabian Peninsula CZ is the area designated by Executive Order 12744.

Table 44-2. Designated CZ Areas
The most current listing is on the Combat Zone Tax Exclusion (CZTE) table.

Authority	Location(s) to include the airspace above	Effective Dates	
		From	Through
Executive Order 12744 (The Arabian Peninsula Areas)	Arabian Sea North of 10 degrees North Latitude; and West of 68 degrees East Longitude; Bahrain; Gulf of Aden; Gulf of Oman; Persian Gulf; Iraq; Kuwait; Qatar; Oman; Red Sea; Saudi Arabia; and United Arab Emirate	January 17, 1991	
Executive Order 13119	Albania; The Adriatic Sea; The Federal Republic of Yugoslavia (Serbia/Montenegro); and The Ionian Sea north of the 39th parallel	March 24, 1999	
Executive Order 13239	Afghanistan	September 19, 2001	

*Table 44-3. QHDA
The most current listing is on the Qualified Hazardous Duty Areas table.
See Note 1

Authority	Location(s)		Effective Dates	
			From	Through
Public Law 104-117 Note 2	Bosnia; Croatia; Herzegovina; and Macedonia		Nov 21, 1995	Oct 31, 2007
Public Law 106-21 Note 3	Albania; The Adriatic Sea;		Mar 24, 1999	Mar 31, 2002
	The Federal Republic of Yugoslavia;	Kosovo		
		Montenegro		June 1, 2014
		Serbia		June 1, 2014
	The Ionian Sea north of the 39th parallel			
Public Law 115-97	Egypt (Sinai Only)		June 9, 2015	

NOTE:

1. In order to have CZTE treatment of wages for services performed in a QHDA, a member must be entitled to hostile fire pay (HFP) or imminent danger pay (IDP) while performing service in the QHDA.
2. IDP for Bosnia and Herzegovina; Croatia; and Macedonia was terminated October 31, 2007.
3. Albania had IDP terminated 31 March 2002; Serbia had IDP terminated 1 June 2014; and Montenegro had IDP terminated 1 June 2014. If, and when Executive Order 13119 is rescinded, Albania, Serbia, and Montenegro will no longer qualify as a QHDA.

Table 44-4. Taxability of Items of Military Pay and Allowances

RULE	If item is	then item is (notes 1, 2, and 3) taxable and subject to FITW/SITW	then item is (notes 1, 2, and 3) taxable but not subject to FITW/SITW	then item is (notes 1, 2, and 3) not taxable
1	basic pay (note 4)	for any month that CZ or QHDA exclusions do not apply (notes 5 and 6).		when earned in a CZ or QHDA. For limits applicable to commissioned officers' (O-1 and above) pay, see subparagraph 2.2.1.2 (notes 5, 6 and 7); for members in a missing status, see subparagraph 2.3.2.2.
2	incentive pay or hazardous duty pay (see Chapters 22 through 24)	for any month that CZ or QHDA exclusions do not apply (notes 5 and 6).		when earned in a CZ or QHDA. For limits applicable to commissioned officers' (O-1 and above) pay, see subparagraph 2.2.1.2 (notes 5, 6 and 7); for members in a missing status, see subparagraph 2.3.2.2.
3	special pay (see Chapters 3, 5, 8, 10, 11, 15, 17, and 18)	for any month that CZ or QHDA exclusions do not apply (notes 5 and 6).		when earned in a CZ or QHDA. For limits applicable to commissioned officers' (O-1 and above) pay, see subparagraph 2.2.1.2 (notes 5, 6 and 7); for members in a missing status, see subparagraph 2.3.2.2.
4	lump-sum payment of accrued leave (basic pay portion)	for any month that CZ or QHDA exclusions do not apply (notes 5 and 6).		when earned in a CZ or QHDA. For limits applicable to commissioned officers' (O-1 and above) pay, see subparagraph 2.2.1.2; (notes 5, 6 and 7) for members in a missing status, see subparagraph 2.3.2.2.
5	a bonus entitlement (including installments)	if earned (reenlists, extends, signs agreement) in a month during which CZTE does not apply.		when earned (reenlists, extends, signs agreement) in a month during which CZ or QHDA exclusion applies, regardless of whether the member fulfills the bonus contract service requirement before entering or after returning from the CZ or QHDA (notes 5, 6 and 7).

Table 44-4. Taxability of Items of Military Pay and Allowances (Continued)

RULE	If item is	then item is (notes 1, 2, and 3) taxable and subject to FITW/SITW	then item is (notes 1, 2, and 3) taxable but not subject to FITW/SITW	then item is (notes 1, 2, and 3) not taxable
6	National Call to Service Bonus (NCSB) or Education Loan Repayment Program (ELRP)			for the NCSB for the actual months that are served in a CZ or QHDA during the initial 15 months of service following initial entry training; and for the ELRP for the actual month served in a CZ or QHDA out of the 12-month period. (note 6 and note 8)
7	separation pay, readjustment pay, or severance pay (except for disability) (note 9)	and remains taxable income subject to reporting and withholding, even if paid during any month in which the CZ exclusion applies.		
8	contract cancellation pay	and remains taxable income subject to reporting and withholding, even if paid during any month in which the CZ exclusion applies.		
9	pay forfeited by court martial sentence or non-judicial punishment (note 10)			and is loss of entitlement to pay in the amount of the forfeiture (however, remaining pay is subject to tax withholding (note 11)).

Table 44-4. Taxability of Items of Military Pay and Allowances (Continued)

RULE	If item is	then item is (notes 1, 2, and 3) taxable and subject to FITW/SITW	then item is (notes 1, 2, and 3) taxable but not subject to FITW/SITW	then item is (notes 1, 2, and 3) not taxable
10	payment(s) of travel and transportation costs incurred while carrying on business of U.S. Government (includes any temporary lodging entitlements)	if assignments are over 1 year. All travel reimbursement expenses are taxable, regardless of whether the reimbursements exceed the traveler's expenses IAW Internal Revenue Code 162(a) and Revenue Rule 99-7.	if the amounts received are in excess of actual travel and transportation costs incurred while carrying on business of U.S. Government. The amount will not be reported on IRS W-2 or 1099, but the member will account for such payment(s) on applicable individual income tax returns.	in temporary assignments lasting a year or less, if members receive the government per diem rate (or an amount less than the per diem rate). The amount received is not taxable, because the members' expenses are deemed to be substantiated IAW Revenue Procedure 2011-47.
11	an incentive payment paid to member for Personally Procured Move per Volume 9, Chapter 6, paragraph 3.2	at time of payment.		
12	muster duty allowance	at time of payment under the provisions of Chapter 58, subparagraph 2.5.2.		
13	funeral duty allowance	at time of payment.		
14	personal money allowance	and will be reported on IRS W-2.		

Table 44-4. Taxability of Items of Military Pay and Allowances (Continued)

RULE	If item is	then item is (notes 1, 2, and 3) taxable and subject to FITW/SITW	then item is (notes 1, 2, and 3) taxable but not subject to FITW/SITW	then item is (notes 1, 2, and 3) not taxable
15	an allowance (Basic Allowance for Subsistence, Basic Allowance for Housing, Family Separation Allowance, clothing and uniform allowances, and overseas station allowances) (note 12)			at any time.
16	death gratuity			at any time.
17	an otherwise taxable item of pay earned by member but unpaid at death		and will be reported on IRS 1099-MISC when paid to beneficiary (note 13).	if the pay was subject to the CZ or QHDA exclusion. See Rules 1-4.
18	special separation bonus or voluntary separation incentive (VSI)	at the flat withholding rate (currently 22 percent) for FITW and at the appropriate SITW rate for Special Separation Bonus payments and initial VSI payments. Withhold taxes from VSI installment payments at the annual withholding rate contained in IRS Circular E (note 14).		
19	Inactive duty training (IDT) pay	at time of payment (CZTE does not apply to pay for IDTs).		

Table 44-4. Taxability of Items of Military Pay and Allowances (Continued)

RULE	If item is	then item is (notes 1, 2, and 3) taxable and subject to FITW/SITW	then item is (notes 1, 2, and 3) taxable but not subject to FITW/SITW	then item is (notes 1, 2, and 3) not taxable
20	former captive payment (see Chapter 37)		if payment is for former captive status resulting from a lawful action. Payment will be reported on IRS W-2 (note 13).	if payment is for former captive status resulting from the deprivation of personal rights.
21	employer provided home-to-work transportation	even if transportation is provided for security reasons (note 15).		
22	employer-provided parking	to the extent that the value exceeds the monthly exclusion limit (note 15).		to the extent that the value is equal to or less than the monthly exclusion limit.
23	Thrift Savings Plan (TSP)	for Roth TSP contributions, since Roth contributions are after-tax contributions.	For traditional TSP contributions, taxes are deferred until contributions are withdrawn.	if TSP contributions are made from pay earned in a CZ or QHDA (for commissioned officers, limited to maximum monthly CZTE amount).
24	waived portion of court martial forfeiture of taxable pay or pay and allowances (Chapter 48)	see Chapter 48.		

NOTES:

1. Whether military pay and allowances are subject to state income taxes depends upon the law of the member's state of legal residence. Items of pay and allowances that are not subject to FITW, however, will not be subject to SITW. Items of pay and allowances subject to FITW will be subject to SITW if the member's state of legal residence has entered into a withholding agreement with the Secretary of the Treasury. The total or partial exclusion by states of military pay from income will be recognized in the computation of the amount of state income tax to be withheld.
2. If a member receives an overpayment of a taxable pay item, the overpayment should be reported in the year paid unless the CZ or QHDA tax exclusion applies. If recovery of the overpayment is waived, remitted, or canceled, then there are no additional tax reporting requirements. If the overpayment consists of a nontaxable pay item, then the overpayment should not be reported as taxable income if the resulting debt is waived, remitted, or canceled.

Table 44-4. Taxability of Items of Military Pay and Allowances (Continued)

NOTES (Continued):

3. Taxable wages and withholding must reflect the debt in the year the overpayment was received. Collection action will impact taxable wages and withholding (if applicable) as collection is made, but only if made in the same year as the original payment.
4. Excludes the reduction of basic pay for educational benefits under the "New Montgomery GI Bill" after December 31, 1985. Members wishing to increase their Montgomery G.I. Bill benefits may contribute up to $600, IAW ***38 U.S.C. § 3011(e)***. This contribution is not a reduction in basic pay and therefore, does not reduce a member's taxable wages.
5. Add the payments (rules 1 through 6) made currently or at a later date for a commissioned officer (O-1 and above) to other pay for the month (up to the highest rate of pay payable to any enlisted member) to calculate the maximum amount to be applied for CZ or QHDA tax exclusion. (See Chapter 35, subparagraph 2.3.2.)
6. For commissioned officers (O-1 and above), the amount of the maximum CZTE in effect for a qualifying month equals the sum of the basic pay for the senior enlisted member (grade E-9) payable (Basic Pay – Enlisted, Note 3) plus the amount of hostile fire or imminent danger pay actually payable to the officer for the qualifying month.
7. Only pay and allowances actually earned during any month in which a CZ or QHDA designation applies are excludable, even if paid in a later, non-qualifying month. Entitlements earned during any non-qualifying month, but paid in a month the exclusion applies, remain taxable. Accrued leave payments qualify only for that portion of days that were actually earned during a qualifying month.
8. The tax exempt computation for the NCSB and ELRP will be the number of months in the CZ/QHDA divided by 15 months for the NCSB or 12 months for the ELRP. The resulting percentage will be multiplied against the bonus or loan amount. The result will be the tax exempt amount for the member.
9. See Chapter 35, paragraph 5.4 for exceptions to taxation of disability severance pay.
10. This does not apply to waived forfeitures, which are subject to FITW and FICA withholding. See Chapter 48.
11. This does not apply to fines imposed by courts-martial or non-judicial punishments. Withhold tax from the member's full pay credited before deducting the fine. Report the full amount of the pay credited, without deducting the fine, as taxable income.
12. Allowances considered nontaxable on September 9, 1986, remain nontaxable. Any allowance created after September 9, 1986, will be taxable for federal and state income tax purposes unless specified otherwise.
13. Exception is pay earned for any month CZ or QHDA exclusion applies. CZs and QHDAs are so designated by Executive Order or statute, respectively.
14. Special Separation Bonus and VSI payments remain taxable even if a member signs the agreement to separate while serving in a CZ or QHDA.

Table 44-4. Taxability of Items of Military Pay and Allowances (Continued)

NOTES (Continued):

15. Home-to-work provided transportation and employer provided parking.

a. Per the DoD Manual 4500.36-R, the USD Comptroller and USD (P&R) jointly will issue updated annual guidance concerning the valuation, on a monthly basis, of taxable government employer-provided home-to-work transportation fringe benefits provided to certain military members. Armed Forces Tax Council service representatives will annually distribute the updated guidance to the Military Services.

b. Each DoD Component will determine the value, to be calculated on a monthly basis, of government employer-provided taxable parking fringe benefits provided to military members.

c. Valuation must be accomplished utilizing the provisions of the Internal Revenue Code (See IRS Publication 15-B) and Treasury Regulations. Each member's Service will:

(1) Identify members receiving government employer-provided home-to-work transportation and/or parking fringe benefits;

(2) Certify fringe benefits are authorized, calculate and certify the value of the taxable fringe benefits, and submit the appropriate taxable gross income amounts to the servicing DFAS central site, no less often than once a year. Exception: When members receive taxable fringe benefits from active duty assignments outside their DoD Component, the agency providing the taxable fringe benefits (such as parking) calculates the value of the benefit provided, and the member's Service verifies the correctness of the calculation; and

(3) Keep members who receive such benefits advised of the tax liability annually accruing to them.

d. Each member's certified taxable fringe benefits amount must be sent to the servicing DFAS central site no less often than annually and not later than December 15, each year, for processing to:

(1) Include the taxable non-cash benefit amounts in member's gross income;

(2) Withhold and deduct appropriate federal and state income taxes (not FICA taxes); and

(3) Generate an IRS W-2 that reflects the adjusted gross income and withholding amounts. The military services' field finance offices are not authorized to process taxable fringe benefits as additional taxable wages, to withhold applicable taxes, or to generate a manual IRS W-2.

Table 44-5. Collection of Delinquent Taxes by Installment - Change of Member's Status

RULE	When a member who has arranged with the IRS for installment collection of delinquent taxes	and	then	and
1	is discharged or released from active duty	immediately reenlists	deduct from member's pay as agreed with IRS without interruption.	
2	is discharged or released from active duty	does not immediately reenlist	deduct from final pay enough to liquidate the remaining indebtedness, or all available if the remaining indebtedness is more than is available	notify IRS of the member's separation.
3	enters a period of unauthorized absence for which pay, and allowances are not payable	is a member of the Army, Air Force or Space Force	deduct from member's pay, and pay to IRS for the month the absence begins, the amount agreed to or as much as is available if less than agreed to	suspend further deductions and payments for tax indebtedness until member is restored to a pay status. If deductions and payments are suspended at the time additional payment is due, then notify IRS. Remove suspension when member is restored to a pay status. Deduct and pay for the month of restoration as much as is available if less than the agreed to amount.

*Table 44-5. Collection of Delinquent Taxes by Installment - Change of Member's Status (Continued)

RULE	When a member who has arranged with the IRS for installment collection of delinquent taxes	and	then	and
4	enters a period of unauthorized absence for which pay, and allowances are not payable	is a member of the Navy or Marine Corps and a T allotment has not been established	deduct from member's pay, and pay to IRS for the month the absence begins, the amount agreed to or as much as is available if less than agreed to	notify IRS of the member's separation.
5	enters a period of unauthorized absence for which pay, and allowances are not payable	is a member of the Navy or Marine Corps and a T allotment has been established	cancel the T allotment on the 15th day following the date absence began (or earlier if necessary to prevent allotment overpayment)	suspend further deductions and payments for tax indebtedness until member is restored to a pay status. If deductions and payments are suspended at the time additional payment is due, then notify IRS. Remove suspension when member is restored to a pay status. Deduct and pay for the month of restoration as much as is available if less than the agreed to amount.
6	has qualified for collection deferment because of service in a CZ or enters hospitalized/missing status as a result of service in a CZ (see note)		defer initiating collection effective the month entering such status	commence collection IAW paragraph 2.3.2.6.

NOTE: Includes direct support of CZ operations and QHDAs.

*REFERENCES

CHAPTER 44 - WITHHOLDING INCOME TAX

2.0 - WITHHOLDING FROM CURRENT PAY

2.1	Treasury Regulation 1.162-1(b)
2.2.1.	26 U.S.C. § 112
	IRS Publication 3 (2023)
2.2.2.	IRS Publication 80 (2023)
	Title 31, Code of Federal Regulations (CFR), part 215
	Treasury Financial Manual (TFM), Volume 1, Part 3, Chapter 5000
2.3.1. and 2.3.3.	26 U.S.C. § 112
2.3.2.	IRS Publication 3 (2023)
2.3.2.5.	IRS Notice 2002-17, Question and Answer 6
	37 U.S.C. § 351
	DoDI 1340.25
2.3.5.3.	IRS Publication 3 (2023)
2.4	26 U.S.C. § 692(C)
2.5.2.	26 U.S.C. § 3402I
2.6	TFM, Volume 1, Part 3, Chapter 5000
2.6.2.	50 U.S.C. § 4001
2.6.3.	TFM, Volume 1, Part 3, Chapter 5000
2.6.4.	TFM Volume 1, Part 3, section 5070
	TFM, Part 3, Chapter 5000
2.6.5.	Defense Finance and Accounting Service-Denver DGM Memo, March 18, 1993
2.7	26 U.S.C. § 871
2.7.1.2.	26 CFR 301.7701(b)-1
2.8	26 U.S.C. § 3507

3.0 - COLLECTION OF DELINQUENT FEDERAL TAXES BY LEVY

3.1	26 U.S.C. § 6321(a)
	26 U.S.C. § 6331
3.3	26 U.S.C. § 7508
3.4	26 U.S.C. §§ 6331, 6334

Table 44-1 – DESIGNATED DIRECT SUPPORT AREAS OF A CZ

Djibouti	Office of the USD (OUSD) (P&R) Memo, November 21, 2002
Gaza Strip	OUSD (P&R) Memo, May 13, 2025

Israel	USD (P&R) Memo, November 21, 2023
Jordan	USD (P&R) Memo, December 14, 2001 IRS Publication 3 (2023) page 15
Kenya	USD (P&R) Memo, October 6, 2023
Lebanon	USD (P&R) Memo, October 21, 2015 OUSD (P&R) Memo, March 2, 2020
Pakistan	USD (P&R) Memo, December 14, 2001
Somalia	OUSD (P&R) Memo, October 17, 2006 USD (P&R) Memo, December 31, 2013
Syria	OUSD (P&R) Memo, January 7, 2005
Turkey	OUSD (P&R) Memo, April 13, 2017 USD (P&R) Memo, April 13, 2022
Yemen	ASD (FM&P) Memo, August 13, 2002

Table 44-2 – DESIGNATED CZ AREAS

	Executive Order 12744, January 17, 1991 Executive Order 13119, March 24, 1999 Executive Order 13239, September 19, 2001

Table 44-3 – QHDA

	Public Law 104-117, March 20, 1996 Public Law 106-21, April 19, 1999 OUSD (P&R) Memo, March 27, 2007 USD (P&R) Memo, December 31, 2013 Public Law 115-97, section 11026, December 22, 2017

Table 44-4 – TAXABILITY OF ITEMS OF MILITARY PAY AND ALLOWANCES

	26 U.S.C. § 112 IRS Publication 3 (2023)
Rules 5 and 6	Treasury Regulation 1.112-1
Rule 7	26 U.S.C. § 112 Waterman v. Commissioner, 179 F.3d 123 (4th Circuit. 1999)
Rule 10	Public Law 94-212, February 9, 1976
Rule 11	Treasury Regulation 1.62-2

	Treasury Regulation 31.3401(a)
	31 CFR 215.8
Rule 16	26 U.S.C. §134(b)
Rule 18	IRS Notice 1036 (December 2018)
Rule 20	Assistant Secretary of Defense (ASD) Force Management and Personnel (FM&P) Memo, January 15, 1987
	Department of the Treasury Office of Chief Counsel Memo June 24, 1988
	Office ASD(FM&P) Memo, November 18, 1991
Rules 21 and 22	Treasury Regulation 1.162-1(b) (5) and 1.262-2(e)
	IRS Notice 94-3
	10 U.S.C. § 2637
Notes 2 and 3	Treasury Regulation 1.61-12
Note 4	38 U.S.C. § 3011
Notes 5 and 12	Public Law 104-117, March 20, 1996
Note 6	26 U.S.C. § 112
Note 7	26 U.S.C. § 112
Note 11	26 U.S.C. § 134
Note 15	IRS Publication 15-B

Table 44-5 – COLLECTION OF DELINQUENT TAXES BY INSTALLMENT - CHANGE OF MEMBER'S STATUS

Rule 6	26 U.S.C. § 7508

VOLUME 7A, CHAPTER 45: "FEDERAL INSURANCE CONTRIBUTIONS ACT (FICA)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated March 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
3.1	Updated the "FICA Percentage Rates" table on DFAS.MIL to include the 2023 rates in accordance with the Internal Revenue Service, Publication 15 (Circular E), dated December 19, 2023.	Revision
References	Updated supporting statutes and references.	Revision

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CHAPTER 45

FEDERAL INSURANCE CONTRIBUTIONS ACT (FICA)

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to the FICA requirement for Federal Agencies to withhold Social Security and Medicare taxes from the basic pay of military members covered by the Social Security Act, and to pay matching FICA taxes to the Social Security Administration. The FICA tax component for Old Age, Survivors, and Disability Insurance (OASDI) tax is also called Social Security tax, and the FICA tax component for Hospital Insurance tax, is also called Medicare tax. The OASDI tax rate applies only to those basic pay payments that do not exceed the annually variable OASDI wage base. There is no cap on wages subject to the withholding of Medicare tax.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.), including Titles 26, 36, and 42. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 REQUIREMENTS

2.1 Service members Subject to FICA

Any Service member appointed to, enlisted in, or inducted into any Military Service is subject to FICA tax. This includes Service members serving in:

2.1.1. The Military Service Academies (excluding foreign nationals);

2.1.2. An aviation cadet status; or

2.1.3. A combat zone.

2.2 Taxable Wages

The following wages are subject to FICA withholding:

2.2.1. Basic pay (excluding reduction for educational benefits under the Montgomery G.I. Bill);

2.2.2. Inactive duty compensation;

2.2.3. Taxable amounts earned but unpaid at the date of death (subject to the maximum earnings tax) if paid to the beneficiary during the same calendar year in which the Service member's death occurs;

2.2.4. Basic pay or compensation earned when absence is the result of injury, sickness, or hospitalization;

2.2.5. Taxable amounts received prior to the Government's voidance of the Service member's enlistment contract; and

2.2.6. Waived portions of forfeitures of basic pay payable to dependent(s) of a confined Service member as prescribed in Chapter 48.

3.0 DEDUCTION OF FICA TAX

*3.1 Amount

See the "***Contribution and Benefit Base***" on the Social Security website or the ***FICA Percentages, Maximum Taxable Wages, and Maximum Tax*** table on DFAS.MIL for the withholding percentage rate and the total maximum tax.

3.2 Maximum Tax

Discontinue deductions when the Service member's total active-duty basic pay plus inactive duty compensation equals the annual maximum earnings subject to FICA withholding, and when the maximum tax has been deducted.

3.3 Effect of Punishment, Absence, and Non-Pay Status

See Table 45-1.

3.4 More Than One Employer

Deduct FICA taxes regardless of any amounts previously or currently being deducted by another employer. Each Military Service is considered a separate employer; however, cross-servicing of a Service member's pay account between the Military Services does not constitute a change of employer. A break in service of any length within the same Military Service does not constitute a change of employer. Consider all FICA tax withheld during the calendar year in determining the total amount withheld. If this amount is in excess of the maximum tax, then the Service member may claim the excess from the Military Service concerned, and adjustments will be made accordingly.

3.5 Retroactive Entitlements and Deductions

Retroactive entitlements and deductions will adjust the pay for the year in which they are made and will be reflected in the tax reporting for the quarter in which they are paid. All retroactive payments are subject to FICA withholding at the rates in effect at the time of payment. If the Service member has been discharged, separated, or retired, then issue an Internal Revenue Service (IRS) Form W-2, Wage and Tax Statement.

3.6 Indebtedness

FICA taxes previously withheld may not be used to offset any indebtedness.

Table 45-1. Effect of Punishment, Absence, and Non-Pay Status

RULE	When a Service member	then
1	is fined by court-martial and the fine is deducted from pay	the amount of the fine is subject to FICA tax.
2	is required to forfeit pay as the result of court-martial or nonjudicial punishment	the forfeiture is a loss of entitlement to the basic pay involved, and the lost amount is not subject to FICA tax. (See note)
3	has pay detained under court-martial or nonjudicial punishment	the amount detained is not subject to FICA tax until it is actually paid to the Service member.
4	is absent without leave	the amount of basic pay deducted for the period is not subject to FICA tax.
5	is confined by civil authorities under conditions that require loss of pay	the amount of basic pay deducted for the period is not subject to FICA tax.

NOTE: The waived portion of a forfeiture is taxable income to the confined Service member and is subject to FICA under subparagraph 2.2.6 and Chapter 48.

*REFERENCES

CHAPTER 45 - FEDERAL INSURANCE CONTRIBUTIONS ACT (FICA)

1.0 – GENERAL

	42 U.S.C. § 410(l)

2.0 – REQUIREMENTS

2.1	42 U.S.C. § 410(1)(m) 26 U.S.C. § 3121(m)(n)
2.2	42 U.S.C. § 409(d)

3.0 – DEDUCTION OF FICA TAX

3.1	26 U.S.C. §§ 3101; 3102 42 U.S.C. § 430 IRS, Publication 15 (Circular E)
3.4	26 U.S.C. § 3101
3.5	26 U.S.C. § 3102 26 U.S.C. § 6205

Table 45-1

Rule 2	36 Comptroller General 79
Rule 3	26 U.S.C. § 451

VOLUME 7A, CHAPTER 46: "DEDUCTIONS FOR THE ARMED FORCES RETIREMENT HOMES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	This chapter has been certified as current.	Revision

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CHAPTER 46

DEDUCTIONS FOR THE ARMED FORCES RETIREMENT HOMES

1.0 GENERAL

1.1 Purpose

The Armed Forces Retirement Home (AFRH) is an independent establishment in the executive branch. The purpose of the Retirement Home is to provide residences and related services for retired and former members of the Armed Forces who meet the eligibility requirements of the AFRH. The AFRH includes the AFRH – Washington (Soldiers' and Airmen's Home) and the AFRH – Gulfport (Naval Home).

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 24 and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 AMOUNT

The Secretary of Defense sets the monthly deduction from pay in an amount not to exceed $1.00. The deductions of pay, which are not prorated for partial months of service, are deposited in the AFRH Trust Fund.

3.0 APPLICABILITY

3.1 Members Subject to Deductions

The following members are subject to deductions:

3.1.1. Regular enlisted members,

3.1.2. Warrant officers,

3.1.3. Limited duty officers of the Armed Forces, and

3.1.4. Coast Guard members (when it is operating as a Military Service in the Navy).

3.2 Members Not Subject to Deductions

The following members are not subject to deductions:

3.2.1. Reserve Component members,

3.2.2. Commissioned officers, and

3.2.3. Members in a non-pay status for the entire calendar month.

REFERENCES

CHAPTER 46 - DEDUCTIONS FOR THE ARMED FORCES RETIREMENT HOMES

1.0 – GENERAL

	24 U.S.C., Chapter 10
1.1	24 U.S.C. § 411(a) & (b)

2.0 – AMOUNT

	37 U.S.C. § 1007(i)(1) & (2)

3.0 – APPLICABILITY

3.1	37 U.S.C. § 1007(i)(3)
3.2	37 U.S.C. § 1007(i)(4)

VOLUME 7A, CHAPTER 47: "SERVICEMEMBERS' GROUP LIFE INSURANCE (SGLI) PROGRAM"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
2.0	Updated the content for "SGLI Coverage" section and applicable paragraphs in accordance with Public Law (P.L.) 117-209, section 2, dated October 17, 2022.	Revision
5.0	Updated the content for "SGLI Premiums" section and applicable paragraphs in accordance with P.L. 117-209, section 2, dated October 17, 2022.	Revision
7.0	Updated the content for the "Settlement of SGLI Claims" section for clarity and understanding.	Revision
9.12	Updated the content for the "Appeal of Eligibility Determination" subparagraph for clarity and understanding.	Revision
10.2.3	April 2024: Stigmatizing language was modified in accordance with the Deputy Secretary of Defense memo, "Review of Policies to Eliminate Stigmatizing Language Related to Mental Health," dated November 7, 2022, and Defense Finance and Accounting Service Office of General Counsel Memo, dated March 11, 2024.	Revision
Table 47-1	Updated "Table 47-1 Notes" content to comply with P.L. 117-209, section 2, dated October 17, 2022.	Revision
References	Updated supporting statutes and references.	Revision

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CHAPTER 47

SERVICEMEMBERS' GROUP LIFE INSURANCE (SGLI) PROGRAM

1.0 GENERAL

1.1 Purpose

The SGLI Program is administered by the Department of Veterans Affairs (VA). Eligible members, who receive basic pay for 1 or more days per month or members of the Ready Reserves who drill for points, are responsible for the payment of SGLI and Family SGLI (FSGLI) premiums. Coverage and premiums are discussed in sections 2.0 and 5.0, respectively.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), Title 38. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

*2.0 SGLI COVERAGE

2.1 Eligibility

2.1.1. Full-Time Coverage. Full-time coverage automatically insures eligible members against death when a member is performing active duty (AD) or active duty for training (ADT) for an ordered period of more than 30 days, or while on full-time duty as a cadet or midshipman at a Service Academy. All members of the Ready Reserve and National Guard, who are assigned or attached to a unit or position that may require performing active duty or active duty for training, and will be scheduled to perform at least 12 periods of inactive duty for training (IDT) annually, are also eligible for full-time SGLI coverage. Members may elect, waive, or decrease coverage for an amount less than $500,000 in $50,000 increments in accordance with paragraph 2.2.

2.1.2. Part-Time Coverage. Part-time coverage insures the following eligible members against death while performing AD or ADT for an ordered period of less than 31 days:

2.1.2.1. Commissioned, warrant, or enlisted members of the Army, Navy, Air Force, Space Force, Marine Corps and Coast Guard Reserves;

2.1.2.2. Members of the Individual Ready Reserve (IRR) during 1-day call-ups;

2.1.2.3. Members of the Army and Air National Guard performing duty at:

2.1.2.3.1. Rifle ranges for the training of civilians in the use of military arms;

2.1.2.3.2. Required drills;

2.1.2.3.3. Field exercises;

2.1.2.3.4. National Guard Schools;

2.1.2.3.5. Small arms competitions; and

2.1.2.4. Members, Cadets, or midshipmen of the Reserve Officers Training Corps while attending field training or practice cruises. (See the ***SGLI ROTC Coverage Table*** in the Servicemembers' and Veterans' Group Life Insurance (VGLI) Handbook, Appendix G).

Note: The eligible member is insured during the days of actual duty performed and becomes eligible for full-time coverage when the member performs AD or ADT for an ordered period of more than 30 days.

2.2 Coverage Amount

2.2.1. Amounts. Initial and maximum coverage amount is $500,000.

2.2.2. Waiving or Reducing Coverage. Members, except those specified in section 12.0, may elect coverage for an amount less than $500,000, in $50,000 increments, or may elect to waive coverage.

2.2.2.1. Waiving SGLI coverage will also waive Traumatic Injury Protection SGLI (TSGLI) and FSGLI coverage for the spouse and all dependents.

2.2.2.2. Reducing SGLI coverage may impact maximum FSGLI coverage for the spouse, see section 8.0.

2.2.3. Reinstating or Raising Coverage. A member, who is covered for an amount less than maximum SGLI coverage, may apply later in writing for increased coverage, to an amount up to maximum SGLI coverage, with proof of good health. Members required to have the maximum coverage per subparagraph 2.2.4 are not required to provide proof of good health.

2.2.4. Requirement for Maximum Coverage. Separate from section 12.0, a member with the following duty statuses must have a reset of coverage to the maximum amount without proof of good health:

2.2.4.1. Members changing duty status, such as an Active Component member becoming a Reservist or a Reservist being released from active duty. Coverage may be waived or reduced any time after the reset.

2.2.4.2. Part-time coverage members qualifying for full-time coverage, such as Reservist going on AD for over 30 days. Coverage may be waived or reduced any time after the reset.

2.3 Periods of Coverage

See Table 47-1.

2.4 Forfeiture of Coverage

Any person guilty of mutiny, treason, spying, desertion, or who, because of conscientious objections, refuses to serve in the Armed Forces of the United States, or refuses to wear the uniform of the Armed Forces, forfeits all rights to any coverage. This insurance is not payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States.

2.5 Coverage After Separation or Retirement

2.5.1. The following members are eligible to convert their full-time SGLI coverage to VGLI:

2.5.1.1. Members that are being released from AD or ADT for a period of not less than 31 days;

2.5.1.2. Members of the Ready Reserves or National Guard who are separated, retired, or released from assignment;

2.5.1.3. Members assigned to IRR or Inactive National Guard (ING); or

2.5.1.4. Members who have part-time SGLI and who, while performing duty, suffered an injury or disability which rendered them uninsurable at standard premium rates. (See the VA Handbook for part-time SGLI coverage conversion requirements and limitations).

2.5.2. Members of the IRR and ING have one year and 120 days from the date they become members of these organizations to apply for VGLI.

2.5.3. To apply for VGLI without any health review, the member should submit an application with the required premium to the Office of SGLI (OSGLI) within 240 days after separation or assignment to IRR/ING.

2.6 Continuation of Coverage

Any election made remains in effect during continuous obligation to perform duty in the same Uniformed Service, including any AD for a period of more than 30 days in which a member is serving and for 120 days thereafter.

3.0 SERVICE NOTIFICATIONS

3.1 Married Member's Designation of a Beneficiary Other Than the Spouse

In accordance with ***38 U.S.C. § 1967***, if a member is married and previously designated his or her spouse as beneficiary for SGLI coverage, and then designates a beneficiary other than his or her current lawful spouse or child(ren), or makes an election for reduced or no coverage, the Secretary concerned will notify the spouse in writing, at the last address of record, of the change in beneficiary. The advisory must be made as quickly as possible or within 30 days from the date of such election. The notification will not include the name(s) of the actual designated beneficiary(ies). Currently, the Defense Manpower Data Center is handling the release of all spousal notification letters under this provision for all Secretaries concerned.

3.2 Failure of Direct Remitters to Pay Premiums

See paragraph 5.3.

4.0 APPELLATE LEAVE

When placed on appellate leave following confinement with total forfeiture of pay and allowances (during which coverage had been properly stopped, see Table 47-1, rule 9), coverage is not reinstated. If appellate leave is followed by a restoration to duty with pay, then coverage is reinstated on the date the member returns to full duty status and continues during the period of excess leave. Coverage is reinstated at the amount in effect on the day prior to its stoppage.

*5.0 SGLI PREMIUMS

5.1 Premium Rates

The following premium rates are effective March 1, 2023. See Table 47-1, for rules on starting and stopping deductions.

5.1.1. Full-Time Coverage. For members who meet the requirements for full-time coverage, the premium rate is 6 cents per month per $1,000 of coverage, $3.00 monthly for each $50,000, or $30.00 monthly for the current maximum coverage of $500,000. An additional $1 premium is charged each month for TSGLI as described in paragraph 9.7. TSGLI coverage is automatic for those insured under SGLI, and can be declined only by waiving SGLI coverage.

5.1.2. Part-Time Coverage. The premium rate for part-time coverage is the same as full-time coverage, it is charged on an annual basis rather than monthly. Members of the IRR will be charged $.80 for maximum coverage ($.20 per $100,000) for 1-day call-ups. An additional premium is charged for TSGLI as described in paragraph 9.7. The annual premium is collected from the member's pay account during the first period of duty in which the member is in a pay status.

5.1.3. Proration. Monthly deductions are not prorated for partial months of service. The full monthly premium will be deducted for any month a member is covered for at least 1 day. During months in which coverage amounts change, the full month's premium for the higher coverage rate will be deducted.

5.2 Non-Pay Status

During any month in which a member is assigned to the Ready Reserve of a Uniformed Service, and insured by SGLI, the Uniformed Service concerned will contribute from the appropriation for AD pay, the share of the cost attributable to insuring the member under this policy. Any amounts contributed on behalf of the member will be collected by deduction from the member's pay or otherwise, which may include establishing a debt against the member's pay account, and will be credited to the appropriation from which the contribution was made.

5.3 Direct Remitters

5.3.1. Each Service must have clearly established programs to identify members who are required to make a direct remittance of premiums. Services must notify members at least 30 days in advance of the date the direct remittance is due. The notice will include the amount of the payment, the date it is due, and the Service's address to which the payment should be sent. The member must make remittance within 30 days from the date of the notice.

5.3.2. When the Secretary concerned determines that a member has failed to make direct remittance within 60 days of the due date, the Secretary concerned will send a "Notice of SGLI Termination" to the member's official address. The notice must clearly state that effective 60 days from the date of such notice, the member's SGLI will be terminated. Termination of the insurance may be vacated if, before the expiration of 60 days from the date of the "Notice of SGLI Termination," the member remits all amounts past due for SGLI coverage and can justify the failure to make timely remittance to the Secretary concerned.

5.4 Refunds

Refunds will not be made in the case of amounts deducted before the effective date of any election for reduced or waived coverage. When an application for restoration or increase in SGLI or FSGLI coverage is approved, the effective date is the date of the application.

6.0 EXTRA HAZARD COSTS

6.1 Cost

In addition to a deduction from the member's pay, each Military Service contributes from its appropriations an amount (determined by the VA) attributable to the extra hazard cost of SGLI. This premium reflects the cost of death claims in excess of the level of death claims that would result from normal peacetime service.

6.2 Payment

The Military Services centrally pay the premium for extra hazard costs, along with the member premiums to the VA.

*7.0 SETTLEMENT OF SGLI CLAIMS

Death claims are filed with the OSGLI. The order of precedence for payment is the same as prescribed in subparagraph 9.9.3. The OSGLI will reduce the insurance proceeds by the amount of any member premiums not paid in advance by the branch of service. If the branch of service has paid premiums in advance for the member, then DFAS or the military service pay office has to collect the premiums owed from the member's estate. Effective July 1, 2011, the SGLI Form (commonly named and referred to as ***SGLV Form 8283***), Claim for Death Benefits, and ***SGLV Form 8283A***, Claim for Family Coverage Death Benefits, were updated to reflect the settlement payment options for the beneficiaries are:

7.0.1. Lump Sum – Prudential's Alliance Account;

7.0.2. Lump Sum – Electronic Funds Transfer (EFT);

7.0.3. Lump Sum – Check; or

7.0.4. Monthly installments.

8.0 FSGLI

8.1 Eligibility

FSGLI automatically covers civilian spouses and dependent children (insurable dependents) of Uniformed Service members, with some exceptions. In order for the civilian spouse and children to be eligible for family coverage, the SERVICE member must be enrolled in the full-time SGLI coverage. Enrollment for members of the Uniformed Services is based on dependent information in the Defense Enrollment Eligibility Reporting System (DEERS). For Marine Corps members, enrollment is based on dependent information in the Marine Corps Total Force System (MCTFS).

NOTE: Effective October 10, 2008, coverage was expanded to include the member's stillborn child.

8.2 Civilian Spousal Coverage

The civilian spouse of an eligible member is automatically covered for $100,000. More information about spousal coverage for members married to other members is provided in paragraph 8.5. The coverage may be reduced in $10,000 increments or waived. Coverage of a civilian spouse cannot exceed the member's SGLI coverage. For example, if the member's SGLI coverage is $50,000, then the coverage for the civilian spouse cannot exceed $50,000.

8.3 Cost

The premiums are based on the age and the amount of coverage. The premium rates for the spouse are as follows:

Effective July 1, 2019

Age	Monthly Rate (Per $1,000)	Monthly Cost (Per $100,000)
Under 35	$0.045	$4.50
35 – 39	$0.053	$5.30
40 – 44	$0.070	$7.00
45 – 49	$0.10	$10.00
50 – 54	$0.17	$17.00
55 – 59	$0.295	$29.50
60 and Over	$0.45	$45.00

8.4 Dependent Children's Coverage

Dependent children are covered regardless of spousal coverage at no cost to the member. The current coverage amount is $10,000. The member may not decline coverage or elect to insure any child for less than this amount. In the case of a member married to another member, a child may not be insured by more than one member. The child will be insured by the coverage of the member whose eligibility for insurance occurred first, except in cases where the senior member does not have legal custody of the child or when the child is stillborn, in which case it is paid to the Service member who is the mother. In such cases, the child will be insured under the coverage of the member who has custody of the child.

8.5 Member Married to Member

8.5.1. A member married to another member is eligible for coverage under this program. Members who were married on or before January 1, 2013 were automatically enrolled for FSGLI when their marriage was reported to DEERS/MCTFS. Members married on and after January 2, 2013, who want the FSGLI spouse coverage, must complete the FSGLI enrollment documentation through their servicing personnel offices. On November 27, 2020, VA amended its regulations on SGLI-covered members who marry another SGLI-eligible member (member spouse) after January 1, 2013. or a member whose spouse becomes a member spouse after January 1, 2013, to receive FSGLI coverage on a member spouse at the maximum statutory amount or a lesser amount, or to increase existing FSGLI coverage on a member spouse.

8.5.2. A member married to a member may elect or increase FSGLI coverage for a member spouse, without a requirement to show good health, within 240 days of the member's marriage to another member, the member's spouse entering service (if they did not already have coverage prior to entering service), or the member's spouse separating from service (if they did not already have spouse coverage). If a member does not elect or increase FSGLI coverage within this 240-day "no health" period, then the member can still receive or increase FSGLI coverage by applying for such

coverage and submitting proof of the member spouse's good health. The regulation also states FSGLI coverage in force at the time a spouse or child enters service will continue and the member is not required to elect or reapply for such coverage.

8.6 Effective Date

Family coverage under SGLI is effective on the latest of the following dates:

8.6.1. The date member enrolled in SGLI;

8.6.2. In the case of the spouse, the date of marriage if the spouse is not a member of the Uniformed Service, or the date of the approved application for Spousal FSGLI coverage; or

8.6.3. In the case of the child, the date of birth. If a child is not a natural child of the member, then the date in which the child acquires status as dependent of the member.

8.7 Reinstatement or Increase in Coverage

Requests to increase or restore FSGLI coverage must be entered in the SGLI Online Enrollment System (***SOES***) or by completing the ***SGLV Form 8286A*** (should only be used when SOES is unavailable). The health questions must be answered. Proof of good health of the spouse is required to be eligible to increase or restore FSGLI coverage. If the good health requirement is met, then the effective date of reinstatement or increase of coverage is the date the application is received by the member's branch of service. Proof of health is required for military spouses regardless of that spouse's own SGLI coverage.

8.8 Termination of Coverage

8.8.1. Family coverage under SGLI will stop 120 days after the date the member makes a written election to terminate SGLI or FSGLI coverage or, the earliest of:

8.8.1.1. 120 days after the date of the member's death;

8.8.1.2. 120 days after the date of the member's separation from service; or

8.8.1.3. In the case of spouse, 120 days after the termination of the marriage; or

8.8.1.4. In the case of child, 120 days after the termination of the dependent status of an insurable dependent of the member.

8.8.2. Spouses, not dependent children, can convert their FSGLI coverage during the 120 day periods to an individual permanent plan of insurance with a participating SGLI Program insurer.

8.9 Refunds

See paragraph 5.4.

8.10 Beneficiary

The member is the primary beneficiary for family coverage. For the settlement of a claim, refer to section 7.0.

9.0 TSGLI

9.1 Definitions

The following definitions are applicable only to this section.

9.1.1. Traumatic Event. A traumatic event occurs during the application of external force, violence, chemical, biological, or radiological weapons, accidental ingestion of a contaminated substance, or exposure to the elements that cause damage to a living being. A traumatic event does not include cases involving adverse reactions to vaccinations, surgical trauma, or adverse outcomes of medical procedures.

9.1.2. Traumatic Injury Protection. Traumatic injury protection provides for the payment of a specified benefit amount to a member insured by SGLI (see the note at the end of paragraph 9.2) who sustains a traumatic event that results in a traumatic injury directly resulting in a scheduled loss.

9.2 Eligibility

The TSGLI under the SGLI program provides payments to severely injured members who suffer a scheduled loss as a direct result of traumatic injury incurred under conditions in subparagraph 9.1.1, such as loss of an arm or leg. If a member suffers more than one such qualifying loss as a result of traumatic injury from the same traumatic event, then payment will be made for a single loss providing the highest payment. This monetary assistance helps the member through an often long and arduous treatment and rehabilitation period. In order for a member to be eligible for TSGLI benefits, the member must meet the following requirements:

9.2.1. Be a member of the Uniformed Services and insured by SGLI (see the note at the end of paragraph 9.2) under paragraph 2.1 on the date of the traumatic event. For this purpose, the member will be considered a member of the Uniformed Services until midnight on the date of termination of the member's duty status in the Uniformed Services that established eligibility for SGLI;

9.2.2. Must suffer a scheduled loss (See the ***TSGLI Loss Schedule***) as a direct result of a traumatic injury and no other cause;

9.2.3. Must survive a period of not less than 7 full days from the date of the traumatic injury. The 7-day period begins on the date and Zulu (Greenwich Meridian) time of the traumatic injury and ends 168 full hours later; and

9.2.4. Must suffer a scheduled loss (See the TSGLI Loss Schedule) within 2 years (730 days) of the traumatic injury.

Note: If injured on or after December 1, 2005, the member must be insured by SGLI at the time of the traumatic event. If injured from October 7, 2001 through November 30, 2005, the member does not need to be insured under SGLI to qualify for a TSGLI payment.

9.3 Limitations

A benefit will not be paid if a scheduled loss is due to a traumatic injury caused by:

9.3.1. The member's attempted suicide, while sane or insane;

9.3.2. An intentionally self-inflicted injury or an attempt to inflict such injury;

9.3.3. Diagnostic procedures, preventive medical procedures such as inoculations, medical or surgical treatment of an illness or disease, or any complications arising from such procedures or treatment;

9.3.4. Willful use of illegal or controlled substance, unless administered or consumed on the advice of a medical doctor; or

9.3.5. Injuries sustained while committing, or attempting to commit, a felony.

9.4 Other Limitations

A benefit will not be paid for a scheduled loss resulting from:

9.4.1. A physical/mental illness or disease, whether or not caused by a traumatic injury, not including illness or disease caused by a pyogenic infection, biological, chemical, or radiological weapons or accidental ingestion of a contaminated substance; or

9.4.2. A mental disorder whether or not caused by a traumatic injury.

9.5 Effective Date

All members covered by the SGLI program will be automatically covered under TSGLI. Members must decline SGLI coverage in order to cancel TSGLI. See Table 47-1 for periods of SGLI coverage.

9.6 Amount of Coverage

Members who suffer a scheduled loss as a direct result of a traumatic injury and meet all other eligibility criteria, are eligible to receive monetary compensation of not less than $25,000 and not more than $100,000 per traumatic event.

9.7 TSGLI Premium

Deduct a monthly premium of $1.00 in addition to SGLI premiums from the member's pay the month the member's SGLI coverage begins. Reservists with Part-Time SGLI coverage pay $1.00 per year for TSGLI coverage. There is no cost for TSGLI coverage for a member while performing funeral honors and muster duties.

9.8 Termination of TSGLI

9.8.1. TSGLI coverage terminates at midnight of the date of the member's separation from service.

9.8.2. TSGLI coverage is not in effect during the 120-day post-separation period or during the 2-year SGLI disability extension.

9.8.3. TSGLI cannot be converted to VGLI or commercial coverage.

9.9 Payment of Traumatic Injury Protection Benefit

A member who is eligible for payment under TSGLI will have the benefit paid directly to him/her, except in the following circumstances:

9.9.1. If the member is legally incapacitated, then the member's legal guardian, conservator, or attorney acting under a valid Power of Attorney, will be paid the benefit on behalf of the member.

9.9.2. If no guardian, conservator, or attorney is authorized to act as the member's legal representative, then a military trustee who has been appointed will be paid the benefit on behalf of the member. The military trustee will report the receipt of the traumatic injury benefit payment and any disbursements from that payment to the DoD per subparagraph 10.3.4.

9.9.3. If a member who is eligible for payment of TSGLI benefits dies before payment is made, then the beneficiary or beneficiaries will be paid the benefit in the following order of precedence:

9.9.3.1. SGLI beneficiary designated by the member in writing, if the designation is received by the Military Department concerned before the member's death;

9.9.3.2. Surviving spouse;

9.9.3.3. Children and their descendants, by representation. The term "children" includes the following:

9.9.3.3.1. Legitimate Children;

9.9.3.3.2. Legally Adopted Children; and

9.9.3.3.3. Illegitimate Children. The illegitimate child of a female member is an eligible beneficiary. An illegitimate child of a male member is an eligible beneficiary only if:

9.9.3.3.3.1. The member acknowledges the child, in writing, with a signature;

9.9.3.3.3.2. The member has been judicially ordered to contribute to the child's support;

9.9.3.3.3.3. The member has been, before his death, judicially decreed to be the father of such child;

9.9.3.3.3.4. Proof of paternity is established by a certified copy of the public record of birth or church record of baptism showing that the insured was the informant and was named as father of the child; or

9.9.3.3.3.5. Proof of paternity is established from service department or other public records, such as school or welfare agencies, which show that with his knowledge the insured was named as father of the child;

NOTE: A stepchild is not an eligible beneficiary unless adopted by the deceased member.

9.9.3.4. Father and mother in equal parts or, if either is dead, then the survivor;

9.9.3.5. Legal representative of the deceased member's estate; or

9.9.3.6. Other next of kin entitled under the law of the domicile of the deceased member.

9.10 Taxability

All benefits paid under any law administered by the VA are exempt from taxation. SGLI is a benefit administered by the VA, therefore, is not taxable. If an overpayment occurs and the overpayment is not returned, then the benefit may be taxable.

9.11 Settlement of Claims

The member must complete and sign Part A of the SGLV 8600, Application for TSGLI Benefits, and then have a medical professional, who is a licensed practitioner of the healing arts acting in the scope of his/her practice, complete Part B. The application must then be submitted to the member's Service representative for review and certification. Once the claim is approved, the Service representative will forward the claim to OSGLI for payment.

*9.12 Appeal of Eligibility Determination

To appeal the denial of a claim for TSGLI benefits, an appeal of eligibility determination must be submitted in writing by the member or member's legal representative, or by the beneficiary or the beneficiary's legal representative, within 1 year of the date of the denial of eligibility. If an appeal is received outside of the one-year period and contains new material evidence, it is treated as a new claim and the appeal period starts over. The appeal must be submitted to the office of the Uniformed Service identified in the decision regarding the member's eligibility for the benefit.

10.0 DESIGNATION OF FIDUCIARY OR TRUSTEE UNDER TSGLI

10.1 Authority

The Secretary concerned, in consultation with the Secretary of VA, will develop a process for the designation of a fiduciary or trustee of a member of the Uniformed Services who is insured against traumatic injury under section 9.0. The trustee will receive payment for a qualifying loss in the circumstance specified in paragraph 10.2.

10.2 Appointment of Fiduciary or Trustee

If a member is legally incapacitated and has no legal guardian, conservator, or attorney acting on his or her behalf, then a fiduciary or trustee may be appointed to act on the member’s behalf. The authority to appoint military trustees has been delegated to the Director, DFAS Cleveland.

10.2.1. The fiduciary or trustee appointed by the Director, DFAS Cleveland, has the authority to receive, expend, and account for monies received from the military and, specifically under this section, TSGLI benefits. The trustee must use the monies received for the benefit of the member.

10.2.2. All applications to appoint a trustee and related documentation should be submitted to:

Defense Finance and Accounting Service
U.S. Military Retired Pay
8899 E. 56th Street
Indianapolis, IN 46249-1200

* 10.2.3. The Director, DFAS Cleveland, may designate one of the following persons as trustee for a mentally incapacitated military member, if the person (except for a lawful spouse) is 21 years of age or over:

10.2.3.1. Lawful spouse (not subject to age requirement);

10.2.3.2. Children:

10.2.3.2.1. Legitimate Child; or

10.2.3.2.2. Adopted Child;

10.2.3.3. Father and mother;

10.2.3.4. Head of an institution if member is a patient; or

10.2.3.5. Any other person or persons, if determined to be in the best interest of the member.

10.3 Authority of Fiduciary or Trustee

The fiduciary or trustee:

10.3.1. Will submit a DoD ***(DD) Form 2827***, Application for Trusteeship, as verification of appointment as trustee of the member;

10.3.2. May request either EFT or check. If fiduciary or trustee does not select a payment option, the TSGLI will be paid by check; and

10.3.3. Must provide an annual accounting of any disbursements, including the TSGLI payments, to the Director, DFAS Cleveland. The report must show all funds received, all expenditures made on behalf of the member, and a statement of the condition of the trustee's account at the time the report is submitted. Upon request, the trustee may be required to provide receipts, cancelled checks, voucher accounts, savings account passbook, and other supporting financial documents of the trustee account.

11.0 REIMBURSEMENT ALLOWANCE FOR SGLI PREMIUM DEDUCTION

11.1 General

Effective December 23, 2016, the Secretary concerned will pay an allowance to a member of the Armed Forces based on the SGLI premium of the SGLI coverage held by a member while serving in a designated duty assignment at any time during the month. For the purpose of reimbursement allowance for SGLI deduction, the term "designated duty assignment" means a permanent or temporary duty assignment outside the United States or its possessions in support of a contingency operation in an area that:

11.1.1. Has been designated a combat zone; or

11.1.2. Is in direct support of an area that has been designated a combat zone.

11.2 Premiums

The allowance is equal to the SGLI premium for the SGLI coverage the member elected plus the premium for TSGLI. See the following example to determine the amount of the allowance.

Example: A member, deployed in August 2019 to a designated duty assignment, chooses to retain coverage of $400,000. That member's August 2019 premium would be $25.00 ($3.00 for $50,000 of coverage times 8, plus $1.00 for TSGLI). The allowance reimbursement would equal the premium of $25.00.

11.3 Tax Implication

The premium amount for the first $50,000 of coverage is excluded from taxable income. Therefore, and based on the example in paragraph 11.2, the member's taxable amount is $22.00 ($25.00 less $3.00). The $22.00 amount may also be excludable from taxable income if the amount is earned while serving in a Combat Zone Tax Exclusion (CZTE) area. For officers, however, the exclusion of the allowance from taxable income is subject to application of the monthly maximum CZTE. See Chapter 44.

12.0 MAXIMUM COVERAGE REQUIREMENT

Effective August 13, 2018, in accordance with 38 U.S.C. § 1967, a member deployed to a combat theater of operations must be insured for the maximum amount of coverage under the SGLI program while deployed. The maximum amount of coverage begins on the date of deployment. At midnight on the last day of the month of the Service member's return from deployment, their coverage will return to the amount they had prior to deployment. Any member required to have such coverage will be reimbursed under section 11.0.

Example 1: A member on AD declines coverages in April 2019, then is deployed to a combat theater of operations on July 10, 2019, and returns on August 15, 2019. The member will have maximum coverage from July 10 through August 31. On September 1, SGLI coverage will return to zero.

Example 2: A Ready Reservist reduced SGLI coverage to $200,000 upon entering the Ready Reserves. The Ready Reservist is called to AD in a combat theater of operations in July 2019. SGLI coverage automatically increases to the maximum SGLI coverage level due to the change of duty status in July 2019. The Ready Reservist deploys to the combat theater of operations in August 2019. The Ready Reservist cannot decline coverage while deployed to the combat theater of operations, as the law requires maximum coverage during a deployment to a combat theater of operations. The Ready Reservist returns from

the combat theater of operations in December 2019. The Ready Reservist can now reduce his SGLI coverage to $200,000 again. However, his coverage will again increase to the maximum coverage level when he returns to Reserve status because this is a change of duty status from AD to reserve. Maximum basic coverage is automatically in effect unless member again chooses a reduced amount.

13.0 SGLI ONLINE ENROLLMENT SYSTEM

Members with full-time SGLI coverage are no longer required to complete the paper SGLV 8286 to make changes to their coverage or beneficiary elections. Instead, members must utilize the online system, SOES, to manage their SGLI coverages, beneficiaries, and to make election changes.

Members should access SOES whenever they make a beneficiary designation or change a previous designation. When Service members who previously declined coverage have their coverage automatically restored to the maximum coverage level due to either a change in duty status or during a deployment to a combat theater of operations (see section 12.0), they should be advised to go into SOES to name beneficiaries. If no beneficiaries are named, payment in the event of death would be made based on the order of precedence provided for in ***38 U.S.C. § 1970***.

*Table 47-1. Effective Dates of SGLI Coverage and Deductions (Full-Time and Part-Time)

RULE	When a member required to perform duty described in section 2.0, or Chapter 58, paragraphs 2.5 or 2.6	then the effective date of	and SGLI deduction (note 1)
1	enters such duty	coverage is the first day of entry on such duty (note 2). Maximum basic coverage is automatically in effect until the member elects reduced coverage or waives coverage (note 3)	starts the month of the date of entry.
2	resumes the obligation or reenters on such duty in the same Uniformed Service the day following termination of such period of obligation (note 4)	coverage is continuous (note 5)	continues at the appropriate rate.
3	elects a reduced amount of coverage after entry on such duty	coverage is the first day of the month following receipt by the Uniformed Service of the member's election, entered on SGLV 8286 (note 6)	starts in the reduced amount the first day of the month following receipt of the member's election. For deduction refunds, see paragraph 5.4.
4	applies for increase or reinstatement of coverage after entry on such duty	coverage is the date of receipt by the Uniformed Service of the application with evidence of good health and if required, approval by OSGLI (note 7)	starts the month of the date the application is received by the Military Service.
5	elects not to be covered (declines or cancels) after entry on such duty	termination is the first day of the month following receipt by the Uniformed Service of the member's election, entered on SGLV 8286 (note 6)	stops at the end of the month in which the member's election is received by the Military Service. For deduction refunds, see paragraph 5.4.
6	is covered full-time and is separated and does not reenter active duty/Ready Reserve duty or immediately resumes part-time coverage	termination is 120 days after separation (note 8)	stops the month of separation.

Table 47-1. Effective Dates of SGLI Coverage and Deductions (Full-Time and Part-Time) (Continued)

RULE	When a member required to perform duty described in section 2.0, or Chapter 58, paragraphs 2.5 or 2.6	then the effective date of	and SGLI deduction (note 1)
7	is covered on a part-time basis and qualified period of duty ends	termination is the day AD or ADT ends, or the hour inactive duty ends (notes 3, 9 and 10)	see paragraph 2.1.
8	is a member of a Reserve Component not covered on a full-time basis and is called to Extended AD, AD for Special Work, or mobilization	coverage is the first day of AD (maximum basic coverage is automatic unless a member applies for reduced or no coverage).	see paragraph 2.1.
9	is covered full-time and is Absent Without Leave, confined by civil authorities under a sentence adjudged by a civilian court, or confined by military authorities under a court-martial sentence involving total forfeiture of pay and allowances	termination is at the end of the 31st continuous day of such status (note 11)	stops at the end of the month in which the 31st day of such status is reached.
10	forfeits rights to SGLI under the provisions of section 2.0 and Chapter 58, paragraph 8.7	termination is the end of the day before the date of conviction, refusal to perform service, or refusal to wear the uniform (note 12)	stops at the end of the month in which coverage is terminated.

NOTES:

1. Members in an excess leave status normally remain eligible for coverage. (See section 4.0 for the appellate leave exception.) Establish monthly premiums in such cases as deductions against member pay accounts or collect as cash according to procedures of the Military Service concerned.
2. First-time enlistees in the Ready Reserves are eligible for coverage on the date of enlistment when assigned to a Ready Reserve unit, whether they are or are not required to participate in periods of IDT and have not yet been called to their initial AD period. This does not apply to delayed entry AD enlistees.

Table 47-1. Effective Dates of SGLI Coverage and Deductions (Full-Time and Part-Time) (Continued)

3. Elections made by Reserve Component members remain in effect during continuous obligation to perform duty in the same Uniformed Service. Reserve Component members are not required to reelect or reapply for their desired level of coverage each time they perform duty. For the exception, see rule 8.
4. A new period of coverage begins and new elections must be submitted when a member resumes an obligation to perform duty or reenters on duty in the same Uniformed Service more than 1 day following termination of previous obligation; or when a member assumes an obligation to perform duty and enters on duty in a different Uniformed Service at any time. A member entering active duty after a break in service is automatically covered by the maximum basic coverage, until the member elects otherwise, even though the member may have converted former SGLI coverage to an individual policy following last discharge or release from active duty. A former member, insured under the VGLI Program, who reenters service and is automatically covered by SGLI for $500,000, is notified by OSGLI that they have coverage under SGLI and VGLI and that maximum coverage under law is $500,000. These members should consider ending their VGLI coverage and retain their SGLI coverage. They will once again become eligible to apply for VGLI upon leaving the service after they separate from service.
5. Any previous election for less than $500,000 is cancelled. Maximum basic coverage is automatically in effect unless member again chooses a reduced amount.
6. For members covered on a part-time basis, an election for reduced or no coverage is effective at the end of the last day of the duty period being performed. If the election is made outside a duty period, then the reduced or waived coverage is effective when the election is received by the Military Service.
7. Increase or reinstatement of coverage is contingent upon application by the member and approval by the OSGLI, if required based on answers to the health questions.
8. In the case of members totally disabled on the date of separation from such duty, the member may apply for the SGLI Disability Extension with OSGLI. If approved, the insurance will be in effect at no cost to the member for two years after the date of separation or until the date the insured ceases to be totally disabled, whichever is earlier, but in no event prior to the expiration of 120 days after separation. Members will receive notice from OSGLI prior to the end of the SGLI Disability Extension that coverage will end and they should remit their first VGLI premium prior to the end of the Extension to ensure future coverage. A VGLI application is not required in this situation.
9. Part-time coverage is in effect only on the days of:
    a. Active Periods. Eligible members of the Reserves or National Guard performing AD or ADT, under calls or orders specifying periods less than 31 days, are insured during actual days.
    b. Inactive Periods. Eligible members of the Reserves or National Guard, performing IDT (brief periods of less than a day of drills) scheduled in advance by competent authority to begin at a specific time and place, are insured during the actual time of such IDT period. Part-time coverage is in effect for IDT, if the site is outside reasonable commuting distance from the member's residence, and includes the time-period of travel to and from such duty, while remaining:

Table 47-1. Effective Dates of SGLI Coverage and Deductions (Full-Time and Part-Time) (Continued)

1. overnight immediately before the commencement of IDT;
2. overnight between successive periods of IDT; or
3. in the vicinity of the site of the IDT.

c. En Route. Members are also covered while proceeding directly to and returning directly from the Reservist active or inactive period of duty.

Note: Members eligible for part-time coverage become eligible for full-time coverage when they perform AD or ADT, under calls or orders that do not specify periods of less than 31 days.

10. Coverage continues for 120 days after the period of duty if the member, during that duty period, incurs or aggravates a disability and the disability renders the member uninsurable at standard premium rates, according to good health standards approved by the VA, and determined by the OSGLI.
11. Members carried in an absent without leave or confined status, except for an offense listed in paragraph 2.3, remain eligible for coverage. Insurance terminated under the provisions of rule 9, together with any elections made, will be automatically reinstated as of the date the member is restored to duty with pay. Start premium deductions at the appropriate rate on the month of the date the member is restored to duty with pay.
12. Members restored to duty under conditions, which, in effect, result in a remission of sentence, may apply for reinstatement of coverage under rule 4.

*REFERENCES

CHAPTER 47 – SERVICEMEMBERS' GROUP LIFE INSURANCE (SGLI) PROGRAM

1.0 – GENERAL

38 U.S.C. § 1966
Servicemembers' and Veterans' Group Life Insurance Handbook, November 2002, revised December 2021

2.0 – SGLI COVERAGE

2.1	38 U.S.C. § 1968(a)(2) 38 U.S.C. § 1965(5)(B) National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2020, Public Law (P.L.) 116-92, section 952, December 20, 2019 Secretary of the Air Force Memo, December 20, 2019
2.2	38 U.S.C. § 1967 P.L. 117-209, section 2, October 17, 2022 Under Secretary of VA (USVA) Memo, November 14, 2022
2.4	38 U.S.C. § 1973
2.5	38 U.S.C. § 1968(b)

3.0 – SERVICE NOTIFICATIONS

3.1	38 U.S.C. § 1967(f) DoD Instruction (DoDI) 1341.14, January 19, 2017

4.0 – APPELLATE LEAVE

4.1	38 U.S.C. § 1968(a)(1)(B) 10 U.S.C. § 876a

5.0 – SGLI PREMIUMS

5.1	38 U.S.C. § 1971 USVA Memo, May 24, 2019 P.L. 117-209, section 2, October 17, 2022 USVA Memo, November 14, 2022
5.2	38 U.S.C. § 1969(a)(2)(A) Office of the Assistant Secretary of Defense Force Management and Personnel (OASD (FMP)) Memo, September 1, 1998

5.3	Office of the Under Secretary of Defense Personnel and Readiness (OUSD (P&R)) Memo, March 28, 2003 USVA Memo, March 27, 2005
5.4	38 U.S.C. § 1969(a)(4) USVA Memo, March 13, 2008 OASD (FMP) Memo, September 1, 1998

6.0 – EXTRA HAZARD COSTS

38 U.S.C. § 1969(b)

7.0 – SETTLEMENT OF SGLI CLAIMS

38 U.S.C. § 1970

8.0 – FSGLI

8.1	38 U.S.C. § 1965(10)
8.2	38 U.S.C. § 1967
8.3	USVA Memo, May 24, 2019
8.5	38 U.S.C. § 1967 38 Code of Federal Register (CFR), Part 9, November 27, 2020

9.0 – TSGLI

9.1	38 U.S.C. § 1980A 38 C.F.R. § 9.20 OUSD (P&R) Memo, November 23, 2005 38 U.S.C. § 1980A
9.2	38 U.S.C. § 1980A 38 C.F.R. § 9.20
9.9.2.	37 U.S.C. § 602
9.9.3.	38 U.S.C. § 1970(a)
9.10	38 U.S.C. § 5301

10.0 – DESIGNATION OF FIDUCIARY OR TRUSTEE UNDER TSGLI

10.1	OUSD (P&R) Memo, January 28, 2010 38 U.S.C. § 1980A
10.2	37 U.S.C. § 602 38 U.S.C. § 1970(a)
10.2.1	DFAS Office of General Counsel (OGC) Memo, March 14, 2024
10.2.3	DFAS OGC Memo, March 14, 2024

11.0 – REIMBURSEMENT ALLOWANCE FOR SGLI PREMIUM DEDUCTION

	37 U.S.C. § 437
11.1	P.L. 114-328, section 644, December 23, 2016
11.2	OUSD (P&R) Memo, April 17, 2006
11.3	26 U.S.C. § 79
	26 U.S.C. § 134

12.0 – MAXIMUM COVERAGE REQUIREMENT

P.L. 115-232, section 625, August 13, 2018
38 U.S.C. § 1967

13.0 – SGLI ONLINE ENROLLMENT SYSTEM

38 U.S.C. § 1970

VOLUME 7A, CHAPTER 48: "COURT-MARTIAL SENTENCES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated October 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
3.1	Updated "Automatic Reduction in Grade" in accordance with the Manual for Courts-Martial (2024 edition).	Revision
References	Updated to reflect current statutes.	Revision

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CHAPTER 48

COURT-MARTIAL SENTENCES

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to establish policy regarding the impact of court-martial sentences on military pay. This chapter provides policy applicable to cases in which charges are referred to trial by court-martial on or after January 1, 2019. See the previous version of this chapter, dated February 2014, for policy applicable to cases in which the charges were referred to trial by court-martial prior to January 1, 2019.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Titles 10, 24, and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 EFFECT OF SENTENCES ON PAY AND ALLOWANCES

2.1 Forfeitures

2.1.1. A sentence to partial forfeiture of pay deprives a member of the amount of pay stated in the sentence. The sentence applies for the number of months or days expressly stated.

2.1.2. Forfeitures apply to pay (and allowances if total forfeitures of pay and allowances are adjudged or imposed by law) becoming due on and after the date forfeitures are effective (see paragraph 6.1), unless the convening authority defers, suspends or remits the forfeitures.

2.2 Fines

A fine is in the nature of a judgment. Fines are effective upon entry of judgment in general and special courts-martial and upon convening authority approval in summary courts-martial. A fine makes a member liable to the United States for the amounts specified in the sentence.

2.3 Forfeiture of Allowances

A general court-martial sentence that includes forfeiture of pay does not include allowances unless it states that it is a forfeiture of all pay and allowances.

3.0 REDUCTIONS IN GRADE

*3.1 Automatic Reduction in Grade

An enlisted member whose court-martial sentence, as set forth in the judgment of the court-martial entered into the record, includes a dishonorable or bad conduct discharge, confinement, or hard labor without confinement, may be reduced automatically to pay grade E-1 if permitted by and under circumstances provided in, regulation prescribed by the Secretary concerned. If the sentence of a member who is thus reduced in pay grade is set aside or disapproved, or as finally affirmed, does not include any of the above punishments, all rights and privileges denied the member because of the reduction are restored. The member is entitled to the pay and allowances to which the member would have been entitled, for the period the reduction was in effect, had the grade reduction not been applied.

3.2 Reduction in Grade Adjudged in Court-Martial Sentence

A reduction in grade that is adjudged in a court-martial sentence takes effect 14 days after the sentence is announced, except in a summary court-martial. In a summary court-martial, an adjudged reduction in grade is effective the date the sentence is approved by the convening authority.

4.0 FORFEITURES

4.1 Pay Subject to Forfeiture

Forfeitures, other than total forfeitures apply to:

4.1.1. Basic pay, based on the member's years of service; and

4.1.2. Career sea pay or hardship duty pay, provided such pay continues to accrue after the effective date of the sentence.

NOTE: Pay allotted voluntarily is subject to forfeiture.

4.2 Pay Not Subject to Forfeiture

Forfeitures, other than total forfeitures of pay and allowances, do not apply to special (other than sea or hardship duty pay) or incentive pay.

4.3 Taxes

A forfeiture is a loss of entitlement to the pay involved. Consequently, forfeitures are not taxed. Compute the amount of pay to be forfeited before withholding for federal and state income and Federal Insurance Contribution Act (FICA) taxes. Compute taxes from the remaining pay not forfeited. See subparagraph 4.7.3.1 for taxation of forfeitures waived for the benefit of dependents.

4.4 Reduction in Grade

If a member's sentence includes or requires a reduction in grade, apply forfeitures to the pay of the grade to which reduced.

4.5 Concurrent Forfeitures

Forfeitures resulting from multiple court-martial sentences can run concurrently. However, the forfeitures, when combined, cannot exceed the applicable jurisdictional limit. For example, if two or more forfeitures result from courts-martial under which the maximum forfeiture which could be imposed is two-thirds of the pay subject to forfeiture, then collect no more than two-thirds of the pay subject to forfeiture for the concurrent period. Following the concurrent period, pay is forfeited under the remaining sentence at the rate specified in the sentence for the time remaining in that sentence.

4.6 Non-Collection of Ordered Forfeitures

If any amount ordered forfeited is not actually withheld or collected during the period specified by the approved sentence, such amount may be collected involuntarily as an erroneous payment as provided in Volume 16.

4.7 Automatic Forfeiture During Certain Court-Martial Confinements and Periods of Parole

4.7.1. General Court-Martial. A member automatically forfeits all pay and allowances while in confinement or in a parole status when the member's sentence includes:

4.7.1.1. Death;

4.7.1.2. Confinement for more than six months; or

4.7.1.3. Confinement of any length and either a dishonorable discharge, a bad conduct discharge, or a dismissal.

4.7.2. Special Court-Martial. The forfeiture provisions in subparagraph 4.7.1 also apply for sentences adjudged by special court-martial. However, automatic forfeitures are limited to two-thirds of all pay. Allowances are not subject to automatic forfeiture in special courts-martial.

4.7.3. Waiver of Forfeitures in Favor of Dependents. The convening authority or a person acting under ***10 U.S.C. § 860a*** or ***10 U.S.C. § 860b*** may waive any or all of the forfeitures of pay and allowances that were imposed by operation of law ("automatically") for a period not to exceed six months. The portion waived is payable to the accused member's dependent(s) as directed by the convening authority or person taking action.

4.7.3.1. Intent of Waiver and Taxability of Waived Forfeiture Amount. Direct payments to dependents, of the waived portion of a forfeiture are intended to provide transitional compensation and direct financial assistance. Because the waived portion of the forfeiture remains

wages generated by the member's military status, it is taxable income to the accused member, even though paid to the member's dependents. Therefore, after appropriate federal, state, and FICA taxes are withheld from the taxable portion of the waived forfeiture amount, the remaining (net) waived amount is paid to the member's dependent(s), as directed. See Chapter 44, Table 44-1.

4.7.3.2. Other Deductions and Collections. The Uniformed Code of Military Justice (UCMJ) contains no provisions for the deduction of any of the items appearing in Chapter 52, Table 52-1 from the waived forfeiture of pay and allowances. Therefore, only applicable taxes listed in subparagraph 4.7.3.1, may be deducted from the waived portion of pay and allowances that would otherwise be forfeited, with the remaining amount paid to the member's dependent(s), as directed by the convening authority. See Chapter 44, Table 44-1 and Chapter 45, Table 45-1.

4.7.4. Effect of Disapproval, Set Aside, or Reduction of Punishment. If the sentence of a member who forfeits pay and allowances under paragraph 4.7 is set aside, disapproved or as finally approved, does not provide for a punishment listed in subparagraph 4.7.1, then pay the member the pay and allowances the member would have been paid, except for the automatic forfeiture, for the period during which the automatic forfeiture was in effect. The payment to the member should be reduced by the amount of any payments made to the member's dependents under subparagraph 4.7.3.

NOTE: Amounts paid to a member under subparagraph 4.7.4, when a punishment has been disapproved, set aside, or reduced, are taxable income in the year they are paid to the member and are subject to appropriate withholding of federal and state taxes.

4.8 No Collection of Forfeitures of Pay During Appellate Leave

A member who has accrued leave before entering an appellate leave status will use his/her accrued leave for the period of appellate leave, unless the member elects to be paid for such accrued leave in a lump sum. Forfeitures will not be deducted from these leave payments in either situation.

5.0 EFFECTIVE DATES OF FINES AND FORFEITURES

5.1 Fines

A fine that is adjudged in a general or special court-martial takes effect when the judgment is entered into the record. A fine adjudged in a summary court-martial takes effect when the convening authority acts on the sentence.

5.2 Forfeitures

5.2.1. Forfeitures of pay or pay and allowances begin 14 days after the sentence is announced, except in the case of a summary court-martial. Forfeitures imposed by a summary court-martial begin on the date the convening authority approves the part of the sentence establishing the forfeiture.

5.2.2. Upon application by the accused, the convening authority may defer the start of the forfeiture any time after the adjournment of the court-martial and before the entry of the judgment. Deferment of a sentence to forfeiture ends when the judge enters the judgment into the record, except in a summary court-martial. In a summary court-martial, the deferment ends when the convening authority acts on the sentence. The convening authority may rescind a deferment at any time.

6.0 COLLECTION

6.1 Forfeitures

Since court-martial forfeitures constitute a loss of entitlement to the pay or pay and allowances concerned, they constitute a reduction of pay that takes precedence over all debts. (See Chapter 52, Table 52-1, rule 1).

6.2 Fines

Fines constitute indebtedness to the United States. Collect fines as follows:

6.2.1. Current Pay. Fines may be collected involuntarily from the current pay of all members. They are collected after all other prior indebtedness for the period involved has been collected. If prior deductions reduce the member's pay by two-thirds of gross pay for any month, no pay accrues against which fines may be applied. In such case, defer collection of fines until pay accrues against which they may be applied.

6.2.2. Final Pay. Fines may be collected involuntarily from a member's final pay after all other indebtedness is collected. Collections will not reduce pay received by enlisted members of the Army, Air Force, or Space Force to less than one-third of gross pay. Separation travel allowances and donations on discharge will not be used to liquidate an indebtedness for enlisted members. Otherwise, all final pay and amounts due the member at separation may be collected involuntarily. See Volume 16.

6.2.3. Appellate Leave. Members on appellate leave are subject to the collection of fines from any lump sum payment of accrued leave paid at the commencement of appellate leave.

6.3 Rate of Collection

Charge forfeitures of pay against a member's pay at the rate required by the sentence until the sentence is fully satisfied. Prorate the monthly rate of forfeiture on a daily basis for a portion of a month. The language of a sentence determines the amount of the fine or forfeiture. Pay cannot be forfeited by implication. For example, a sentence stating, "forfeiture of $20 per month for 6 months" means a forfeiture of $120 to be collected at $20 per month. Conversely, a sentence stating, "forfeiture of $20 for 6 months" means a total forfeiture of $20 is to be collected.

6.4 Non-Pay Status

During periods when a member is in a non-pay status, pay does not accrue against which forfeitures can apply. Do not count such periods in computing the time during which pay is forfeited for a specific period.

6.5 Restoration to Duty

A member restored to duty following a non-pay status is again entitled to pay against which forfeitures may apply.

6.6 Service Beyond Estimated Term of Service (ETS) for Medical Care

The pay and allowances of an enlisted member retained beyond ETS for medical care or hospitalization are subject to forfeitures and fines.

6.7 Non-Collection Due to Administrative Error

Collect court-martial forfeitures not collected due to administrative error when the error is discovered. Collection may be made for the court-martial forfeiture or for erroneous payments made during the period covered by the sentence. Indebtedness of this type cannot be remitted under statutes authorizing remission of indebtedness.

6.8 Pay Due or Accrued

Forfeitures apply to pay earned on and after the effective date of the forfeiture.

6.9 Collection From Members in a Reserve Status

All punishments remaining unserved at the time a member of a Reserve Component is released from active duty, or a normal period of inactive duty training may be carried over to subsequent periods of inactive-duty training or active duty.

7.0 REMISSION, SUSPENSION, AND CANCELLATION OF FORFEITURES

7.1 Death or Separation

7.1.1. The death or discharge of a member under a suspended sentence operates as a complete remission of any unexecuted or unremitted part of a sentence.

7.1.2. Discharge, release from active duty (except under paragraph 6.9), or death of a member under an unsuspended sentence to forfeiture cancels any uncollected portion of the forfeiture which would extend beyond the date of discharge, release, or death.

7.2 End of Term of Service, Unauthorized Absence, or Desertion

The end of term of service of a member in military confinement, unauthorized absence or desertion of a member, stops collections of uncollected forfeitures since no pay accrues against which forfeitures can operate. If an unauthorized absentee or deserter is restored to pay status, then resume otherwise proper collections.

7.3 Restoration to Duty

If a member who was sentenced to total forfeitures and confinement is released from confinement after serving the sentence and is restored to duty, the member is entitled to pay and allowances from the date restored to duty, and the forfeiture becomes inoperative thereafter unless the sentence expressly includes partial post-confinement forfeitures. This applies even though no other action may have been taken to suspend, remit, or mitigate the sentence to total forfeiture.

7.4 Effective Date

An order remitting, mitigating, or suspending the unexecuted portion of a sentence is effective from the date of the order, except when a later date is specified. An order remitting a sentence to fine or forfeiture relieves the member of the unexecuted portion of the forfeiture or fine on and after the effective date.

7.5 Suspension of a Sentence

Suspension of a sentence grants the accused a probationary period during which the suspended part of the sentence is not executed.

7.5.1. Remission

Upon successful completion of the probationary period, the suspended part of the sentence is remitted. Remission cancels the unexecuted part of the sentence to which it applies. When an unexecuted portion of a sentence to forfeiture or fine is remitted, the member is no longer subject to the unexecuted forfeiture or fine.

7.5.2. Vacation of Suspension

Suspensions can be vacated if the accused does not successfully complete the probationary period. When a suspension of a forfeiture or fine is vacated, the uncollected forfeiture or fine is revived and proper for collection.

8.0 SENTENCES DISAPPROVED OR SET ASIDE

8.1 When New Trial or Rehearing Is Not Ordered

When a court-martial sentence is set aside or disapproved and a new trial or rehearing is not ordered, all rights, privileges, and property affected by the executed part of the sentence are

restored to the member. Such restoration includes any pay and allowances lost as a result of an adjudged or automatic forfeiture and an adjudged or automatic reduction in grade.

8.2 New Trial or Rehearing Ordered

8.2.1. Pay Entitlements While Awaiting New Trial or Rehearing

In accordance with regulations established by the Secretary concerned, for the period after the date on which an executed part of a court-martial sentence is set aside, an accused who is pending a rehearing, new trial, or other trial shall receive the pay and allowances due at the restored grade.

8.2.2. Pay Entitlements After Rehearing or New Trial is Completed

8.2.2.1. An accused member is entitled to restoration of all rights, privileges, and property affected by an executed portion of a court-martial sentence that has been set aside or disapproved by proper authority, unless a new trial, other trial, or rehearing is ordered, and such executed part is included in the sentence imposed at the new trial, other trial, or rehearing.

8.2.2.2. When a previously executed dishonorable or bad conduct discharge is not imposed by a new trial, the member is entitled to the pay and allowances which the member would have received had the dishonorable or bad conduct discharge not been executed. When a previously executed dismissal of an officer is not imposed by a new trial, an administrative discharge is substituted. The President may reappoint the officer to the grade and rank the officer would have attained if the officer had not been dismissed. The total time between the dismissal and reappointment is considered as actual service for all purposes, including pay and allowances.

8.3 Limits on New Trial or Rehearing Sentences

Generally, a member may not receive a sentence in a new trial or rehearing in excess of or more severe than the approved sentence that was subsequently set aside.

9.0 PAY AND ALLOWANCES WHILE ON PAROLE

A member released on parole from a disciplinary barracks is considered to be in an authorized leave status and is entitled to pay and allowances to the extent the member has unused accrued leave to the member's credit, less any fines and forfeitures still remaining in effect. Once the member's accrued leave has been used, the member is considered to be in an excess leave or leave without pay status and is not entitled to pay and allowances during this period unless, upon appellate review, the conviction is completely overturned or set aside. If the member is subject to a new trial or rehearing, however, apply the provisions of paragraph 8.2.

10.0 DISPOSITION OF COURT-MARTIAL FORFEITURES AND FINES

Armed Forces (regular and Reserve) court-martial forfeitures and fines of enlisted members, warrant officers, and limited duty officers in excess of government indebtedness and

amounts owed any individuals will be transferred to the Armed Forces Retirement Home Trust Fund. For purposes of this section only, the term "government indebtedness" refers to an amount due from the member for reimbursement to the government. For example, the repayment of an advance of pay is a reimbursement but, an amount due to the Internal Revenue Service, while considered a debt to the government, is not a "reimbursement" or "government indebtedness," for purposes of this section. For the purposes of this section, the term "amounts owed any individuals" refers to amounts owed from a member's pay by direction of a commanding officer pursuant to ***Article 139*** of the UCMJ.

10.1 Separation From Service Not Involved

When enlisted members, warrant officers or limited duty officers have been sentenced by court-martial to forfeit all or part of their pay, no part of the forfeiture is creditable to the Armed Forces Retirement Home Trust Fund until amounts equal to all outstanding indebtedness to the government and amounts owed any individuals have been withheld. Transfer only those amounts forfeited that are in excess of any government indebtedness or amounts owed any individuals.

10.2 Members Who Are Being Separated From Service

A court-martial forfeiture of a limited duty officer, warrant officer, or enlisted member is not credited to the Armed Forces Retirement Home Trust Fund when the member has unsatisfied indebtedness at date of separation, except as shown in paragraph 10.3. Such forfeitures remain in the military personnel appropriation. If the unsatisfied debt at separation is less than the forfeiture, credit the difference between the aggregate unsatisfied debt and the forfeiture to the Armed Forces Retirement Home Trust Fund. (For example: If the uncollected indebtedness is $500 and forfeiture is $600, credit to the Armed Forces Retirement Home Trust Fund the difference of $100 between the unsatisfied indebtedness and the forfeiture.) Transfer amounts collected afterward to counterbalance the indebtedness not to exceed the aggregate forfeiture, less amounts previously credited to the Armed Forces Retirement Home Trust Fund.

10.3 Indebtedness After Forfeiture Becomes Effective

If debts occur to enlisted members, warrant officers or limited duty officers after a court-martial has been executed and before credit of the forfeiture has been made to the Armed Forces Retirement Home Trust Fund, such debts will not affect the disposition of the forfeiture. Credit the forfeiture to the Armed Forces Retirement Home Trust Fund as if the indebtedness did not exist.

10.4 Remission of Indebtedness

If a court-martial forfeiture of an enlisted member, warrant officer or limited duty officer is not credited to the Armed Forces Retirement Home Trust Fund due to outstanding debts, and the unliquidated portion of the debts is thereafter remitted or cancelled, do not credit the forfeiture that equals the amount of indebtedness remitted or cancelled to the Armed Forces Retirement Home Trust Fund. That amount remains in the military personnel appropriation.

10.5 Commissioned Officers

Credit court-martial forfeitures and fines of commissioned officers (except limited duty officers and warrant officers) to the appropriation to which the member's pay is properly chargeable.

11.0 FORFEITURE SENTENCES CARRIED OVER TO SUBSEQUENT RESERVE COMPONENT DUTY

11.1 General

In the case of a forfeiture sentence carried forward according to paragraph 6.9, convert the stated amount of forfeiture to a percentage using the monthly rate of basic pay in Chapter 1, Tables 1-7 through 1-10 for the member's grade and length of service on the date the forfeiture sentence is entered into the record. Apply that percentage to the pay for every period of duty the member actually performs during the stated period of the forfeiture sentence.

11.2 Time Restriction

The forfeiture sentence is satisfied by collection from duty performed during the stated period of forfeiture only. If a member performs no duty during the stated period of the forfeiture sentence, no further collection action is necessary.

Example:

11.2.1. A member, E-4, receives a sentence which includes a forfeiture (either non-judicial punishment or court-martial sentence) of $200 a month for 2 months ($400).

11.2.2. The member's monthly rate of pay is $912.60.

11.2.3. Convert the original forfeiture to a percentage, (200/912.60) = 21.92%.

11.2.4. For each period of duty performed during the stated period of the sentence (2 months), collect 21.92% of the member's pay from active duty and inactive duty training pay.

*REFERENCES

CHAPTER 48 – COURT-MARTIAL SENTENCES

Manual for Courts-Martial (MCM) 2024

2.0 – EFFECT OF SENTENCES ON PAY AND ALLOWANCES

2.1	MCM 2024, Part II, Chapter X, Rule 1003(b)(2)
2.2	MCM 2024, Part II, Chapter X, Rule 1003(b)(3)
	1 Comptroller General (Comp Gen) 291 (1921)
	41 Comp Gen 296 (1961)

3.0 – REDUCTIONS IN GRADE

3.1	10 U.S.C. § 858a
	MCM 2024, Part II, Chapter XI, Rule 1102(b)(6)
3.2	10 U.S.C. § 857(a)(1)

4.0 – FORFEITURES

	36 Comp Gen 79
	36 Comp Gen 755
4.1.2.	MCM 2024, Part II, Chapter X, Rule 1003(b)(2)
4.7.1. & 4.7.2.	10 U.S.C. § 858b
4.7.3.	U.S. v. Gorski
4.8	63 Comp Gen 341, 344 (1984)
	10 U.S.C. § 706(a)

5.0 – EFFECTIVE DATES OF FINES AND FORFEITURES

	10 U.S.C. § 857
5.1	MCM 2024, Part II, Chapter XI, Rule 1102
5.2.2.	MCM 2024, Part II, Chapter XI, Rule 1103
5.2.3.	42 Comp Gen. 279

6.0 – COLLECTION

	36 Comp Gen 79
	38 Comp Gen 788
	36 Comp Gen 755
	41 Comp Gen 269
6.2.1.	37 U.S.C. § 1007(c)
6.2.2.	37 U.S.C. § 1007(d)
6.3	U.S. v. Johnson, 32 C.M.R. 127 (C.M.A. 1962)
6.9	MCM 2024, Part II, Rule 204

7.0 – REMISSION, SUSPENSION, AND CANCELLATION OF FORFEITURES

7.1	MCM 2024, Part II, Chapter XI, Rule 1107(e)
7.3	10 U.S.C. § 509
	37 U.S.C. § 906
7.4	U.S. v. Stewart, 62 M.J. 291, (C.A.A.F. 2006)
7.7	10 U.S.C. § 872

8.0 – SENTENCES DISAPPROVED OR SET ASIDE

	10 U.S.C. § 875
	10 U.S.C. § 858b(c)
8.2	MCM 2024, Part II, Chapter XI, Rule 1208
8.3	10 U.S.C. § 863
	MCM 2024, Part II, Chapter VIII, Rule 810(d)

9.0 – PAY AND ALLOWANCES WHILE ON PAROLE

59 Comp Gen 12

10.0 – DISPOSITION OF COURT-MARTIAL FORFEITURES AND FINES

24 U.S.C. 419 (a) (4)
10 U.S.C. 2772

11.0 – FORFEITURE SENTENCES CARRIED OVER TO SUBSEQUENT RESERVE COMPONENT DUTY

MCM 2024, Part II, Chapter II, Rule 204

VOLUME 7A, CHAPTER 49: "NON-JUDICIAL PUNISHMENT"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated June 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
References	Updated to reflect current references.	Revision

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CHAPTER 49

NON-JUDICIAL PUNISHMENT

1.0 GENERAL

1.1 Purpose

This chapter describes the impact and limitations of non-judicial punishment on a member's pay.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.), including Title 10. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 AUTHORIZED PUNISHMENTS AFFECTING PAY

Non-judicial punishments which affect pay are forfeiture of pay, reduction in grade, or a combination of these. Except as provided in this chapter, provisions of Chapter 48 relating to forfeiture of pay and reduction in grade by courts-martial also apply when such penalties are imposed as non-judicial punishment.

3.0 LIMITATIONS

3.1 Maximum Forfeiture of Pay

The maximum forfeiture of pay which may be imposed under Article 15, Uniform Code of Military Justice, is outlined in the Manual for Courts-Martial (MCM), United States (2024 Edition), Part V; and Title 10, U.S.C., section 815 (***10 U.S.C. § 815***).

3.2 Forfeiture of Pay

When punishment includes both a reduction in grade, whether or not suspended, and a forfeiture of pay, the forfeiture of pay is based on the grade to which the member was reduced. The amount to be forfeited must be expressed in whole dollar amounts only and not in a number of days pay or fractions of monthly pay. If the forfeiture is to be applied for more than 1 month, the amount to be forfeited per month and the number of months should be stated. Forfeiture of pay may not extend to any pay accrued before the date of its imposition.

4.0 SUSPENSION, REMISSION, SETTING ASIDE, AND MITIGATION OF NON-JUDICIAL PUNISHMENT

See Table 49-1.

5.0 EXECUTION OF PUNISHMENT DURING APPEAL PROCEDURES

A member who incurs non-judicial punishment that the member considers unjust or out of proportion to the offense may, through proper channels, appeal to the next higher authority. The member may be required to undergo the adjudged punishment pending determination of the appeal.

6.0 EFFECTIVE DATES

Forfeitures of pay and reductions in grade, if unsuspended, are effective on the date the commander imposes the punishment. (For Navy and Marine Corps members, however, non-judicial forfeitures of pay do not run concurrently. If a forfeiture of pay is imposed by a non-judicial punishment while a prior forfeiture of pay is still in effect, it will not commence until the prior forfeiture of pay is completed.) Pay accrued by a member before the imposition of the punishment is not subject to forfeiture. When a forfeiture of pay is suspended, the suspension takes effect on the date of the action. When a member is restored to a higher grade by suspension of a reduction in grade, the member is entitled to pay of the higher grade only from the date of suspension. If, however, a reduction in grade or forfeiture of pay is set aside and all rights, privileges, and property affected by it are restored, then the member is entitled to pay as though the reduction in grade had never been imposed. When the suspension of a punishment is vacated, the effective date for pay purposes is the date of the vacation.

7.0 DISPOSITION OF FORFEITURES OF PAY COLLECTED BY NON-JUDICIAL PUNISHMENT

Disposition of pay forfeited as a result of a non-judicial punishment is treated similarly to pay forfeited by court-martial action. Refer to Chapter 48, section 10.0 for disposition policies.

Table 49-1. Suspension, Remission, Setting Aside, and Mitigation of Non-Judicial Punishment

RULE	When non-judicial punishment is	and the punishment has	then the officer imposing the punishment, or the successor in command, may suspend the punishment probationally	or
1	forfeiture of pay	not been executed (note 1)	at any time	remit or set the forfeiture of pay aside (in whole or in part), or mitigate it to lesser forfeiture of pay (note 2).
2	reduction in grade	not been executed	at any time	remit or set the reduction in grade aside, or mitigate it to a forfeiture of pay (note 2 and 3).
3	forfeiture of pay	been executed	only within 4 months after execution	set the forfeiture of pay aside (in whole or in part) (note 4).
4	reduction in grade	been executed	only within 4 months after execution	set the reduction in grade aside in whole or in part, or mitigate it to forfeiture of pay (note 3 and 4).

NOTES:

1. An uncollected forfeiture of pay is considered to be unexecuted during the period for which it was imposed. Upon the expiration of the forfeiture period all unsuspended forfeitures of pay, whether or not collected, are fully executed.
2. The unexecuted portion of a forfeiture or reduction in grade can be remitted at any time.
3. If mitigated, the amount of forfeiture of pay may not be greater than the amount that could have been imposed initially by the officer who imposed the reduction in grade.
4. The power to set aside an executed punishment should ordinarily be exercised only within a reasonable time after the punishment has been executed. Four months is a reasonable time in the absence of unusual circumstances.

*REFERENCES

CHAPTER 49 – NON-JUDICIAL PUNISHMENT

1.0 – GENERAL

10 U.S.C. § 815

2.0 – AUTHORIZED PUNISHMENTS AFFECTING PAY

10 U.S.C. § 815

3.0 – LIMITATIONS

MCM, United States (2024 Edition), Part V, paragraph 1.f

4.0 – SUSPENSION, REMISSION, AND MITIGATION

10 U.S.C. § 815(d)

5.0 – EXECUTION OF PUNISHMENT DURING APPEAL PROCEDURES

10 U.S.C. § 815(e)

6.0 – EFFECTIVE DATES

MCM, United States (2024 Edition), Part V, paragraph 5.g
Army Regulation 27-10, November 20, 2020, Chapter 3, section IV, paragraph 3-21
Navy Judge Advocate General Instruction 5800.7G, CH-2, December 1, 2023, Part B, section 0113
Department of the Air Force Instruction 51-202, January 4, 2022, Chapter 3, section 3C, paragraph 3.17

7.0 – DISPOSITION OF FORFEITURES OF PAY COLLECTED BY NON-JUDICIAL PUNISHMENT

10 U.S.C. § 2772

Table 49-1

MCM, United States (2024 Edition), Part V, paragraph 6
10 U.S.C. § 815(e)
Note 3 10 U.S.C. § 815(d)
Note 4 MCM, United States (2024 Edition), Part V, paragraph 6.d

VOLUME 7A, CHAPTER 50: "BANKRUPTCY"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated the formatting and hyperlinks to comply with current administrative instructions.	Revision
2.2.5.	Updated subparagraph content for clarity.	Revision

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CHAPTER 50

BANKRUPTCY

1.0 GENERAL

1.1 Purpose

This chapter prescribes the policies to be followed when a Service member files a petition of bankruptcy under Title 11, United States Code (U.S.C.), Chapter 7 or 13.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with U.S.C. Titles 11 and 31. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in the reference section at the end of the chapter.

2.0 BANKRUPTCIES

2.1 General Information

2.1.1. Filing. A member may file a petition of bankruptcy under 11 U.S.C., Chapter 7 or 13 of the Bankruptcy Code. The law waives the U.S. Government's sovereign immunity for purposes of compliance with payroll deduction orders issued by the bankruptcy courts. Accordingly, the Defense Finance and Accounting Service (DFAS) will honor the bankruptcy withholding orders.

2.1.2. Automatic Stay Provisions. An amount of indebtedness owed to the United States that was incurred prior to the filing date of the petition, is described as a pre-petition debt. Collecting debts by offset from the member's pay account is authorized only through the day prior to the date the bankruptcy petition is filed. Continuing deductions from the member's pay after the filing of a petition in a bankruptcy is improper and violates the automatic stay provisions of the bankruptcy statute. Amounts withheld after the date the bankruptcy petition is filed must be refunded to the member. The automatic stay provisions of the bankruptcy statute do not preclude continued deductions based on court-ordered support obligations or divisions of retired pay unless the bankruptcy court orders otherwise. If there are any questions about collecting a debt when a debtor has filed bankruptcy, coordinate with the DFAS Office of General Counsel, Garnishment Law Directorate, as there may be exceptions that affect the collection of a debt or refund due a debtor.

2.1.3. Proof of Claim. Upon notice or actual knowledge of the filing of a bankruptcy petition, when the member has listed the U.S. Government as a creditor, the military pay office will file a proof of claim with the bankruptcy court concerned for all Chapter 13 filings and if requested by the bankruptcy trustee in a Chapter 7 case. The proof of claim is filed with the bankruptcy court on ***Official Form 410***.

2.1.4. Post-Petition Debt. If the bankruptcy is completed and the debtor receives a discharge, then, generally, the listed indebtedness to the United States for pre-petition debts is discharged with few exceptions. Any new debt that was incurred after the filing of the bankruptcy petition is known as a post-petition debt. The bankruptcy proceedings do not affect liability of the debtor for post-petition debts, but may affect the collectability of post-petition debts during the pendency of the bankruptcy. Therefore, prior to taking any collection action on post-petition debts, the matter should be coordinated with the DFAS Office of General Counsel, Garnishment Law Directorate.

2.1.5. Dismissal. If the court subsequently dismisses a bankruptcy case, then collection is permitted by offset if otherwise authorized.

2.2 Procedures

2.2.1. All Bankruptcy Notices and Chapter 13 withholding orders should be submitted or faxed to:

DFAS Office of General Counsel
Attn: Garnishment Law Directorate
P.O. Box 998002
Cleveland, OH 44199-8002
Toll Free Fax: (877) 622-5930
Commercial Fax: (216) 367-3675

NOTE: DFAS Office of General Counsel, Garnishment Law Directorate, is the designated agent for service of process for all military members' bankruptcy notices and bankruptcy withholding orders.

2.2.2. The following information should be included with the bankruptcy order: full name, and full Social Security number.

2.2.3. The bankruptcy notice is effective when it is filed with the court and the provisions of the automatic stay are effective on that date.

2.2.4. When the notice does not sufficiently identify the member, it will be returned directly to the person who submitted the order, with an explanation of the deficiency.

* 2.2.5. Upon receipt of an effective bankruptcy notice, together with all the required information, the Garnishment Law Directorate (office of the designated official) will review the case to determine if there are any involuntary allotments or garnishments that need to be terminated as a result of the automatic stay (child support, alimony, child support arrears, and alimony arrears are not terminated unless the bankruptcy order specifically states so). If applicable, the Garnishment Law Directorate will then establish the withholding order against the member's pay to comply with the bankruptcy order within 30 days. Withholdings will continue until the amount specified in the order is collected, or the order is modified or terminated, or the bankruptcy case is dismissed or discharged.

2.2.5.1. Within 30 calendar days after the date of receipt of the order, the designated official will send notice to the member stating this fact.

2.2.5.2. The letter will inform the member of the date that the withholding is scheduled to begin and the amount or percentage that will be deducted.

2.2.5.3. When the member identified in the order is found not to be entitled to money due from, or payable by, DFAS, the designated official will return the order to the person who submitted it and advise him or her that no money is due from, or payable by, DFAS to the named individual. When it appears that amounts are exhausted temporarily or are otherwise unavailable, the authorized person will be told why and for how long any money is unavailable, if known.

2.3 Chapter 13, Adjustment of Debts of an Individual With Regular Income - The Plan

2.3.1. A member may file a petition with the court to enter into a "Chapter 13 Plan" under the Bankruptcy Code. Under Chapter 13, a member must submit a proposed repayment plan to the bankruptcy court that provides, among other things, that all or a specified amount of future income as is necessary to pay claims under the plan will be sent to the control of the bankruptcy trustee.

2.3.2. When the plan is confirmed by the court, its provisions are binding upon the member and all creditors of the member, regardless of whether they are affected by the plan or have been included in the plan.

2.3.3. Once the bankruptcy court confirms a plan, it usually orders the employer to pay a specific amount of a member's income to the trustee named in the order.

2.3.4. The pay of a member is subject to payment to the trustee appointed by the court, pursuant to Chapter 13 of the Bankruptcy Act. The payment by DFAS of part of the member's pay in response to a court order issued under a Chapter 13 Wage Earner's Plan case does not conflict with ***31 U.S.C. § 3713*** (Priority of Government Claims). Compliance with such a court order gives the Government a valid acquittance against the member since the court order is binding on the member.

2.3.5. If the United States is both the employer and creditor when the member files a Chapter 13 Plan, then the Government's priority under 31 U.S.C. § 3713 (Priority of Government Claims) may be asserted in the absence of a judicial determination to the contrary. This is done through a filing of the proof of claim by the appropriate pay office.

REFERENCES

CHAPTER 50 - BANKRUPTCY

1.0 – GENERAL

11 U.S.C. §§ 101 – 1330 (Bankruptcy Reform Act of 2005)

2.0 – BANKRUPTCIES

2.3.4.	31 U.S.C. § 3713
2.3.5.	31 U.S.C. § 3713

VOLUME 7A, CHAPTER 51: "SAVINGS PROGRAMS AND FLEXIBLE SPENDING ACCOUNTS (FSA)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated January 2024 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
2.5	Updated the examples to clarify when a member can contribute to the Savings Deposit Program.	Revision
3.7	Inserted Higher Catch-up Contributions effective January 1, 2025.	Addition
6.0	Updated to include Health Care Flexible Spending Account.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 51

SAVINGS PROGRAMS AND FLEXIBLE SPENDING ACCOUNTS (FSA)

1.0 GENERAL

1.1 Purpose

The chapter provides policy for the Savings Deposit Program (SDP), the Thrift Savings Plan (TSP) to include TSP under the Blended Retirement System (BRS), and the Federal Flexible Spending Account Program (FSAFEDS).

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 SDP

As prescribed by the Secretaries concerned, a member of the Armed Forces who is serving in a designated SDP area may deposit during that tour of duty, not more than the member's unallotted current pay and allowances in amounts of $5 or more, with any branch, office, disbursing officer, finance officer, or any other designated officer of the Armed Forces. Amounts so deposited will be deposited in the Treasury and kept as a separate fund and must be accounted for in the same manner as public funds. See the definitions for SDP area in subparagraph 2.2.2.

2.1 Eligibility

2.1.1. Any member serving in an assignment outside of the United States, its possessions, or the Commonwealth of Puerto Rico for at least 30 consecutive days or 1 day for each 3 consecutive months is eligible to participate in SDP if serving:

2.1.1.1. In a Combat Zone (CZ); or

2.1.1.2. While qualified to receive hostile fire or imminent danger pay while in a:

2.1.1.2.1. Qualified Hazardous Duty Area (QHDA); or

2.1.1.2.2. Designated direct support area of a CZ.

2.1.2. Members already contributing to the SDP on May 1, 2016, will be allowed to continue to contribute to the SDP until they depart from the member's SDP-eligible assignment.

NOTE: See Chapter 44 for designated direct support areas of a CZ, designated CZs, and QHDAs. For the most current listings, see ***Designated Direct Support Areas of a CZ***, ***Designated CZs***, and ***QHDAs*** on the Defense Finance and Accounting Service (DFAS) website.

2.2 Definitions

2.2.1. Designated Duty Assignment. A designated duty assignment is a permanent duty or temporary additional duty/temporary duty (TAD/TDY) assignment in an SDP area.

2.2.2. SDP Area. An SDP area is an area outside the United States, its possessions, or the Commonwealth of Puerto Rico, in a CZ or an area in which members are entitled to receive hostile fire or imminent danger pay while serving in a QHDA or in a designated direct support area of a CZ.

2.2.3. Unallotted Current Pay and Allowances. The amount of money a member is entitled to receive on the payday immediately before the date of deposit, less authorized deductions and allotments (e.g., for dependents or insurance). Pay and allowances include special continuation pay, reenlistment bonus, travel allowance on discharge, or pay and allowances for unused accrued leave. Advance pay and travel allowance for permanent change of station and TAD or TDY travel may not be deposited.

2.2.4. Missing Status. Includes missing, missing in action, interned in a foreign country, captured, beleaguered, besieged by a hostile force, or detained in a foreign country against a member's will.

2.3 Allotments

Active-duty officers and enlisted members may make deposits into the SDP by allotment. Such allotment must be processed in accordance with the procedural instructions of the Military Service concerned. However, the restrictions of this chapter are applicable when starting this type of allotment.

2.4 Member in a Missing Status

For a member who is in a missing status (see paragraph 2.2), the Secretary of the Military Department concerned may, in the interest of a member or the member’s dependents, initiate, stop, modify, and change allotments for deposit of unpaid pay and allowances accruing in a missing member's pay account, and authorize withdrawal of deposits made under the SDP, even though the member had an opportunity to make deposits and elected not to do so. Interest may be computed from the day the member entered into a missing status, or January 1, 1991, whichever is later. The $10,000 limitation on the amount that interest is payable does not apply to the deposit account of a member in a missing status.

Example 1. A member entered into a missing status on February 1, 2012. Unpaid pay and allowances have been accruing in the member’s pay account at the rate of $100 per month since that date. An account was opened for the member on

May 1, 2012, with an initial deposit of $300 (February, March, and April). The member's account was credited with $100 per month on June 1, 2012, and the first day of each month thereafter while he remains in a missing status, or until modified, stopped, or repaid at the direction of the Secretary of the Military Department concerned. Interest accrued from February 1, 2012.

Example 2. A member entered into a missing status on February 18, 2012. The amount of unpaid pay and allowance due to the member on the payday following February 18, 2012, determined the amount of the initial deposit. The member's account was opened on March 1, 2012, with the initial deposit, and the member's account was credited with the member's unallotted pay and allowances monthly on the first day of each month thereafter as prescribed in example 1. Interest accrued from February 18, 2012.

*2.5 Deposits

2.5.1. Amounts. Amounts up to $10,000 may be deposited with interest accrual at the rate of 10 percent per annum.

2.5.1.1. The maximum amount on which 10 percent interest is computed is $10,000 (principal and accrued interest combined). Deposits may not be more than the amount defined as unallotted current pay and allowances in subparagraph 2.2.3. When, however, the member can establish to the satisfaction of the commanding officer that the member was unable to make a deposit in the normal manner, unallotted pay in excess of current pay and allowances may be deposited.

2.5.1.2. Members may not accumulate back pay prior to departing for a designated duty assignment in an SDP area in order to deposit the back pay once the member becomes eligible for the SDP.

2.5.1.3. After a member has served in a covered SDP area for at least 30 consecutive days or at least 1 day for each 3 consecutive months, the member is qualified to begin making deposits, see subparagraph 2.2.3. The initial deposit is limited to the amount earned beginning with the first day of arrival in a covered SDP location.

Example 1. A member arrives in Pakistan (a designated direct support area as defined in Chapter 44, Table 44-2 and an Imminent Danger Pay (IDP) location as defined in Chapter 10, Table 10-1) on April 1, 2024. The member is authorized to make an initial deposit on May 1, 2024, for the amount accrued beginning April 1, 2024, using the April 15th and 30th unallotted pay. The member may make additional deposits until departure from SDP eligible locations.

Example 2. A member arrives in Albania (a designated CZ area as defined in Chapter 44, Table 44-3) on July 19,2024. The member is authorized to make an initial deposit on August 18, 2024, for the unallotted pay earned beginning

July 19 through August 18, 2024. The member may make additional deposits until departure from SDP eligible locations.

Example 3. A member is TDY to the Sinai Peninsula of Egypt (a QHDA as defined in Chapter 44, Table 44-4 and an IDP location as defined in Chapter 10, Table 10-1) on April 17-20, May 2-6, and June 19-25, 2024. The member is authorized to make their initial deposit on June 20, 2024, for the amount accrued in the Sinai Peninsula of Egypt for the actual days in the SDP locations.

2.5.1.4. Members who are paid twice monthly may combine pay accrued at midmonth and pay accrued at end-of-month or combine end-of-month pay with pay accrued on the following midmonth payday for a single deposit, provided the total amount deposited in a one-month period does not exceed the amount they are entitled to be paid for one month.

2.5.2. Power of Attorney. An agent with a power of attorney from the member may make deposits, either by allotment or by cash, into the SDP on behalf of the member, if the power of attorney states the authority to establish, change, or stop allotments. When accepting a cash deposit from the agent on the member's behalf, the disbursing officer must ensure that the amount deposited does not exceed the member's unallotted pay and allowances for the period involved.

2.6 Interest

2.6.1. Accrual of Interest. See Table 51-2.

2.6.2. Conditions Under Which Deposits, Plus Interest, Are Repaid. See Table 51-3.

2.6.3. Computation of Interest. Deposits made on or before the 10th of the month accrue interest from the 1st of the month. Deposits made after the 10th of the month accrue interest from the first day of the following month. The effective date of deposit is the date the deposit is made to the disbursing officer, finance officer, or any other designated officer of the members of the Uniformed Services. Compute interest at the rate of 10 percent per annum, compounded quarterly, according to the calendar quarter. Compute the quarterly interest on the average quarterly balance on deposit. Ten percent is compounded quarterly on amounts less than $10,000. Once $10,000 is on deposit, simple interest will be computed on the $10,000. No interest is paid on amounts exceeding $10,000, except on amounts for a member who is in a missing status using simple interest.

2.6.4. Taxability of Interest Paid. Interest paid on the amounts deposited into the SDP is taxable.

2.7 Computation

2.7.1. Computing Average Quarterly Balance

2.7.1.1. If there were no emergency withdrawals during the quarter, determine the average quarterly balance by adding amounts on deposit on the 10th day of each month of the quarter, and divide the total by three.

Example 1.

Date	Deposits	Amount On Deposits	On 10th Day of
Jan 5	$20.00	$20.00	Jan
Feb 3	20.00	40.00	Feb
Feb 20	20.00		
Mar 10	20.00	80.00	Mar
		$140.00	

$140.00 divided by 3 = $46.67 average quarterly balance.

Example 2.

Date	Deposits	Amount On Deposit	On 10th Day of
Jan 1	$0.00	$ 0.00	Jan
Feb 3	20.00	20.00	Feb
Feb 20	20.00		
Mar 3	20.00	60.00	Mar
		$80.00	

$80.00 divided by 3 = $26.67 average quarterly balance.

2.7.1.2. Emergency withdrawals at any time during a quarter reduce the average quarterly balance on which interest accrues.

Example.

Date	Deposits	With-drawals	Amount On Deposit	On 10th Day of
Apr 1	$147.12	$0.00		(BAL FWD)
Apr 3	20.00		$167.12	Apr
			167.12	May
May 15	10.00			
Jun 4	30.00			Jun
Jun 15		$80.00	127.12	
			$461.36	

$461.00 divided by 3 = $153.79 average quarterly balance.

2.7.1.3. The maximum amount upon which 10 percent interest is payable is $10,000 (principal and accrued interest combined), except for amounts on deposit in the case of a member who is in a missing status. See paragraph 2.4.

Example.

Date	Quarterly Interest	Amount on Deposit
Jan 10	-0-	$10,000.00
Apr 1	250.00	10,250.00
July 1	250.00	10,500.00

2.7.2. Computation of Interest at 10 Percent Rate

Repay deposits, plus interest, under the conditions shown in Table 51-2. Compute interest at the rate of:

1 Month-1/12 of 10 percent or .00833
2 Months-2/12 of 10 percent or .01666
3 Months-(Full Quarter) 3/12 of 10 percent or .025

Example 1. Member's Request. A member has $355 on deposit (principal plus compounded interest as of June 30, 2009). The member requested repayment of the SDP deposit on August 12, 2009. The member was repaid the $355 deposit plus interest of $5.92 for the months of July and August (.01666… x $355) or $360.92.

Example 2. Member Discharged. A member has $355 on deposit (principal plus compounded interest as of June 30, 2009). The member was discharged overseas for the member's convenience on July 15, 2009. The member was repaid the $355 deposit plus interest of $2.96 for the month of July (.00833… x $355) or $357.96, assuming full repayment was in effect in the month of July.

Example 3. Member Dies. On March 8, 2009, the member had on deposit the maximum amount of $10,000 (principal plus simple interest) and made no new deposits. On November 15, 2009, while assigned in the Operation Enduring Freedom area the member dies, and settlement of unpaid pay and allowances was made to member's heir(s) on December 15, 2009. The amount of deposit repaid was $10,000 plus simple interest of $833.33 for period March 1 through December 31, 2009 (.00833… x 10), or $10,833.33.

2.8 Payment of Interest Upon Final Settlement of Deposit Account

2.8.1. Except when the 90-day limitation discussed in subparagraph 2.8.2 and paragraph 2.13 applies, interest will stop at the end of the month in which full repayment is made to the member or member's heirs.

2.8.2. In no case will interest accrue for a period longer than 90 days (computed on a day-for-day basis of actual elapsed time) after the member's eligibility to make deposits terminates.

Should the 90-day limitation period end on any day other than the last day of the month, interest will accrue through the last day of the preceding month. If the 90-day limitation period ends on the last day of the month, interest accrues for that month. In determining when the 90-day limitation period terminates, the last day of the month is February 28 (February 29 in leap year), the 30th of a 30-day month, or the 31st day of a 31-day month.

> Example. Ninety-Day Rule. A member has $355 on deposit (principal plus compounded interest as of June 30, 2009). The member was discharged overseas for the member's convenience on July 15, 2009. The member requested repayment of the deposit on October 15, 2009. The member was repaid $355 plus interest of $8.88 for the months of July, August, and September (.025 x $355) or $363.88. Interest for October 1-15, 2009, was not allowed since the 90-day limitation period ended on October 12, 2009 (a day other than the last day of the month).

2.9 Withdrawal of Deposits – Emergency

Withdrawals may be made in an emergency only when the health or welfare of a member or the member's dependent(s) would be jeopardized if the withdrawal was not granted. Emergency withdrawals may be authorized by the member's commanding officer.

2.10 Withdrawal of Deposits – Members in a Missing Status

Withdrawals may be made when directed by the Secretary of the Military Department concerned when deemed in the best interest of the member, the member's dependent(s), or the U.S. Government.

2.11 Discharge While Eligible to Make Deposits

Members eligible to make deposits, who are discharged in order to immediately reenlist, extend an enlistment, or accept a commission, may not withdraw their deposits.

2.12 Accounts Which Have Reached $10,000

In situations where the member's principal and interest on deposit reaches $10,000, any amounts representing interest accruing in the account subsequent to that time which causes the $10,000 total to be exceeded, may be withdrawn quarterly at the member's request.

2.13 Automatic Refund

Accounts will accrue interest no more than 90 days after a member leaves an SDP area. Members should withdraw all funds after the 90-day period. If no withdrawal is made within 120 days after the qualifying duty terminates, DFAS will automatically transfer the funds to the military pay account of the SDP account owner.

2.14 Application to Indebtedness or Forfeiture

Savings deposits and accrued interest are exempt from collection for members' debts, including debts owed to the U.S. Government or its agencies, except for levies issued by the Internal Revenue Service (IRS). Deposits are not subject to forfeiture by sentence of a court-martial and are not forfeited by desertion.

2.15 Liability of Disbursing Officers

A disbursing officer who fails to process a deposit properly into the Savings Deposit Fund account is liable for the amount of the deposit, plus interest, from the effective date of the deposit to date of withdrawal or repayment.

3.0 TSP GUIDELINES

TSP is a Government-sponsored retirement savings and investment plan operated by the Federal Retirement Thrift Investment Board (FRTIB). Members of the Uniformed Services participating in TSP will be governed by statutes and regulations applicable to TSP as set forth by the FRTIB and the IRS. Specific TSP rules for BRS members are discussed in section 4.0. Specific TSP rules for members not under BRS are discussed in section 5.0. The TSP guidelines under this section apply to both BRS members and members not under BRS.

3.1 Contributions

3.1.1. A member may make traditional or Roth TSP contributions. Traditional TSP offers tax deferral advantages similar to those offered to employees by private corporations under 401(k) plans. The Roth TSP option offers a member the option of making after-tax contributions.

3.1.2. All TSP contributions, traditional or Roth, must be made through payroll deduction.

3.1.3. A member may choose to stop contributing to TSP at any time. Any change is effective at the end of the pay period in which that election is accepted by the member's servicing activity. If basic pay contributions are terminated, TSP deductions for bonuses, incentive pays, or special pays will also be terminated with the same effective date.

3.1.4. A member may choose the percentage of basic pay to contribute. A member's contribution election may be limited by the priority of pay deductions set forth in Chapter 52.

3.1.5. In order for a member to contribute bonuses, incentive pays, or special pays to TSP, the member must also be contributing a minimum of 1-percent of the member's basic pay or inactive-duty pay. See Table 51-1.

3.2 Contribution Limits

3.2.1. Annual Elective Deferral Contribution Limit. Total annual elective deferral contributions, for both Roth and traditional TSPs may not exceed the annual limits set forth by the IRS in accordance with ***26 U.S.C. § 402(g)***. The annual limits are available on the ***TSP*** website.

3.2.2. TSP Contributions in a CZ Tax Exclusion (CZTE) Area

3.2.2.1. Roth Contributions. Roth contributions to the TSP are limited to the annual elective contribution deferral limit even if the member is contributing from pay earned in a CZTE Area. See TSP website for annual limits.

3.2.2.2. Traditional Contributions. A member serving in a CZTE area who reaches the annual elective deferral contribution limit may still elect to make traditional contributions from their tax-exempt pay to their TSP fund, which will count against the annual additions limit for the tax year.

3.2.2.3. Annual Additions CZ Limit. Total contributions, including agency (1-percent) contributions, agency matching contributions and individual contributions, for members serving in a CZ may not exceed the annual addition limit set forth by the IRS pursuant to ***26 U.S.C. § 415(c)***. See TSP website for annual limits.

3.2.2.4. Agency Automatic (1-percent) Contributions and Agency Matching Contributions (BRS Participants Only). Agency automatic (1-percent) contributions and agency matching contributions do not count against the annual elective deferral contribution limit, but both agency automatic (1-percent) and agency matching contributions count against the annual additions limit. A member not serving in a CZ who has met the total annual individual elective deferral contribution limit will continue to receive agency automatic (1-percent) contributions. For a member serving in a CZ, all contributions must stop when the total amount of individual and agency contributions reaches the annual additions limit.

3.3 TSP Funds

3.3.1. Choice of TSP Funds. A member may indicate his or her choice of TSP Funds for the investment of deposits to TSP by making a contribution allocation among the TSP Funds at any time. A BRS Opt-In Member may maintain his or her previous contribution allocation to TSP Funds, but the BRS Opt-In Member is ultimately responsible for ensuring TSP contributions are being properly allocated under BRS.

3.3.2. Default Allocation

3.3.2.1. BRS Members

3.3.2.1.1. New Accessions. All newly enrolled members of the Uniformed Services TSP members first enrolled in the TSP on or after January 1, 2018, and covered by BRS

will have their TSP contributions invested in an age-appropriate Lifecycle Fund (L Fund) until they make a contribution allocation with the TSP.

3.3.2.1.2. BRS Opt-In Members. Members who were enrolled in the TSP prior to January 1, 2018, and who do not have a contribution allocation in effect at the time of the election, will have all deposits made after the date of such election invested in the age-appropriate TSP Lifecycle Fund. Deposits made prior to the date of the election will retain their previous contribution allocations.

3.3.2.1.3. BRS Members Who Reenter Service on or After January 1, 2018. A BRS Member who reenters service on or after January 1, 2018, who:

3.3.2.1.3.1. Has $0.00 balances in their TSP accounts from their previous period of service, will have their TSP contributions invested in an age-appropriate L Fund;

3.3.2.1.3.2. Has an existing TSP account with a balance greater than $0.00, will retain the last contribution allocation on file with the TSP; or

3.3.2.1.3.3. Has no contribution allocation on file, and who reenters service with a positive account balance will have their future TSP contributions invested in an age-appropriate L Fund.

3.3.2.2. TSP for Members Not Under BRS. If the member does not opt into BRS or was not auto-enrolled in BRS, the default investment fund will remain the Government Securities Fund (G Fund).

NOTE: Members may change the member's investment elections by contacting TSP.

3.4 Default Traditional Individual Contributions

A member's individual contributions to TSP are treated by default as traditional tax-deferred contributions. A member may elect to designate all or part of his or her individual contributions as Roth. Agency automatic (1-percent) contributions and agency matching contributions are always tax-deferred traditional contributions.

3.5 Roth TSP

Members may elect to contribute to a Roth TSP account instead of, or in addition to, a traditional TSP account. Any member eligible to contribute to a traditional TSP account may also contribute to a Roth TSP account. However, traditional TSP contributions will be deducted before Roth TSP if there is a conflict in regard to which contribution has priority.

3.5.1. Payroll Deductions. Roth TSP contributions are taken after-tax. However, members serving in a CZ, or in direct support of a CZ, may contribute tax-exempt pay to the member's Roth TSP account. In the same manner as with the traditional TSP account,

payroll deductions will begin the first full pay period after the service accepts the Thrift Savings Plan Election ***Form TSP-U-1***. Roth TSP contributions must be made through payroll deductions. Lump-sum contributions for bonuses, incentive pays, or special pays are permitted only through payroll deductions.

3.5.2. Maximum Contribution Limits. The same maximum contribution limits that apply to traditional TSP also apply to Roth TSP. If a member elects to contribute to both traditional TSP and Roth TSP, the maximum contribution limits apply to the combined accounts, not to each account separately. See the ***TSP Contribution Limits***.

3.6 TSP Loan Program

A member may apply for a TSP loan or hardship withdrawal in accordance with TSP regulations and guidance. Information on loans and hardship withdrawals may be found on the ***TSP Loans*** website.

*3.7 Catch-Up Contributions

3.7.1. General. Effective January 1, 2021, the spillover method was implemented for catch-up contributions, applicable to TSP participants who turn age 50 or older in the applicable calendar year. Eligible members will no longer need to make a separate contribution election for catch-up contributions. Once the contribution limit has been reached, the member's contributions will "spillover" toward the catch-up limit. See ***TSP Bulletin 19-5*** for spillover method catch-up contributions information. Contributions spilling over toward the catch-up limit are eligible for agency matching contributions, but only up to the 5-percent of pay to which participants are already entitled.

3.7.2. Catch-up Contributions and CZTE. The TSP cannot accept traditional tax-exempt contributions toward the catch-limit. See TSP bulletin 20-1 for additional information. Members of the Uniformed Services cannot make catch-up contributions from bonuses, incentive pays, or special pays.

3.7.3. Higher Catch-up. Effective January 1, 2025, section 109 of the SECURE Act 2.0 increased the catch-up contribution limit for active participants turning ages 60, 61, 62, or 63 in the calendar year to either $10,000 or 50 percent more than the regular catch-up contribution limit, whichever is greater. See ***TSP Bulletin 24-2***.

3.8 Make-Up Contributions

Make-up contributions are individual contributions that should have been deducted from a member's basic pay, inactive-duty pay, bonuses, incentive pays, or special pays; or agency contributions that should have been charged to the agency on an earlier date, but were not deducted or charged and, consequently, are being deducted or charged currently.

3.8.1. Make-up Contributions and CZTE. If, while the member was in a CZTE area, contributions were not deducted that should have been deducted, the member may be able to

make-up those contributions in accordance with FRTIB regulations. If make-up contributions are made when the member is no longer subject to the CZTE, the contributions will be tax-deferred, but not tax-free. No CZTE tax-free contributions may be made from taxable pay.

3.8.2. Payroll Deductions. Make-up contributions from basic pay, bonuses, incentive pays, or special pays are permitted only through payroll deductions.

3.9 Breakage (Lost TSP Earnings) Due to Agency Error

3.9.1. Detailed Information on Breakage. Breakage is the loss incurred, or the gain realized on make-up or late contributions. It is the difference between the value of the shares of the applicable investment fund(s) that would have been purchased had the contribution been made on the "as of" date and the value of the shares of the same investment fund(s) on the date the contribution is posted to the account. For detailed information concerning the breakage, refer to TSP regulations in Title 5, Code of Federal Regulations (CFR), part 1605 ***(5 C.F.R. § 1605)*** or TSP Bulletins. TSP bulletins are available on the ***TSP Agency/Service Representatives*** page on the TSP website.

3.9.2. Conditions. If a member receives earnings from which member contributions should have been deducted, but as a result of agency error, all or any part of those deductions were not made, even if the member makes up those member contributions, the belated member contributions will not require payment of breakage, except under the following circumstances.

3.9.2.1. Delayed or Erroneous Contributions When Member Received Earnings

3.9.2.1.1. If a member receives earnings, but as a result of an agency error all or any part of the agency matching contribution associated with the earnings are not timely received by the TSP record keeper, the agency belated contributions will be subject to breakage.

3.9.2.1.2. If a member receives earnings where contributions were properly deducted but, as a result of an agency error, all or any part of the associated agency matching contributions were not timely received by the TSP record keeper, the belated contributions will be subject to breakage.

3.9.2.1.3. If a member receives earnings where contributions were properly deducted but, as a result of an agency error all or any part of those member contributions were not timely received by the TSP record keeper, the belated contributions will be subject to breakage.

3.9.2.1.4. Generally, an agency must submit a negative adjustment record to TSP in order to identify and remove excess or erroneous contributions for each pay date. TSP will credit the agency with the actual value of the adjusted contribution. The agency must return the original amount of the employee contribution to the participant if applicable. Any positive earnings on employee contributions remain in the participant's account. Positive earnings on agency contributions are forfeited to TSP. Excess or erroneous contributions submitted to TSP before January 1, 2000, may not be returned and remain in the participant's account. See 5 CFR 1605.12.

3.9.2.2. Agency Delay in Basic Pay, Special Pay, Incentive Pay, and Bonus. Where, as the result of an agency error, a member does not timely receive all or any part of pay to which entitled, all such belated member contributions and agency matching contributions will be subject to breakage.

3.9.2.3. Late Payroll Submissions. All contributions contained in a payroll submission received by the TSP record keeper more than one pay period after the pay date associated with that payroll submission will be subject to breakage.

3.9.2.4. Loan Allotments. Loan allotments deducted from the member's pay but not timely received by the TSP record keeper due to agency error will be subject to breakage.

3.9.3. Minimum Dollar Amount. Breakage on loan allotments and late contributions will be calculated by the TSP system only for those contributions and loan allotments that are $1 or more.

3.9.4. Agency Responsibility. The employing agency that caused the error, or late or erroneous investment of money in the TSP is responsible for payment of any breakage resulting from that error. The paying office that submitted payment records or loan allotments that are subject to breakage is also responsible for submitting the appropriate payment records relating to those submissions. The amount of breakage that is calculated will be charged to the TSP Deposit Fund Account of the submitting paying office. Where another employing agency caused the late or erroneous submission by the submitting paying office, the paying office that was charged for the amount of breakage calculated should seek reimbursement from the other employing agency.

3.9.5. Member Election. Agency error does not result when TSP contributions are made pursuant to a member's election, but the member then subsequently elects not to continue/start contributions.

3.10 Member Transfers

3.10.1. When members transfer between components or branches of the Uniformed Services, the member's TSP contributions may be continued. The member must notify the member's gaining servicing organization of his or her existing TSP contribution election in order to continue TSP contributions and/or loan repayments without interruption.

3.10.2. If a member separates from the service and rejoins after a break in service of 31 days or more, the member may sign up immediately to contribute to TSP.

3.10.3. If a member separates from the service and rejoins after a break in service of less than 31 days, and the member had been contributing to TSP, contributions to TSP will resume the first pay period after rejoining the service.

3.10.4. A member of the Uniformed Service who is also a federal civilian employee may contribute under both programs to the TSP. The annual contribution limitations in subparagraph 3.1.6 apply to the combined accounts and not to each account separately.

4.0 TSP FOR BRS MEMBERS

4.1 Eligibility

4.1.1. This section describes policy related to TSP changes under the BRS. The BRS became effective January 1, 2018. The Deputy Secretary of Defense memorandum, "Implementation of the Blended Retirement System," dated January 27, 2017, and Volume 7B, provide comprehensive policy and guidance regarding retirement under the BRS.

4.1.2. A member, defined in this section, applies to both Auto-Enrolled and Opt-In Members.

4.1.2.1. Auto-Enrolled BRS Member. A member who is enrolled in BRS by virtue of the member's Date of Initial Entry into Military Service (commonly referred to as DIEMS) on or after January 1, 2018.

4.1.2.2. BRS Opt-In Member. A member who elected to enroll in BRS in accordance with procedures outlined in the Deputy Secretary of Defense Memo, dated January 27, 2017.

4.2 Participation and Initial TSP Contribution

The Secretary concerned will establish a TSP account, if one does not already exist, for both Auto-Enrolled BRS Members and BRS Opt-In Members. The initial individual and agency contributions to TSP will occur no later than as specified in accordance with subparagraphs 4.2.1 and 4.2.2.

4.2.1. Auto-Enrolled BRS Members. Contributions will begin the pay period following the member's 60th day of service as calculated from Pay Entry Base Date (PEBD).

4.2.2. BRS Opt-In Members. Contributions will begin the pay period that begins on or after the date of the member's election to enroll in BRS. When an election is made on the first day of the month, which is the first day of the pay period, initial individual and agency contributions will be in effect for that month.

> Example. BRS Opt-In Member submits election on January 1st. The member will receive matching and individual contributions for the January pay period. A member who elects any other day of the January pay period will have contributions begin for the February pay period.

4.3 BRS Opt-In Member Individual TSP Contribution

4.3.1. Prior Participation in TSP and Carry-Over. If a BRS Opt-In Member previously contributed to TSP, the balance of any prior TSP contributions will carry over following enrollment in BRS. Individual TSP contributions made prior to BRS will not be matched.

4.3.2. Contribution Election as a BRS Opt-In Member. BRS Opt-In Members will not be automatically enrolled in TSP. BRS Opt-In Members must affirm their prior contribution election or make a new contribution election. A BRS Opt-In Member may contribute to TSP at the individual contribution percentage or dollar amount the member elects at the time of enrollment in BRS. A contribution election may be changed any time in accordance with TSP regulations.

4.4 Auto-Enrolled BRS Member Individual TSP Contribution

4.4.1. Default Contribution Between January 1, 2018, and September 30, 2020. A member automatically enrolled in BRS by virtue of his or her accession on or after January 1, 2018, and on or before September 30, 2020, will be automatically enrolled in TSP with an individual contribution election of 3 percent of the member's monthly basic pay or inactive-duty pay. This amount will be contributed to the member's TSP account beginning with the first pay period following the member's 60th day of service as calculated from the PEBD.

4.4.2. Default Contribution on or After October 1, 2020. A member enrolled in BRS by virtue of his or her accession on or after October 1, 2020, will be automatically enrolled in TSP at the level of 5-percent individual contribution from his or her monthly basic pay or inactive-duty pay. This amount will be contributed to the member's TSP account beginning with the first pay period following the member's 60th day of service as calculated from the PEBD.

4.4.3. Contribution Changes. Auto-Enrolled BRS Members may change the individual TSP contribution amount at any time before or after the initial deduction. All members must follow regulations prescribed by the IRS and the FRTIB when requesting a refund or changing the amount of individual contributions.

4.4.4. Annual Re-Enrollment in TSP for Auto-Enrolled BRS Members

4.4.4.1. Annual Re-Enrollment Requirement. Annual TSP re-enrollment, or "annual re-enrollment," is required for any Auto-Enrolled BRS Member who has stopped his or her automatic TSP contribution by reducing the individual contribution to 0 percent or $0 per pay period. If an Auto-Enrolled BRS Member has stopped TSP contributions and the member's individual contribution from his or her pay in the final full pay period of the year is 0 percent or $0, the member will be re-enrolled in TSP on January 1 of the following calendar year. As of October 1, 2020, the re-enrollment individual contribution rate is 5-percent of the member's basic pay or inactive-duty pay.

4.4.4.2. Exception. This provision does not apply if the member's individual contribution is at a percentage or amount greater than zero, but whose contributions may have stopped during the previous year because the member reached the maximum annual contribution limit allowed under IRS regulations.

4.4.5. Non-Contribution Periods. Auto-Enrolled Members who are in a non-TSP contribution status at the end of a year will not be auto re-enrolled in TSP in January. However, if the member does not resume contributions when eligible to do so, the member will be auto re-enrolled in TSP in January of the following year.

Example. An Auto-Enrolled BRS Member takes a hardship withdrawal in November 2018. The member should not be re-enrolled in TSP in January 2019 because the member may not contribute to TSP for a period of 6 months after the hardship withdrawal is processed. The member may restart contributions again in May 2019 (6 months after the hardship withdrawal is processed). If the member does not elect to restart TSP contributions by the final pay period of 2019, he or she must be auto re-enrolled in January 2020.

4.4.6. No Expiration of Annual Re-Enrollment. Annual re-enrollment in accordance with paragraph 4.4 will occur each year of a member's career in which the criteria are met.

4.4.7. Deadline for Declining Annual Re-Enrollment. A member may decline the annual re-enrollment described in paragraph 4.4 for the following year no earlier than December 1st of the year in which the member is determined to be subject to annual re-enrollment.

4.5 Agency Contributions for Auto-Enrolled BRS Members

4.5.1. Agency Automatic (1-percent) Contributions

4.5.1.1. Start Date. Commencing with the pay period that begins on or after the member's 60th day of service, as calculated from the PEBD, the agency will automatically contribute to that member's TSP account, at no cost to the member and without relation to the amount the member contributes, an amount equal to:

4.5.1.1.1. The equivalent of 1-percent of basic pay earned by that member during that pay period for active service; or

4.5.1.1.2. The equivalent of 1-percent of inactive-duty pay earned by that member during that pay period for Inactive-Duty Training (IDT).

4.5.1.2. End Date. The agency (1-percent) contribution will continue for each pay period in which a member is entitled to receive either basic pay or inactive-duty pay, or both, through the end of the pay period during which the member attains 26 years of service, as calculated from the PEBD.

4.5.2. Agency Matching Contributions

4.5.2.1. Start Date. Commencing with the pay period that follows a member's completion of 24 months of service, as calculated from the PEBD, the agency will contribute an amount that matches the member's individual contribution to TSP (up to 4 percent) as prescribed in Table 51-4.

4.5.2.2. End Date. No agency matching contributions will be made to a member's TSP account after the pay period during which the member attains 26 years of service, as calculated from the PEBD.

4.6 Agency Contributions for BRS Opt-In Members

4.6.1. Agency Automatic (1-percent) Contributions

4.6.1.1. Start Date. Commencing with the pay period that begins on or after the date a member opts into BRS, the agency will automatically contribute to that member's TSP account, at no cost to the member and without regard to the amount the member contributes, an amount equal to:

4.6.1.1.1. The equivalent of 1-percent of basic pay earned by that member during that pay period for active service; or

4.6.1.1.2. The equivalent of 1-percent of inactive-duty pay earned by that member during that pay period for IDT.

4.6.1.2. End Date. The agency (1-percent) contribution will continue for each pay period in which a member receives either basic pay or inactive-duty pay, or both, through the end of the pay period during which the member attains 26 years of service, as calculated from the PEBD.

4.6.2. Agency Matching Contributions

4.6.2.1. Start Date. Commencing with the pay period that begins on or after the date a member opts into BRS, the agency will contribute an amount that matches the member's individual contribution to TSP (up to 4 percent) in accordance with Table 51-4.

4.6.2.2. End Date. No matching agency contributions will be made to a member's TSP account after the pay period during which the member attains 26 years of service, as calculated from the PEBD.

4.7 Vesting of Individual TSP Contributions

Individual contributions made by an Auto-Enrolled BRS Member or a BRS Opt-In Member are immediately vested upon payment to TSP. Subsequent earnings on those contributions are also immediately vested when the earnings accrue.

4.8 Vesting of Agency Contributions

The two types of agency contributions to TSP are subject to different vesting rules. The following vesting rules apply to both Auto-Enrolled BRS Members and BRS Opt-In Members:

4.8.1. Agency (1-percent) Contributions. The agency automatic (1-percent) contributions described in subparagraphs 4.5.1 or 4.6.1, become fully vested on the first day of the 25th month of service, as calculated from a member's PEBD. Members who separate from a Uniformed Service before this date forfeit the agency automatic (1-percent) contributions and any earnings on those contributions.

4.8.2. Agency Matching Contributions. Any agency matching contributions, as described in subparagraphs 4.5.2 or 4.6.2, are fully vested upon receipt in the member's TSP account, regardless of accrued service. Any earnings on the agency matching contributions are immediately vested when they accrue.

4.9 Carry-Over of Individual TSP Elections for All BRS Members

4.9.1. Reenrollment in TSP After Separation. A member covered under the BRS who separates from a component of the Uniformed Services, and later re-affiliates with any component of a Uniformed Service following a break in service, will be re-enrolled in TSP. Effective October 1, 2020, all members are re-enrolled at an individual contribution rate of 5-percent of the member's monthly basic pay or 5-percent of inactive-duty pay regardless of any previous contribution elections made prior to separation.

4.9.2. Start Date for Individual Contributions. A reentrant will be automatically enrolled, and the 5-percent individual contribution will begin no later than the first pay period following re-entry.

4.9.3. Agency (1-percent) Contributions. A member covered under the BRS who re-enters service after a break in service and who previously qualified for the agency automatic (1-percent) contribution, in subparagraphs 4.5.1 or 4.6.1 will resume receiving the agency 1-percent contribution into the member's TSP account no later than the first pay period after re-entry.

4.9.4. Agency Matching Contributions. A member covered under the BRS who re-enters service after a break in service and who previously qualified for agency matching contributions in subparagraphs 4.5.2 or 4.6.2 will resume receiving agency matching contributions into the member's TSP account concurrent with re-enrollment.

4.10 TSP Elections for Transitioning Reserve Component (RC) Members

Members of the RC enrolled in the BRS are considered continuous participants in the BRS while they remain in a paid status. Payroll offices should not submit TSP separation codes for RC members. RC members will not be re-enrolled at the automatic 5-percent individual contribution level each time they transition from a paid status in the Selected Reserve (SELRES) to active-duty or from active-duty back to a paid status in SELRES. The member's previously-elected TSP contribution levels will carry-over through transitions related to activation and deactivation, unless and until the member elects to modify the member's own contribution level. Loan payments, if any, will also carry through. Such RC members are subject to annual auto re-enrollment as set out in paragraph 4.4.

4.11 BRS Erroneous Enrollment and TSP

BRS enrollment will be voided for any member who is found to be ineligible to be enrolled or to elect to enroll in BRS under the provisions outlined in the Deputy Secretary of Defense Memo, dated January 27, 2017. Such members will be placed under the correct retirement system

upon discovery of the error. Any erroneous agency TSP contributions made to the member's TSP account will be subject to correction in accordance with FRTIB regulations.

4.12 Hardship Extension of Enrollment Periods and TSP

If an agency concerned extends the BRS period in accordance with the guidance on hardship extensions of enrollment periods in Service regulations and in accordance with ***10 U.S.C. § 1409(b)*** this will not allow for retroactive TSP contributions.

5.0 TSP FOR MEMBERS NOT UNDER BRS

5.1 Participation

Any member of the Uniformed Services, not enrolled in BRS as prescribed in section 4.0, may elect to participate in TSP. A member choosing to participate in TSP is required to contribute at least 1-percent of the member's basic pay or inactive-duty pay. Members participating, not under BRS, are not eligible for agency automatic and matching contributions. These members, otherwise, remain subject to the contribution limits outlined in section 3.0.

NOTE: In order for a member to contribute bonuses, incentive pays, or special pays to TSP, the member must also be contributing a minimum of 1-percent of the member's basic pay or inactive-duty pay.

5.2 Start Date

The payroll deduction for individual TSP contributions will commence the first full pay period after the Service concerned accepts the TSP-U-1.

*6.0 CONTRIBUTIONS FOR FEDERAL FLEXIBLE SPENDING ACCOUNT PROGRAM (FSAFEDS)

6.1 General

The DoD offers members of the Uniformed Services access to Dependent Care Flexible Spending Accounts (DCFSAs) and Health Care Flexible Spending Accounts (HCFSAs) via FSAFEDS. ***FSAFEDS*** administers DCFSAs and HCFSAs on behalf of the DoD. Eligible members of the Uniformed Services under this program may open a DCFSA or HCFSA or both and make an annual election to deposit a portion of their pay into the account for the upcoming benefit period. The members of the Uniformed Service's Military Service Pay Office withholds contributions through payroll deductions from the member's salary on a pretax basis and deposits the funds into the DCFSA or HCFSA or both. Members of the Uniformed Services may request to accelerate deductions over fewer pay periods. Members of the Uniformed Services' DCFSA contributions are for reimbursement of qualifying dependent care expenses (such as day care) for qualifying dependents. Members of the Uniformed Services' HCFSA contributions are for qualifying health care expenses (such as co-payments) for qualifying dependents. To receive

reimbursement, the member must submit a claim for funds in their HCFSA and/or DCFSA with required documentation. FSAFEDS is not a part of the TRICARE Program.

6.2 Eligibility

6.2.1. DCFSA. Members of the Uniformed Services of the Active Component, and National Guard and Reserve Component members performing Active Guard and Reserve (AGR) duty are eligible to enroll. Members of the U.S. Coast Guard Reserve, including Reserve Component Managers, performing active duty for more than 180 days are eligible. Members of the Uniformed Services must also have a qualifying dependent, which is a tax dependent under the age of 13 or a dependent of any age who is physically or mentally incapable of self-care.

6.2.2. HCFSA. Members of the Uniformed Services of the Active Component, and National Guard and Reserve Component members performing AGR duty are eligible to enroll. Members of the U.S. Coast Guard Reserve, including Reserve Component Managers, performing active duty for more than 180 days are eligible.

6.3. Federal Benefits Open Season

Eligible members of the Uniformed Services must enroll in FSAFEDS each year during the Federal Benefits Open Season. Open season enrollments are effective January 1 of the following year. Enrollment does not carry forward year-to-year, and members of the Uniformed Services must reenroll each year. New members of the Uniformed Services may enroll in the program within 60 days (but no later than October 1) of their entry on duty. Newly eligible members of the Uniformed Services may be eligible to enroll after open enrollment has ended, or during the plan year if they experience a change in status or qualifying life event. If a qualifying life event occurs, members of the Uniformed Services can enroll in DCFSA from 31 days before through 60 days after the qualifying life event.

6.3.1. Enrollment. Members of the Uniformed Services must enroll directly with FSAFEDS either through FSAFEDS online or by calling FSAFEDS at 1-877-372-3337.

6.3.2. HCFSA Special Enrollment Period. For the 2025 benefit period, members of the Army, Navy, Air Force, Marines and Space Force must enroll during the Special Enrollment Period scheduled for March 3 through 31, 2025 to access a HCFSA. Members of the U.S. Coast Guard must enroll during the Special Enrollment Period to access a DCFSA and/or HCFSA for the 2025 benefit period. In all future benefit periods, members of the Uniformed Services enroll in an HCFSA during Federal Benefits Open Season.

6.4 Types of FSAs

6.4.1. DCFSA. Eligible members of the Uniformed Services may contribute to DCFSA to pay for qualified dependent care expenses (such as day care) for qualifying dependents.

6.4.2. HCFSA. Eligible member of the Uniformed Services may contribute to a HCFSA to pay for qualified health care expenses (such as co-payments) for themselves and/or qualifying

dependents. Members of the Uniformed Services may claim and receive reimbursement for the entire contribution amount before FSAFEDS has deducted the full amount from the member of the Uniformed Service's pay. A full list of eligible expenses can be found at FSAFEDS online.

6.5 Contributions for DCFSAs

6.5.1. Payment of Contributions. Contributions withheld from the member of the Uniformed Service's pay are forwarded to BENEFEDS on the first of the month excluding holidays and weekends. Payments are sent to BENEFEDS in accordance with the annual payroll schedule agreed upon by DoD and BENEFEDS.

6.5.2. Carryover and Grace Period. DCFSA accounts do not permit any carryover of funds. However, a DCFSA does have a grace period allowing expenses to continue to incur through March 15 of the year following the plan year. For additional information on the grace period, see the FSAFEDS website.

6.5.3. Absent Without Leave (AWOL) and Non-pay Status

6.5.3.1. Effect of Non-pay Status. The Government will not make up a member of the Uniformed Service's contribution to a DCFSA if the member of the Uniformed Service is AWOL or in a non-pay status. If a member of the Uniformed Service maintains a DCFSA during a non-pay status, certain dependent care expenses that meet IRS guidelines for eligible expenses may continue to be reimbursed up to the account balance.

6.5.3.2. Return to a Pay Status. Upon the member of the Uniformed Service's return to pay status, the Military Service Pay Office will restart the contributions. FSAFEDS will recalculate any future contribution amounts based on the number of paydays remaining in the benefit period to ensure the member of the Uniformed Service reaches their annual election amount.

6.5.4. Separation From Active-Duty Service and Termination of FSAFEDS Participation. If a member of the Uniformed Service separates or retires, contributions will stop as of the separation or retirement date. The member of the Uniformed Service may continue to use the remaining balance in DCFSA until the end of the calendar year or until the depletion of the account balance, whichever comes first. Termination of FSAFEDS participation may occur due to a change in status causing the member of the Uniformed Service to lose eligibility or separation from military service.

6.6 Contributions for HCFSAs

6.6.1. Payment of Contributions. Contributions withheld from the member of the Uniformed Service's pay are forwarded to BENEFEDS on the first of the month excluding holidays and weekends. Payments are sent to BENEFEDS in accordance with the annual payroll schedule agreed upon by DoD and BENEFEDS.

6.6.2. Carryover. HCFSA accounts do permit carryover of funds. The maximum carryover amount is subject to IRS limits. For additional information on carryover, see the FSAFEDS website.

6.6.3. Absent Without Leave (AWOL) and Non-pay Status

6.6.3.1. Effect of Non-pay Status. The Government will not make up the member of the Uniformed Service's contribution to a HCFSA if the member of the Uniformed Service is AWOL or in a non-pay status. If a member of the Uniformed Service maintains a HCFSA during a non-pay status, members of the Uniformed Services will not be eligible for reimbursement of health care expenses incurred during the AWOL or non-pay status until the member of the Uniformed Service returns to pay status and allotments are successfully restarted.

6.6.3.2. Return to a Pay Status. Upon the member of the Uniformed Service's return to pay status, the Military Service Pay Office will restart the contributions. FSAFEDS will recalculate any future contribution amounts based on the number of paydays remaining in the benefit period to ensure the member of the Uniformed Services reaches their annual election amount.

6.6.4. Separation From Active-Duty Service and Termination of FSAFEDS Participation. If a member of the Uniformed Service separates or retires, contributions will stop as of the separation or retirement date. The member of the Uniformed Service account terminates as of the date of separation or retirement. The member of the Uniformed Service may continue to use the remaining balance in HCFSA for qualifying expenses that occurred prior to the date of separation or retirement. Expenses incurred after the separation or retirement date are not reimbursable. If the member of the Uniformed Service used the entire election amount before FSAFEDS has completed all deductions from the members of the Uniformed Service's pay, the member of the Uniformed Service is not responsible for the remaining contributions. Termination of FSAFEDS participation may occur due to a change in status causing the member of the Uniformed Service to lose eligibility or separation from military service.

Table 51-1. Pay Entitlements Available For TSP Contributions

Bonuses	Chapter, section, paragraph, or subparagraph
Accession Bonus for Health Professions	Chapter 5, section 3.0
Accession Bonus (Officer)	Chapter 3, section 3.0
Active-Duty Enlisted Members Enlistment, Reenlistment, and Retention Bonuses: -- Bonus for Transfer between Military Services; -- Bonus for Transfer between Components of a Military Service -- Conversion Bonus -- Critical Skill Retention Bonus; -- Enlistment Bonus; -- Prior Service Reenlistment Bonus; and -- Selective Retention Bonus	Chapter 9
Aviation Bonus	Chapter 20
Bonus Program for the Individual Ready Reserve and Inactive National Guard	Chapter 61
Career Status Bonus/Continuation Pay	Chapter 66
Critical Wartime Skills Accession Bonus	Chapter 5, section 4.0
Foreign Language Proficiency Bonus	Chapter 19
Incentive for Qualified Members Extending Duty at Designated Locations Overseas	Chapter 14
Nuclear Officer Continuation Bonus	Chapter 3, paragraph 7.2
Nuclear Power Accession Bonus	Chapter 3, paragraph 7.1
Ready Reserve Accession, Affiliation, Enlistment, And Retention Bonuses: -- Conversion Bonus; -- Enlisted Affiliation Bonus; -- Enlistment Bonus; -- Officer Accession and Affiliation Bonus; -- Prior Service Reenlistment Bonus; -- Selective Retention Bonus; -- Transfer between Components of a Military Service Bonus; and -- Transfer between Military Services Bonus.	Chapter 56
Retention Bonus (Health Professions)	Chapter 5, section 7.0
Retention Bonus (Officer)	Chapter 3, section 5.0
RC Affiliation Bonus	Chapter 3, section 4.0
Transfer Bonus (Officer)	Chapter 3, section 6.0

Table 51-1. Pay Entitlements Available For TSP Contributions (Continued)

Incentive Pays	Chapter, section, paragraph, or subparagraph
Assignment Incentive Pay	Chapter 15
Aviation Incentive Pays (AvIP): -- AvIP for Aviators in Operational Flying Duty or Proficiency Flying Duty Positions; -- AvIP for Aviators not in Operational Flying Duty or Proficiency Flying Duty Positions; -- Critical Skill Incentive Pay; and -- Hazardous Duty Incentive Pay for Flying	Chapter 22
Board Certification Pay	Chapter 5, section 5.0
Hazardous Duty Incentive Pays: -- Chemical Munitions Duty; -- Dangerous Viruses (or Bacteria) Lab Duty; -- Demolition Duty; -- Experimental Stress Duty; -- Flight Deck Duty; -- Maritime Visit, Board, Search and Seizure; -- Parachute Duty; -- Polar Region Flight Operations Duty; -- Toxic Fuels (or Propellants) Duty; and -- Toxic Pesticides	Chapter 24
Incentive Pay (Health Professions)	Chapter 5, section 6.0
Submarine Duty	Chapter 23

Special Pays	Chapter, section, paragraph, or subparagraph
Career Sea Pay	Chapter 18
Career Sea Pay Premium	Chapter 18
Combat-Related Injury Rehabilitation Pay	Chapter 13
Command Pay	Chapter 3, section.8.0
Designated Unit Pay	Chapter 58, paragraph 2.8
Diving Duty Pay	Chapter 11
Hardship Duty Pay	Chapter 17
Hostile Fire or Imminent Danger Pay	Chapter 10
Nuclear Career Annual Incentive Pay	Chapter 3, section 7.3
Prototype Shift Engineer Incentive Pay	Chapter 3, section 7.4
Special Duty Assignment Pay	Chapter 8
Weapons of Mass Destruction Civil Support Team Pay	Chapter 57, paragraph 4.5

Table 51-2. Savings Deposits, Special Determinations on Accrual of Interest

RULE	When an eligible member has a saving deposit account in effect and the member	and	then interest
1	was in a deserter status	is returned to military control	accrues to the end of the month before the month the member entered a deserter status and resumes the first of the month after the month the member returns to military control (note 1).
2	returns to military control after desertion	has personnel records corrected to remove a mark of desertion	accrues during the period the member was originally considered to be a deserter (note 2).
3	is separated or discharged	repayment of deposits is delayed for any reason (note 3)	accrues to the end of the month in which repayment is made, not to exceed 90 days after eligibility to make deposits terminates.
4	does not request repayment after termination of eligibility to make deposits	within 90 days is again entitled to make deposits	continuously accrues.
5	is in a missing status	the Secretary of the Military Department concerned (or designee) directs repayment of total amount of deposit	accrues to the end of the month in which repayment is directed.
6	is in a missing status	a finding of death is made	accrues to the end of the month in which repayment is made not to exceed 90 days after the date pay and allowances terminate.
7	goes on official TDY or TAD away from the SDP authorized duty assignment or SDP authorized area for a period of 90 days or more		accrues for the first 90 days of TDY or TAD, but not after 90 days (note 4).

Table 51-2. Savings Deposits, Special Determinations on Accrual of Interest (Continued)

NOTES:

1. Interest does not accrue on deposits during the period a member is in a desertion status.
2. Interest will be computed and retroactively credited.
3. Delays in repayment of deposits include withholding of issued discharge certificates pending release from confinement when sentenced to dishonorable discharge.
4. Interest would again accrue upon return to the SDP authorized duty assignment or the authorized SDP area.

Table 51-3. Savings Deposits, Conditions Under Which Deposits, Plus Interest Are Repaid

RULE	When an eligible member has a savings deposit account and the member	then all deposits, plus interest will be repaid upon
1	permanently departs the authorized SDP area or has departed the authorized area for more than 90 days	the member's request after departure from the SDP authorized duty assignment or the SDP authorized location. If no request is received after 120 days from the departure from the authorized SDP area, all deposits, plus interest will be automatically repaid to the member.
2	is discharged or separated overseas (not for reentry into the Military Service)	discharge or separation from the Military Service or not to exceed 90 days thereafter.
3	is in a missing status	direction of the Secretary concerned or designee.
4	dies	settlement of member's unpaid pay and allowances as provided in Chapter 36 (note).

NOTE:

Interest on deposits stops at the end of the month in which full repayment is made. Do not continue interest beyond 90 days after the date of the member's death, or when a member's SDP authorized duty assignment terminates, whichever is earlier. See Table 51-2, Rule 6, for death cases where a missing status is involved.

Table 51-4. Automatic and Matching Contributions

Individual Contributions	Agency Automatic Contribution (Note)	Agency Matching Contribution (Note)	Total TSP Monthly Contribution
0%	1%	0%	1%
1%	1%	1%	3%
2%	1%	2%	5%
3%	1%	3%	7%
4%	1%	3.5%	8.5%
5%	1%	4%	10%

Note: The rules for agency automatic contributions and agency matching contributions differ between Auto-Enrolled and Opt-In Members. Specific rules are located in paragraphs 4.5 and 4.6.

*REFERENCES

CHAPTER 51 – SAVINGS PROGRAMS

2.0 – SDP

	10 U.S.C. § 1035(a)
2.1	Assistant Secretary of Defense Manpower and Reserve Affairs Memo, April 28, 2016
2.4	10 U.S.C. § 1035(e)
2.13	Office of the Under Secretary of Defense Comptroller Memo, April 16, 2008
2.2	37 U.S.C. § 551

3.0 – TSP GUIDELINES

	Deputy Secretary of Defense Memo, January 27, 2017
	5 U.S.C. § 8432b-8440
3.2	IRS Notice 2018-83
	Treasury Regulation 1.402(g)-1
3.2.2.3 & 3.2.2.4.	26 C.F.R. 1.415(c)-1(b)
3.3	5 C.F.R. § 1600.14
3.5	5 U.S.C. § 8432d
3.7	26 U.S.C. § 402(g)(1)(C)
	5 C.F.R. § 1600.23
	TSP Bulletins 19-5;20-1 and 24-2
3.9	5 U.S.C. § 8432a
	5 C.F.R. § 1605
	5 C.F.R. § 1605.12

4.0 – TSP FOR BRS MEMBERS

	Deputy Secretary of Defense Memo, January 27, 2017
	5 U.S.C. § 8440e(e)
	Under Secretary of Defense Personnel and Readiness Memo, September 28, 2020

5.0 – TSP FOR MEMBERS NOT UNDER BRS

	5 U.S.C. § 8440e(e)

6.0 – CONTRIBUTIONS FOR FSAFEDs

Executive Order 14100, Advancing Economic Security for Military and Veteran Spouses, Military Caregivers, and Survivors, June 9, 2023
Secretary of Defense Memo, March 22, 2023
Secretary of Defense Memo, September 13, 2024

Table 51-4 – Automatic and Matching Contributions

Deputy Secretary of Defense Memo, January 27, 2017

VOLUME 7A, CHAPTER 52: "PRIORITY OF PAY DEDUCTIONS AND COLLECTIONS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated December 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
Table 52-1	Added "Health Care Flexible Spending Account" contributions to priority 15.	Addition
Table 52-1	Renamed "Dependent Care Flexible Spending Account" contributions to "Flexible Spending Account" contributions as priority 15.	Revision
References	Updated supporting statutes and references.	Revision

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CHAPTER 52

PRIORITY OF PAY DEDUCTIONS AND COLLECTIONS

1.0 GENERAL

1.1 Purpose

This chapter guides military service central site pay operations and field military finance/disbursing offices, henceforth referred to as "finance offices", concerning the sequence order for processing deductions and debt collections from a Service member's military pay entitlements when the member does not have sufficient pay. Finance offices must review a Service member's military pay entitlements to determine if the member has sufficient pay to offset all deductions and debt collections. If a Service member does not have enough pay, Table 52-1, Priority of Deductions and Collections, states which deduction/collection will collect first from the current pay. If a Service member has voluntary deductions for Thrift Savings Plan (TSP) contributions and/or discretionary allotments that prevent the finance office from collecting debts due the United States, or to other entities listed in Table 52-1, the finance office has the authority to stop those voluntary deductions and process the debt collection. The finance office will notify the Service member that he/she has 30 days to voluntarily change, their TSP contribution, or discretionary allotment amounts. If they fail to make the changes, the finance office will initiate stoppages and specify when the changes will appear on the Service member's military pay account. These actions will not substitute for, but may be included in, any indebtedness notification required by Volume 16.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 5, 10, 11, 26, 31, 37, 38 and 42. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

*Table 52-1. Priority of Deductions and Collections

RULE	When the amounts due to a member are not enough to cover authorized deductions or collections, collect applicable amounts shown in the following sequence:	
1	Reduction of pay entitlement	Losses of pay entitlement take precedence over all items for deduction or collection: a. Forfeiture (note 1) b. Reduction for educational benefit under the "Montgomery G.I. Bill" (note 1)
2	Reimbursement to the United States	Collected amounts for deposit to the credit of the U.S. Treasury, in the following order: a. Federal Insurance Contribution Act tax b. Deductions for Armed Forces Retirement Homes c. Federal Income Tax Withholding (this includes any amounts voluntarily authorized by member in excess of the minimum withholding required) d. Deductions for Servicemembers' Group Life Insurance (SGLI), Family SGLI, and Traumatic SGLI
3	State income tax withholding	
4	Involuntary repayment of indebtedness to the United States	a. Routine pay adjustment as referenced in Volume 16, Chapter 3, subparagraph 3.6.4 b. Repayment of advances of pay/allowances or advances of travel c. Other collections (overpayments of pay or allowances outside the scope of a routine pay adjustment) d. Repayment of public funds entrusted to an accountable member or funds obtained by any member through fraud, larceny, embezzlement, or other unlawful means e. Clothing allowance charges f. Transportation charges g. Subsistence charges h. Government property lost or damaged (note 2) i. Telephone or telegraph charges j. Damage to assigned housing due to negligence or abuse k. Indebtedness to a Commissary, DoD contracted Military Banking Facility overseas, or other appropriated fund activity for an uncollectable check or defaulted loan l. Unpaid hospital bills for medical services furnished to a dependent m. Compensation or stipend payments received by a medical officer from state, county, municipal, or privately owned hospitals for medical services n. Jury duty fees received by a member o. Amounts due to other Uniformed Services or departments or agencies outside DoD, including court judgments
5	Garnishment for alimony and child support payments	

*Table 52-1. Priority of Deductions and Collections (Continued)

RULE	When the amounts due to a member are not enough to cover authorized deductions or collections, collect applicable amounts shown in the following sequence:	
6	Statutorily required child and spousal support allotments	
7	Reimbursement to individuals and agencies	Remittances to an individual or agency by disbursing officer making deductions as follows: a. Deductions for rental of premises occupied by dependents b. Deduction for payment for damages to private property
8	Court-ordered bankruptcy payments under Chapter 13 of the revised Bankruptcy Act	(note 3)
9	Indebtedness to a nonappropriated fund activity	
10	Amounts due Service relief society (Army Emergency Relief, Air Force Aid Society, Navy-Marine Corps Relief Society, or Coast Guard Mutual Assistance) only at final separation	
11	Voluntary repayment of indebtedness to the United States	In order specified by the Military Service member (note 4)
12	Involuntary allotment for commercial debts	(note 5)
13	TSP	Payments to TSP in the following order: a. TSP loan repayments b. TSP catch-up deductions c. TSP deductions d. Roth TSP deductions

*Table 52-1. Priority of Deductions and Collections (Continued)

RULE	When the amounts due to a member are not enough to cover authorized deductions or collections, collect applicable amounts shown in the following sequence:	
14	Allotments	Payments made to an allottee by the United States will be disbursed in the following order: a. Emergency support of dependent b. Government insurance (discretionary allotment) c. Repayment of individual indebtedness or for payment to an individual or financial organization for disposition as authorized by the allotter (discretionary allotment) d. Purchase of U.S. Savings bonds e. Donation to charity drives f. Other discretionary allotments (note 5)
15	Flexible Spending Account Contributions	(See Chapter 51) a. Health Care Flexible Spending Account b. Dependent Care Flexible Spending Account
16	Internal Revenue Service paper levy for delinquent Federal income taxes	(See Chapter 44, section 3.0 and Table 52-1, note 5)
17	Court-Martial fines	

NOTES:

1. Gross pay to which the Military Service member would otherwise be entitled must be reduced by the monthly amount of the forfeiture or educational benefit under the Montgomery G.I. Bill. The forfeiture or educational benefit is subtracted to determine a new, reduced monthly gross pay amount. Deductions based on gross pay will be computed on the reduced gross pay.
2. This is a voluntary indebtedness for members of the Navy or Marine Corps, who fall under Volume 16, Chapter 3, Table 3-3, Rule 5.
3. In cases where the U.S. Bankruptcy Court has mandated that a sum be deducted monthly, the court order will be followed as prescribed in Military Service regulations. The order of precedence in Table 52-1 will apply unless otherwise specified in the court order in which case the court's order prevails.
4. Upon separation, these become involuntary and fall under rule 4.
5. If the date of a tax levy is earlier than the effective date of a voluntary allotment or an involuntary allotment for commercial debts, then the tax levy should be collected before either allotment.

*REFERENCES

CHAPTER 52 – PRIORITY OF PAY DEDUCTIONS AND COLLECTIONS

Table 52-1

Rule 1(a)	36 Comptroller General 79
Rule 1(b)	38 U.S.C., section 3011(b)
Rule 2(a)	26 U.S.C. §§ 3102, 3121
Rule 2(b)	37 U.S.C. § 1007(i)
Rule 2(c)	26 U.S.C. § 3402
Rule 2(d)	38 U.S.C. § 1969
Rule 3	5 U.S.C. § 5517
Rule 4	37 U.S.C. § 1007(c) 5 U.S.C. § 5514 31 U.S.C. § 3716
Rule 4(n)	5 U.S.C. § 5537
Rule 5	42 U.S.C. § 659
Rule 6	42 U.S.C. § 665
Rule 7(b)	10 U.S.C. § 939
Rule 8	11 U.S.C. § 1325(c)
Rule 9	37 U.S.C. § 1007(c)
Rule 10	37 U.S.C. § 1007(h)
Rule 12	5 U.S.C. § 5520a(k) DoD Instruction 1344.09, February 1, 2022
Rule 13	5 U.S.C. §§ 8432, 8432b, 8432d
Rule 14	37 U.S.C. §§ 701, 703, 704, 706
Rule 15	Secretary of Defense Memo, March 22, 2023 Secretary of Defense Memo, September 13, 2024
Rule 16	26 U.S.C. §§ 6331, 6334

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 53: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

VOLUME 7A, CHAPTER 54: "TRICARE DENTAL PROGRAM"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
References	Updated supporting statutes and references.	Revision

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CHAPTER 54

TRICARE DENTAL PROGRAM

1.0 GENERAL

1.1 Purpose

The TRICARE Dental Program (TDP), administered by United Concordia Companies, Inc., is a worldwide dental care plan offered to eligible beneficiaries by the DoD through the Defense Health Agency.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Title 10. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 TDP

2.1 Enrollment Eligibility

The TDP is a voluntary dental plan available to eligible family members of all Active Duty Uniformed Service personnel and to Selected Reserve (SELRES) and Individual Ready Reserve (IRR) Service members and/or their eligible family members. To be eligible for the TDP, the sponsor must have at least 12 months remaining on his or her Service commitment with the parent Service at the time of enrollment. Individuals eligible to enroll in the TDP include the following:

2.1.1. SELRES and IRR Service members; and

2.1.2. Family members of active duty, SELRES, and IRR Service members. This includes spouses and unmarried children (including stepchildren, adopted children, and wards) under the age of 21. Family members will be eligible up to the end of the month in which they turn 21. Family members may be eligible after 21 if:

2.1.2.1. They are enrolled full-time at an accredited college or university and are more than 50 percent dependent on the sponsor for their financial support. These students are eligible to the end of the month in which they turn age 23. If the student terminates his or her education prior to turning 23, then eligibility ends at the end of the month in which education terminates; or

2.1.2.2. They have a disabling illness or injury that occurred before their 21st birthday or between the ages of 21 and 23 if enrolled as a full-time student at the time of illness or injury, and they were more than 50 percent dependent on the sponsor for financial support.

2.1.3. TDP Survivor Benefits

Surviving spouses and children are eligible for the TDP Survivor Benefit when a sponsor dies. Surviving family members are eligible to receive TDP benefits when:

2.1.3.1. An Active Duty sponsor dies while on active duty for a period of more than 30 days; or

2.1.3.2. A Ready Reserve sponsor [i.e., Selected Reserve or Individual Ready Reserve (mobilization asset), as specified in ***10 U.S.C., section 10143*** and ***10 U.S.C. § 10144(b)*** respectively] dies. The Reserve sponsor does not have to be on active duty for the family member to be eligible for survivor benefits.

2.1.3.3. The Government will pay for 100% of the TDP premium for survivors as follows:

2.1.3.3.1. Spouse. The surviving spouse is eligible to receive TDP Survivor Benefits for up to three years from the sponsor's date of death.

2.1.3.3.2. Children. The TDP Survivor Benefit for children ends at the age of 21, or 23 if enrolled in a full-time course of study in a secondary school or in a full-time course of study in an institution of higher education (subject to TRICARE eligibility limitations).

2.1.3.3.3. Incapacitated Children. The TDP Survivor Benefit for incapacitated children (subject to TRICARE eligibility limitations) is the greater of:

2.1.3.3.3.1. Three years from the sponsor's date of death (not to exceed 21 years of age);

2.1.3.3.3.2. The date on which such dependent attains 21 years of age; or

2.1.3.3.3.3. The date on which the dependent attains 23 years of age if enrolled in a full-time course of study in a secondary school or in a full-time course of study in an institution of higher education (subject to TRICARE eligibility limitations).

2.2 Individuals Who Are Not Eligible for TDP Coverage

Active duty Service members are not eligible for the TDP. In addition, former spouses, parents, parents-in-laws, disabled veterans, foreign military personnel, Service members in the Transitional Assistance Management Program following activation for a contingency operation, and retirees and their families are not eligible for TDP benefits.

2.3 Enrollment Period

All new enrollees must remain enrolled in the TDP for at least 12 months. Enrollment may continue on a month-to-month basis after completing the 12-month minimum enrollment lock-in period. Anyone who fails to pay premiums or disenrolls for other than a valid disenrollment reason is prohibited from reenrolling in the program for 12 months.

2.4 Enrollment Form

The sponsor must initiate enrollment by completing a TDP Enrollment Form. If the sponsor is not available to complete and sign the form, an individual with a Power of Attorney (POA) can initiate enrollment, provided the POA allows the individual to enter into contracts. TDP Enrollment Forms are available at the local military dental treatment facility, TRICARE Service Center, Health Benefits Advisor/installation point of contact, ***TRICARE Dental***, or the ***Beneficiaries Web Enrollment*** website.

2.5 Effective Date of Coverage

In most cases, coverage is effective the first day of the month after the month in which the TDP contractor receives the completed form and 1 month's premium payment. TDP Enrollment Forms must be received by the 20th of the month for coverage to begin on the first day of the next month. For applications received after the 20th of the month, coverage will not become effective until the first day of the second month.

2.6 Disenrollment

New enrollees must remain enrolled in the TDP for a minimum of 12 months. Anyone who fails to pay premiums during the 12-month lock-in period or disenrolls for other than valid reasons will be locked-out of the program for 12 months. The following are valid reasons for disenrolling from the TDP prior to completion of the mandatory 12-month enrollment:

2.6.1. When a sponsor or family member loses Defense Enrollment Eligibility Reporting System (commonly referred to as DEERS) eligibility due to death, divorce, marriage of a child, end of entitlement, or when a family member reaches age 21 (or 23 if enrolled full-time at an accredited college or university);

2.6.2. When TDP-enrolled members relocate outside the continental United States service area, the Service members may elect (within 90 calendar days of the relocation) to disenroll their family members and/or themselves from the TDP (TRICARE Service Centers are available to assist with enrollment options.);

2.6.3. When an active duty Service member transfers with enrolled family members to a duty station where space-available dental care for the enrolled members is readily available at the local Uniformed Service dental treatment facility, the active duty Service member may elect (within 90 days of the transfer) to disenroll his/her family members from the TDP; or

2.6.4. When an active duty, SELRES or IRR member is transferred to the Standby Reserve or Retired Reserve.

2.7 Other Disenrollment Situations

The TDP contractor will notify the sponsor of the disenrollment and explain the enrollment/disenrollment options and any associated premium changes and time limitations for the following situations:

2.7.1. If one member in a marriage of two Service members leaves the Uniformed Services and has family members assigned to him, then the family members can be reenrolled to the other Service member without incurring a new 12-month lock-in period;

2.7.2. When an Active Component Service member transfers to the Reserve Component (SELRES, Guard/Reserves on active duty, or IRR), the enrolled family members will be enrolled under the sponsor's new status;

2.7.3. When a Service member of the Reserve Component transfers to an Active Component, the enrolled member, and/or family members will be enrolled under the sponsor's new status;

2.7.4. When the sponsor changes from one branch of service to another;

2.7.5. When a Service member of the SELRES or IRR (Special Mobilization Category) changes status to IRR (other than Special Mobilization Category), the enrolled member, and/or family members are disenrolled from their current plan and automatically reenrolled into the appropriate plan. The reenrolled member/family members may elect to disenroll from the TDP if desired; or

2.7.6. When a Service member of the SELRES or IRR is called to active duty for more than 30 consecutive days, the member is disenrolled effective on the first day of the active duty orders. Enrolled family members remain enrolled in the current TDP plan until the last day of the month in which the sponsor changes status. Family members are automatically reenrolled in the program as active duty family members with the lower premium rate under the existing lock-in period.

2.8 Premium Amounts

The TDP premium rate period runs on an annual basis. The most current rate period and premium rates are available at ***TRICARE Dental Costs***.

2.9 Premium Billing Allotments

If the Service member has a payroll account, and there are sufficient funds available at the time of collection, then the Government will collect the member's share of the premium, in advance, through a Uniformed Service finance office, or on the TRICARE Dental website under

the “Monthly Premiums” section, “Ongoing Recurring Payments” paragraph. Members must verify monthly that the correct dental allotment appears on their Leave and Earnings Statement.

2.10 Direct Billing Process

If there are insufficient funds or no payroll account is available at the time of collection, then the Service member must pay the premium costs by means of direct billing. When this occurs, premium collection will transfer, from the Uniformed Service finance office or site payroll allotment, to direct billing by the TDP contractor. Once the TDP contractor direct bills, this payment process will continue, until the member requests the TDP contractor to restart the payroll allotment. The TDP contractor will immediately direct bill for premiums due from IRR Service members and from SELRES and IRR family members.

*REFERENCES

CHAPTER 54 – TRICARE DENTAL PROGRAM (TDP)

1.0 – GENERAL

1.1	TDP Handbook, October 2021

2.0 – TDP

	10 U.S.C., § 1076a

VOLUME 7A, CHAPTER 55: "RESERVE INCOME REPLACEMENT PROGRAM"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated May 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated language to comply with current DoD Instruction 1241.05, Reserve Income Replacement Program, dated May 15, 2018.	Revision

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CHAPTER 55

RESERVE INCOME REPLACEMENT PROGRAM

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to the Reserve Income Replacement Program (RIRP) for members of the Reserve Components (RC) as defined in Volume 7A Definitions.

1.2 Authoritative Guidance

The RIRP policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.), section 910 (***37 U.S.C. § 910***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 DEFINITIONS

2.1 Involuntary Active Duty

For the purposes of this chapter, involuntary active duty is defined as an order to active duty without the consent of the member in accordance with the authority under ***10 U.S.C. § 688***, ***10 U.S.C. § 12301(a)***, ***10 U.S.C. § 12301(g)***, ***10 U.S.C. § 12302***, ***10 U.S.C. § 12304***, ***10 U.S.C. § 12304a***, or ***10 U.S.C. § 12304b***, an order to full-time National Guard duty under ***32 U.S.C. § 502(f)(1)*** or ***14 U.S.C. § 3713***.

2.2 Monthly Active-Duty Income Differential

This differential is the difference between the average monthly civilian income of the member and the member's total monthly military compensation (TMMC) when the member's average monthly civilian income exceeds the TMMC.

2.3 TMMC

TMMC is the amount computed on a monthly basis that is the sum of the member's regular military compensation and the amount of any special pays, incentive pays, and allowances (not included in regular military compensation) that are paid on a monthly basis (e.g., Foreign Language Proficiency annual bonus that may be paid in monthly installments). Bonuses paid in a lump sum or anniversary installments, such as enlistments, reenlistment, and affiliation bonuses, will not be included in TMMC. Cost of living allowances will be included in TMMC. Per Diem, to include meals and incidental expenses, will not be included in TMMC.

3.0 RIRP ELIGIBILITY

3.1 Service Requirement

An RC member currently serving on involuntary active duty is eligible for RIRP payments for any entire month of involuntary active duty that is served after the member:

3.1.1. Completes 547 continuous days of service on active duty under an involuntary mobilization order;

3.1.2. Completes 730 cumulative days on active duty under an involuntary mobilization order during the previous 1,826 days; or

3.1.3. Is involuntarily mobilized for service on active duty for a period of 180 days or more within 180 days after the date of the member's separation from a previous period of active duty for a period of 180 days or more.

> Example: If continuous service on active duty began on February 1, 2016, the 547 days to establish eligibility would end at midnight on July 31, 2017. The member would meet the eligibility requirement for RIRP on August 1, 2017, and would be entitled to RIRP payment on September 1, 2017, for the month of August 2017, if the member serves on active duty for the entire month of August.

3.2 RIRP Entitlement

Payment for RIRP is based on each full month of involuntary active duty following the date on which the member meets the service requirement in paragraph 3.1 and has a monthly active-duty income differential. RIRP payments are based on full months of service only partial payments are not authorized. Changes in pay grade, longevity, number of dependents, and special pays will be taken into account in calculating the RIRP payment in the month following the change.

3.3 Special Conditions

Effective January 29, 2008, the entitlement of an RC member to RIRP payment will commence, or if previously commenced, will continue if the member satisfies the service requirement specified in paragraph 3.1, and is retained on active duty under 10 U.S.C. § 12301(h)(1)(A) or (B) because of an injury or illness incurred, or aggravated while assigned to duty in an area for which special pay under ***37 U.S.C. § 351*** is available.

4.0 RESTRICTIONS

A civilian employee of the Federal Government, who is also a member of an RC is not entitled to a payment of RIRP for any period for which the employee is entitled to a civilian pay differential payment under ***5 U.S.C. § 5538***, as described in Volume 8, Chapter 3, paragraph 5.9; or a comparable civilian pay benefit under an administratively established program for civilian

employees absent from a position of employment with the Federal Government in order to perform active duty in the Uniformed Services.

5.0 PAYMENT

5.1 Frequency

After an RC member has met the service requirement in paragraph 3.1, the member is entitled to payment of RIRP on a monthly basis. Payment is made on the first day of the calendar month after performing a full calendar month of involuntary active-duty service, if the member has a monthly active-duty income differential. See the example in subparagraph 3.1.3.

5.2 Limitation

RIRP payments will be made to an eligible RC member only if the monthly active-duty income differential is greater than $50. The RIRP payment to a member will not exceed $3,000 per month, notwithstanding a higher monthly active-duty income differential.

5.3 Termination of Payment

5.3.1. Payment will terminate when one of the conditions in Table 55-1 is met.

5.3.2. Unless reauthorized by Congress, RIRP may not be paid after the date on the ***Duration of Authority*** table, unless a member's entitlement to RIRP payments commenced on or before that date.

6.0 TAXABILITY

6.1 Federal and State Tax Deduction

RIRP payments are subject to federal and state income tax withholding.

6.2 Federal Insurance Contribution Act (FICA)

RIRP payments are not subject to FICA withholding.

Table 55-1. Date to Terminate RIRP Payment

RULE	When the	then RIRP payment is terminated after
1	member is released from a qualifying period of active duty	the last full month of qualifying service. A partial month is not pro-rated.
2	member no longer meets eligibility requirements due to changes in the TMMC	the last full month of service in which the member had a monthly active-duty income differential. A partial month is not pro-rated.
3	member's monthly active-duty income differential decreases to $50 or less due to changes in TMMC	the last full month of service in which the member had a monthly active-duty income differential exceeding $50. A partial month is not pro-rated.
4	member's order duty status changes from involuntary to voluntary	the last full month of involuntary active duty. A partial month is not pro-rated.

REFERENCES

CHAPTER 55 – RESERVE INCOME REPLACEMENT PROGRAM

2.0 – DEFINITIONS

DoD Instruction (DoDI) 1241.05 May 15, 2018, paragraph G.2

3.0 – RIRP ELIGIBILITY

37 U.S.C. § 910(b)

3.1	DoDI 1241.05 May 15, 2018, paragraph 3.1
3.2	DoDI 1241.05 May 15, 2018, paragraph 3.2.e
3.3	DoDI 1241.05 May 15, 2018, paragraph 3.1.b

4.0 – RESTRICTIONS

37 U.S.C. § 910(b)(3)
5 U.S.C. § 5538

5.0 – PAYMENT

5.2	37 U.S.C. § 910(c) DoDI 1241.05 May 15, 2018, paragraph 3.3
5.3	37 U.S.C. § 910(g)

VOLUME 7A, CHAPTER 56: "READY RESERVE (RR) ACCESSION, AFFILIATION, ENLISTMENT, AND RETENTION BONUSES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
3.2 4.2	Updated bonus amount limitations to comply with current statutes.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 56

READY RESERVE (RR) ACCESSION, AFFILIATION, ENLISTMENT, AND RETENTION BONUSES

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to provide policy guidance pertaining to the accession, affiliation, enlistment, and retention bonuses for members of the RR.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.), sections 331 and 332, (***37 U.S.C. § 331*** and ***37 U.S.C. § 332***). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 OFFICER ACCESSION AND AFFILIATION BONUS

2.1 Officer Accession Bonus

2.1.1. Conditions of Entitlement. Pursuant to 37 U.S.C. § 332(a)(1), and implemented by ***DoD Instruction (DoDI) 1304.34***, July 11, 2016, the Secretary concerned may pay an accession bonus to an eligible officer who enters into an agreement with the Secretary:

2.1.1.1. To accept an appointment as an officer in the Armed Forces; and

2.1.1.2. To serve in the Selected Reserve (SELRES) of the RR in a designated skill for the period specified in the agreement.

2.1.2. Skills Designation. The Secretary will designate the officer skills to which the bonus authority is to be applied. A skill may be designated if it is critical to increase the number of members accessed who are qualified in that skill or are to be trained in that skill, or to mitigate a current or projected significant shortage of personnel who are qualified in that skill.

2.2 Officer Affiliation Bonus

2.2.1. Conditions of Entitlement. In accordance with 37 U.S.C. § 332(a)(2) and DoDI 1304.34, the Secretary concerned may pay an affiliation bonus to an eligible officer in the Military Department who enters into an agreement with the Secretary to serve, for the specified period in the agreement, in the SELRES of the RR. The officer must enter into an agreement:

2.2.1.1. To serve in a critical officer skill designated by the Secretary; or

2.2.1.2. To meet a manpower shortage in:

2.2.1.2.1. A unit of that SELRES; or

2.2.1.2.2. A particular pay grade in that Armed Force.

2.2.2. Eligibility Criteria. An officer is eligible for an affiliation bonus if the officer either:

2.2.2.1. Is serving on active duty for a period of more than 30 days; or

2.2.2.2. Is a member of a Reserve Component (RC) not on active duty (if the member formerly served on active duty but was released from active duty under honorable conditions); and

2.2.2.3. Is not entitled to retired or retainer pay.

2.2.3. Critical Skills Designation. The Secretary concerned will designate the critical officer skills to which the bonus authority is to be applied. A skill may be designated as a critical officer skill if it is critical to have a sufficient number of officers who are qualified in that skill.

2.3 Period of Obligated Service

An agreement entered into with the Secretary concerned will require the person entering into that agreement to serve in the SELRES for a specified period. The period specified in the agreement will be any period not less than 3 years that the Secretary determines appropriate to meet the needs of the RC in which the service is to be performed.

2.4 Bonus Amounts

2.4.1. The maximum accession bonus may not exceed $60,000 for a minimum 4-year period of obligated service, nor may it exceed an annual amount of $15,000.

2.4.2. The maximum affiliation bonus may not exceed $10,000 for a minimum 3-year service obligation.

2.5 Payment

2.5.1. Upon acceptance of a written agreement by the Secretary, the total amount of the bonus payable under the agreement becomes fixed. The agreement will specify whether the bonus is to be paid in one lump sum or installments.

2.5.2. A person entitled to a bonus who is called or ordered to active duty will be paid, during that period of active duty, any amount of the bonus that becomes payable to the member during that period of active duty.

2.6 Relation to Other Accession Bonus

A person may not receive an affiliation bonus, accession bonus, and financial assistance through a loan repayment program for the same period of service.

2.7 Repayment

A person or officer who receives a bonus in accordance with 37 U.S.C. § 332, and fails to complete the period of obligated service or other conditions of service specified in the written agreement for which the bonus is paid, must repay any unearned portion of the bonus consistent with ***37 U.S.C. § 373*** and Chapter 2.

2.8 Duration of Authority

Unless reauthorized by Congress, an officer accession or affiliation bonus may not be paid after the date listed on the ***Duration of Authority*** table, located on DFAS.MIL, unless an officer accession or affiliation agreement was entered into prior to the date on the table.

3.0 ENLISTMENT BONUS

The Secretaries concerned may pay a bonus to a person who enlists in or affiliates with the SELRES and agrees to serve for a specified period of obligated service in a designated skill, unit, or pay grade, or to meet some other condition or conditions imposed by the Secretary concerned.

3.1 Eligibility

An enlistment bonus is authorized for individuals who enlist in an RC for a specific period and, if applicable, for service in a skill that is experiencing critical personnel shortages as designated by the Secretary concerned. The individual must:

3.1.1. Possess a high school diploma, a completion or attendance certificate in lieu of a high school diploma, or a General Educational Development (GED) program certificate; and

3.1.2. Be an initial enlistee, a prior Service enlistee, or a reservist not on active duty who enlists in the RC of an Armed Force, as defined in subparagraphs 3.1.2.1 and 3.1.2.2.

3.1.2.1. Initial/Non-prior Service Enlistee. An Initial or Non-prior Service Enlistee is a person who has either never served or has served, but was released from such service before completing the basic training requirements of the Service of which the person was a member and the service was characterized as either honorable or uncharacterized.

3.1.2.2. Prior Service Enlistee. A Prior Service Enlistee is a person who has prior experience but has not previously received an enlistment or retention bonus, or who currently is not entitled to a Selective Retention Bonus (SRB) under section 7.0.

3.1.3. Enlist for at least 2 years in an RC of an Armed Force and serve for a specified period of obligated service in at least one of the following categories:

3.1.3.1. A designated skill;

3.1.3.2. Career field;

3.1.3.3. Unit; or

3.1.3.4. Grade;

3.1.4. Execute a written agreement with the Secretary concerned that specifies the:

3.1.4.1. Amount of the bonus;

3.1.4.2. Method of bonus payment;

3.1.4.3. Period of obligated service; and

3.1.4.4. Designated skill or specialty, career field, unit, or grade, or such other condition or conditions of service imposed by the Secretary concerned;

3.1.5. Not be in receipt of an enlistment bonus, a retention bonus, an affiliation bonus, or a transfer bonus for the same period of service;

3.1.6. Not have previously received or be eligible to receive an SRB under section 7.0 or a Critical Skills Retention Bonus (CSRB);

3.1.7. Successfully complete training and become technically qualified in a designated skill if completion of such training and technical qualification forms the basis under which the bonus is paid; and

3.1.8. Meet any additional service specific eligibility criteria and quality standards established by the Secretary concerned.

NOTE: Reservists currently obligated to Military Service under the delayed entry program are not eligible for an enlistment bonus from another Military Service.

*3.2 Amount

The bonus amount to be paid will:

3.2.1. Be fixed upon acceptance of the agreement by the Secretary concerned;

3.2.2. Be paid in a lump sum or in periodic installments; and

3.2.3. 37 U.S.C. § 331 limits the amount not to exceed $75,000 for a minimum 2-year period of obligated service for an enlistment described in paragraph 3.1. The current DoD limit is found in the ***DoD Instruction (DoDI) 1304.31***.

3.3 Repayment

A member who enters into an agreement and receives all or part of the bonus under the agreement, but who does not commence to serve in the SELRES or does not satisfactorily participate in the SELRES for the total period of service specified in the agreement, will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2.

3.4 Duration of Authority

Unless reauthorized by Congress, an enlistment bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless an enlistment bonus agreement was entered into prior to the date on the table.

4.0 ENLISTED AFFILIATION BONUS

4.1 Eligibility

The Secretary concerned may pay an affiliation bonus to an enlisted member who:

4.1.1. Is currently serving on active duty or has served on active duty and is discharged or released under honorable conditions;

4.1.2. Has less than 20 years of total uniformed service;

4.1.3. Provides the original DoD (DD) Form 214, Certificate of Release or Discharge from Active Duty (copy 1 or copy 4), or a reproduction with a certified true-copy stamp and the appropriate Federal Government authenticating seal imprinted thereon for each period of prior military service;

4.1.4. Executes an agreement to serve as an enlisted member in the SELRES of the RR of an Armed Force for a period of not less than 2 years as specified in subparagraph 3.1.2, in a:

4.1.4.1. Skill;

4.1.4.2. Unit; or

4.1.4.3. Pay grade designated after being discharged or released from active duty under honorable conditions;

4.1.5. Executes a written agreement with the Secretary concerned that specifies the:

4.1.5.1. Amount of the bonus;

4.1.5.2. Method of bonus payment;

4.1.5.3. Period of obligated service; and

4.1.5.4. Designated skill or specialty, career field, unit, or grade, or such other condition or conditions of service imposed by the Secretary concerned;

4.1.6. Is not in receipt of an enlistment, retention, or transfer bonus for the same period of time as an affiliation bonus; and

4.1.7. Has not previously received an affiliation bonus in the SELRES.

*4.2 Amount

The bonus amount:

4.2.1. Is fixed upon acceptance of the agreement by the Secretary concerned;

4.2.2. May be paid in a lump sum or in periodic installments; and

4.2.3. Is limited by 37 U.S.C. § 331 to a maximum amount of $75,000 for a minimum 2-year period of obligated service for an affiliation described in paragraph 4.1. The current DoD limit is found in the DoDI 1304.31.

4.3 Repayment

A member who enters into an agreement and receives all or part of the bonus under the agreement, but who does not commence to serve in the SELRES or does not satisfactorily participate in the SELRES for the total period of service specified in the agreement, will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2.

4.4 Duration of Authority

Unless reauthorized by Congress, an enlistment affiliation bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless an enlistment affiliation bonus agreement was entered into prior to the date on the table.

5.0 PRIOR SERVICE ENLISTMENT BONUS

5.1 Eligibility

The Secretary concerned may pay an individual with prior military service who reenlists in an RC of an Armed Force after a break in reserve duty. The individual must:

5.1.1. Enlist in an RC of an Armed Force;

5.1.2. Reenlist for a period of at least 2 years or extend the initial period of obligated service;

5.1.3. Execute a written agreement with the Secretary concerned to serve as an enlisted member in an RC that specifies the:

5.1.3.1. Amount of the bonus;

5.1.3.2. Method of bonus payment;

5.1.3.3. Period of obligated service; and

5.1.3.4. Designated skill or specialty, career field, unit, or grade, or such other condition or conditions of service imposed by the Secretary concerned;

5.1.4. Agree to serve for a specified period in at least one of the following reenlistment or extension categories:

5.1.4.1. A designated skill;

5.1.4.2. Career field;

5.1.4.3. Unit; or

5.1.4.4. Grade;

5.1.5. Successfully complete training or retraining and become technically qualified in a designated military skill, when additional training is required;

5.1.6. Provide the original DD 214 (copy 1 or copy 4), or a reproduction of the DD 214 with a certified true copy stamp and the appropriate Federal Government authenticating seal imprinted thereon for any period of prior uniformed service, or other official documentation verifying member's satisfactory participation for all periods of prior service in the Regular Component;

5.1.7. Qualify under any additional eligibility criteria prescribed by the Secretary concerned;

5.1.8. Possess a high school diploma, a completion or attendance certificate in lieu of a high school diploma, or a GED program certificate; and

5.1.9. Be an initial enlistee, a prior Service enlistee, or a reservist not on active duty who enlists in a SELRES of an Armed Force in subparagraph 5.1.2.

5.2 Limitations

A member may not be paid a Prior Service Enlistment Bonus if he/she:

5.2.1. Has previously received an enlistment bonus;

5.2.2. Has previously received or is currently entitled to an SRB per DoDI 1304.31 or a CSRB under ***37 U.S.C. § 355***;

5.2.3. Has more than 16 years of total uniformed service and received a less than honorable discharge at the conclusion of any of the prior periods of service;

5.2.4. Was released or is being released from active duty for the purpose of enlistment in an RC;

5.2.5. Is not projected to occupy a position for which the member previously served successfully and has completed training or retraining in the critical specialty for the position;

5.2.6. Does not execute an agreement to serve in the SELRES of the RR for a period of not less than 3 years as specified in subparagraph 5.1.4; or

5.2.7. Fails to provide the original DD 214 as specified in subparagraph 5.1.6.

5.3 Amount

The bonus amount to be paid will:

5.3.1. Be fixed upon acceptance of the agreement by the Secretary concerned; and

5.3.2. Not exceed $15,000 for each year of obligated service in a reserve component.

5.4 Method of Payment

5.4.1. The Secretary concerned must establish the method of payment for the bonus (lump sum or periodic installments). Payment should be disbursed based on training milestones, amounts, and length of enlistment. The Secretary concerned must not pay a person or member any portion of the bonus prior to completion of basic recruit training.

5.4.2. Members with prior uniformed service who do not require formal training to be technically qualified in the skill for which the bonus is being paid will receive their first installment no earlier than 30 days after arrival at the first permanent duty station following entry on active duty.

5.5 Repayment

A member who receives all or part of the bonus under the agreement, who does not complete the term of enlistment or who is not technically qualified in the skill for which the bonus was paid, will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2.

5.6 Duration of Authority

Unless reauthorized by Congress, a prior service enlistment bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless a prior service enlistment bonus agreement was entered into prior to the date on the table.

6.0 NONAVAILABILITY

6.1 RR

Members of the RR who incur a period of authorized absence (such as temporary overseas residence, missionary obligation, or overseas employment obligation) will have their incentive suspended, and will not be entitled to incentive payments. The period of authorized absence may be up to 1 year for valid personal reasons as determined by the Secretary concerned. In cases with unusual and extenuating circumstances, the Secretary of the Military Department concerned may grant a one-time suspension up to 3 years on a case-by-case basis. If subsequently assigned to the Reserve status and skill that they had previously contracted for, members may be reinstated in the incentive program if they extend their term of service, or service obligation, to be able to serve the full original incentive contract period. Entitlement to subsequent payments will resume on the adjusted anniversary date of satisfactory and creditable Reserve Service, as appropriate. The date will be adjusted for periods of authorized absence. Failure to meet reinstatement criteria will result in termination of the incentive and recoupment, as appropriate.

6.2 SELRES

Members of the SELRES may incur a period of authorized absence of up to 1 year for valid personal reasons as determined by the Secretary concerned. In cases with unusual and extenuating circumstances, the Secretary of the Military Department concerned may grant a one-time suspension up to 3 years on a case-by-case basis. These members will be:

6.2.1. Transferred to the Individual RR or the Inactive National Guard, as appropriate, during the period of authorized absence, and will be suspended from their incentive. During the period of authorized absence, the member will not be entitled to subsequent incentive payments or any incentives available to members of the RR, not in the SELRES; and

6.2.2. If, within 1 year, members are subsequently reassigned to a SELRES skill or unit type that they had previously contracted for, then the members may be reinstated in the incentives program if they extend their term of service, or contract for service, to be able to serve the full original incentive contract period. Entitlement to subsequent payments will resume on the adjusted anniversary date of satisfactory creditable SELRES service. The date will be adjusted for that

period of authorized absence. Failure to meet reinstatement criteria will result in termination of the incentive and recoupment, as appropriate.

7.0 SRB

An SRB authorized under 37 U.S.C. § 331(a)(3) and implemented in DoDI 1304.31, provides a monetary incentive that may be offered to retain adequate numbers of qualified enlisted personnel in certain reenlistment categories. The bonus may be used to obtain the reenlistment or voluntary extension of an enlistment in exchange for a member's agreement to serve for a specified period.

7.1 Eligibility

The Secretary concerned may pay an SRB to a person, including a member of the Armed Forces who reenlists in a Military Service for a specific period and, if applicable, for service in a military skill that is experiencing critical personnel shortages as designated by the Secretary concerned. The individual must:

7.1.1. Serve in pay grade E-3 or higher;

7.1.2. Reenlist for a period of at least 3 years or voluntarily extend an enlistment for a period of at least 1 year in an active status in the SELRES in a Military Service;

7.1.3. Execute a written agreement with the Secretary concerned that specifies the:

7.1.3.1. Amount of the bonus;

7.1.3.2. Method of bonus payment (lump sum amount or periodic installments);

7.1.3.3. Period of obligated service; and

7.1.3.4. Designated skill or specialty, career field, unit, or grade, or such other condition or conditions of service imposed by the Secretary concerned;

7.1.4. Agree to serve for a specified period in at least one of the following reenlistment or extension categories:

7.1.4.1. A designated military skill;

7.1.4.2. Career field;

7.1.4.3. Unit; or

7.1.4.4. Grade;

7.1.5. Meet skill qualification prior to payment of an SRB for a member transferring into a designated skill; and

7.1.6. Qualify under any additional eligibility criteria prescribed by the Secretary concerned.

7.2 Limitations

7.2.1. A re-entry or reenlistment must occur no later than 3 months after the date of discharge or release from active duty.

7.2.2. Veterans with more than a 3-month but less than a 4-year break in active status may qualify for reentry after a break in service or prior service reentry, subject to the regulations prescribed by the Secretary concerned.

7.2.3. The original DD 214 (copy 1 or copy 4), a reproduction of the DD 214 with a certified true-copy stamp and appropriate Federal Government authenticating seal imprinted thereon, or other official documentation verifying the member's satisfactory participation for all periods of prior service in the active component and SELRES are acceptable documentation of prior active duty service for a break in active duty service greater than 24 hours.

7.2.4. Individuals with prior enlisted service and subsequent service as officers who were discharged or released from active duty and who, within 3 months after discharge or release from active duty as an officer, reenlist in the same RC of a uniformed service in which they previously served as an enlisted member may be eligible for an SRB. The individual must meet all other requirements established in paragraph 7.1.

7.2.5. Members who reenlist or voluntarily extend an enlistment to gain sufficient obligated service to participate in a program leading to commissioned or warrant officer status are not eligible for an SRB.

7.2.6. A member is not eligible for an SRB if the member was discharged or released from active duty, or service in an active status based upon a determination of misconduct, substandard duty performance, or moral or professional dereliction.

7.2.7. Generally, a member may not use any preexisting period of obligated service to satisfy an obligated service requirement under an SRB agreement, unless such service is determined by the Secretary concerned to be consistent with the requirements of ***37 U.S.C. § 371***.

7.2.7.1. A preexisting period of obligated service is necessary for the member to qualify for continuous submarine duty incentive pay and is service for which no bonus was previously authorized or payable.

7.2.7.2. A preexisting period of obligated service includes no more than a 2-year period of an unserved voluntary extension of enlistment for which no bonus was previously

authorized or payable, and the member agrees to an additional 2-year period of obligated service in connection with an SRB.

7.2.8. An SRB may be paid to an enlisted member with up to 28 years of active duty or service in an active status. The Deputy Assistant Secretary of Defense for Military Personnel Policy may waive this restriction based upon a request and justification submitted by the Secretary of the Military Department concerned.

7.3 Amount

An SRB may not exceed $15,000 for each year of obligated service in an RC. The maximum amount for an SRB is $90,000.

7.3.1. The Secretary concerned must determine the amount of an SRB based on a business case model that targets retention of adequate levels of enlisted personnel in a reenlistment or extension category.

7.3.2. RC members may receive more than one SRB at a time, but the total combined SRB payments over a career must not exceed $180,000.

7.3.3. SRB amounts may be prorated for extension requests greater than 1 year and reenlistments greater than 3 years. The additional service time will be calculated on a monthly basis at a rate equal to 1/12th the annual amount. Total bonus amounts are limited to $90,000 per SRB and $180,000 over a career.

7.4 Method of Payment

An SRB may be paid either in installments or in a lump sum. If an SRB is paid in periodic installments:

7.4.1. The installment amount will be at the discretion of the Secretary concerned and may be paid at the time of reenlistment, or at the beginning of the member's service commitment for the voluntary extension of enlistment. All payments must be made before the member completes a total of 28 years of service.

7.4.2. The initial payment to a Service member who reenlists after a break in active duty service greater than 24 hours is to be made no earlier than 30 days after arrival at the first permanent duty station following reenlistment.

7.4.3. Where there is lost time, the subsequent installment payments will be delayed by the number of days of lost time.

7.4.4. Discharge for the purpose of immediate reenlistment does not affect a member's entitlement to subsequent SRB installment payments.

7.5 Repayment

A member who does not complete the term of enlistment within the element of the SELRES for which the bonus was paid to the member under this section will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2.

7.6 Duration of Authority

Unless reauthorized by Congress, an SRB may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless an SRB agreement was entered into prior to the date on the table.

8.0 MILITARY OCCUPATIONAL SPECIALTY (MOS) CONVERSION BONUS

8.1 Eligibility

Consistent with 37 U.S.C. § 331 the, Secretaries concerned may pay a conversion bonus to a member who agrees to convert to a designated military skill in which there is a shortage of trained and qualified personnel and to serve for a period of not less than 3 years on active duty, or in an active status in the SELRES in that military skill or specialty. In addition to other enlisted bonus program eligibility requirements specified in DoDI 1304.31, a member must:

8.1.1. Be serving in a pay grade E-6 or below with no more than 12 years of service as computed in accordance with ***37 U.S.C. § 205***; and

8.1.2. Have completed all service obligations incurred for receipt of an enlistment or retention bonus, in accordance with 37 U.S.C. §§ 331 or 355 for a CSRB at the time of conversion.

8.2 Amount

The bonus payment will not exceed $10,000 for a reenlistment or conversion that involves an agreement to convert to a designated military skill.

8.3 Payment

The bonus may be payable in a lump sum, upon approval and completion of the conversion training.

8.4 Repayment

A member who does not convert and complete the period of service in the MOS specified in the agreement will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2.

8.5 Duration of Authority

Unless reauthorized by Congress, an MOS conversion bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless an MOS conversion bonus agreement was entered into prior to the date on the table.

9.0 TRANSFER BETWEEN COMPONENTS OF A MILITARY SERVICE BONUS

9.1 Eligibility

The Secretary concerned may pay a bonus in accordance with 37 U.S.C. § 331(a)(4) to an enlisted member who agrees to transfer from the Regular Component to the RR or vice versa of the same service. The member must:

9.1.1. Execute a written agreement with the Secretary concerned that specifies the:

9.1.1.1. Amount of the bonus;

9.1.1.2. Method of bonus payment (lump sum amount or periodic installments);

9.1.1.3. Period of obligated service; and

9.1.1.4. Designated military skill or specialty, career field, unit, or grade, or such other condition or conditions of service imposed by the Secretary concerned;

9.1.2. Agree to serve for a specified period in at least one of the following reenlistment or extension categories:

9.1.2.1. A designated skill;

9.1.2.2. Career field;

9.1.2.3. Unit; or

9.1.2.4. Grade;

9.1.3. Not be in receipt of an enlistment bonus, retention bonus, an affiliation bonus, or a transfer bonus for the same period of service;

9.1.4. Satisfactorily complete all terms of enlistment within their current component; and

9.1.5. Qualify for reenlistment in the Regular Component or RC of the Armed Force to which the member is transferring.

9.2 Amount and Method of Payment

The Secretary concerned must establish the method of payment for the bonus (lump sum or periodic installments). The bonus amount may not exceed $10,000 and is payable upon approval of the Secretary concerned.

9.3 Repayment

A member who does not complete the terms of the transfer bonus or who is not technically qualified in the skill for which the bonus was paid will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2.

9.4 Duration of Authority

Unless reauthorized by Congress, a transfer between components of a military service bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless a transfer between components of a military service bonus agreement was entered into prior to the date on the table.

10.0 TRANSFER BETWEEN MILITARY SERVICES BONUS

10.1 Eligibility

The Secretary concerned may pay a bonus in accordance with 37 U.S.C. § 331(a)(5) to an enlisted member who agrees to transfer and serve in another uniformed service for a specified period in a designated skill, career field, unit, or grade, or to meet some other condition or conditions imposed by the Secretary concerned. The member must:

10.1.1. Execute a written agreement with the Secretary concerned that specifies the:

10.1.1.1. Amount of the bonus;

10.1.1.2. Method of bonus payment;

10.1.1.3. Period of obligated service; and

10.1.1.4. Designated skill, career field, unit, or grade, or such other condition or conditions of service imposed by the Secretary concerned;

10.1.2. Agree to serve for a specified period in at least one of the following reenlistment or extension categories:

10.1.2.1. A designated skill;

10.1.2.2. Career field;

10.1.2.3. Unit; or

10.1.2.4. Grade;

10.1.3. Not have failed to satisfactorily complete any term of enlistment in a Military Service;

10.1.4. Qualify for reenlistment in the Regular Component of the Armed Force to which the member is transferring;

10.1.5. Prior to the transfer, have fulfilled the requirements established by the Secretary with jurisdiction over the Armed Force to which the member is transferring; and

10.1.6. Not be in receipt of an enlistment bonus, a retention bonus, an affiliation bonus, or a transfer bonus for the same period of service.

10.2 Amount and Method of Payment

The Secretary of the gaining Service may pay the transfer bonus in one $10,000 lump sum amount upon approval of the transfer by the Secretary concerned. Alternatively, the bonus may be paid in annual installments, the total of which may not exceed $10,000.

10.3 Repayment

A member who does not complete the terms of the transfer bonus or who is not technically qualified in the skill for which the bonus was paid will be subject to the repayment provisions of 37 U.S.C. § 373 and Chapter 2.

10.4 Duration of Authority

Unless reauthorized by Congress, a transfer between military services bonus may not be paid after the date listed on the Duration of Authority table, located on DFAS.MIL, unless a transfer between military services agreement was entered into prior to the date on the table.

*REFERENCES

CHAPTER 56 – READY RESERVE (RR) ACCESSION, AFFILIATION, ENLISTMENT, AND RETENTION BONUSES

2.0 – OFFICER ACCESSION AND AFFILIATION BONUS

	DoDI 1304.34, July 11, 2016
2.1	37 U.S.C. § 332(a)(1)
2.2	37 U.S.C. § 332(a)(2)
2.4	DoDI 1304.34, July 11, 2016, paragraph 3.1.c
2.6	DoDI 1304.34, July 11, 2016, paragraph 1.2.c
2.7	DoDI 1304.34, July 11, 2016, paragraph 3.1.f

3.0 – ENLISTMENT BONUS

	37 U.S.C. § 331(a)(2)
3.0	DoDI 1304.31, November 5, 2020, paragraph 4.1
3.2	DoDI 1304.31, November 5, 2020, paragraph 4.1.e

4.0 – ENLISTED AFFILIATION BONUS

	37 U.S.C. § 331(a)(2)
	DoDI 1304.31, November 5, 2020, paragraph 4.2

5.0 – PRIOR SERVICE ENLISTMENT BONUS

	37 U.S.C. § 331
5.2	DoDI 1304.31, November 5, 2020, paragraph 4.3.b
5.2.6	DoDI 1304.31, November 5, 2020, paragraph 4.3.b.7
5.3	DoDI 1304.31, November 5, 2020, paragraph 4.3.c

6.0 – NONAVAILABILITY

	DoDI 1304.31, November 5, 2020, paragraph 3.1.i

7.0 – SRB

	37 U.S.C. § 331(a)(3)
7.2.8	DoDI 1304.31, November 5, 2020, paragraph 4.4.d.(3)(b)
7.3	DoDI 1304.31, November 5, 2020, paragraph 4.4.d(5)

8.0 – MILITARY OCCUPATIONAL SPECIALTY (MOS) CONVERSION BONUS

	37 U.S.C. § 331
8.2	DoDI 1304.31, November 5, 2020, paragraph 4.4.e(2)

9.0 – TRANSFER BETWEEN COMPONENTS OF A MILITARY SERVICE BONUS

37 U.S.C. § 331(a)(4)
DoDI 1304.31, November 5, 2020, paragraph 4.5.a

10.0 – TRANSFER BETWEEN MILITARY SERVICES BONUS

37 U.S.C. § 331(a)(5)
DoDI 1304.31, November 5, 2020, paragraph 4.5.b

VOLUME 7A, CHAPTER 57: "RESERVE ENTITLEMENTS FOR ACTIVE DUTY (AD)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated September 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision

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CHAPTER 57

RESERVE ENTITLEMENTS FOR ACTIVE DUTY (AD)

1.0 GENERAL

1.1 Purpose

This chapter establishes the policy guidance pertaining to reserve entitlements for AD.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.), including Titles 5, 10, and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 PROVISIONS

2.1 Entitlements

2.1.1. AD With Pay. A member of a Reserve Component (RC) serving on AD with pay is entitled to receive pay according to the member's years of service and the grade in which the member is serving.

NOTE: The term AD is defined in the Definitions chapter.

2.1.2. AD Without Pay. An RC member may, with the member's consent, be ordered to AD without pay when authorized by the Secretary of the Military Department concerned. See section 5.0 for entitlement to allowances.

2.1.3. Combination AD and Inactive Duty. An RC member may be paid the equivalent total of more than 360 days of pay in a year, when so directed, if this total is based on a combination of AD pay and inactive duty training (IDT) pay.

2.1.4. Effective Date of Promotion for Increase in Pay and Allowances, Reserve and National Guard Officers. See Table 57-1.

2.1.5. Effective Date of Promotion for Increase in Pay and Allowances, Enlisted Members of the RC. Chapter 1, Table 1-4, rules 8 through 14 apply to these members.

2.2 Saved Pay

The provisions of Chapter 1, paragraph 3.3 apply to RC members.

2.3 Limitation

An RC member cannot be paid inactive duty pay on any day that the member is entitled to AD pay.

2.4 Waiver of Benefits

2.4.1. An RC member who is drawing retirement pay or retainer pay from the United States for prior Military Service, and who performs duty for which the member is entitled to pay, may elect to receive either:

2.4.1.1. The pay and allowances authorized by law for the duty that the RC member is performing. A member who receives military pay and allowances loses entitlement to one calendar day of retired or retainer pay for each calendar day of AD or inactive duty performed. Thus, receipt of military pay for two inactive duty periods performed in one calendar day results in the loss of one calendar day of retired or retainer pay; or

2.4.1.2. If the RC member specifically waives those payments, the retired or retainer pay to which the member is entitled because of the member's earlier military service.

2.4.2. An RC member who is drawing disability compensation or pension from the United States for prior Military Service, and who performs duty for which the member is entitled to pay, may elect to receive either:

2.4.2.1. The disability compensation or pension to which the member is entitled because of the member's earlier military service; or

2.4.2.2. If the RC member specifically waives those payments, the pay and allowances authorized by law for the duty that the member is performing. A member who receives military pay and allowances loses entitlement to Department of Veterans Affairs (VA) disability compensation or VA pension payments for the corresponding number of days of AD or number of inactive duty periods performed. Thus, receipt of military pay for two inactive duty periods performed in one calendar day results in the loss of VA disability compensation or VA pension benefits for two calendar days.

2.4.3. Refer to Chapter 1 subparagraph 3.1.4.3 for reserve members called to duty for more than 30 days during a time of war or national emergency.

2.5 Allotments of Pay

Except as prescribed in paragraph 7.8, an RC member may not have pay allotted. Members of the RC serving on AD under competent orders that specify periods of duty of more than 180 days, or upon involuntary recall, are excluded from this restriction when prescribed in Military Service regulations and may allot their pay, even though such pay is chargeable to Reserve or National Guard appropriations. Chapter 34, section 5.0 applies should a member enter a missing status, and Chapter 57, paragraph 6.4 applies should a member incur a disability.

NOTE: Due to the military pay system limitations, members of an RC are not able to make allotments from their pay.

2.6 Leave

An RC member who serves on AD with pay for periods of 30 consecutive days or more accrues leave at the rate of 2.5 calendar days for each month of AD, excluding periods of:

2.6.1. Absence from duty without leave;

2.6.2. Absence over leave; or

2.6.3. Confinement as a result of a court-martial.

NOTE: The member is entitled to lump-sum settlement of unused accrued leave upon completion of a tour per Table 57-2. When consecutive tours are involved, a member may be reimbursed for unused accrued leave or it may be carried forward, at the member's option, until completion of the final tour. When computing the length of a period of AD, include allowable travel time. See also Chapter 35, paragraphs 2.1 and 2.2, and procedural instructions of the Military Services concerned. Refer to Chapter 35, Tables 35-1 through 35-4 for specific entitlement criteria.

2.7 Allowable Travel Time for Pay Entitlement Purposes

The provisions of Chapter 1, paragraph 3.5 apply to RC members.

3.0 COMPUTATION OF PAY

3.1 Annual Salary

The provisions of Chapter 1, subparagraph 3.2.3 apply to RC members.

3.2 Computation of Monthly Pay

3.2.1. AD for 30 Days or More. When a member is ordered to AD for 30 days or more, and a tour of duty starts on the first day or an intermediate day of a calendar month, the member is entitled to pay and allowances through the 30th day. Payment is not authorized for the 31st day of a calendar month. This includes a member who is ordered to AD for less than 30 days and is continued on AD for 30 days or more by new orders or an amendment to the original orders. When computing the number of days for which pay is due, include the entire period the member actually serves on AD, including allowable travel time. See Table 57-2, rules 1 and 2.

3.2.2. AD for Less Than 30 Days. A member ordered to AD for less than 30 days is entitled to pay and allowances at 1/30 of the monthly rate for each day actually served, including the 31st day of a calendar month. This includes a member ordered to AD for 30 days or more, but released before performing at least 30 days of AD, including allowable travel time. See Table 57-2 rule 3.

3.2.3. AD During February. See Table 57-2, rules 4 through 11.

3.3 Absence From Duty

3.3.1. AD for Less Than 30 Days. Deduct 1/30 of the monthly rate of pay for each day of unauthorized absence.

3.3.2. AD for 30 Days or More. The provisions of Chapter 1, subparagraph 3.2.1 apply to RC members.

3.4 Basic Pay Rates

Reference the ***Military Pay Tables*** for the current monthly rates of basic pay.

4.0 SPECIAL AND INCENTIVE PAYS

4.1 Entitlement

Members of the RC on AD are entitled to special and incentive pays under the same conditions as members of the Regular Component. For exceptions, see paragraphs 4.2 through 4.7.

4.2 Career Sea Duty and Hardship Duty Pay

For career sea duty and hardship duty pay, the ship or duty station at which a member is performing AD is considered the member's permanent duty station.

4.3 Aviation Incentive Pay (AvIP) and Hazardous Duty Incentive Pay (HDIP) for the Performance of Aerial Flights

4.3.1. Entitlement. An RC officer is entitled to AvIP (continuous or conditional) while performing AD, as defined in subparagraph 2.1.1, when the requirements of Chapter 22, section 3.0 have been met and are within limitations and restrictions for AvIP as defined in Chapter 22, paragraph 2.2. Active Guard Reserve aviators will be entitled to AvIP (continuous or conditional) under provisions of Chapter 22, paragraph 3.3.

4.3.2. Excess Flying Time. The excess flying time provisions in Chapter 22 for rated officers, flight surgeons, and rated or designated warrant officers entitled to AvIP, and for enlisted crewmembers entitled to Critical Skill Incentive Pay, apply to an RC member only if on continuous AD for a period of 30 days or more.

4.3.3. Combined Flight Requirements. When a member performs both AD and inactive duty with pay in the same month, designated flying time earned in that month may be combined to satisfy any AvIP or HDIP flight requirements for that month, as defined in Chapter 58, paragraph 3.2.

4.3.4. Flying Pay for Allowable Travel Time. A member on AD for 30 days or less is entitled to flying pay (if otherwise entitled) for travel time from duty station to home, even though the period extends into the following calendar month.

4.3.5. Entitlement to AvIP While on AD for Members Who Perform IDT Without Pay. An officer who performs IDT without pay is entitled to AvIP when performing AD only if the member is considered to be performing aviation service on a career basis.

4.4 Parachute Duty Pay

Parachute jumps performed during periods of AD, or during IDT periods, if performed per Chapter 24, section 3.0, may be used to qualify the member for parachute pay for either type of duty. Parachute jumps performed while on extended active duty do not qualify a reservist for parachute pay in an IDT status.

4.5 Weapons of Mass Destruction Civil Support Team Pay

When determined necessary to address recruitment and retention concerns, the Secretary of the Military Department concerned may pay up to $150 per month in special pay to RC members assigned to Weapons of Mass Destruction Civil Support Teams. In order to be eligible for Weapons of Mass Destruction Civil Support Team pay, a member must be:

4.5.1. Entitled to basic pay for full-time duty in the National Guard;

4.5.2. Fully qualified for Weapons of Mass Destruction Civil Support Team operations; and

4.5.3. Serving on an approved AD tour in excess of 139 days in the DoD designated and certified Weapons of Mass Destruction Civil Support Team position.

4.6 Foreign Language Proficiency Bonus

An officer or enlisted member on AD is entitled to Foreign Language Proficiency Bonus if otherwise entitled under Chapter 19.

4.7 Assignment Incentive Pay (AIP)

An RC member may be authorized to receive AIP. See Chapter 15 for current programs.

5.0 ALLOWANCES

5.1 Basic Allowance for Subsistence (BAS)

5.1.1. Entitlement – AD With Pay. An RC member ordered to AD with pay is entitled to BAS as prescribed in Chapter 25.

5.1.2. Entitlement – AD Without Pay. An RC member ordered to AD without pay is entitled to subsistence in kind or commutation thereof. When a member is ordered to AD without pay and allowances, no payment is authorized.

5.1.2.1. If commutation of subsistence in kind is authorized, then the commutation will be paid at the rate of BAS specified in Chapter 25 that is applicable to the situation.

5.1.2.2. If a military technician (dual status) is performing AD outside the United States without pay, while on leave from technician employment as authorized under ***5 U.S.C § 6323***, then the Secretary of the Military Department concerned may authorize a per diem allowance in lieu of the commutation for subsistence.

5.2 Basic Allowance for Housing (BAH)

The provisions of Chapter 26 apply to members of the RC.

5.3 Family Separation Allowance (FSA)

5.3.1. The provisions of Chapter 27 apply to a member of an RC on AD with pay for periods of more than 30 days.

5.3.2. An RC member may be entitled to FSA or Family Separation Housing, depending on the length of tour specified in orders and whether or not dependent travel is authorized at government expense under Chapter 26, section 7.0.

5.4 Station Allowances Outside the United States

The provisions of Chapter 68 apply to members of the RC.

5.5 Clothing Monetary Allowances – Enlisted Members

5.5.1. AD for Periods of 6 Months or Less. An enlisted member of the RC ordered to AD for 6 months or less is not entitled to a clothing monetary allowance, except as specified in subparagraphs 5.5.3 and 5.5.4.

5.5.2. AD for Periods of More Than 6 Months. See Chapter 29 for specific references to enlisted members of the RC ordered to AD for periods of more than 6 months.

5.5.3. Initial Cash Allowance for Enlisted Member. An enlisted RC member is entitled to an initial cash allowance for the purchase of items specifically designated by the Secretary of the Military Department concerned to be purchased by the member rather than to be furnished in kind. See Chapter 29, paragraph 2.1.

5.5.4. Maternity Clothing. Pregnant enlisted women of an RC are entitled to a supplemental maternity clothing allowance in accordance with the provisions of:

5.5.4.1. Army: ***Army Regulation 700-84***, Chapter 4, section 4-9;

5.5.4.2. Navy: See Chapter 29, Table 29-6;

5.5.4.3. Air Force: Chapter 29, Table 29-7; and

5.5.4.4. Marine Corps: Marine Corps provides supplemental clothing allowances as a combination of in-kind issues and cash payments, see Chapter 29, Table 29-8 for cash payments.

NOTE: Current rates for Tables ***29-6***, ***29-7***, and ***29-8*** are located on the Defense Finance and Accounting Service (DFAS) website.

5.6 Officers' Uniform and Equipment Allowances

See specific references to Reserve officers in Chapter 30.

6.0 MISCELLANEOUS PAYMENTS

6.1 Advance Pay

6.1.1. An RC member in receipt of orders for Permanent Change of Station movement (140 days or more) is entitled to advance pay per Chapter 32, paragraph 2.1. Army and Air Force enlistees with no prior service may be paid an advance pay under the conditions set forth in Table 32-1, rule 4.

6.1.2. A member of an RC (including the Retired Reserve), the Fleet Reserve, or Fleet Marine Corps Reserve, who is mobilized or recalled to AD for any period is entitled to advance pay and allowances per Chapter 32, paragraph 2.2.

6.2 Payments on Behalf of Mentally Incompetent Members

The provisions of Chapter 33 apply to these members.

6.2.1. A member may qualify for disability pay and allowances under the provisions of paragraph 6.4.

6.2.2. A member may be entitled to miscellaneous payments resulting from separation (that is, travel allowance and accrued leave).

6.3 Pay Entitlement of Members Missing, Missing in Action, Interned, and Payments to Dependents

The provisions of Chapter 34 apply to members of the RC.

6.4 Incapacitation Pay/Disability Entitlements for RC Service Members

6.4.1. RC Service Member Unable to Perform Military Duties

6.4.1.1. Entitlement. In accordance with ***37 U.S.C. § 204(g)*** and DoD Instruction ***(DoDI) 1241.01***, "Reserve Component (RC) Line of Duty Determination for Medical and Dental Treatments and Incapacitation Pay Entitlements," an RC member is entitled to the pay and allowances (incapacitation pay) provided by law or regulation for a member of a Regular Component of corresponding grade and length of service whenever such member is physically disabled as the result of an injury, illness, or disease incurred or aggravated in the line of duty (LOD) while:

6.4.1.1.1. Performing AD;

6.4.1.1.2. Performing IDT (other than work or study in connection with a correspondence course of an Armed Force, approved Electronic Based Distributed Learning, or attendance in an inactive status at an educational institution under the sponsorship of an Armed Force or the Public Health Service);

6.4.1.1.3. Traveling directly to or from such duty or training;

6.4.1.1.4. Remaining overnight immediately before the commencement of IDT, or while remaining overnight between successive periods of IDT, at or in the vicinity of the site of the IDT;

6.4.1.1.5. Serving on funeral honors duty;

6.4.1.1.6. Traveling to or from the place at which the funeral honors duty was to be performed; or

6.4.1.1.7. Remaining overnight at or in the vicinity of the place at which funeral honors duty was to be performed immediately before serving on such duty, if the place is outside reasonable commuting distance from the member's residence.

6.4.1.2. Special Considerations

6.4.1.2.1. In the case of a member who receives earned income from nonmilitary employment or self-employment performed in any month in which the member is otherwise entitled to pay and allowances under subparagraph 6.4.1.1, the total pay and allowances must be reduced by the amount of such income. In calculating such earned income, income from an income protection plan, vacation pay, or sick leave which the member elects to receive must be considered.

6.4.1.2.2. The total amount of pay and allowances (incapacitation pay) for any period may not exceed the amount of pay and allowances provided by law or regulation for a member of a Regular Component of corresponding grade and length of service.

6.4.1.2.3. Pay and allowances may not be paid for a period of more than 6 months. The Secretary concerned may extend such period in the interest of fairness and equity.

6.4.1.2.4. A member is not entitled to benefits if the injury, illness, disease, or aggravation of an injury, illness, or disease is the result of the gross negligence or misconduct of the member.

NOTE: Reference Table 57-3 for specific rules regarding disability entitlements for Reserve Forces.

6.4.2. RC Service Member Able to Perform Military Duties

6.4.2.1. Entitlement. In accordance with 37 U.S.C. § 204(h) and DoDI 1241.01, an RC member who is physically able to perform military duties is entitled, upon request, to a portion of the monthly pay and allowances provided by law or regulation for a member of a Regular Component of corresponding grade and length of service for each month for which the member demonstrates a loss of earned income from nonmilitary employment or self-employment as a result of injury, illness, or disease incurred or aggravated in the LOD while:

6.4.2.1.1. Performing AD;

6.4.2.1.2. Performing IDT (other than work or study in connection with a correspondence course of an Armed Force, approved Electronic Based Distributed Learning, or attendance in an inactive status at an educational institution under the sponsorship of an Armed Force or the Public Health Service);

6.4.2.1.3. Traveling directly to or from such duty or training;

6.4.2.1.4. Remaining overnight immediately before the commencement of IDT, or while remaining overnight between successive periods of IDT, at or in the vicinity of the site of the IDT;

6.4.2.1.5. Serving on funeral honors duty;

6.4.2.1.6. Traveling to or from the place at which the funeral honors duty was to be performed; or

6.4.2.1.7. Remaining overnight at or in the vicinity of the place at which funeral honors duty was to be performed immediately before serving on such duty, if the place is outside reasonable commuting distance from the member's residence.

6.4.2.2. Special Considerations

6.4.2.2.1. The monthly entitlement may not exceed the member's demonstrated loss of earned income from nonmilitary or self-employment. In calculating such loss of income, income from an income protection plan, vacation pay, or sick leave that the member elects to receive will be considered earned income from nonmilitary or self-employment.

6.4.2.2.2. The total amount of pay and allowances for any period may not exceed the amount of pay and allowances provided by law or regulation for a member of a Regular Component of a uniformed service of corresponding grade and length of service for that period.

6.4.2.2.3. Pay and allowances may not be paid for a period of more than 6 months. The Secretary of the Military Department concerned may extend such period in the interest of fairness and equity.

6.4.2.2.4. A member is not entitled to benefits if the injury, illness, disease, or aggravation of an injury, illness, or disease is the result of the gross negligence or misconduct of the member.

6.4.3. Miscellaneous Provisions

6.4.3.1. Duty Without Pay. Duty without pay is considered for all purposes as if it were a duty with pay. The rules in Table 57-3 apply equally to duty with and duty without pay. The rate of pay and allowances applicable is the rate the member would have been entitled to if in a pay status at the time the injury, illness, or disease was incurred or aggravated.

6.4.3.2. Incentive Pay for Hazardous Duty. A member who is entitled to any of the incentive pays identified in Chapters 22 through 24 on the date of disability continues to be entitled through the ending date of the orders and for the disability period beyond, provided the orders to perform the hazardous duty remain in effect, all performance requirements were met, and any other conditions in Chapters 22 through 24 are satisfied.

6.4.3.3. Special Pays. A member who is entitled to any special pays on the date of disability continues to be entitled through the ending date of the orders and for the disability period beyond, provided the special conditions are met.

6.4.3.4. Disability Not in LOD

6.4.3.4.1. In the case of ordered to AD, not in LOD determinations will cause pay and allowances to cease on the date of expiration of the ordered AD plus allowable travel time, if any, or on the date the member is relieved from AD by competent authority.

6.4.3.4.2. In the case of inactive duty performance, not in LOD determinations cause pay to cease on the day disability occurs.

6.4.4. Termination of Pay and Allowances. Subject to the provisions in Table 57-3, a member's entitlement to pay and allowances while disabled terminates upon:

6.4.4.1. Retirement;

6.4.4.2. Separation for physical disability;

6.4.4.3. Discharge from the RC;

6.4.4.4. For members receiving pay and allowances under subparagraph 6.4.1, determination by the Military Service medical personnel that the member has recovered sufficiently to perform normal military duties, or when actually restored to normal military duties, whichever occurs first. The member must submit to timely Service medical examination(s) necessary for the preparation of required medical certificate(s) in order to extend entitlement to pay and allowances beyond the ordered duty or training period; or

6.4.4.5. For members receiving pay and allowances under subparagraph 6.4.2, when a member can no longer demonstrate a loss of earned income from nonmilitary employment or self-employment as a result of an in LOD condition.

6.5 Payments on Behalf of Deceased Members

6.5.1. Death Gratuity. The eligible beneficiaries of a member of an RC are entitled to payment of death gratuity under the provisions of Chapter 36.

6.5.2. Settling Deceased Members Accounts. The provisions of Chapter 36, section 3.0 apply to members of the RC.

6.5.3. Allowance for Housing to Surviving Dependents. The provisions of Chapter 26, paragraph 10.13 apply to the surviving dependents of RC members who were on AD at the time of death.

6.6 Disability Severance Pay

6.6.1. A member called or ordered to AD for more than 30 days and separated for a physical disability, which was the proximate result of the performance of such duty, is entitled to disability severance pay if otherwise qualified under appropriate personnel regulations.

6.6.2. A member on AD for 30 days or less, or a member on AD training for any period and separated for physical disability resulting from injury, is entitled to disability severance pay when injury was the proximate result of performance of such duty, if otherwise qualified under appropriate personnel regulations.

6.6.3. Computation of disability severance pay will be as prescribed in Chapter 35.

7.0 DEDUCTIONS AND COLLECTIONS

7.1 Income Tax Withholding

7.1.1. Federal Income Tax Withholding (FITW). The FITW provisions of Chapter 44 apply to members of the RC.

7.1.2. State Income Tax Withholding. A reservist's taxable income for FITW purposes is also subject to state tax withholding providing the state has entered into a withholding agreement with the Secretary of the Treasury as published within the Treasury Financial Manual (TFM). See

also ***States and territories that entered withholding agreements with Treasury*** on www.dfas.mil for states that have entered into such an agreement.

7.1.3. Legal Residence. Each member must designate a legal residence and report any change of legal residence. The provisions of Chapter 44, subparagraph 2.6.2 apply to members of the RC.

7.1.4. Local Tax Withholding. Only localities having agreements with the Department of the Treasury, as published in the TFM, are eligible for withholding. Withholding is only mandatory when the reservist resides and performs duty in the same city or county covered by the agreement, and the reservist is a:

7.1.4.1. National Guard member performing duty under ***32 U.S.C. § 502***; or

7.1.4.2. Member of the Ready Reserve participating in scheduled drills or training periods, or serving on active duty for training under ***10 U.S.C. § 10147***.

7.2 Federal Insurance Contributions Act

The provisions of Chapter 45 apply to members of the RC.

7.3 Deductions for Armed Forces Retirement Home (AFRH)

An RC member's pay is not subject to deductions for AFRH.

7.4 Servicemembers' Group Life Insurance

7.4.1. Duty in Excess of 30 Days Specified. The provisions of Chapter 47 apply to members of the RC who are under a call or order to duty that does not specify a period of 30 days or less.

7.4.2. Duty of 30 Days or Less Specified. The provisions of Chapter 58, section 8.0 apply to members of the RC, who are under a call or order to duty that specifies a period of 30 days or less.

7.5 Court-Martial Sentences

The provisions of Chapter 48 apply to members of the RC.

7.6 Non-judicial Punishment

The provisions of Chapter 49 apply to members of the RC.

7.7 Stoppages and Collections Other Than Court-Martial Forfeitures

The provisions of Volume 16, Chapter 3, section 3.0 apply to members of the RC.

7.8 Allotments for National Guard Members

Members of the National Guard who are not on AD are authorized to make one allotment from pay for the payment of premiums under a group life insurance program sponsored by the state military department in which such member holds a National Guard membership or by the state associations of the National Guard. Details covering the administration of the allotment program for National Guard members are contained in the pay procedural instructions of the Military Services concerned.

NOTE: Due to the military pay system limitations, members of an RC are not able to make allotments from their pay.

7.9 TRICARE Dental Program (TDP)

Reserve members on AD with dependents, who meet the eligibility requirements under Chapter 54, paragraph 2.1, may enroll their dependents in the TDP. Enrollment forms are available at the local military dental treatment facility or TRICARE Service Center, with the Health Benefits Advisor or installation point of contact, or on ***TRICARE Dental***. Members must intend to be on AD for the minimum period of enrollment set in Chapter 54, paragraph 2.3.

7.10 Uniformed Services Savings Deposit Program (USSDP)

Members serving on AD who meet the eligibility criteria as set forth in Chapter 51, section 2.0 are eligible to participate in the USSDP.

Table 57-1. Increase in Pay on Promotion – Reserve and National Guard Officers

RULE	When a Reserve officer is	in the	then the effective date of increase in pay and allowances is the
1	promoted to a higher Reserve grade	Army or Air Force Reserve or National Guard	effective date of the promotion stated in the orders (note 1).
2	promoted to a grade above lieutenant (junior grade)	Navy Reserve	date on which member became eligible for promotion to the higher grade (see note 2).
3	promoted to a grade above first lieutenant	Marine Corps Reserve	date on which member became eligible for promotion to the higher grade (see note 2).
4	promoted to the grade of lieutenant (junior grade)	Navy Reserve	date given as date of rank.
5	promoted to the grade of first lieutenant	Marine Corps Reserve	date given as date of rank.

NOTES:

1. For officers serving on AD (other than for training) which is not on the AD list, see Chapter 1, Table 1-4.
2. If an officer has not established the moral and professional qualifications prescribed by the Secretary of the Navy within 1 year after the date on which the President approved the selection board's recommendation for promotion, the officer is entitled to the pay and allowances of the grade to which promoted only from the date appointed to that grade.

Table 57-2. Entitlement to Pay and Allowances for Various Periods of AD

RULE	If a member serves on AD under competent orders for	during the period	then the member is entitled to pay and allowances for AD for	and lump-sum settlement of accrued leave
1	31 days	May 1-31	30 days (note 1)	Yes
2	40 days	Jan 2-Feb 10	39 days (note 1)	Yes
3	29 days	Jan 4-Feb 1	29 days	No
4	28 days	Feb 1-28 (not leap year)	28 days	No
5	28 days	Feb 1-28 (leap year)	28 days	No
6	29 days	Feb 1-29 (leap year)	29 days	No
7	33 days	Feb 6-Mar 10 (not leap year)	35 days (note 2)	Yes
8	29 days	Feb 2- Mar 2 (not leap year)	29 days	No
9	30 days	Feb 2-Mar 2 (leap year)	31 days (note 3)	Yes
10	31 days	Feb 1-Mar 2 (leap year)	32 days (note 3)	Yes
11	29 days	Feb 1-Mar 1 (not leap year)	29 days	No
12	30 days	Jan 2-Jan 31	29 days (note 1)	Yes

NOTES:

1. Member is not entitled to pay and allowances for the 31st day of the calendar month.
2. Member is entitled to pay and allowances for the constructive days of February 29 and 30.
3. Member is entitled to pay and allowances for the constructive day of February 30.

Table 57-3. Disability Entitlements for the Reserve Forces

RULE	If a member is physically disabled in LOD while	and the member is not fit for military duty	and the member is fit for military duty and can show lost civilian income Yes	and the member is fit for military duty and can show lost civilian income No	then the member is entitled to	and
1	serving on AD, or while traveling directly to or from such AD (notes 1 and 2)	X			AD pay and allowances for the period of the orders, plus authorized travel time. If the disability continues beyond this period, or if there is a subsequent recurrence of this disability, entitlement exists to pay and allowances, less the full amount of all civilian earned income received for the disability period, for not more than a total of 6 months (notes 3, 4, 5, 6, and 7)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8).
2	serving on AD, or while traveling directly to or from such AD (notes 1 and 2)		X		AD pay and allowances for the period of orders, plus authorized travel time. Thereafter, the member is entitled, upon request, to a portion of pay and allowances in an amount equal to lost civilian earned income or full pay and allowances, whichever is less, for not more than a total of 6 months (notes 3, 5, 6, 9, and 10)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8).
3	serving on AD, or while traveling directly to or from such AD (notes 1 and 2)			X	AD pay and allowances for the period of the orders, plus authorized travel time	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8).

Table 57-3. Disability Entitlements for the Reserve Forces (Continued)

RULE	If a member is physically disabled in LOD while	and the member is not fit for military duty	and the member is fit for military duty and can show lost civilian income Yes	and the member is fit for military duty and can show lost civilian income No	then the member is entitled to	and
4	performing IDT or while, on the day of training, traveling directly to or from such training (notes 1 and 11)	X			IDT compensation for the day (both periods if two had been scheduled). If the disability continues beyond this period, or if there is a subsequent recurrence of this disability, entitlement exists to pay and allowances, less the full amount of all civilian earned income received for the disability period, for not more than a total of 6 months (notes 3, 4, 5, 6, and 7)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8).
5	performing IDT or while, on the day of training, traveling directly to or from such training (notes 1 and 11)		X		IDT compensation for the day (both periods if two had been scheduled). Thereafter, the member is entitled, upon request, to a portion of pay and allowances in an amount equal to lost civilian earned income or full pay and allowances, whichever is less, for not more than a total of 6 months (notes 3, 5, 6, 9, and 10)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)
6	performing IDT or while, on the day of training, traveling directly to or from such training (notes 1 and 11)			X	IDT compensation for the day (both periods if two had been scheduled)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)

Table 57-3. Disability Entitlements for the Reserve Forces (Continued)

RULE	If a member is physically disabled in LOD while	and the member is not fit for military duty	and the member is fit for military duty and can show lost civilian income Yes	and the member is fit for military duty and can show lost civilian income No	then the member is entitled to	and
7	traveling directly to or from IDT on a day(s) other than the training day (notes 1 and 11)	X			beginning on the day of disability, pay and allowances less the full amount of all civilian earned income received for the disability period, for not more than a total of 6 months (notes 3, 4, 5, 6, and 7)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)
8	traveling directly to or from IDT on a day(s) other than the training day (notes 1 and 11)		X		beginning on the day of disability, and upon request, a portion of pay and allowances in an amount equal to lost civilian earned income or full pay and allowances, whichever is less, for not more than a total of 6 months (notes 3, 5, 6, 9, and 10)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)
9	traveling directly to or from IDT on a day(s) other than the training day (notes 1 and 11)			X	beginning on the day of disability, and upon request, a portion of pay and allowances in an amount equal to lost civilian earned income or full pay and allowances, whichever is less, for not more than a total of 6 months (notes 3, 5, 6, 9, and 10)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)

Table 57-3. Disability Entitlements for the Reserve Forces (Continued)

RULE	If a member is physically disabled in LOD while	and the member is not fit for military duty	and the member is fit for military duty and can show lost civilian income Yes	and the member is fit for military duty and can show lost civilian income No	then the member is entitled to	and
10	remaining overnight immediately before the start of IDT, or while remaining overnight between successive periods of IDT, if the site is outside reasonable commuting distance from member's residence	X			beginning on the day of disability, pay and allowances less the full amount of all civilian earned income received for the disability period, for not more than a total of 6 months (notes 3, 4, 5, 6, and 7)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)
11	remaining overnight immediately before the start of IDT, or while remaining overnight between successive periods of IDT, if the site is outside reasonable commuting distance from member's residence		X		beginning on the day of disability, and upon request, a portion of pay and allowances in an amount equal to lost civilian earned income or full pay and allowances, whichever is less, for not more than a total of 6 months (notes 3, 5, 6, 9, and 10)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)

Table 57-3. Disability Entitlements for the Reserve Forces (Continued)

RULE	If a member is physically disabled in LOD while	and the member is not fit for military duty	and the member is fit for military duty and can show lost civilian income Yes	and the member is fit for military duty and can show lost civilian income No	then the member is entitled to	and
12	remaining overnight immediately before the start of IDT, or while remaining overnight between successive periods of IDT, if the site is outside reasonable commuting distance from member's residence			X	beginning on the day of disability, and upon request, a portion of pay and allowances in an amount equal to lost civilian earned income or full pay and allowances, whichever is less, for not more than a total of 6 months (notes 3, 5, 6, 9, and 10)	medical and dental care appropriate for the disability until it cannot be materially improved by further hospitalization or treatment. The member is entitled to travel and transportation, or a monetary allowance, for travel incident to medical and dental care. Member is also entitled to subsistence in kind during hospitalization when not entitled to BAS (note 8)

NOTES:

1. A member is considered to be traveling to the duty or training site upon departing residence with the intention of going directly to such duty or training site. A member is considered to be traveling from the duty or training site upon direct return to residence after completion of the duty or training.
2. A member who is called to AD to undergo a physical examination, not incident to a call to AD for more than 30 days, becomes entitled to provisions of rules 1, 2, or 3, as applicable, on the day of incurrence of disability.
3. Failure of the member to provide current and sufficient information as established by administrative regulations of the Military Service concerned may result in discontinuation of pay and allowances.
4. A member is entitled to compensation (but not retirement point credit) at the rate of 1/30 of monthly basic pay for each scheduled IDT period the member is unable to attend because of the disability; however, there is no entitlement if, while traveling to or from the training or duty site, the member was disabled because of the member's gross negligence or misconduct. This entitlement will be factored into the pay and allowances payable so that total payments to the member for the disability period do not exceed the pay and allowances of a member of the Regular Component of a uniformed service of corresponding grade and length of service for that period.
5. The Secretary of the Military Department concerned may extend the period of entitlement beyond 6 months in the interest of fairness and equity.
6. There is no entitlement to pay and allowances beyond the training or duty period if the disability resulted from the member's gross negligence or misconduct.
7. Earned income is the total amount a member received from civilian employment or self-employment. It includes receipts from an income protection plan, vacation pay, or sick leave the member elects to receive.
8. There is no entitlement to medical and dental care if the member is disabled because of gross negligence or misconduct and the disability occurred while traveling to or from the training or duty site.

Table 57-3. Disability Entitlements for the Reserve Forces (Continued)

NOTES (Continued):

9. Lost civilian earned income is the difference between the member's normal wages or salary or other earnings (including self-employment earnings) that would have been payable for the disability period had the member been fully engaged in civilian employment, less any payments the member received. Civilian earned income does not include retirement income. The member must report all income from an income protection plan, vacation pay, or sick leave that is received during the disability period. If the sum of all these equals or exceeds the member's usual and customary earned income, then no pay and allowances payments will be made. Any payments to the member will first be paid as the basic pay element and then, if necessary, as allowances (BAH and BAS).
10. Any military duty, which the member performs, will be factored into the pay and allowances payable in note 2 so that the total payments to the member do not exceed the pay and allowances of a member of the Regular Component of a uniformed service of corresponding grade and length of service for that period.
11. Does not include work or study in connection with a correspondence course of an Armed Force or attendance in an inactive status at an educational institution under the sponsorship of an Armed Force or the Public Health Service.

REFERENCES

CHAPTER 57 – RESERVE ENTITLEMENTS FOR ACTIVE DUTY (AD)

2.0 – GENERAL PROVISIONS

2.1.1.	10 U.S.C. § 12315
	37 U.S.C. § 204
2.1.2.	10 U.S.C. § 12315
	44 Comptroller General Decision (Comp Gen) 613
2.1.3.	Comp Gen B-207339, February 8, 1983
2.2	37 U.S.C. § 907
2.3	37 U.S.C. § 206
2.4	10 U.S.C. § 12316
2.4.1.3.	Comp Gen B-179882, December 4, 1974
2.5	Comp Gen B-176604, August 28, 1972
2.6	10 U.S.C. § 701
	37 U.S.C. § 501
2.7	Executive Order (EO) 10153, August 17, 1950, as amended by EO 10649, December 28, 1955

3.0 – COMPUTATION OF PAY

3.2.1.	5 U.S.C. § 5505
	54 Comp Gen 952
	45 Comp Gen 395
3.2.2.	37 U.S.C. § 1004
	54 Comp Gen 952
3.2.3.	47 Comp Gen 515
	54 Comp Gen 952
3.3	12 Comp Gen 452
	5 U.S.C. § 5505

4.0 – SPECIAL AND INCENTIVE PAY

4.1	37 U.S.C. §§ 331-356
4.5	DoDI 1340.09, January 26, 2018

5.0 – ALLOWANCES

5.1	37 U.S.C. § 1002
5.3	37 U.S.C. § 427(b)
5.5	37 U.S.C. § 418
5.6	37 U.S.C. §§ 415-417

6.0 – MISCELLANEOUS PAYMENTS

6.4.1.	37 U.S.C. § 204(g)
6.4.1.2.1	37 U.S.C. § 204(g)(2)
6.4.2.	37 U.S.C. § 204(h)
6.4.3.1.	10 U.S.C. § 12315
	37 U.S.C. § 1002
6.4.3.4.	37 U.S.C. § 204(b), (g) & (h)
	9 Comp Gen 236
	Comp Gen B-146551, December 13, 1961
6.4.4.1.	47 Comp Gen 531
6.4.4.4.	36 Comp Gen 692
	70 Comp Gen 350
6.6	10 U.S.C. §§ 1203, 1206, 1212
	DoDI 1332.18, November 10, 2022, paragraphs 7.1 and 7.2

7.0 – DEDUCTIONS AND COLLECTIONS

7.1	5 U.S.C. § 5517
	5 U.S.C. § 5520
7.8	37 U.S.C. § 707

Table 57-1 – INCREASE IN PAY ON PROMOTION – RESERVE AND NATIONAL GUARD OFFICERS

Rules 2, 3	37 U.S.C. § 905(a)
	10 U.S.C., Chapter 1405
Rules 4, 5	37 U.S.C. § 905(b)
	10 U.S.C. § 14308
Note 2	10 U.S.C. § 624

Table 57-2 – ENTITLEMENT TO PAY AND ALLOWANCES FOR VARIOUS PERIODS OF AD

Rules 1, 2, 7, 10	5 U.S.C. § 5505
Rules 3, 4, 5, 8, 9, 11	37 U.S.C. § 1004

Table 57-3 – DISABILITY ENTITLEMENTS FOR THE RESERVE FORCES

Rules 1, 4, 7	37 U.S.C. § 204(g)
Rules 2, 3, 5, 6, 8, 9	37 U.S.C. § 204(h)
	10 U.S.C. §§ 1074 and 1074a
Rules 10, 11, 12	37 U.S.C. § 204(g) and (h)
Column D	37 U.S.C. § 402
Note 1	58 Comp Gen 232
Note 2	33 Comp Gen 551

	Comp Gen B-181762, July 18, 1975
Note 3	Comp Gen B-195470, November 14, 1979
Notes 4, 5, 9, 10	37 U.S.C. § 204(h) and (i)
Note 6	37 U.S.C. § 204(i)
Note 7	37 U.S.C. § 204(g)
Note 8	10 U.S.C. § 10

VOLUME 7A, CHAPTER 58: "PAY AND ALLOWANCES FOR INACTIVE DUTY TRAINING (IDT)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated May 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
2.5	Inserted clarification of Muster Duty Allowance.	Addition
8.5	Increased the maximum coverage to $500,000 for Servicemembers' Group Life Insurance.	Revision
Table 58-1	Updated to include the Muster Duty Allowances rates for calendar years 2024 and 2025.	Revision
References	Updated to reflect current statutes and references.	Revision

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CHAPTER 58

PAY AND ALLOWANCES FOR INACTIVE DUTY TRAINING (IDT)

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to the pay and allowances for IDT for members of the National Guard and Reserve Component. For the purpose of this chapter, the term "Reserve Component" includes both National Guard and Reserve members unless stated otherwise.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 PROVISIONS

2.1 Entitlement

2.1.1. IDT With Pay. A member of a Reserve Component is entitled to compensation at the rate of one-thirtieth of the basic pay prescribed for grade and years of service for the performance of each authorized period of:

2.1.1.1. Regular IDT; and

2.1.1.2. Equivalent training, instruction, or duty as specified in Service regulations.

2.1.1.2.1. Army. For details and exceptions, see ***Army Regulation 140-1*** and ***Army Regulation 350-1***.

2.1.1.2.2. Navy. See Bureau of Naval Personnel Instruction 1001.39F CH-1, ***(BUPERSINST 1001.39F CH-1)***.

2.1.1.2.3. Air Force. See ***Air National Guard Instruction 36-2001*** and ***Air Force Instruction 36-2254 V1***.

2.1.1.2.4. Marine Corps. See ***Marine Corps Order 1001R.1L Ch.*** ;

2.1.1.3. Readiness Management Periods (for Marine Corps, see subparagraph 2.1.2);

2.1.1.4. Additional flying training period (AFTP);

2.1.1.5. Additional Training Periods; and

2.1.1.6. Training that resulted in the successful completion of a course of instruction undertaken by the member, using electronic-based distributed learning methodologies, to accomplish training requirements related to unit readiness or mobilization, as directed for the member by the Secretary of the Military Department concerned (for Marine Corps, see subparagraph 2.1.2).

NOTE: To qualify for pay for a period of IDT, each member must engage in such duty or training for the period (not less than 2 hours) as prescribed by the Secretary of the Military Department concerned. Compensation will not accrue for periods of inactive duty performed in excess of the number authorized by the appropriate regulations of the Military Service concerned. A member cannot qualify for pay for more than two periods of IDT during a single calendar day.

2.1.2. IDT Without Pay. The Secretary of the Military Department concerned may authorize members of a Reserve Component, with their consent, to IDT without pay.

2.1.3. Combination Active Duty (AD) and Inactive Duty. Members of a Reserve Component may be paid the equivalent total of pay for more than 360 days in a year, when so directed based on the actual entitlement if the total is based on a combination of AD pay and IDT compensation.

2.2 Limitation

A member cannot accrue compensation for IDT performed on a day on which he or she is also entitled to basic pay for AD or on a day on which he or she is entitled to Muster Duty Allowance (MDA).

2.3 Waiver of Benefits

The provisions of Chapter 57, paragraph 2.4 apply to members of a Reserve Component who perform IDT in a pay status.

2.4 Allotment of Pay

Except as prescribed in Chapter 57, paragraph 2.5, there is no authorization for members of a Reserve Component to allot IDT compensation.

*2.5 MDA for Ready Reserve Service Member

2.5.1. Entitlement. The Secretary of Defense may order a member of the Individual Ready Reserve (IRR) without the member's consent, to muster duty one-time each year. A member ordered to muster duty will be required to perform a minimum of 2 hours muster duty, as determined by the Secretary of the Military Department concerned, on the day of muster.

2.5.2. Amount Payable. The General Services Administration Office of Government-wide Policy, Office of Travel, and Relocation Policy calculates the Average Domestic Per Diem Rate to establish the MDA rate. The MDA is 125 percent of the average per diem rate in effect on September 30 of the calendar year preceding the calendar year in which the muster duty is performed. See Table 58-1 for the most current rates; see the ***Muster Duty Allowance*** table on DFAS.MIL.

2.5.3. Payment. A Ready Reserve Service member may be paid the MDA before, on, or after the date on which he or she performs muster duty, but not more than 30 days after that date. The Ready Reserve Service member is not entitled to other payment of any kind, including IDT compensation under paragraph 2.1, for the performance of muster duty.

2.5.3.1. MDA shall constitute the single, flat-rate monetary allowance authorized for the performance of muster duty and shall constitute payment in full to the member, regardless of grade or rank in which serving, as commutation for travel to the immediate vicinity of the designated muster duty location, transportation, subsistence, and the special or extraordinary costs of enforced absence from home and civilian pursuits, including such absence on weekends and holidays.

2.5.3.2. MDA is not the same as drill pay (IDT) or training pay (ADT).

2.5.4. Retirement Point Credit. Muster duty will not be credited in determining entitlement to, nor computing, retired pay.

2.5.5. Collections. From the MDA, collect:

2.5.5.1. Federal Income Tax Withholdings (FITW) at the authorized rate for one-time payments;

2.5.5.2. State Income Tax Withholdings (SITW) at the authorized rate for one-time payments; and

2.5.5.3. The premium for Servicemembers' Group Life Insurance (SGLI) program. See Chapter 47, section 5.0 for the premium rates and Table 47-1 for coverage effective dates.

NOTE: MDA is not subject to collection of the Federal Insurance Contributions Act (FICA) taxes.

2.6 Electronic Screening Allowance (ESA) Stipend for Ready Reserve Service Member

2.6.1. Entitlement. The Secretary of the Military Department concerned may authorize payment of an ESA stipend to a member of the IRR for participating in the screening performed by electronic means. Electronic screening may be performed in lieu of muster duty performed. A maximum of one ESA is paid during a calendar year. The ESA stipend authorized may not be disbursed in kind. Payment of a stipend to a member of the IRR for participation in screening will be made on or after the date of participation in such screening, but not later than 30 days after such date.

2.6.2. Maximum Amount Payable. The aggregate amount of the ESA stipend paid to an IRR member, in any calendar year, may not exceed $50, regardless of pay grade.

2.6.3. Restriction. ESA stipend is the only monetary compensation authorized to be paid to a member for the performance of electronic screening and will constitute full payment to the member, regardless of the grade or rank in which the member is serving.

2.6.4. Collections. From the ESA stipend, collect:

2.6.4.1. FITW at the authorized rate for one-time payments;

2.6.4.2. SITW at the authorized rate for one-time payments; and

2.6.4.3. The premium for SGLI program. See Chapter 47, section 5.0 for the premium rates and Table 47-1 for coverage effective dates.

NOTE: ESA stipend is not subject to collection of FICA taxes.

2.7 Funeral Honors Duty Allowance (FHDA)

2.7.1. Entitlement. The Secretary of the Military Department concerned may authorize payment of FHDA to members of the Ready Reserve and the Retired Reserve. A member is entitled to FHDA for a minimum of 2 hours of funeral honors duty (FHD). A maximum of 1 FHDA may be earned and paid in 1 calendar day.

2.7.2. Amount Payable. FHDA is payable at $50 for each FHD period regardless of pay grade, or one-thirtieth of the member's basic pay rate for each FHD period.

2.7.3. Restriction. Except for expenses reimbursed for travel and transportation incident to FHD, the FHDA is the only monetary compensation authorized to be paid to a member for the performance of FHD and will constitute full payment to the member.

2.7.4. Collections. From the FHDA, collect:

2.7.4.1. FITW at the rate claimed on the member's Internal Revenue Service (IRS) ***Form W-4, Employee's Withholding Allowance Certificate***. When a W-4 is not submitted, collect at the rate authorized for one-time payments;

2.7.4.2. SITW at the rate claimed on the member's W-4. When a W-4 is not submitted, collect at the rate authorized for one-time payments; and

2.7.4.3. The premium for SGLI coverage, if elected by Retired Reserve members when performing FHD. See Chapter 47, section 5.0 for the premium rates and Table 47-1 for coverage effective dates.

NOTE: FHDA is not subject to collection of FICA taxes.

2.8 Designated Unit Pay

2.8.1. A member assigned to a unit designated as a high-priority unit of the Selected Reserves (SELRES) by the Secretary of the Military Department concerned is, while performing IDT for compensation, entitled to a maximum of $50 Designated Unit Pay for the performance of each authorized period of:

2.8.1.1. Regular IDT; or

2.8.1.2. Equivalent training, instruction, or duty provided each authorized period is not less than 4 hours duration. Authorized periods, as listed in paragraph 2.1, may be performed on a Sunday or a legal holiday.

2.8.2. A member of a designated unit is entitled to Designated Unit Pay for authorized periods of drill or duty performed with a non-designated unit, but members of a non-designated unit may not receive Designated Unit Pay for authorized periods of drill or duty performed with a designated unit.

2.8.3. From the Designated Unit Pay, collect:

2.8.3.1. FITW at the rate claimed on the member's W-4. When a W-4 is not submitted, collect at the rate authorized for one-time payments; and

2.8.3.2. SITW at the rate claimed on the member's W-4. When a W-4 is not submitted, collect at the rate authorized for one-time payments.

NOTE: Designated Unit Pay is not subject to collection of FICA taxes.

2.8.4. No payment of Designated Unit Pay may be made for any period before the date the Secretary of the Military Department concerned designates a unit as a high-priority unit, nor may any payment be made for any period of drill or instruction performed after the date on the ***Duration of Authority*** table.

3.0 INCENTIVE PAY (IP)

3.1 Entitlement

Members of a Reserve Component who are in a pay status and under competent orders are entitled to IP for hazardous duty performed during IDT periods if they otherwise meet the requirements of this section. Members entitled to IP for hazardous duty are entitled to an increase in compensation equal to one-thirtieth the applicable monthly rate for each authorized period of IDT of not less than 2 hours.

3.2 Aviation IP (AvIP), Continuous or Conditional, or Hazardous Duty IP (HDIP) for Flying Duty

3.2.1. Entitlement

3.2.1.1. Members of a Reserve Component who perform IDT in a pay status are entitled to AvIP or HDIP for flying under the conditions of Chapter 22, sections 2.0 or 3.0. The provisions of Chapter 22, paragraph 2.1 or subparagraph 3.2.5, regarding the use of hours flown during the preceding 5 months not already used to qualify for flight pay, are equally applicable to otherwise eligible members who are performing IDT. Exception: Minimum flight requirements are one half of those prescribed for a member on AD - that is, 2 hours per month when the calendar month is the IDT period. If a fraction of a calendar month is the IDT period, then flying time required for such period will be as shown in Chapter 22, Table 22-1 under "Inactive Duty."

3.2.1.2. A member, who has performed less than the total number of regularly scheduled drills during a month or a fractional part of a month, must meet the minimum flight requirements for the month, or fraction thereof, in order to be entitled to any flying pay for the drills actually performed. When scheduled IDT was not attended and performed in a subsequent month, flying pay for such period(s) is payable, provided the member met minimum flight requirements for each period involved.

3.2.2. Combined Flight Requirements. When a member performs both active and inactive duty with pay in the same month, designated flying time earned in that month may be combined to satisfy any AvIP or HDIP flight requirements for that month.

3.2.2.1. Active and inactive duty flying time may be combined for application to flight requirements only in the month in which the flying is performed. The combined flying time that is in excess of the requirements of the month in which it was performed, or that otherwise cannot be used in the month earned, will be redistributed into active and inactive flying time categories. Combined flying time may be applied only to other monthly flight requirements (see Chapter 22) for the appropriate status category into which redistributed (i.e., AD flying time for AD requirements and inactive duty flying time for inactive duty requirements). Combined flying time will be applied and any excess or unused time will be divided and placed into appropriate categories as set forth in subparagraph 3.2.2.1.1 through 3.2.2.1.4.

NOTE: Unless the member is performing continuous AD in excess of 30 days, or unless the AD period extends uninterrupted from one month into the following month, the excess/unused active flying duty hours may not be banked, as described in subparagraph 3.2.2.1.1, for potential application to other requirements.

3.2.2.1.1. When the hours flown while on AD are in excess of the AD flight requirement of the month, and the hours flown during the inactive duty period are also in excess of the inactive duty flight requirement of the month, all excess hours will be retained in their respective categories for application to the requirements for other months, if otherwise allowable.

Example 1: A member performed 15 days of AD and was in an IDT status 15 days in the same calendar month. The member performed 5.0 hours of flying duty while on AD and 1.5 hours while on inactive duty. The 5.0 hours earned while on AD are in excess to the 2.0 hours required, and the 1.5 hours earned while on

inactive duty are in excess to the 1.0 hour required. The 3.0 hours that are in excess of the AD requirement will be "banked" as AD time if the criteria of the note in subparagraph 3.2.1.1 are met. The 0.5 hour in excess of the inactive duty requirement will be banked as inactive duty time.

3.2.2.1.2. When the hours flown while on AD are in excess of the AD flight requirement of the month, and the hours flown during the inactive duty period are insufficient for the inactive duty flight requirement of the month, the excess AD hours will be applied to the inactive duty requirement. Any remaining excess or unused AD hours will be retained for application to the requirements for other months of AD, if otherwise allowable. If the excess AD hours applied to the inactive duty requirement are not sufficient to meet the inactive duty requirement for that month, then any banked inactive hours will also be applied. If the inactive duty requirement is still not satisfied, then all hours revert to their respective categories to be used in meeting the requirements for other months, as allowable.

Example 2: A member performed 15 days of AD and was in an IDT status for 15 days in the same calendar month. The member performed 5.0 hours of flying duty while on AD and 0.5 hour while on inactive duty. The AD flying time is in excess of the AD requirement of 2.0 hours, while the inactive flying time is insufficient for the inactive duty requirement of 1.0 hour. Apply 0.5 of the excess AD hours to the inactive requirement. The remaining 2.5 excess AD hours may be banked as AD time, if the criteria of the note in subparagraph 3.2.1.1 are met.

3.2.2.1.3. When the hours flown while on AD are insufficient for the AD flight requirement of the month, and the hours flown during the inactive duty period are in excess of the inactive duty flight requirement of the month, the excess inactive duty hours will be applied to the AD requirement. Any remaining excess or unused inactive duty hours will be retained for application to inactive duty requirements in a subsequent month. If the excess inactive duty hours applied to the AD requirement are not sufficient for a month's AD requirement, then any banked AD hours will be applied. If the AD requirement is still not satisfied, then all hours revert to their respective categories for use in meeting requirements for other months, as allowable.

Example 3: A member performed 15 days of AD and was in an IDT status 15 days in the same calendar month. The member performed 0.5 hour of flying duty while on AD and 1.5 hours while on inactive duty. The member has 0.0 hours of AD flying time and 3.0 hours of inactive flying time banked. The AD flying time is insufficient for the AD requirement of 2.0 hours and the inactive flying time is in excess of the inactive duty requirement of 1.0 hour. Apply the 0.5 excess inactive duty hours to the AD requirement. Combined, the AD and inactive duty flying time is short of the requirement by 1.0 hour. In this case, there are no banked AD hours, and the AD requirement remains unfulfilled. Therefore, the 0.5 unused AD hour may be banked as AD time if the criteria of the note in subparagraph 3.2.1.1 are met and the 0.5 hour of unused inactive duty time will be banked as inactive duty time.

3.2.2.1.4. When the hours flown while on AD are insufficient for the AD flight requirement of the month, and the hours flown during the inactive duty period are also insufficient for the inactive duty flight requirement of the month, the hours will be applied in the following sequence. The inactive duty hours flown will first be applied to the AD requirement. If the combined active and inactive duty hours flown are not sufficient to meet the AD requirement, then any banked AD hours will also be applied. If the AD requirement is still not satisfied, then the AD hours flown will instead be applied to the inactive duty requirement. If the combined active and inactive duty hours flown are not sufficient for the inactive duty requirement, then any banked inactive duty hours will also be applied. If the inactive duty requirement is still not satisfied, then all hours revert to their respective categories for use in meeting requirements for other months, as allowable.

Example 4: A member performed 15 days of AD and was in an IDT status 15 days in the same calendar month. The member performed 0.3 hours of flying duty while on AD and 0.4 hours while on inactive duty. The member has 0.1 hours of AD flying time (because of a period of AD that began near the middle of the previous month and was continuous into the present month) and 0.2 hours of inactive duty flying time banked. The AD flying time is insufficient for the AD requirement of 2.0 hours and the inactive flying time is insufficient for the inactive duty requirement of 1.0 hour.

First, apply the 0.4 hours of inactive duty flying time to the AD requirement. Combined, the AD and inactive duty flying time is short of the requirement by 1.3 hours. In this case, there are 0.1 hours of banked AD flying time, but that also is insufficient, and the AD requirement remains unfulfilled.

Next, apply the 0.3 hours of AD flying time to the inactive duty requirement. Again, the coverage is not sufficient, because it is 0.3 hours short of the inactive duty requirement. In this case, there are 0.2 hours of banked inactive duty flying time, but that also is insufficient, and the inactive duty requirement remains unfulfilled.

Finally, since neither the active nor the inactive requirements are fulfilled, the unused time will be banked as allowed. The unused 0.3 hours of active flying time may be banked as AD time if the criterion of the note in subparagraph 3.2.1.1 is met and the unused 0.4 hour of inactive flying time will be banked as inactive duty time.

3.2.2.2. When AD of less than 30 days continues uninterrupted from one month into the following month, flights performed on IDT may be combined to satisfy requirements for the whole period of AD if the inactive duty flight requirements for both months have been met.

Example 1: A member performed 3.4 hours of flying while on an IDT status from April 1-23. The member did not fly during AD for the training period of April 24 to May 7, or while in an IDT status May 8-31. A total of 1.1 hours of excess flying time was accumulated before April 1. Flying time of 3.4 hours is first applied

to the IDT flight requirements for April (1.6 hours) and then to AD flight requirements for April (1.0 hour). The 0.8 hours of excess flying time during April added to the 1.1 hours of excess flying time accumulated before April results in 1.9 hours of excess flying time available to apply against May flight requirements. Flight time in May totals 2.6 hours (24 days of inactive duty requires 1.6 hours; 7 days of AD requires 1.0 hour). See Chapter 22, Table 22-3. Accumulated excess hours first are applied to the IDT flight requirements. Do not credit pay for the period of May 1-7 since 0.3 unused hours available is less than the 1.0-hour requirement.

Example 2: A member performed the following flights while on active and IDT during parts of 2 calendar months. No excess flying hours were available on March 1.

Periods	Time Flown	Flight Requirements
(Inactive) March 1	1.8 hours	1.0 hour
(Active) March 16-31	1.2 hours	2.2 hours
(Active) April 1-9	1.0 hour	1.2 hours
(Inactive) April 10-30	1.6 hours	1.4 hours

NOTE: The continuous period of AD (March 16 to April 9) is an AD period of 25 days, which requires 3.4 hours flying time. For that reason, the 31st day of March imposes required flying time. Since this member is unable to meet the flight requirements for the AD flight period, which covers parts of 2 calendar months, it is necessary to determine if the member can meet the requirements for a single month. Entitlement for the month of March requires a composite of only 3 hours of flying time, and the month of April requires 2.6 hours. Thus, a member qualifies for flying pay for each inactive duty period and for the AD periods.

3.2.3. AFTP. A member who performs an AFTP in a pay status, if otherwise qualified, is entitled to IP for flying if he or she meets the flight for the month in which the AFTP is performed. Flying time accumulated during an AFTP may be used to satisfy requirements for IDT and the provisions of subparagraphs 3.2.1.1 and 3.2.1.2 may also be used for requirements for periods of AD.

3.2.4. Operational Flying. Flying duty required by competent orders and performed by members of a Reserve Component, irrespective of unit of assignment, is considered to be operational flying.

3.3 AvIP

An officer of a Reserve Component who performs IDT in a pay status is eligible for AvIP under the provisions of Chapter 22, section 3.0.

3.4 Submarine Duty Pay

A member of a Reserve Component who participates in scheduled drills aboard a submarine during underway operations, while under competent orders and in a pay status, is entitled to IP for Submarine Duty.

3.5 HDIP for Parachute Duty

A member of a Reserve Component who performs IDT in a pay status is entitled to IP for Parachute Duty under the provisions of Chapter 24, section 3.0.

3.5.1. Parachute jumps performed during periods of IDT or AD qualify a member for IP for either duty.

3.5.2. Parachute jumps performed while on extended active duty do not qualify a member for IP in an IDT status (see Chapter 57, paragraph 4.4).

3.6 HDIP for Flight Deck Duty, Demolition Duty, and Experimental Stress Duty

A member of a Reserve Component who performs IDT in a pay status is entitled to IP under provisions of Chapter 24.

3.7 Unmanned Aerial Systems IP and Critical Skills IP

A member of the Air Force Reserve Component who performs IDT in a pay status is entitled to IP under provisions of Chapter 22.

4.0 SPECIAL PAY

4.1 Entitlement

Members of a Reserve Component are not entitled to special pay for periods of inactive duty except as noted in the following paragraphs.

4.2 Foreign Language Proficiency Bonus (FLPB)

The Secretary of the Military Department concerned may pay FLPB to a member of a Reserve Component who is certified proficient by the Defense Language Proficiency system of tests in one, two, or three language modalities of reading, listening, and speaking with respect to foreign languages identified on the Services' or ***DoD Strategic Language List***. A member of a Reserve Component, who meets the requirements of Chapter 19, section 2.0; and any additional requirements of the Military Service concerned (see applicable Service FLPB Instructions), is entitled to FLPB for each regular period of instruction or period of appropriate duty at which the member is engaged for at least 2 hours. This includes instruction received or duty performed on a Sunday or holiday and each period of performance of such equivalent training, instruction duty, or appropriate duties as the Secretary of the Military Department concerned may prescribe. The total

of FLPB for Ready Reserve Service member must equal the annual FLPB paid to an AD member with the same certified language proficiency.

4.3 Diving Duty Pay

The Secretary of the Military Department concerned may pay a member of a Reserve Component who is entitled to compensation under ***37 U.S.C. § 206***, a special pay in the amounts set forth in Chapter 11, Tables 11-2 through 11-9 for which the member:

4.3.1. Is assigned by orders to the duty of diving;

4.3.2. Is required to maintain proficiency as a diver by frequent and regular dives; and

4.3.3. Is either:

4.3.3.1. Actually performing diving duty while serving in an assignment for which diving is a primary duty; or

4.3.3.2. Meeting the requirements to maintain proficiency as described in Chapter 11, subparagraph 2.2.2 while serving in an assignment that includes diving duty other than as a primary duty.

NOTE: A member of a Reserve Component who meets the requirements of Chapter 11, and any additional requirements of the Military Service concerned, is entitled to diving duty pay for each regular period of instruction or period of appropriate duty at which the member is engaged for at least 2 hours. This includes instruction received or duty performed on a Sunday or holiday and each period of performance of such equivalent training, instruction duty, or appropriate duties as the Secretary of the Military Department concerned may prescribe. The compensation for each such period will be equal to one-thirtieth of the monthly special pay authorized under Chapter 11, paragraph 3.4.

4.4 Special Duty Assignment Pay (SDAP)

4.4.1. A member of a Reserve Component who is entitled to compensation under 37 U.S.C. § 206 may qualify for SDAP when the member performs duties designated by the Secretary of the Military Department concerned as extremely demanding requiring a greater than normal degree of responsibility or difficulty, or requiring special qualifications, as described in Chapter 8. A member entitled to SDAP may receive such pay in addition to any other pay or allowances to which entitled. The rate of compensation for such member is provided in Chapter 8, para. 2.3.1.

4.5 Command Pay

The Secretary of the Military Department concerned may designate positions of unusual responsibility that are of a critical nature to an Armed Force under his or her jurisdiction and authorize special pay to officers performing the duties of such a position. An officer of a Reserve Component, who meets the requirements of Chapter 3, section 8.0, and any additional requirements of the Military Service concerned, is entitled to command pay for each day of the performance of duties in a designated position. This applies to days on which regular periods of instruction, or periods of appropriate duty are performed, including periods of instruction received or duty performed on a Sunday or holiday and duties as the Secretary of the Military Department concerned may prescribe.

4.6 Hostile Fire Pay (HFP) or Imminent Danger Pay (IDP)

See Chapter 10.

4.7 Assignment IP (AIP)

The Secretary of the Military Department concerned may pay AIP to a member of a uniformed service who is entitled to compensation under 37 U.S.C. § 206 and performs an assignment, location, or unit designated by the Secretary of the Military Department concerned as described in Chapter 15.

5.0 ALLOWANCES

5.1 Clothing Monetary Allowances, Enlisted Members

Except as provided for in subparagraphs 5.1.1 through 5.1.3, an enlisted member of a Reserve Component is not entitled to any cash clothing allowances when on IDT.

5.1.1. Special Initial Clothing Monetary Allowance (Navy). Chief Petty Officers of the Naval Reserve who are assigned to SELRES and Voluntary Training Units (VTU) are entitled to a special initial clothing monetary allowance upon first advancement to Chief. Payment will be made in one full prescribed cash portion payment. See Chapter 29, paragraph 3.4 and the ***Military Clothing Allowances*** table on DFAS.MIL.

5.1.2. Quarterly Maintenance Clothing Allowance (Navy). Chief Petty Officers of the Naval Reserve who are assigned to SELRES and VTU, and who maintain satisfactory reserve participation per current Bureau of Naval Personnel policy in the quarter concerned, are entitled to an annual Reserve Maintenance Clothing Allowance (RMA) in the equivalent amount of 18 percent of the ***Special Cash Clothing Replacement Allowances*** (see DFAS.MIL). A Chief Petty Officer who is advanced to that grade or who becomes a member of a pay unit in a pay or non-pay status on other than the first day of a quarter is not entitled to a quarterly allowance until the first day of the next quarter. The allowance will not be paid for a fractional part of a quarter. New Chiefs are not entitled to the RMA until the first day of the following fiscal year after advancement.

5.1.3. Initial Cash Allowance for Enlisted Members. An enlisted member of a Reserve Component is entitled to an initial cash allowance for the purchase of items specifically designated by the Military Department concerned to be purchased by the member rather than to be furnished in kind. See Chapter 29, paragraph 2.1.

5.2 Officers' Initial Uniform Allowance

An officer of a Reserve Component is entitled to an initial uniform allowance upon completing 14 periods of IDT as an officer in the Ready Reserve, provided each period is of at least 2 hours duration. See Chapter 30, section 2.0.

5.3 Basic Allowance for Subsistence (BAS)

Enlisted members of a Reserve Component may receive subsistence in kind or a cash commutation for meals when not entitled to basic pay if the member's period of instruction or duty totals at least 8 hours in 1 day. This entitlement is at the discretion of the Secretary of the Military Department concerned who will issue written instructions specifying eligibility criteria. When a cash commutation is authorized, it will be paid at one-thirtieth of the applicable monthly BAS rate from Chapter 25 for each such day authorized, further pro-rated by meal. Breakfast will be pro-rated at 20 percent of the daily BAS rate; lunch and dinner will each be prorated at 40 percent of the daily BAS rate.

6.0 MISCELLANEOUS PAYMENTS

6.1 Pay and Allowances While Disabled

See Chapter 57, paragraph 6.4 for entitlements when a member of a Reserve Component is disabled while performing IDT.

6.2 Payment on Behalf of Deceased Members

6.2.1. Death Gratuity. The eligible beneficiaries of a member of a Reserve Component are entitled to payment of death gratuity, regardless of whether death occurred in the line of duty or was the result of the member's misconduct, if the member dies:

6.2.1.1. While on IDT;

6.2.1.2. While traveling directly to or from IDT; or

6.2.1.3. Within 120 days after discharge or release from IDT, if the Department of Veterans Affairs (VA) determines that the death resulted from an injury or disease incurred or aggravated while performing or traveling directly to or from such training.

6.2.2. Eligible Beneficiaries. The provisions of Chapter 36, Table 36-1 apply to members of a Reserve Component.

6.2.3. Determining Eligible Beneficiaries. The provisions of Chapter 36, paragraph 2.5 apply to members of a Reserve Component.

6.2.4. Determination Affecting Entitlement. The provisions of Chapter 36, paragraph 2.6 apply to members of a Reserve Component.

6.2.5. Amounts Payable. The provisions of Chapter 36, paragraph 2.7 apply to members of a Reserve Component.

6.2.6. Expediting Payments. The provisions of Chapter 36, paragraph 2.8 apply to members of a Reserve Component.

6.2.7. Erroneous Payment. The provisions of Chapter 36, paragraph 2.10 apply to members of a Reserve Component.

6.2.8. Settling Deceased Member's Accounts. The provisions of Chapter 36, section 3.0, and Chapter 2 apply to members of a Reserve Component.

6.3 Disability Severance Pay

6.3.1. A member who performs IDT, and is separated for physical disability due to injury, which was the proximate result of the performance of such duty, is entitled to severance pay, if otherwise qualified under appropriate personnel regulations.

6.3.2. Computation of severance pay will be as prescribed in Chapter 35.

6.4 Ready Reserve Service Members' Involuntary Separation Pay (RISP)

6.4.1. Payment. Upon approval by the Secretary of the Military Department concerned, and subject to the restrictions in this paragraph, pay RISP to a member of the SELRES who has at least 6 years but less than 15 years of service as of the date of discharge from a Reserve Component or involuntary transfer from the SELRES.

6.4.2. Computation

6.4.2.1. Using an official statement of service, determine years of service, computing to three decimal places and rounding to two decimal places. Do not include in the service any days or points for which the member previously received separation, severance, or readjustment pay.

6.4.2.2. Multiply the number of years of service times 15 percent times 62 times the member's daily rate of basic pay if serving on AD as of the date of separation or transfer from the SELRES. The product is the RISP.

Example: A member who is an E-5 over 8 years total service for pay purposes (daily rate of pay $47.55) and a total of 1,760 retirement points credit is approved for discharge on August 27, 2016, by the Secretary of the Military Department concerned. Compute RISP as follows: Divide total Retirement Points Credit 1,760 by 360 = 4.89 years (computing to 3 decimal places rounding to 2 decimal places) x 15 percent x 62 x $47.55 (daily rate of pay) = $2,162.43 RISP.

6.4.2.3. Withhold federal and state income taxes. RISP payments are not subject to FICA or Medicare taxes.

6.4.2.4. A recipient of RISP who later receives basic pay, IDT compensation, or retired or retainer pay will have such pay, compensation, or retired pay reduced by 75 percent until the total reductions equal the total RISP received.

6.4.2.5. A member who has received RISP, who later receives disability compensation from the Department of VA, will have deducted from such disability compensation the total amount of RISP. However, there will be no such reduction if the disability compensation is for a disability incurred or aggravated after the period for which the RISP was paid.

6.4.2.6. Members are not authorized to receive RISP when they are authorized to receive early (completed at least 15 but less than 20 years of service) non-regular retired pay at age 60.

7.0 DEDUCTIONS AND COLLECTIONS

7.1 Income Tax Withholding

See Chapter 44, paragraph 2.1 for provisions for members of a Reserve Component who are performing IDT.

7.2 FICA

See Chapter 45.

7.3 Courts-Martial Sentences

The provisions of Chapter 48 apply to members of a Reserve Component who are performing IDT.

7.4 Non-judicial Punishment

7.4.1. The provisions of Chapter 49 apply to members of a Reserve Component who are performing IDT.

7.4.2. The maximum forfeiture to which a member of a Reserve Component is subject, while in an inactive duty status, is limited to one-half of the IDT compensation to which entitled

during the period of the sentence. This applies also to a member who is on AD when the non-judicial punishment is imposed and reverts to an inactive duty status during the period of the sentence.

7.5 Stoppages and Collections Other Than Courts-Martial Forfeitures

The provisions of Volume 16 apply to members of a Reserve Component who are performing IDT.

7.6 Waiver of Claims for Erroneous Payment of Pay and Allowances

See Volume 16.

7.7 Legal Process for the Enforcement of Child Support and Alimony Obligations

See Chapter 41, section 3.0.

8.0 SGLI PROGRAM FOR RESERVE COMPONENTS

8.1 Basic Coverage

SGLI automatically insures eligible members against death for $500,000, unless the member elects a reduced coverage or declines coverage. SGLI is payable upon the member's death while insured.

8.2 Periods of Coverage

See Chapter 47, Table 47-1.

8.3 Changes in Coverage

See Chapter 47, Table 47-1. A member who is covered for an amount less than the maximum coverage may later apply for increased coverage in writing, with proof of good health, up to the maximum coverage stated in paragraph 8.1.

8.4 Full-Time Coverage

All members of the Ready Reserve and National Guard, who are assigned or attached to a unit or position that requires performing AD, and who will be scheduled to perform at least 12 periods of IDT annually that is creditable for retirement purposes, are automatically insured for full-time SGLI coverage, unless the member elects in writing to decline the insurance. Additionally, members of the IRR are automatically insured for full-time SGLI coverage, unless the member elects in writing to decline the insurance, if they volunteer to be mobilized involuntarily and if they are selected by the Secretary concerned, based upon the needs of the service and the grade and military skills of the member. These IRR members may not be carried in this status, and therefore will not be entitled to full-time coverage beyond 24 months from their

separation date from active duty. Services' SGLI procedures must provide for timely determination of the effective start dates for eligible members and stop dates whenever a member does not meet the eligibility criteria. When a member ceases to meet the conditions of eligibility for full-time SGLI coverage, the Service must notify the member of the pending termination of benefits. Also, see Chapter 47, paragraph 2.1.

8.4.1. Member in a Pay Status. SGLI premiums will be collected from the member's AD pay or drill pay whenever possible. This should apply to members who drill regularly, even if they are not scheduled to drill every month. Even though a member may not drill on a particular month and may not receive any pay, premium due is still included in the monthly transfer of funds to the Department of VA and must be collected from the member as quickly as possible. This can be done by deduction either from pay or direct payment from the member. DFAS will establish a debt on the member's pay account and collect the total premium due when pay is due. When a member ceases to meet the conditions of eligibility for SGLI coverage, the member's parent Service must inform DFAS in a timely manner to allow any final premium liability to be deducted from final pay and to preclude further overpayments.

8.4.2. Member in a Non-Pay Status. When a member is insured under an insurance policy purchased by the VA, the Secretary concerned will contribute from the appropriation for AD pay, the share of the cost attributable to insuring the member under this policy during any month in which:

8.4.2.1. The member is in a non-pay status; and

8.4.2.2. The member is assigned to the Ready Reserve of a Uniformed Service, which requires the member to perform at least 12 periods of IDT annually that is creditable for retirement purposes. This includes Direct Remitters who are scheduled to drill but don't attend, in addition to those drilling for points.

Note: Any amounts contributed on behalf of the member must be collected by DoD via direct remittance, if the member has been identified by the Service concerned as a Direct Remitter. Collection may include establishing a debt against the member's pay account and monies collected must be credited to the appropriation from which the contribution was made.

8.4.3. Direct Remitters. Each Service must have clearly established programs to identify members who are required to make a direct remittance of premiums. Services must notify members at least 30 days in advance of the date the direct remittance is due. The notice will include the amount of the payment, the date it is due, and the Service's address to which the payment should be sent. The member must make remittance within 30 days from the date of the notice.

8.4.3.1. Failure to Make Remittance Within 60 Days. When a member fails to make the direct remittance within 60 days from the due date, the Secretary of the Military Department concerned must notify the member of termination of SGLI coverage unless the member justifies the delinquency to the satisfaction of the Secretary of the Military Department concerned.

8.4.3.2. Termination of SGLI Coverage. When the Secretary of the Military Department concerned determines that the member failed to make direct remittance within 60 days of the due date, the Secretary will send a "Notice of SGLI Termination" to the member's official address. The notice must clearly state that effective 60 days from the date of such notice, the member's SGLI will be terminated. If a member fails to justify the delinquency within 60 days, then the Secretary of the Military Department concerned will send the "Final Notice of SGLI Termination" by certified mail to the member's official address. The Secretary of the Military Department concerned must notify DFAS of the member's effective date of termination. Once SGLI coverage is terminated, it will remain terminated with reinstatement only as approved by the Secretary of VA.

8.4.3.3. Continuation of Coverage. SGLI coverage may be continued if, and only if, the member remits all required premiums within 60 days from the "Notice of SGLI Termination" and justifies the reason for the late payment (subject to approval by the Secretary of the Military Department concerned). A copy of all requests for continuation of SGLI coverage and the Service's final determination will be forwarded within 30 days to:

Director of Compensation
Attn: Termination of SGLI Coverage
ODASD(FMP)(MPP)(Comp)
Washington, DC 20301-4000

*8.5 Part-Time Coverage

Part-time coverage is available to certain eligible members of a Reserve Component who do not qualify for full-time coverage while performing AD under calls or orders of specified periods of 30 days or less. Members may elect coverage of $500,000 or less in $50,000 increments or decline coverage. See Chapter 47, section 5.0 for premium rates.

8.5.1. Election Changes. Amounts deducted for coverage before the effective date of a waiver of coverage, or before an election of a lesser amount of coverage, are not refunded. If a member elects to increase coverage during a year in which the duty period has already been performed, the difference between the two annual premiums should be collected during the first period of duty in which the member is in a pay status that same year. Proof of good health is required for any increase of coverage. A member may use the SGLI On-Line Enrollment System or electronic ***Servicemembers' Group Life Insurance Election and Certificate*** if permitted, to make election changes.

8.5.2. Continuation of Coverage. Any election made continues in effect during continuous obligation to perform duty in the same Uniformed Service, including any AD for a period of more than 30 days. For mobilization, see Chapter 47, Table 47-1, rule 8.

8.6 Appellate Leave

See Chapter 47, section 4.0.

8.7 Forfeiture of Coverage

See Chapter 47, paragraph 2.4.

8.8 Refunds

See Chapter 47, paragraph 5.4.

8.9 Settlement of SGLI Claims

See Chapter 47, section 7.0.

8.10 Retired Reserve

Ready Reserve Service members with full-time coverage have 240 days to apply to convert their SGLI coverage to Veterans' Group Life Insurance (VGLI) without proof of insurability. Ready Reserve Service members have a total of 1 year and 120 days to apply for VGLI following separation but must meet good health requirements if they apply more than 240 days following separation.

8.11 Family Coverage Under SGLI

See Chapter 47, section 8.0.

*Table 58-1. MDA

MDA	
Effective	**Amount**
January 1, 2009	$197.86
January 1, 2010	$205.00
January 1, 2011	$215.63
January 1, 2012	$207.28
January 1, 2013	$209.71
January 1, 2014	$210.90
January 1, 2015	$216.25
January 1, 2016	$211.25
January 1, 2017	$230.00
January 1, 2018	$241.25
January 1, 2019	$241.25
January 1, 2020	$237.50
January 1, 2021	$242.50
January 1, 2022	$231.25
January 1, 2023	$236.25
January 1, 2024	$242.50
January 1, 2025	$253.75

*REFERENCES

CHAPTER 58 – PAY AND ALLOWANCES FOR INACTIVE DUTY TRAINING (IDT)

2.0 – PROVISIONS

2.1	DoD Instruction (DoDI) 1215.06, March 11, 2014, Incorporating Change 2, July 12, 2022
2.1.1	37 U.S.C. § 206
2.1.2	10 U.S.C. § 12315
	37 U.S.C. § 1002
2.1.3	Comptroller General (Comp Gen) B-207339, February 8, 1983
	37 U.S.C. § 204
2.2	37 U.S.C. § 433(d)
2.3	10 U.S.C. § 12316
	Comp Gen B-179882, December 4, 1974
	Comp Gen B-207913, April 15, 1983
2.5.1	10 U.S.C. § 12319
	37 U.S.C. § 433
2.5.2	37 U.S.C. § 433
2.5.3.1 & 2	37 U.S.C. § 433
2.5.4	10 U.S.C. § 12319(d)
2.6	10 U.S.C. § 10149
	10 U.S.C. § 12319
	37 U.S.C. § 433a
2.7	37 U.S.C. § 435
2.8	37 U.S.C. § 355
	37 U.S.C. § 206(d)(2)
	DoDI 1340.26, September 25, 2017, Incorporating Change 1, January 11, 2019
2.8.4	37 U.S.C. § 355(h)

3.0 – INCENTIVE PAY (IP)

3.1	37 U.S.C. § 351
3.2	Executive Order (EO) 11157, June 22, 1964
	DoDI 7730.67, October 20, 2016
3.2.1	EO 11157, June 22, 1964
3.2.1.1	Comp Gen B-132283, August 21, 1957 (Example 1)
3.2.1.2	EO 11157, June 22, 1964
3.2.2	37 U.S.C. § 351
	EO 11157, June 22, 1964
3.3	37 U.S.C. § 334
	DoDI 7730.67, October 20, 2016
	37 U.S.C. § 206

REFERENCES (Continued)

	EO 11157, June 22, 1964
3.4	37 U.S.C. § 352
	DoDI 1340.26, September 25, 2017, Incorporating Change 1, January 11, 2019
3.5	37 U.S.C. § 351
	DoDI 1340.09, January 26, 2018 Incorporating Change 1, February 2, 2024
3.6	37 U.S.C. § 351
	DoDI 1340.09, January 26, 2018
3.7	37 U.S.C. § 353
	37 U.S.C. § 334
	DoDI 7730.67, October 20, 2016

4.0 – SPECIAL PAY

	37 U.S.C. § 353
	37 U.S.C. § 352
4.2	37 U.S.C. § 353
	DoDI 1340.27, August 17, 2022
4.3	37 U.S.C. § 351
	DoDI 1340.09, January 26, 2018
4.4	37 U.S.C. § 352
	DoDI 1340.26, September 25, 2017, Incorporating Change 1, January 11, 2019
4.5	37 U.S.C. § 352
	DoDI 1340.26, September 25, 2017, Incorporating Change 1, January 11, 2019
4.6	37 U.S.C. § 351
	DoDI 1340.09, January 26, 2018
4.7	37 U.S.C. § 352
	DoDI 1340.26, September 25, 2017, Incorporating Change 1, January 11, 2019

5.0 – ALLOWANCES

5.1	37 U.S.C. § 418
5.2	37 U.S.C. §§ 415-417
5.3	37 U.S.C. § 402(e)

REFERENCES (Continued)

6.0 – MISCELLANEOUS PAYMENTS

6.2.1	10 U.S.C. §§ 1475-1476
6.2.2	10 U.S.C. § 1477
6.2.3	10 U.S.C. § 1477
6.2.4	10 U.S.C. § 1480
6.2.5	10 U.S.C. § 1478
6.2.6	10 U.S.C. § 1479
6.2.7	Comp Gen B-132407, August 22, 1957
6.2.8	10 U.S.C. § 2771
	37 U.S.C. § 501(d)
6.3	10 U.S.C. § 1206
6.4	10 U.S.C. § 12732
	10 U.S.C. § 12733
	10 U.S.C. § 12681 Notes

7.0 – DEDUCTIONS AND COLLECTIONS

7.1	10 U.S.C. § 12315
7.3	10 U.S.C. § 802
7.4	10 U.S.C. § 815
	Comp Gen B-165244, October 2, 1968
7.5	37 U.S.C. § 1007
	10 U.S.C. § 8271
	10 U.S.C. § 9837(a)

8.0 – SGLI PROGRAM FOR RESERVE COMPONENTS

8.1 – 8.2	38 U.S.C. §§ 1965-1976
	Title 38, Code of Federal Regulations, PART 9
8.4	10 U.S.C. § 10144
	10 U.S.C. § 12304
8.4.2.2	DoDI 1341.14, January 19, 2017
	Office of Assistant Secretary of Defense Force Management Policy Memo, September 1, 1998

Table 58-1	37 U.S.C. § 433

VOLUME 7A, CHAPTER 59: "PAYMENT TO MEMBERS OF THE SENIOR RESERVE OFFICERS' TRAINING CORPS (SROTC)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated November 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
4.9	Updated the termination date on the "Duration of Authority" table on DFAS.MIL to comply with the National Defense Authorization Act for Fiscal Year 2024, Public Law 118-31, section 613(d)(8), dated December 22, 2023.	Revision
5.2	Updated the "Servicemembers' Group Life Insurance" paragraph for clarity and accuracy.	Revision
References	Verified and updated supporting statutes and references.	Revision

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CHAPTER 59

PAYMENT TO MEMBERS OF THE SENIOR RESERVE OFFICERS' TRAINING CORPS (SROTC)

1.0 GENERAL

1.1 Purpose

This chapter establishes policy pertaining to the pay and allowances for members of the SROTC.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.), including Titles 5, 10, and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ENTITLEMENTS

2.1 Pay While Attending Training

Under ***Title 37, U.S.C., section 203(c)***, pay for cadets and midshipmen at the U.S. Military, Naval, and Air Force Academies is authorized at a prescribed rate. The rate for a cadet or midshipman, who is a member of the regular component of an Armed Force, will be at the rate of basic pay applicable to the member. These rates apply for:

2.1.1. A cadet or midshipman in the SROTC, while attending training or practice cruises, if the training or cruise is of at least four weeks duration and is completed before the cadet or midshipman is commissioned; or

2.1.2. An applicant for membership in the SROTC program, while attending field training or practice cruises to satisfy the requirements for admission to advanced training.

NOTE: A member or applicant for membership in the SROTC program is not entitled to longevity increases or basic pay while performing authorized travel to or from a training site.

2.2 Advance Pay

See Chapter 32, paragraph 2.10.

2.3 Commutation In Lieu of Uniforms

2.3.1. Army. See Army Regulation ***(AR) 700-84***, Chapter 10.

2.3.2. Navy. See Regulations for Officer Development, Naval Service Training Command *(NSTC) Manual-1533.2D* Series.

2.3.3. Air Force. See Holm Center Instructions 65-101.

NOTE: The Air Force Reserve Officers' Training Corps (ROTC) Cadet Payment Programs (Holm Center Instructions 65-101) is available via the Air Force Portal.

2.4 Textbook Allowances, Scholarship Cadets, and Midshipmen

2.4.1. Army. The Commander, U.S. Army Cadet Command prescribes the rates.

2.4.2. Navy. See Naval ROTC (NROTC), NSTC Manual 1533.2D Series.

2.4.3. Air Force. See Holm Center Instructions 65-101.

NOTE: The Air Force ROTC Cadet Payment Programs (Holm Center Instructions 65-101) is available via the Air Force Portal.

2.5 Restrictions

2.5.1. Travel Allowances. A member or applicant for membership in the SROTC program is not entitled to travel allowances while performing field training or at-sea training, except as authorized in section 8.0.

2.5.2. Special and Incentive Pay. A member or applicant for membership in the SROTC program is not entitled to special or incentive pay, except as provided in section 4.0.

2.5.3. Navy Reserve Drill Pay. Drill payments to Navy SROTC members are authorized only for students selected for advanced training in their freshman and sophomore years, and who specifically request continuation in a drill status.

3.0 SUBSISTENCE ALLOWANCE

3.1. Scholarship Cadets or Midshipmen

Except as prescribed in paragraph 3.7, a member of the SROTC program selected for advanced training is entitled to a monthly subsistence allowance; see the ***SROTC Monthly Subsistence Allowance Table***. Entitlement begins on the day the cadet or midshipman starts advanced training and ends upon the completion of their instruction. In no event, however, will any member receive such pay for more than 30 months.

3.2 SROTC Members Appointed in Reserves

Except as prescribed in paragraph 3.7, a member of the SROTC, enrolled in the first two years of a four-year program, is entitled to a monthly subsistence allowance as provided in the

SROTC Monthly Subsistence Allowance Table when appointed for a maximum of 20 months. A member enrolled in the advanced course is entitled to subsistence as prescribed in paragraph 3.1.

3.3 Non-scholarship SROTC Members Not in Advanced Training

A member of the SROTC who has entered into an agreement under ***10 U.S.C. § 2103a*** is entitled to a monthly subsistence allowance at the rate provided in the SROTC Monthly Subsistence Allowance Table. That allowance may be paid to the member by reason of such agreement for a maximum of 20 months.

3.4 Non-scholarship Cadets or Midshipmen

Non-scholarship cadets and midshipmen are not entitled to subsistence allowance, except as noted in paragraph 4.7.

3.5 Subsistence Allowance for Marine Corps Platoon Leaders Class

Except while serving on active duty, members of the Marine Corps Platoon Leaders Class program are entitled to subsistence allowance at the rates provided in the SROTC Monthly Subsistence Allowance Table. Only members in the sophomore, junior, and senior class (Levels II, III, and IV) are entitled to a subsistence allowance. Members of the freshman class are not entitled to a subsistence allowance. Detailed instructions governing the payment of the subsistence allowance are in the Marine Corps Total Force System Personnel Reporting Instructions Manual.

3.6 Accelerated Completion of Military Instruction

A cadet or midshipman participating in advanced training at an institution that has withdrawn from the program may complete the third and fourth year (or the fourth and fifth year of a five-year program) of military training in the third year (or the fourth year of a five-year program) and be paid subsistence allowance during the fourth academic year (AY) (or the fifth year of a five-year program), as though enrolled for training in the fourth year (or the fifth year of a five-year program).

3.7 Limitations

3.7.1. Deduction for Field Training and At-Sea Training. A cadet or midshipman is not entitled to subsistence allowance while performing field training or at-sea training. During the period of field training or at-sea training, the cadet or midshipman is entitled to basic pay as specified in paragraph 2.1.

3.7.2. Vacation Periods

3.7.2.1. A cadet or midshipman enrolled in the first 2 years of the program is not entitled to subsistence allowance for any period(s) between academic school years, such as for

summer vacations between academic school years. Holiday breaks do not interrupt the entitlement.

3.7.2.2. A cadet or midshipman enrolled in the advanced course is entitled to subsistence allowance uninterrupted by any periods between academic school years, subject only to the overall 20 months (30 months in an approved five-year program) of entitlement limitation and subject to deduction for any periods of field training or at-sea training.

3.7.3. Government Meals Furnished Without Charge. SROTC members will have deducted from their subsistence allowance, on a per-meal basis, the charge for government meals furnished without charge. The total deduction for any day will not exceed 1/30th of the subsistence allowance. This recoupment provision does not apply, when meals are furnished while participating in training events conducted during the AY.

3.8 Payment Procedures

Detailed instructions governing the payment of subsistence allowance to the respective SROTC members are contained in:

3.8.1. Army. See ***AR 145-1***;

3.8.2. Navy. See NROTC, ***NSTC Manual 1533.2A*** Series; and

3.8.3. Air Force. See Holm Center Instructions 65-101.

NOTE: The Air Force ROTC Cadet Payment Programs (Holm Center Instructions 65-101) is accessible via the Air Force Portal.

4.0 SROTC SKILL PROFICIENCY BONUS (SPB)

4.1 Eligibility

The Secretary of the Military Department concerned may pay an SROTC SPB under this section and the DoD Instruction ***(DoDI) 1340.27***, "Military Foreign Language SPB," to a cadet or midshipman of SROTC who:

4.1.1. Is enrolled as a cadet or midshipman of SROTC, as determined in accordance with regulations prescribed by the Secretary of Defense;

4.1.2. Participates in a language immersion program approved for the purposes of SROTC, or in study abroad, or is enrolled in an academic course that involves instruction in a foreign language of strategic interest. A foreign language of strategic interest includes a language listed on the DoD Strategic Language List, or other foreign language of strategic interest, which may be designated by the Secretary of the Military Department concerned as critical for purposes of foreign language SPB to the DoD, as designated by the Secretary of Defense for purposes of this section;

4.1.3. Enters into a written agreement under paragraph 4.3;

4.1.4. Pursues a course of study to acquire a critical foreign language as defined by the Secretary of the Military Department concerned; and

4.1.5. Satisfactorily completes the course. To satisfactorily complete the course, a contracted cadet or midshipmen must attain a letter grade of "B" or higher to warrant the SPB payment.

NOTE: An SROTC member may be paid an SROTC SPB even though the is in the first year of a four-year SROTC course.

4.2 Limitations

4.2.1. SROTC SPB will not be paid retroactively for courses completed at another institution in the event a newly contracted cadet or midshipman transfers from that institution to an ROTC-affiliated college or university or ROTC consortium.

4.2.2. SROTC SPB will not be paid to cadets or midshipmen who take the College Level Examination Program test, distance learning, or on-line courses to receive college credit for foreign language or cultural studies classes.

4.3 Written Agreement

The Secretary of the Military Department concerned will require a contracted cadet or midshipman to enter into a written agreement. The written agreement will specify:

4.3.1. The required status of the cadet or midshipman as a contracted ROTC student while participating in an SROTC SPB course of study;

4.3.2. The amount of the SROTC SPB;

4.3.3. The academic period(s) in which the SROTC SPB will be paid;

4.3.4. The required SROTC SPB course of study or language-related event; and

4.3.5. That the cadet or midshipman will be paid the SPB after satisfactory completion of the SROTC SPB course.

4.3.6. That the cadet or midshipman may be subject to repayment provisions of 37 U.S.C. § 353(g), 37 U.S.C. § 373, and Chapter 2, and any additional stipulations identified by the Secretary concerned.

4.4 Amounts

4.4.1. An SROTC SPB will not exceed $3,000 for each 12-month period that follows a qualifying academic period in which a cadet or midshipmen satisfactorily completes a course of study to develop an SROTC SPB critical skill.

4.4.2. Any SROTC SPB payments for summer language immersion or study abroad programs, combined with any previous SPB payments for that AY, must not exceed the 12-month (full AY) SROTC SPB entitlement (summer immersion payment plus previous SPB payments) limit of $3,000.

NOTE: The Secretary of the Military Department concerned may change the start and end dates of this 12-month period to accommodate different schedules, for their ROTC-affiliated colleges or universities or ROTC consortiums, provided that the newly defined 12-month period reflects a minimum of 365 consecutive days.

4.5 Method of Payment

The SROTC SPB, for a qualifying course(s) or immersion training will only be paid in a lump-sum payment, following the satisfactory completion of that course or immersion training.

4.6 Certification of Proficiency and Waiver

The DoD may waive the annual proficiency certification requirement for an SPB. In order for the DoD to waive this requirement, the contracted cadet or midshipman must satisfactorily complete the course of study, during the qualifying academic period or year preceding the payment of the SPB.

4.7 Monthly Subsistence Allowance

During the period covered by the SROTC SPB, the student is entitled to a monthly subsistence allowance as detailed in section 3.0, even though the student has not entered into an agreement under 10 U.S.C. § 2103a. If paid, the monthly subsistence allowance will be as authorized in the SROTC Monthly Subsistence Allowance Table. An SROTC cadet may only receive a single monthly subsistence allowance.

4.8 Repayment

A member, who is paid a proficiency bonus under this section, but does not satisfactorily complete participation in the language program or study as described in paragraph 4.1 (or does not complete the requirements of the SROTC, as applicable), may be subject to the repayment provisions of Chapter 2. SROTC SPB must not be calculated in the cost of advanced education, should the Secretary of the Military Department concerned choose to exercise his/her written agreement option to seek reimbursement of the cost of a former student’s advanced education.

*4.9 Duration of Authority

Unless reauthorized by Congress, SROTC SPB may not be paid after the date on the ***Duration of Authority*** table unless an SROTC SPB agreement was entered into prior to the date on the table.

5.0 DEDUCTIONS

5.1 General

The basic pay of a member, or applicant for membership, in the SROTC program is subject to Federal Income Tax Withholding and Federal Insurance Contributions Act taxes. See the Department of the Treasury ***Internal Revenue Service Publication 15-A*** and Chapter 45, Table 45-1, for tax withholding rates.

*5.2 Servicemembers' Group Life Insurance (SGLI)

Members, cadets and midshipmen of the SROTC are provided SGLI coverage while attending field training or practice cruises in accordance with the Servicemembers' and Veterans' Group Life Insurance ***(VGLI) Handbook, Appendix F***. See Chapter 47, section 2.0 and Chapter 58, section 8.0.

5.3 Allotments

A member or applicant for membership in the SROTC program is not authorized to register allotments.

6.0 DISABILITY BENEFITS

6.1 Entitlements for Cadets and Midshipmen Disabled While En Route To or From Field or At-Sea Training

A cadet or midshipman who is disabled en route to or from field or at-sea training and is otherwise entitled to a subsistence allowance described in section 3.0, is entitled to a subsistence allowance for the day of incurrence of the disability and continuing thereafter, subject to the provisions of section 3.0.

6.2 Entitlement for Cadets and Midshipmen Disabled While Attending Field or At-Sea Training

A cadet or midshipman who is disabled while attending field or at-sea training, is entitled to the monthly cadet rate of pay prescribed in the ***Military Pay Tables*** through the last day of the ordered training period. If the disability continues beyond the ordered tour, the cadet or midshipman, if otherwise entitled, is entitled to a subsistence allowance described in section 3.0.

7.0 PAYMENTS ON BEHALF OF DECEASED MEMBERS

Beneficiaries of any member or applicant for membership in the SROTC program, who dies under the conditions specified in paragraph 6.2 are entitled to Death Gratuity under the provisions of Chapter 36, section 2.0, and unpaid pay and allowances under section 3.0.

8.0 TRAVEL AND TRANSPORTATION ALLOWANCES

The travel and transportation allowances payable to SROTC cadets and midshipmen are prescribed in the ***Joint Travel Regulations***.

*REFERENCES

CHAPTER 59 – PAYMENT TO MEMBERS OF THE SENIOR RESERVE OFFICERS' TRAINING CORPS (SROTC)

2.0 – ENTITLEMENTS

2.1	37 U.S.C. § 203(c) 10 U.S.C., Subtitle A, Part III, Chapter 103 10 U.S.C. § 2104(b)(6)(A) and (B)
2.1.1. & 2.1.2.	37 U.S.C. § 209(d)
2.3	DoDI 1215.08, January 19, 2017, Incorporating Change 1, effective March 7, 2018, paragraph 3.9

3.0 – SUBSISTENCE ALLOWANCE

3.1	37 U.S.C. § 209(a) Assistant Secretary of Defense Memo, July 24, 2001 Office of the Under Secretary of Defense (Personnel & Readiness) Memo, August 22, 2005

4.0 – SROTC SPB

4.0	DoDI 1340.27, August 17, 2022
4.1	37 U.S.C. § 353(f)
4.7	37 U.S.C. § 353(b)(2)
4.8	10 U.S.C. § 2005(a)(3) 37 U.S.C. § 353(g) 37 U.S.C. § 353(i)
4.9	Public Law 118-31, section 613(d)(8), December 22, 2023

5.0 – DEDUCTIONS

5.2	Servicemembers' and Veterans' Group Life Insurance Handbook, November 2002, revised August 2023

6.0 – DISABILITY BENEFITS

6.1	10 U.S.C. § 2109
6.2	5 U.S.C. § 8140

7.0 – PAYMENTS ON BEHALF OF DECEASED MEMBERS

10 U.S.C. §§ 1475-1480

8.0 – TRAVEL AND TRANSPORTATION ALLOWANCES

37 U.S.C. § 422

VOLUME 7A, CHAPTER 60: "HEALTH PROFESSIONS SCHOLARSHIP PROGRAM FOR ACTIVE SERVICE"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
Table 60-1	Updated to include the 2022-2023 and 2023-2024 school year Stipend and Financial Assistance Grant amounts.	Addition
Table 60-1	July 2024: Updated to include the 2024-2025 school year Stipend and Financial Assistance Grant amounts in accordance with the Assistant Secretary of Defense Health Affairs Memo dated April 16, 2024.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 60

HEALTH PROFESSIONS SCHOLARSHIP PROGRAM FOR ACTIVE SERVICE

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to establish policy pertaining to the Health Professions Scholarship Program for Active Service. The Secretary of the Military Department concerned may provide for the payment of all educational expenses incurred by a member of the Armed Forces Health Professions Scholarship Program (AFHPSP), including tuition, fees, books, and laboratory expenses. Such payments, however, will be limited to those educational expenses normally incurred by students at the institution and in the health profession concerned. An educational institution cannot charge the government for educational costs that it does not charge to ALL students attending their University in pursuit of the degree in question.

1.2 Authoritative Guidance

The pay policies and requirements established by the Department of Defense (DoD) in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 10, 26, 37, and 38. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 AFHPSP

2.1 Purpose

The purpose of the AFHPSP is to obtain adequate numbers of commissioned officers on active duty who are qualified in the various health professions, including health professionals with specific skills to assist in providing mental health care to members of the Armed Forces.

2.2 Responsibility

The Secretary of the Military Department concerned, under regulations prescribed by the Secretary of Defense, may establish and maintain a Health Professions Scholarship and Financial Assistance Program (FAP) for their department. The Secretary of the Military Department concerned will allocate a portion of the total number of scholarships available in their department to health professionals with specific skills in mental health care. This is to assist such members in pursuing a degree at the master and doctoral level, with obligatory periods of military training, in any of the following disciplines:

2.2.1. Social work;

2.2.2. Clinical psychology;

2.2.3. Psychiatry; or

2.2.4. Other disciplines that contribute to mental health care programs in that Military Department.

2.3 Eligibility

To be eligible for participation in the AFHPSP, a person must be a citizen of the United States and must:

2.3.1. Be accepted for admission to, or enrolled in, an institution in a course of study or selected to receive specialized training, or, if offered, agree to accept residency training in a health profession skill which has been designated by the Secretary of the Military Department concerned as a critically needed wartime skill;

2.3.2. Sign an agreement to do all of the following:

2.3.2.1. Complete the educational phase of AFHPSP;

2.3.2.2. Accept an appropriate reappointment or designation within his or her military service, if tendered, based upon his or her health profession, following satisfactory completion of AFHPSP;

2.3.2.3. Participate in the intern program of his or her service, if selected for such participation;

2.3.2.4. Participate in the residency program of his or her service, if selected, or be released from active duty for the period required to undergo civilian residency, if selected for such training;

2.3.2.5. Participate in military training while in AFHPSP, under regulations prescribed by the Secretary of Defense; and

2.3.3. Meet the requirements for appointment as a commissioned officer.

2.4 Active Duty Obligation

A member of AFHPSP incurs an active duty obligation based upon the following conditions:

2.4.1. The period of obligation, as prescribed under regulations by the Secretary of Defense, may not be less than 1 year for each year of participation in AFHPSP.

2.4.2. A period spent as a military intern or in residency training will not be creditable in satisfying the active duty obligation.

2.4.3. A member of AFHPSP, who is dropped from AFHPSP for deficiency in conduct or studies or for other reasons, may be required to perform active duty in an appropriate military capacity in accordance with the active duty obligation imposed in this program.

2.4.4. The Secretary of the Military Department concerned may relieve a member of AFHPSP, who is dropped from AFHPSP, from an active duty obligation, but such relief will not relieve the member from any military obligation imposed by any other law.

2.4.5. A member of AFHPSP, who is relieved of the member's active duty obligation before the completion of that active duty obligation, may be given, with or without the consent of the member, any of the following alternative obligations, as determined by the Secretary of the Military Department concerned:

2.4.5.1. A service obligation in another Armed Force for a period of time not less than the member's remaining active duty service obligation;

2.4.5.2. A service obligation in a component of the Selected Reserve for a period not less than twice as long as the member's remaining active duty service obligation; or

2.4.5.3. Repayment of a percentage of the total cost incurred pursuant to the repayment provisions of Chapter 2.

2.4.6. If a member is relieved of an active duty obligation by reason of separation because of a physical disability, then the Secretary of the Military Department concerned may give the member a service obligation as a civilian employee. The member may be employed as a health care professional, in a facility of the uniformed services, for a period equal to the member's remaining active duty service obligation.

3.0 ACCESSION BONUS (AB)

3.1 Eligibility

To be eligible for AFHPSP, an individual must meet the requirements of paragraph 2.3.

3.2 Amount

The Secretary of Defense may offer a member, who enters into an agreement under subparagraph 2.3.2, an AB not to exceed $20,000.

3.3 Relationship to Other Payments

An AB paid to a member is in addition to any other amounts payable under the AFHPSP.

3.4 Repayment

A member who receives an AB under this section, but fails to comply with the agreement under subparagraph 2.3.2, or fails to commence or complete the active duty obligation discussed in paragraph 2.4, will be subject to the repayment provisions of Chapter 2.

4.0 PAY ENTITLEMENTS

4.1 Active Duty

4.1.1. Members participating in AFHPSP will be commissioned officers in the Reserve Component of the Armed Forces and will be ordered to active duty for a period of 45 days during each year of participation.

4.1.2. Members pursuing a course of study will serve on active duty in pay grade O–1 with full pay and allowances of that grade.

4.1.3. Members pursuing specialized training will serve on active duty in a pay grade commensurate with their educational level, as determined by appointment, with full pay and allowances of that grade for a period of 14 days during each year of participation in AFHPSP.

4.1.4. Members will be detailed as students at accredited civilian institutions, located in the United States or Puerto Rico, for the purpose of acquiring knowledge or training in a designated health profession. This active duty period may be served at the location where the member is receiving specialized training, if it would otherwise interrupt the member's residency or fellowship training to serve elsewhere on active duty.

4.2 Prior Active Service

Effective January 28, 2008, a member, who has been selected as a medical student and who has prior military service at a pay grade with years of service credited for pay, will be paid basic pay at such prior pay grade and years of service, if this rate of basic pay exceeds the rate of basic pay to which he would be entitled as a medical student. The amount of the basic pay will be increased on January 1 of each year by the percentage of increase established by executive order. The member will continue to receive the higher basic pay of his or her prior pay grade until the basic pay for the member's actual grade and years of service credited for pay exceeds the basic pay he or she is receiving, regardless of whether this occurs before or after the conclusion of his or her participation as a medical student.

4.3 Stipend

Except during periods of active duty (see paragraph 4.1), members enrolled in this program are entitled to a monthly stipend shown on Table 60-1. These rates are payable during periods of absence. For the most current rates, see the Armed Forces Health Professions Stipend and Financial Assistance ***(AFHPS&FA) Program Grant*** table on DFAS.MIL.

4.3.1. Payment. Payment starts on the date of execution of the oath of office, the date of execution of AFHPSP contract, or the date of commencement of the academic curriculum, whichever is latest. Payment normally continues until the date of graduation or completion of specialized training. The stipend is payable during the course of study and during vacation periods when members are not on active duty. The stipend is prorated for portions of a month at the beginning and end of the course of study, and the beginning and end of any active duty period.

4.3.2. Termination. If a member of AFHPSP is suspended or disenrolled from the designated course of training, stipend payments terminate on that date. Some students complete their professional degree requirements several months before the formal graduation ceremony and conferral of the professional degree. In those cases, where the actual award of a professional degree is a prerequisite to re-commissioning into a professional corps or utilization in the profession, and a lapse of time occurs for administrative reasons, the payment of the stipend should be terminated. The date for termination of the stipend should be the completion of the academic training, if this date precedes the date of graduation by more than 45 days.

4.3.3. Recoupment. Educational costs of AFHPSP and stipends are subject to recoupment when members of AFHPSP are dropped for deficiency in conduct or studies, or when members, for other reasons, fail to fulfill their contractual agreement as a result of action not initiated by the government. Recoupment is subject to the repayment provisions of Chapter 2.

4.4 Advance Pay

Members may be paid an advance pay when reporting for the 45-day active duty tour. (See Chapter 32, paragraph 2.8.)

4.5 Travel Time

During the active duty period, including allowable travel time under Chapter 1, Table 1-6, members serve in pay grade O–1 and are normally entitled to full pay and allowances (see Chapter 57) for that grade.

4.6 Officer's Initial Uniform Allowance

A member of the AFHPSP is entitled to an initial uniform allowance upon reporting for the first period of active duty. (See Chapter 30, section 2.0.)

4.7 Servicemembers' Group Life Insurance (SGLI)

Members, while under this program, are entitled to SGLI coverage for the 45-day active duty tour. For deductions during active duty periods, see Chapter 47, section 5.0.

4.8 Tax Withholding

4.8.1. Active duty pay paid under this program is subject to federal income tax withholding (FITW), state income tax withholding (SITW) (if applicable), and federal insurance contribution act (FICA) withholding in the same manner as prescribed in Chapters 44 and 45.

4.8.2. Monthly stipends paid to students entering AFHPSP are subject to FITW and SITW.

4.8.3. Monthly stipends are not subject to FICA.

4.8.4. Amounts paid directly to schools on behalf of students for tuition, books, fees, laboratory expenses, and any reimbursements for such items paid to students participating at any time in AFHPSP are not subject to withholding for FITW, SITW, or FICA.

4.9 Settlement of Deceased Member's Accounts

See Chapter 36, section 3.0 for authority for payment of any unpaid pay and allowances (includes the amount of unpaid stipend).

4.10 Creditable Service

4.10.1. Except as provided in subparagraph 4.10.2, service performed while a member of AFHPSP will not be counted in:

4.10.1.1. Determining eligibility for retirement, other than by reason of physical disability incurred while on active duty as a member of AFHPSP; or

4.10.1.2. Computing years of service creditable.

4.10.2. The Secretary of the Military Department concerned may authorize service performed by a member of AFHPSP, in pursuit of a course of study under this section, to be counted as creditable service, if the member:

4.10.2.1. Completes the course of study;

4.10.2.2. Completes the active duty obligation; and

4.10.2.3. Possesses a specialty designated by the Secretary of the Military Department concerned as critically needed in wartime.

4.10.3. Service credited under subparagraph 4.10.2 counts only for the award of retirement points for the computation of years of service and retired pay.

4.10.4. The number of points credited to a member under subparagraph 4.10.2.1 for a year of participation in the course of study is 50. The points will be credited to the member at the end

of each year after the completion of the course of study, when the member serves in the Selected Reserve and is credited with at least 50 points.

4.10.5. Service may not be counted under subparagraph 4.10.2 for more than 4 years of participation in the course of study as a member of AFHPSP.

4.10.6. A member is not entitled to any retroactive award of, or increase in, pay or allowances by reason of an award of service credit under subparagraph 4.10.2.

5.0 FAP

5.1 Grant

Effective July 1, 2008, a member participating in the AFHPSP specialized training will be paid an annual grant in an amount not to exceed $45,000, in addition to the stipend under paragraph 4.3. For the most current rates, see Table 60-1 and the AFHPS&FA Program Grant table on DFAS.MIL.

5.1.1. A grant is paid annually based on the rate in effect on the date of entitlement.

5.1.2. A grant is prorated only for partial years of participation, to include the final payment. Subsequent installments are to be issued on the anniversary date of the initial payment.

5.1.3. The amount of the grant is reviewed and increased as appropriate in the same manner as provided for the stipend.

5.1.4. Payment starts on the date of execution of the oath of office, the date of execution of the FAP contract, or the date of commencement of the academic curriculum, whichever is latest.

5.1.5. Payment will continue until the date of graduation or completion of specialized training, unless the program participant is suspended or disenrolled from the designated course of study or specialized training or fails to comply with terms of the program agreement, Service policy, or regulation.

5.1.6. The authority to make the grant and stipend payments is not affected by any payments made to the member by the civilian training institution.

5.2 Recoupment

A member of the FAP who fails to complete specialty training because of a deficiency in conduct or studies, or who, for other reasons, fails to fulfill the contractual agreement as a result of action not initiated by the government, may be required to reimburse the government for all or a portion of payments received during participation in FAP. Recoupment is subject to the repayment provisions of Chapter 2.

*Table 60-1 – Stipend and Financial Assistance Program Grant
For the most current rates, see the AFHPS&FA Program Grant table on DFAS.MIL.

STIPEND Effective	STIPEND Amount	GRANT Amount
July 1, 2024	$2,870.00	$45,000
July 1, 2023	$2,728.00	$45,000
July 1, 2022	$2,608.00	$45,000
July 1, 2021	$2,540.00	$45,000
July 1, 2020	$2,466.00	$45,000
July 1, 2019	$2,391.60	$45,000
July 1, 2018	$2,330.78	$45,000
July 1, 2017	$2,276.10	$45,000
July 1, 2016	$2,230.90	$45,000
July 1, 2015	$2,200.73	$45,000
July 1, 2014	$2,178.90	$45,000
July 1, 2013	$2,157.30	$45,000
July 1, 2012	$2,122.00	$45,000
July 1, 2011	$2,088.00	$45,000
July 1, 2010	$2,060.00	$45,000
July 1, 2009	$1,992.00	$45,000

*REFERENCES

CHAPTER 60 – HEALTH PROFESSIONS SCHOLARSHIP PROGRAM FOR ACTIVE SERVICE

2.0 – AFHPSP

2.1	10 U.S.C. § 2121(a)(1)
2.2	10 U.S.C. § 2121(a)(2)
2.3	10 U.S.C. § 2122
2.4	10 U.S.C. § 2123

3.0 – ACCESSION BONUS (AB)

3.1	Assistant Secretary of Defense Health Affairs (ASD (HA)) Memo, April 25, 2011
3.2	10 U.S.C. § 2128(a)
3.3	10 U.S.C. § 2128(b)
3.4	10 U.S.C. § 2128(c)

4.0 – PAY ENTITLEMENTS

4.1	10 U.S.C. § 2121(c)(1)
4.1.3.	10 U.S.C. § 12207
4.2	10 U.S.C. § 2121(c)(2) 37 U.S.C. § 1009
4.3	10 U.S.C. § 2121(d) ASD HA Memo, June 1, 2023
4.4	37 U.S.C. § 1006(i)
4.6	37 U.S.C. § 415 10 U.S.C. § 2121(c)
4.7	38 U.S.C. §§ 1965-1976
4.8	26 U.S.C. § 117
4.9	10 U.S.C. § 2771
4.10	10 U.S.C. § 2126
4.10.1.2.	37 U.S.C. § 205
4.10.2.1.2.	10 U.S.C. § 2123(a)
4.10.2.2.	10 U.S.C. §§ 12732 and 12733
4.10.2.3.	10 U.S.C. § 12732(a)(2)
4.10.2.5.	10 U.S.C. §§ 12732(a) and 12733

5.0 – FAP

5.1	DoD Instruction 6000.13 December 30, 2015, Incorporating Change 1, May 3, 2016 10 U.S.C. § 2127(e)

TABLE 60-1 – STIPEND and FINANCIAL ASSISTANCE PROGRAM GRANT

ASD HA Memo, April 16, 2024
ASD HA Memo, June 1, 2023
ASD HA Memo, May 12, 2022

VOLUME 7A, CHAPTER 61: "BONUS PROGRAM FOR THE INDIVIDUAL READY RESERVE (IRR)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated July 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision

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CHAPTER 61

BONUS PROGRAM FOR THE INDIVIDUAL READY RESERVE (IRR)

1.0 GENERAL

1.1 Purpose

The Secretary concerned may pay bonus to individuals with previous military service who reenlist in the reserve component of a Military Service after a break in active duty or reserve duty, or eligible service member who transfer to or from the IRR to the regular component of the same Military Service or who transfers to another Military Service, and signs an agreement with the Secretary of the Military Department concerned to serve on active duty or in an active status for a specified period in a Reserve Component (RC) of an Armed Force for assignment to (other than the Selected Reserve (SELRES)) the IRR.

1.2 Authoritative Guidance

The pay policies and requirements established by the Department of Defense (DoD) in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.), section 331 (***37 U.S.C. § 331***) and ***DoD Instruction (DoDI) 1304.31*** – Enlisted Bonus Program. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 DURATION OF AUTHORITY

Unless reauthorized by Congress, a bonus may not be paid for service provided after the date listed on the ***Duration of Authority*** table for the IRR bonus programs unless the bonus agreement was entered into prior to the date on the table.

3.0 BONUS

The Secretary concerned may offer a prior service reenlistment bonus or transfer bonus to individuals or Service members who:

3.1 Prior Service Reenlistment Bonus

The Secretary of the Military Department may offer a prior service reenlistment bonus to individuals with previous military service who reenlist in the IRR of the Reserve Component of a Military Service after a break in active duty or reserve duty;

3.2 Bonus For Transfer Between Components of a Military Service Includes Transfers From:

3.2.1. A regular component of an Armed Force to the IRR of the Ready Reserve of that same Armed Force; or

3.2.2. The IRR of the Ready Reserve of an Armed Force to the regular component of that same Armed Force.

3.3 Bonus For Transfer Between Military Services Includes Transfers From:

3.3.1. A regular component or RC of an Armed Force to the IRR of the Ready Reserve of another Armed Force, subject to the approval of the Secretary with jurisdiction over the Armed Force to which the member is transferring; or

3.3.2. The IRR of the Ready Reserve to a regular component or RC of another Armed Force, subject to the approval of the Secretary with jurisdiction over the Armed Force to which the member is transferring.

4.0 ELIGIBILITY

To be eligible for a bonus listed in this section an individual or IRR Service member must not only meet the eligibility requirement in paragraph 3.1.b. of DoDI 1304.31, but also the additional requirements for the bonus listed below:

4.1 Prior Service Reenlistment Bonus

4.1.1. Not have previously received, or currently be entitled to, an Selected Retention Bonus in accordance with Chapter 9 or a critical skills retention bonus in accordance with ***37 U.S.C. § 355***.

4.1.2. Not have more than 16 years of total military service and have received an honorable discharge at the conclusion of all previous periods of service.

4.1.3. Not have been released, or not be released, from active duty for the purpose of enlistment in a Reserve Component.

4.1.4. Provide either:

4.1.4.1. The original DD Form 214 (copy 1 or copy 4);

4.1.4.2. A reproduction of the DD Form 214 with a certified true copy stamp and the appropriate Federal Government authenticating seal imprinted on the reproduction for any period of previous military service; or

4.1.4.3. Other official documentation verifying member's satisfactory participation for all periods of previous service in the Active Component and Selected Reserve.

4.1.5. Successfully complete any additional training or re-training required to become technically qualified in a designated critical skill for which the member is projected to occupy.

4.1.6. Reenlist for at least 3 years in the Regular or Reserve Component of a Military Service for the purpose of qualifying for award of a prior service reenlistment bonus in accordance with this issuance.

4.1.7. Execute an agreement to serve as an enlisted member in the Regular or Reserve Component of a Military Service for a period of not less than 3 years upon acceptance of the agreement by the Secretary of the Military Department concerned.

4.2. Intra-Service Transfers Within Service Components

4.2.1. The member has satisfactorily completed all terms of enlistment within their current component.

4.2.2. The member is qualified for reenlistment in the Regular or Reserve Component of the Military Service to which the member is transferring.

4.2.3. The member agrees to remain in the component of the Military Service for which the transfer bonus is offered for a minimum 2-year period.

4.2.4. The member has fewer than 15 years of active service time.

4.2.5. A member may not receive an intra-service transfer bonus in conjunction with an affiliation bonus.

4.3. Inter-Service Transfers Between Components and Services

4.3.1. The member has satisfactorily completed all terms of enlistment in a Military Service as defined in the Service specific policy.

4.3.2. The member is qualified for reenlistment in the Regular or Reserve Component of the Military Service to which the member is transferring.

4.3.3. Before the transfer, the member has fulfilled the requirements established by the Secretary of the gaining Military Department.

4.3.4. The member must sign a written agreement to remain in the Military Service for which the transfer bonus is offered for a minimum 3-year period.

4.3.5. The member has fewer than 15 years of active service time.

4.3.6. The member has not received an inter-Service transfer bonus in conjunction with an affiliation bonus.

4.4 Called or Ordered to Active Duty

A person entitled to a bonus, who is called or ordered to active duty, will be paid during that period of active duty any amount of the bonus that becomes payable to the member.

5.0 MAXIMUM AMOUNTS PAYABLE AND METHOD OF PAYMENT

5.1 Maximum Amount

The Secretary concerned shall determine the amount of a bonus to be paid under this section, except that:

5.1.1. A bonus paid under subparagraph 3.1 may not exceed $15,000 for each year of obligated service.

5.1.2. A bonus paid under subparagraphs 3.2 and 3.3 may not exceed $10,000.

5.2 Lump Sum or Installments

A bonus under this section may be paid in a lump sum or in periodic installments, as determined by the Secretary concerned.

5.3 Fixing Bonus Amount

Upon acceptance by the Secretary concerned of the written agreement, the total amount of the bonus to be paid under the agreement shall be fixed.

6.0 OBLIGATION

A member must be contractually obligated to serve satisfactorily, as prescribed by the regulations of the Military Service concerned, in the IRR for the full term of reenlistment or transfer. As a condition of receipt of the bonus, recipients must agree to participate in an annual muster of the RC or on active duty for training, as may be required by the Secretary concerned.

6.1. Service

Participants must obligate themselves to continue to serve in the same Military Occupation Specialty (MOS) unless excused for the convenience of the Government.

6.2. Transfers

A bonus recipient who later transfers to the SELRES is not required to refund the IRR bonus. Bonus recipients who transfer to the SELRES are not eligible for a SELRES reenlistment bonus during the period for which an IRR bonus was paid.

7.0 TERMINATION OF BONUS ENTITLEMENT

Entitlement to the IRR bonus will be terminated under the following conditions in paragraphs 6.1 through 6.5.

7.1 Participation

The member fails to participate satisfactorily in the IRR in accordance with the regulations of the Military Service concerned.

7.2 Civilian Position

The member accepts a federal civilian position where membership in the SELRES is a condition of employment (persons on temporary assignment excluded).

7.3 Separation

The member is separated from the IRR as an enlisted member for any reason (including enlistment or voluntary recall into the active forces).

7.4 Officer Commissioning Program

The member becomes a simultaneous member of an authorized officer program drawing a stipend.

7.5 Non-Qualified MOS

The member moves to a non-bonus-qualified MOS unless at the express direction of the Military Service concerned (through no fault of the member).

8.0 RECOUPMENT OF PAYMENTS

See Chapter 2.

REFERENCES

CHAPTER 61 – BONUS PROGRAM FOR THE INDIVIDUAL READY RESERVE (IRR)

2.0 – DURATION OF AUTHORITY

37 U.S.C. § 331(h)

3.0 – BONUS

3.1	37 U.S.C. § 331(a) DoD Instruction (DoDI) 1304.31, November 5, 2020 Paragraph 4.3 and 4.5

4.0 – ELIGIBILITY

4.1	DoDI 1304.31, November 5, 2020, paragraph 4.3.
4.2	DoDI 1304.31, November 5, 2020, paragraph 4.5.a.
4.3	DoDI 1304.31, November 5, 2020, paragraph 4.5.b.

5.0 – MAXIMUM AMOUNTS PAYABLE AND METHOD OF PAYMENT

	37 U.S.C. § 331(c)
5.1.1	DoDI 1304.31, November 5, 2020, paragraph 4.3.c.
5.1.2	DoDI 1304.31, November 5, 2020, paragraph 4.5.b(5)

6.0 – OBLIGATION

DoDI 1304.31, November 5, 2020, paragraph 3.1.f

7.0 – TERMINATION OF BONUS ENTITLEMENT

7.2	DoDI 1304.31, November 5, 2020, paragraph 3.1.c(6)

VOLUME 7A, CHAPTER 62: "HEALTH PROFESSIONS STIPEND PROGRAM FOR SELECTED RESERVE SERVICE"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
Table 62-1	Updated to include the 2022-2023 and 2023-2024 school year Stipend and Financial Assistance Grant amounts.	Revision
Table 62-1	July 2024: Updated to include the 2024-2025 school year Stipend and Financial Assistance Grant amounts in accordance with the Assistant Secretary of Defense Health Affairs Memo dated April 16, 2024.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 62

HEALTH PROFESSIONS STIPEND PROGRAM FOR SELECTED RESERVE SERVICE

1.0 GENERAL

1.1 Purpose

The chapter establishes policy guidance pertaining to the Health Professions Stipend Program for Selected Reserve service.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 10, 26, 37, and 38. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 PAY COMPUTATION

2.1 Stipend

When a participant has agreed to serve in the Selected Reserve, the amount of a stipend listed on Table 62-1, or one-half of that rate if the participant has agreed to serve in the Individual Ready Reserve. For the most current rates, see the Armed Forces Health Professions Stipend and Financial Assistance ***(AFHPS&FA) Program Grant*** table on DFAS.MIL.

2.1.1. Payment. The stipend is payable during specialized advanced training, during vacation periods, and during periods when officers are participating in annual training with the Selected Reserve. The stipend is prorated for portions of a month at the beginning and end of the course of specialized advanced training.

2.1.2. Termination. When an officer's eligibility for the stipend program is terminated, the officer no longer is entitled to receive a stipend. The effective date of termination is set by program administrators and communicated to the paying activity. Termination is based on criteria set by the DoD.

2.1.3. Recoupment. A member of the program who, under regulations prescribed by the Secretary of Defense, is dropped from the program for deficiency in training, or for other reasons, will be required:

2.1.3.1. To perform 1 year of active duty for each year (or part thereof) for which such person was provided financial assistance under this section; or

2.1.3.2. To comply with the repayment provisions of ***37 U.S.C. § 373*** and Chapter 2.

NOTE: The Secretary of the Military Department concerned may relieve a member who is dropped from the program from any requirement that may be imposed under subparagraph 2.1.3, but such relief will not relieve the member from any military obligation imposed by any other law.

2.1.4. Prohibition of Duplicate Benefits. Financial assistance may be provided under this section to a member receiving financial assistance under ***10 U.S.C. § 2107***.

2.2 Servicemembers' Group Life Insurance

For coverage, see Chapter 47, section 2.0. For deductions during active duty periods, see Chapter 47, section 5.0.

2.3 Tax Withholding

2.3.1. Active duty pay paid under this program is subject to Federal Income Tax Withholding (FITW) and Federal Insurance Contribution Act (FICA) withholding in the same manner as prescribed in Chapters 44 and 45.

2.3.2. Monthly stipends paid to students entering the program are subject to FITW.

2.3.3. Monthly stipends are not subject to FICA withholding.

2.4 Settlement of Deceased Members' Accounts

See Chapter 36, section 3.0 for authority for payment of any unpaid pay and allowances (includes the amount of unpaid stipend).

3.0 REQUIRED ACTIVE DUTY TRAINING

3.1 Selected Reserve

A person who is required under the agreements described in sections 4.0 through 8.0 to serve in the Selected Reserve will serve not less than 12 days of active duty for training each year during the period of service required by the agreement.

3.2 Nonavailability

Members of the Ready Reserve, who incur a period of authorized nonavailability, will be suspended without recoupment from their incentive. If subsequently assigned to the Reserve status and skill originally contracted for, then members may be reinstated in the incentive program if they extend their term of service or contract for service to be able to serve the full original incentive contract period. Entitlement to subsequent payments will resume on the adjusted anniversary date of satisfactory and creditable Reserve service, as appropriate. These members are assigned

temporarily to the Standby Reserve or to the Inactive National Guard, as appropriate, during the period of authorized nonavailability and are required to extend their Selected Reserve service agreement for a period that equals the period of authorized nonavailability.

3.2.1. Members of the Selected Reserve may incur a period of authorized nonavailability for up to 1 year for valid personal reasons as determined by the Secretary of the Military Department concerned.

3.2.2. During the period of nonavailability, a member is suspended without concurrent recoupment. A member will not be entitled to subsequent payments or any other available incentives.

3.2.3. An officer is entitled to stipend payments when the anniversary date of satisfactory and creditable Ready Reserve service is adjusted for the period of authorized nonavailability.

4.0 MEDICAL AND DENTAL SCHOOL STUDENTS

4.1 Eligibility

The Secretary of the Military Department concerned may enter into an agreement with a person who:

4.1.1. Is eligible to be appointed as an officer in a Reserve Component (RC);

4.1.2. Is enrolled or has been accepted for enrollment in an institution in a course of study that results in a degree in medicine or dentistry;

4.1.3. Signs an agreement that, unless sooner separated, the person will:

4.1.3.1. Complete the educational phase of the program;

4.1.3.2. Accept a re-appointment or re-designation within the person's RC, if tendered, based upon the person's health profession, following satisfactory completion of the educational and intern programs; and

4.1.3.3. Participate in a residency program; and

4.1.4. If required by regulations prescribed by the Secretary of Defense, agrees to apply for (if eligible) and accept (if offered), residency training in a health profession skill, which has been designated by the Secretary of Defense as a critically needed wartime skill.

4.2 Agreement

4.2.1. The Secretary of the Military Department concerned shall agree to pay the participant a stipend, in the amount contained in paragraph 2.1, for the period or the remainder of the period that the student is satisfactorily progressing toward a degree in medicine or dentistry while enrolled in an accredited medical or dental school.

4.2.2. The participant shall not be eligible to receive such stipend before appointment, designation, or assignment as an officer for service in the Ready Reserve.

4.2.3. The participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve.

4.2.4. The participant shall agree to serve in the Selected Reserve, upon successful completion of the program, for the period of 1 year for each 6 months, or part thereof, for which the participant is provided a stipend pursuant to the agreement.

NOTE: In the case of a participant who enters into a subsequent agreement under section 5.0 and successfully completes residency training in a specialty designated by the Secretary of Defense as a specialty critically needed by the Military Department in wartime, the requirement to serve in the Selected Reserve may be reduced to 1 year for each year, or part thereof, for which the stipend was provided while enrolled in medical or dental school.

5.0 PHYSICIANS AND DENTISTS IN CRITICAL WARTIME SPECIALTIES

5.1 Eligibility

Under the stipend program, the Secretary of the Military Department concerned may enter into an agreement with a person who:

5.1.1. Is a graduate of a medical school or dental school; and

5.1.2. Is eligible for appointment, designation, or assignment as a medical officer or dental officer in the RC of the Armed Force concerned or has been appointed as a medical or dental officer in the RC of the Armed Force concerned; or

5.1.3. Is enrolled or has been accepted for enrollment in a residency program for physicians or dentists in a medical or dental specialty designated by the Secretary of the Military Department concerned as a specialty critically needed by that Military Department in wartime.

5.2 Agreement

5.2.1. The Secretary of the Military Department concerned shall agree to pay the participant a stipend, in the amount contained in paragraph 2.1, for the period or the remainder of the period of the residency program in which the participant enrolls or is enrolled.

5.2.2. The participant shall not be eligible to receive such stipend before appointment, designation, or assignment as a medical officer or dental officer for service in the Ready Reserve.

5.2.3. The participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve.

5.2.4. The participant shall agree to serve, upon successful completion of the program, 1 year in the Selected Reserve for each 6 months, or part thereof, for which the stipend is provided.

6.0 REGISTERED NURSES IN CRITICAL SPECIALTIES

6.1 Eligibility

Under the stipend program, the Secretary of the Military Department concerned may enter into an agreement with a person who:

6.1.1. Is a registered nurse;

6.1.2. Is eligible for appointment as a Reserve Officer for service in an RC as a nurse; and

6.1.3. Is enrolled or has been accepted for enrollment in an accredited program in nursing in a specialty designated by the Secretary of the Military Department concerned as a specialty critically needed by that Military Department in wartime.

6.2 Agreement

6.2.1. The Secretary of the Military Department concerned shall agree to pay the participant a stipend, in the amount contained in paragraph 2.1, for the period or the remainder of the period of the nursing program in which the participant enrolls or is enrolled.

6.2.2. The participant shall not be eligible to receive such stipend before being appointed as a Reserve Officer for service in the Ready Reserve as a nurse.

6.2.3. The participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve.

6.2.4. The participant shall agree to serve, upon successful completion of the program, 1 year in the Selected Reserve for each 6 months, or part thereof, for which the stipend is provided.

7.0 BACCALAUREATE STUDENTS IN NURSING OR OTHER HEALTH PROFESSIONS

7.1 Eligibility

Under the stipend program, the Secretary of the Military Department concerned may enter into an agreement with a person who:

7.1.1. Will, upon completion of the program, be eligible to be appointed, designated, or assigned as a Reserve officer for duty as a nurse or other health professional; and

7.1.2. Is enrolled, or has been accepted for enrollment, in the third or fourth year of:

7.1.2.1. An accredited baccalaureate nursing program; or

7.1.2.2. Any other accredited baccalaureate program leading to a degree in a health profession designated by the Secretary of the Military Department concerned as a profession critically needed by that Military Department in wartime.

7.2 Agreement

7.2.1. The Secretary of the Military Department concerned shall agree to pay the participant a monthly stipend in the amount contained in paragraph 2.1 for the period or the remainder of the period of the baccalaureate program in which the participant enrolls or is enrolled.

7.2.2. The participant shall not be eligible to receive such stipend before enlistment in the Ready Reserve.

7.2.3. The participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve.

7.2.4. The participant shall agree to serve, upon graduation from the baccalaureate program, 1 year in the Selected Reserve for each year, or part thereof, for which the stipend is paid.

8.0 MENTAL HEALTH PROFESSIONALS IN CRITICAL WARTIME SPECIALTIES

8.1 Eligibility

Under the stipend program, the Secretary of the Military Department concerned may enter into an agreement with a person who:

8.1.1. Is eligible to be appointed as an officer in an RC;

8.1.2. Is enrolled or has been accepted for enrollment in an institution in a course of study that results in a degree in clinical psychology or social work;

8.1.3. Signs an agreement that, unless earlier separated, the person will:

8.1.3.1. Complete the educational phase of the program;

8.1.3.2. Accept a re-appointment or re-designation within the person's RC, if tendered, based upon the person's health profession, following satisfactory completion of the educational and intern programs; and

8.1.3.3. Participate in a residency program if required for clinical licensure in a mental health profession skill; and

8.1.4. If required by regulations prescribed by the Secretary of Defense, agrees to apply for, if eligible, and accept, if offered, residency training in a mental health profession skill that has been designated by the Secretary of the Military Department concerned as a critically needed wartime skill.

8.2 Agreement

8.2.1. The Secretary of the Military Department concerned shall agree to pay the participant a stipend, in the amount contained in paragraph 2.1, for the period or the remainder of the period that the student is satisfactorily progressing toward a degree in clinical psychology or social work while enrolled in a school accredited in the designated mental health discipline.

8.2.2. The participant shall not be eligible to receive such stipend before appointment, designation, or assignment as an officer for service in the Selected Reserve.

8.2.3. The participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Selected Reserve.

8.2.4. The participant shall agree to serve, upon successful completion of the program, 1 year in the Selected Reserve for each 6 months, or part thereof, for which the stipend is provided.

*Table 62-1 - Stipend and Financial Assistance Program Grant
For the most current rates, see the AFHPS&FA Program Grant table on DFAS.MIL.

STIPEND Effective	STIPEND Amount	GRANT Amount
July 1, 2024	$2,870.00	$45,000
July 1, 2023	$2,728.00	$45,000
July 1, 2022	$2,608.00	$45,000
July 1, 2021	$2,540.00	$45,000
July 1, 2020	$2,466.00	$45,000
July 1, 2019	$2,391.60	$45,000
July 1, 2018	$2,330.78	$45,000
July 1, 2017	$2,276.10	$45,000
July 1, 2016	$2,230.90	$45,000
July 1, 2015	$2,200.73	$45,000
July 1, 2014	$2,178.90	$45,000
July 1, 2013	$2,157.30	$45,000
July 1, 2012	$2,122.00	$45,000
July 1, 2011	$2,088.00	$45,000
July 1, 2010	$2,060.00	$45,000
July 1, 2009	$1,992.00	$45,000

*REFERENCES

CHAPTER 62: HEALTH PROFESSIONS STIPEND PROGRAM FOR SELECTED RESERVE SERVICE

2.0 – PAY COMPUTATION

	10 U.S.C. § 16201(g)
	10 U.S.C. § 16203
	10 U.S.C. § 2121(d)
2.1	Assistant Secretary of Defense Health Affairs (ASD (HA)) Memo, June 1, 2023
2.2	38 U.S.C. §§ 1965-1976
2.3	26 U.S.C. § 117
2.4	10 U.S.C. § 2771
	37 U.S.C. § 501(d)

3.0 – REQUIRED ACTIVE DUTY TRAINING

3.1	10 U.S.C. § 16202
	DoD Instruction (DoDI) 6000.13, December 30, 2015, Incorporating Change 1, May 3, 2016
3.2	DoDI 1205.21, September 20, 1999

4.0 – MEDICAL AND DENTAL SCHOOL STUDENTS

10 U.S.C. § 16201(b)(2)

5.0 – PHYSICIANS AND DENTISTS IN CRITICAL WARTIME SPECIALTIES

10 U.S.C. § 16201(c)(2)

6.0 – REGISTERED NURSES IN CRITICAL SPECIALTIES

10 U.S.C. § 16201(d)(2)

7.0 – BACCALAUREATE STUDENTS IN NURSING OR OTHER HEALTH PROFESSIONS

10 U.S.C. § 16201(e)(2)

8.0 – MENTAL HEALTH PROFESSIONALS IN CRITICAL WARTIME SPECIALTIES

10 U.S.C. § 16201(f)(2)

TABLE 62-1 – ARMED FORCES HEALTH PROFESSIONS STIPEND AND FINANCIAL ASSISTANCE PROGRAM GRANT

ASD HA Memo, April 16, 2024
ASD HA Memo, June 1, 2023
ASD HA Memo, May 12, 2022

VOLUME 7A, CHAPTER 63: "ACCESSION AND CONTINUATION BONUSES FOR NURSE OFFICER CANDIDATES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

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The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
Table 63-1	Updated to include the 2022-2023 and 2023-2024 school year Stipend and Financial Assistance Grant amounts.	Addition
Table 63-1	July 2024: Updated to include the 2024-2025 school year Stipend and Financial Assistance Grant amounts in accordance with the Assistant Secretary of Defense Health Affairs Memo dated April 16, 2024.	Revision
References	Updated statutes and supporting references.	Revision

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CHAPTER 63

ACCESSION AND CONTINUATION BONUSES FOR NURSE OFFICER CANDIDATES

1.0 GENERAL

1.1 Purpose

The Secretary of the Military Department concerned is authorized to provide financial assistance to full-time students enrolled in an accredited baccalaureate degree program in nursing to assist in the completion of degree requirements and acceptance of an appointment as a nurse officer. For the purpose of this chapter, "continuation bonus" and "monthly stipend" are synonymous.

1.2 Authoritative Guidance

The Health Professions Scholarship Program for Active Service policies and requirements established by the Department of Defense in this chapter are derived primarily from, and prepared in accordance with the United States Code (U.S.C.), including Titles 10 and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ELIGIBLE STUDENTS

The Accession and Continuation Bonuses are authorized for nursing students who execute an agreement under each of the following conditions:

2.1 Senior Reserve Officers Training Corps (SROTC)

The student is enrolled full-time in an accredited nursing baccalaureate degree program at a civilian educational institution that either does not have an SROTC program established by the Secretary of the Military Department concerned who is selecting the student or has an SROTC for which the student is ineligible.

2.2 Baccalaureate Degree Program

The student has completed the second year of an accredited baccalaureate degree program in nursing and has more than 6 months of academic work remaining before graduation.

2.3 Officer Appointment

The student meets the qualifications for appointment as an officer of a Reserve Component (RC) of the Army, Navy, or Air Force as set forth in ***10 U.S.C. § 12201*** and the regulations of the Military Department concerned.

3.0 AGREEMENT

The student described in section 2.0 will execute a written agreement in which the student agrees to the following four provisions:

3.1 Degree Completion

The student will complete the nursing degree program described in paragraphs 2.1 and 2.2.

3.2 Reserve Enlistment

The student will, upon acceptance of the agreement by the Secretary of the Military Department concerned, enlist in an RC of the Armed Forces.

3.3 Officer Appointment

The student will accept an appointment as an officer in the Nurse Corps of the Army or the Navy or as an officer designated as a nurse officer in the Air Force, upon graduation from the nursing degree program.

3.4 Active Duty Obligation

The member will serve on active duty as an officer described in paragraph 3.3 as follows:

3.4.1. For a period of 4 years in the case of a person whose agreement was accepted by the Secretary of the Military Department concerned during that person's fourth year of the nursing degree program; or

3.4.2. For a period of 5 years in the case of a person whose agreement was accepted by the Secretary of the Military Department concerned during that person's third year of the nursing degree program.

4.0 AMOUNTS PAYABLE

4.1 Accession Bonus (AB)

The Secretary of the Military Department concerned may, upon acceptance of a written agreement, pay an AB to an eligible person in an amount not to exceed $20,000. The AB will be paid in periodic installments, as determined by the Secretary of the Military Department concerned at the time the agreement is accepted, except that the first installment may not exceed $10,000. Unless authorized by the Congress, an accession bonus may not be paid for service provided after the date listed on the ***Duration of Authority*** unless a contract was entered into prior to the date on the table.

4.2 Monthly Stipend

In addition to the AB, a person selected into the program shall be entitled to a monthly stipend in an amount not to exceed the amount listed on Table 63-1. The stipend is payable for each month the individual is enrolled as a full-time student in an accredited baccalaureate degree program in nursing at a civilian educational institution approved by the Secretary of the Military Department concerned who selected the individual. The continuation bonus may be paid for not more than 24 months. For the most current rates, see the Armed Forces Health Professions Stipend and Financial Assistance ***(AFHPS&FA) Program Grant*** table on DFAS.MIL.

NOTE: Accession and continuation bonuses are subject to Federal income tax withholding but not subject to Federal Insurance Contributions Act.

5.0 REPAYMENT

A person will be subject to the repayment provisions of Chapter 2, section 3.0, under any of the following conditions:

5.1 Withdraws From Program

The student does not complete a nursing degree program in which the student is enrolled in accordance with section 3.0.

5.2 Commissioning

Having completed a nursing degree program, the student does not become an officer in the Nurse Corps of the Army or the Navy or an officer designated as a nurse officer of the Air Force.

5.3 Fails to Complete Service Obligation

The member does not complete the period of obligated active service required under the agreement.

*Table 63-1 – Monthly Stipend
For the most current rates, see the AFHPS&FA Program Grant table on DFAS.MIL.

Each School Year Beginning:	Amount
July 1, 2024	$2,870.00
July 1, 2023	$2,728.00
July 1, 2022	$2,608.00
July 1, 2021	$2,540.00
July 1, 2020	$2,466.00
July 1, 2019	$2,391.60
July 1, 2018	$2,330.78
July 1, 2017	$2,276.10
July 1, 2016	$2,230.90
July 1, 2015	$2,200.73
July 1, 2014	$2,178.90
July 1, 2013	$2,157.30
July 1, 2012	$2,122.00
July 1, 2011	$2,088.00
July 1, 2010	$2,060.00
July 1, 2009	$1,992.00

*REFERENCES

CHAPTER 63 – ACCESSION AND CONTINUATION BONUSES FOR NURSE OFFICER CANDIDATES

2.0 – ELIGIBLE STUDENTS

	10 U.S.C. § 2130a(b)
2.3	10 U.S.C. § 12201

3.0 – AGREEMENT

	10 U.S.C. § 2130a(c)

4.0 – AMOUNTS PAYABLE

4.1	10 U.S.C. § 2130a(a)(1)
4.2	10 U.S.C. §§ 2121(d), 2130a(a)(2) Assistant Secretary of Defense Health Affairs (ASD (HA)) Memo, June 1, 2023

5.0 – REPAYMENT

	10 U.S.C. § 2130a(d) 37 U.S.C. §§ 303a(e), 373

TABLE 63-1 – ARMED FORCES HEALTH PROFESSIONS STIPEND AND FINANCIAL ASSISTANCE PROGRAM GRANT

ASD HA Memo, April 16, 2024
ASD HA Memo, June 1, 2023
ASD HA Memo, May 12, 2022

DEPARTMENT OF DEFENSE

FINANCIAL MANAGEMENT REGULATION

CHAPTER 64: "ARCHIVED"

UNDER SECRETARY OF DEFENSE (COMPTROLLER)

VOLUME 7A, CHAPTER 65: "HIGH-DEPLOYMENT ALLOWANCE"

SUMMARY OF MAJOR CHANGES

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting to comply with current administrative instructions.	Revision
References	Updated supporting statutes and references in the "References" section.	Revision

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CHAPTER 65

HIGH-DEPLOYMENT ALLOWANCE

1.0 GENERAL

1.1 Purpose

A high-deployment allowance may be paid to members who perform lengthy or numerous deployments or frequent mobilizations. However, in a memorandum dated October 8, 2001, the Deputy Secretary of Defense indefinitely suspended the accumulation of deployment days for purposes of determining eligibility for high-deployment allowance due to national security issues.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from, and prepared in accordance with, the United States Code (U.S.C.), including Titles 10 and 37. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 ENTITLEMENT CRITERIA

2.1 General

The Secretary of the Military Department concerned may pay a high-deployment allowance to a member for each month during which the member is:

2.1.1. Deployed and at any time during that month:

2.1.1.1. Has been deployed for 191 or more consecutive days; or

2.1.1.2. Has been deployed 401 or more days out of the preceding 730 days; or

2.1.2. A Reserve member who is on active duty:

2.1.2.1. Under a call or order to active duty for a period of more than 30 days that is the second (or later) such call or order to active duty for that member in support of the same contingency operation; or

2.1.2.2. For a period of more than 30 days under the provisions of ***10 U.S.C. § 12304b***, or a provision of law referred to in ***10 U.S.C. § 101(a)(13)(B)***, if such period begins within one year after the date on which the member was released from previous service on active duty for a period of more than 30 days under a call or order issued under such provision of law.

2.2 Payment

2.2.1. A member may be paid a monthly rate as determined by the Secretary of the Military Department concerned, not to exceed $1,000 per month.

2.2.2. Generally, the high-deployment allowance is taxable income. If the high-deployment allowance is earned while the member is serving within a combat zone, then the allowance is eligible for the Combat Zone Tax Exclusion (CZTE). For more information on CZTE, refer to Chapter 44.

2.3 Deployment

2.3.1. A Service member of a Military Service within the DoD is considered deployed or on a deployment on any day on which, pursuant to orders, the Service member performs service for an operation at a location or under circumstances that make it impossible for them to spend off-duty time in the housing in which they reside when on garrison duty at their permanent duty station or homeport. In accordance with Section 991 of Title 10, U.S.C., if an RC Service member is performing active service pursuant to orders that do not establish a permanent change of station, that housing is any housing, including the Service member's residence, that the Service member usually occupies during off-duty time when on garrison duty at the Service member's permanent duty station or homeport.

2.3.1.1. A deployment begins when a unit, detachment, or individual not attached to a unit or detachment leaves a homeport, station, or base or leaves from an enroute training location to meet a Secretary of Defense–approved operation to meet an operational requirement. An event is an operation if it is recorded in the joint capabilities requirement manager or contained in the annual Global Force Management Data Initiative–compliant tool under the Global Force Management Data Initiative reporting structure specified in DoD Instruction 8260.03. Forces deployed pursuant to Executive orders, operational plans, or concept plans approved by the Secretary of Defense are also considered deployed.

2.3.1.2. A deployment ends when most of the unit or detachment, or an individual not attached to a unit or detachment, returns to their homeport, station, or base. Forces operationally employed by Secretary of Defense's orders or in "prepare-to-deploy order" status at their home station are not deployed. Movement of forces that do not meet operational requirements (e.g., movement of forces to meet training, readiness, or exercise requirements) are not considered deployments and, therefore, are not subject to deployment-to-dwell and mobilization-to-dwell limits and specified goals.

2.3.2. There are five categories of deployments that must be tracked and counted towards the established management and pay thresholds. See Table 65-1 for categories of Personnel Tempo (PERSTEMPO) events. The term "PERSTEMPO" means the amount of time members of the armed forces are engaged in their official duties at a location or under circumstances that make it infeasible for a member to spend off-duty time in the housing in which the member resides.

2.3.2.1. Operations. Operations is a military action or the carrying out of a strategic, tactical, service, training, or administrative military mission; providing support to domestic civil, humanitarian, or counter-drug military mission; and the process of carrying on combat, including movement, supply, attack, defense, and maneuvers needed to gain the objectives of any battle or campaign. Operations are generally named by the Joint Staff.

2.3.2.2. Exercise. An exercise is a named military maneuver or simulated wartime operation involving planning, preparation, and execution. It is carried out for the purpose of training or evaluation. It may be a combined, joint, or single-Service exercise, depending on participating organizations.

2.3.2.3. Unit Training. Unit training consists of all or part of a unit accomplishing a training objective at a location other than the permanent duty location. Unit training includes exercises that have not received an official designation.

2.3.2.4. Home Station Training/Local Operating Area of a Ship or Vessel. Home station training/local operating area of a ship or vessel training is conducted within the limits of an installation/base/local operating area of a ship or vessel. The area must have been predetermined and documented by appropriate authorities.

2.3.2.5. Mission Support Temporary Duty (TDY). Mission support TDY consists of duties that include meetings, conferences, staff visits, staff augmentation, and medical appointments.

2.4 Nondeployment

For the purpose of this chapter, a member is not deployed or in a deployment when the member is:

2.4.1. A student or trainee at a school (including any government school);

2.4.2. Performing administrative, guard, or detail duties in garrison at the member's permanent duty station; or

2.4.3. Unavailable because of:

2.4.3.1. Hospitalization of the member at the member's permanent duty station or homeport or in the immediate vicinity of the member's permanent residence; or

2.4.3.2. Disciplinary action taken against the member.

2.5 Exceptions to Deployment Time

2.5.1. Suspension. Pursuant to ***10 U.S.C. § 991(d)***, the Secretary of the Military Department concerned may suspend the management of the PERSTEMPO program when such a suspension is in the "national security interests."

2.5.2. Day Away. A day away begins on one day and ends on another day. A day away does not require a full 24 hours to be considered a PERSTEMPO day, and the day of return will not count as a day away. For example, if a member departs on Monday afternoon and returns on Tuesday morning, only Monday counts as a PERSTEMPO day.

2.5.3. Leave While Deployed. Leave in conjunction with a deployment will not count as deployed time away from home. Exceptions to this may be granted at the discretion of the Secretary of the Military Department concerned for those circumstances under which personnel are required to take chargeable leave in order to be exempted from duty requirements or watch standing requirements. In general, leave that would extend the actual or projected deployed time away from home will not be counted as deployed time.

2.5.4. Hospitalization When Deployed. When a member is deployed and requires hospitalization away from the permanent duty station, the member is still considered deployed. If a member is deployed and requires hospitalization at the permanent duty station, then the member is no longer considered deployed. If a line of duty investigation determines injuries are due to member's misconduct, then deployment days do not accrue in the hospital.

Table 65-1. PERSTEMPO Events

PERSTEMPO Event Type	PERSTEMPO Event Category	PERSTEMPO Event Purpose
Deployment	Operations (includes TDY)	Contingency Operations
Deployment	Operations (includes TDY)	National Emergency
Deployment	Operations (includes TDY)	War
Deployment	Operations (includes TDY)	Counter-Drug
Deployment	Operations (includes TDY)	Law Enforcement Operations
Deployment	Operations (includes TDY)	U. S. Domestic Civil
Deployment	Operations (includes TDY)	Humanitarian Assistance
Deployment	Operations (includes TDY)	Peacekeeping
Deployment	Operations (includes TDY)	Surveillance
Deployment	Operations (includes TDY)	Forward Presence
Deployment	Operations (includes TDY)	Hospitalization
Deployment	Named Exercise (includes TDY)	Joint/Combined Service
Deployment	Named Exercise (includes TDY)	North Atlantic Treaty Organization (commonly referred to as NATO)
Deployment	Named Exercise (includes TDY)	Hospitalization
Deployment	Unit Training (includes TDY)	Combined Training Center
Deployment	Unit Training (includes TDY)	Training Area
Deployment	Unit Training (includes TDY)	Hospitalization
Deployment	Home Station Training/Local Operating Area of a Ship or Vessel	
Deployment	Mission Support TDY (includes meetings, conferences, staff visits, staff augmentation, and medical appointments)	
Non-Deployment	Individual Training/School TDY	
Non-Deployment	Duty in Garrison (home station/home port duty)	
Non-Deployment	Hospitalization (except deployed)	
Non-Deployment	Discipline	
Non-Deployment	Inactive Duty Training (if away from permanent training site (PTS))	
Non-Deployment	Muster Duty (if away from PTS)	
Non-Deployment	Funeral Honors Duty (if away from PTS)	

*REFERENCES

CHAPTER 65 – HIGH-DEPLOYMENT ALLOWANCE

1.0 – GENERAL

Deputy Secretary of Defense Memo, October 8, 2001

2.0 – ENTITLEMENT CRITERIA

10 U.S.C. § 991
37 U.S.C. § 436
Directive-type Memorandum 21-005, August 16, 2021, Incorporating Change 1, October 13, 2022

Table 65-1

Department of Defense Instruction 1336.07, December 28, 2020

VOLUME 7A, CHAPTER 66: "CONTINUATION PAY (CP)"

SUMMARY OF MAJOR CHANGES

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PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
Title	Updated to remove "Career Status Bonus.	Revision
All	Removed Career Status Bonus from this chapter because program ended.	Deletion
References	Removed all references to Career Status Bonus.	Deletion

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CHAPTER 66

CONTINUATION PAY (CP)

1.0 GENERAL

1.1 Purpose

The purpose of this chapter is to provide policy pertaining to the Continuation Pay (CP) bonus, which is payable only to members who are in the Blended Retirement System (BRS).

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Titles 10, 26 and 37. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 CP

2.1 General

Public Law (P.L.) 114-92, as amended by P.L.114-328 (section 633), established CP as a bonus payable on or after January 1, 2018. CP is a one-time, mid-career bonus payment for Service members of the Uniformed Services covered by the BRS, in exchange for an agreement to perform additional obligated service. CP is only payable to members in the BRS. A CP payment is in addition to any other career field-specific incentives or retention bonuses.

Note: The Deputy Secretary of Defense (DepSecDef) memo, January 27, 2017, Volume 7B, and Service regulations provide comprehensive policy and guidance regarding retirement under the BRS.

2.2 Eligibility

2.2.1. The following Active Component (AC) members are eligible to receive CP. Any AC member who:

2.2.1.1. Is covered under the BRS;

2.2.1.2. Has completed not less than 8 and not more than 12 years of service (YOS), as computed from the member's Pay Entry Base Date (PEBD); and

2.2.1.3. Is eligible to enter into an agreement to serve not less than an additional 3 years in the AC.

2.2.2. The following Reserve Component (RC) members are eligible to receive CP. Any RC member who:

2.2.2.1. Is covered under the BRS;

2.2.2.2. Has completed not less than 8 and not more than 12 YOS as computed from the member's PEBD;

2.2.2.3. Is a Service member of the Selected Reserve (SELRES), or otherwise a member of the Ready Reserve in a status in which the member is eligible to receive basic pay or inactive duty pay.

2.2.2.4. Is eligible in accordance with criteria published by the Secretary of the Department concerned; and

2.2.2.5. Is eligible to enter into an agreement to serve not less than an additional 3 years in the SELRES.

2.3 CP Amount

The Secretary concerned determines the CP amount, the timing of when CP is offered, and the duration of the associated additional obligated service. The amount of CP payable depends on whether a member is AC or RC.

2.3.1. For an AC member, CP will be not less than 2.5 times and not more than 13 times the monthly basic pay of an AC member based on the member's current paygrade and YOS.

2.3.2. For an RC member, CP will be an amount not less than 0.5 times and not more than 6 times the monthly basic pay of a member of the same grade and YOS on AD. An RC member performing active Guard and Reserve service, as defined in ***10 U.S.C. § 101(d)(6)***, will be paid CP at the rate of an AC member subject to agreement to continue serving not less than an additional 3 years in active service as defined in 10 U.S.C. § 101(d)(3).

2.4 Obligated Service

2.4.1. A Service member who accepts CP and enters into an agreement will serve not less than 3 years of additional service, the length of mandatory service to be determined by the Secretary concerned in the component they were serving in at the time of agreement, commencing upon acceptance by the Secretary concerned of the agreement to continue serving.

2.4.2. The obligated service will run concurrently with any other service obligations unless other service obligations incurred specifically preclude concurrent obligations.

2.4.3. RC members will perform obligated service in the SELRES, subject to the conditions and requirements prescribed by the Secretary concerned.

2.4.4. RC members performing active Guard and Reserve service, as defined in 10 U.S.C. § 101(d)(6), who receive CP at the rate of an AD member, will perform obligated service on AD unless otherwise prescribed by the Secretary concerned.

2.5 Payment

A Service member who qualifies for CP may elect to receive the payment in a single lump sum or elect a series of equal installment payments, not to exceed four annual payments over 4 consecutive years.

2.6 Timing

2.6.1. Full Thrift Saving Plan (TSP) Members. In accordance with ***37 U.S.C. § 356***, the Secretary concerned will pay CP to full TSP members (as defined in ***5 U.S.C. § 8440e(a)***) who meet the eligibility requirements in paragraph 2.2 and who have completed not less than 8 and not more than 12 YOS.

2.6.2. CP Multiple. The CP multiple used in calculating is the actual paygrade and YOS of a member on the day CP is authorized. See subparagraphs 2.3.1 and 2.3.2 for the AC and RC multiples for calculating CP.

2.6.3. YOS Rate. For CP payments, the following rates apply:

2.6.3.1. A member with at least 8 YOS but less than 10 YOS will be paid at the rate of over 8 YOS.

2.6.3.2. A member with at least 10 YOS but less than 12 YOS will be paid at the rate of over 10 YOS.

2.6.3.3. A member with exactly 12 YOS but no more than 12 YOS will be paid at the rate of over 12 YOS.

2.7 Non-availability

Service members who incur a period of extended absence, subject to the approval of the Secretary concerned, which precludes meeting the terms of obligated service must have installment payments suspended during this period. If subsequently re-assigned to the member's previous status, or a new status at the discretion of the Secretary concerned, CP installment payments may resume and the term of service extended accordingly to ensure fulfillment of the original agreement period. The date of completion of the obligated service must be adjusted for periods of authorized absence. Failure to meet reinstatement criteria will result in termination of the CP and repayment, as appropriate.

2.8 Repayment

2.8.1. A Service member who received CP but who fails to complete the period of obligated service described in paragraph 2.4, or fails to maintain the skills for which an amount greater than the minimum amount specified in paragraph 2.3 was paid; is subject to full or partial repayment in accordance with ***37 U.S.C. § 373***.

2.8.2. A Service member who received CP but is later discovered to be ineligible to enroll or whose enrollment is determined to be erroneous will have their enrollment voided. Such members will be placed under the correct retirement system upon discovery of the error. The Secretary concerned will initiate action to obtain repayment of CP, in accordance with 37 U.S.C. § 373.

2.8.3. The Secretary concerned may grant an exception to the repayment requirement and requirement to terminate the payment of unpaid amounts of CP if the Secretary concerned determines that the imposition of the repayment and termination requirements with regard to a member of the Uniformed Services would be contrary to a personnel policy or management objective, would be against equity and good conscience, or would be contrary to the best interests of the United States.

Note: The Secretary of the Military Department concerned will not grant the exception for repayment if the member's separation is due to misconduct or if an exception of repayment would be inconsistent with other prescribed law, regulation, or policy.

2.9 CP and Combat Zone Tax Exclusion (CZTE)

2.9.1 Service members, who become entitled to CP while serving in a designated combat zone, are entitled to have the amount of the CP excluded from their gross income for the tax year in which the CP is received, subject to the limitation amount as discussed in Chapter 44.

2.9.2. A Service member must be eligible for CP in accordance with their Service's eligibility requirements and enter into agreement while serving in the designated combat zone to be eligible to exclude the payment from their taxable income. The CZTE applies to CP when the member becomes entitled to the pay while serving in a combat zone, even if received outside of a combat zone.

2.9.3. The CZTE is not dependent upon when the Service member receives the compensation.

2.9.4. Examples

Example 1: The Service member is deployed in a combat zone. Just before departing the combat zone, the member reaches 11 years, 10 months of service and signs an agreement for an additional 4 YOS in return for CP. The Secretary concerned has established that to be eligible for the CP, the member must have 12 YOS. The member reaches 12 YOS two months after returning from the combat zone and receives a lump sum payment of $8,000.

The Service member's $8,000 CP is not eligible for CZTE and must be included in the member's gross income for the year in which received. It is not eligible for CZTE because it was not earned in a combat zone. The Service member did not become entitled to the CP until two months after returning from the combat zone, when the member met the eligibility requirements for CP.

Example 2: The Service member is deployed in a combat zone. While in the combat zone, the member enters into an agreement for CP in exchange for an additional 4 YOS. The member also elects to receive CP in annual installment payments. The Secretary concerned has established that to be eligible for the CP, the member must have 12 YOS. The member reaches 12 YOS just before departure from the combat zone. The member receives each of the subsequent annual installment payments of $2,000 outside of a combat zone.

Each of the Service member's $2,000 annual installment payments for CP are eligible for the CZTE and are not included in the member's gross income for the year in which received. The member became entitled to the CP while serving in a combat zone. Each of the annual payments relates back to the member's service in the combat zone, and thus retains the CZTE.

REFERENCES

CHAPTER 66 - CONTINUATION PAY (CP)

1.0 – GENERAL

37 U.S.C. § 354
Assistant Secretary of Defense (ASD)
Memo, February 2, 2001
P.L. 114-92, section 635, November 25, 2015
P.L. 114-328, sections 631-633, December 28, 2016
DepSecDef Memo, January 27, 2017

2.0 –CP

37 U.S.C. § 356
P.L. 114-92, sections 631-635, November 25, 2015
P.L. 114-328, section 633, December 28, 2016
DepSecDef Memo, January 27, 2017

2.9 26 U.S.C. § 112(c)
Title 26, Code of Federal Regulations, part 1.112-1

VOLUME 7A, CHAPTER 67: "COST OF LIVING ALLOWANCE (COLA) IN THE CONTINENTAL UNITED STATES (CONUS)"

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Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated January 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated the hyperlinks and formatting to comply with current administrative instructions.	Revision
2.0	Removed "Base Period" and "Threshold Percentages" paragraphs and updated the "High-Cost Area" paragraph in accordance with Public Law 118-31, section 625, dated December 22, 2023. Renumbered subsequent paragraphs.	Revision
References	Updated supporting statutes and references in "References" section.	Revision

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CHAPTER 67

COST OF LIVING ALLOWANCE (COLA) IN THE CONTINENTAL UNITED STATES (CONUS)

1.0 GENERAL

1.1 Purpose

This chapter identifies the eligibility requirements for a Service member to receive COLA for an assignment in CONUS. This chapter specifies the rates payable and the effect that a dependent has upon those rates.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.). The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

*2.0 DEFINITIONS SPECIFIC TO CONUS COLA

2.1 High-Cost Area

An area is a high-cost area for a fiscal year for purposes of this chapter if the Uniformed Services cost of living for that area for the base period (the 12-month period ending on June 30 of the year in which such fiscal year begins) exceeds the average cost of living in the continental United States for such base period by at least the threshold percentage. The Secretary of Defense, in consultation with the other administering Secretaries, shall establish the threshold percentage, except that the threshold percentage may not be less than 5 percent. The administering Secretaries may prescribe a higher threshold percentage to be applied for a fiscal year.

2.2 Service Member With a Dependent

A Service member is with a dependent if they are authorized the basic allowance for housing (BAH) or would be authorized BAH at the with-dependent rate if Government quarters were not occupied. This does not include a Service member authorized BAH at the with-dependent rate solely based on paying child support. A spouse who is also a Service member on active duty may not be a dependent for CONUS COLA purposes. See Chapter 26 for BAH.

2.3 Service Member Without a Dependent

A Service member is considered without a dependent if any of the following conditions are met:

2.3.1. The Service member is authorized BAH at the without dependent rate;

2.3.2. The Service member would be authorized the without dependent BAH rate if Government quarters were not occupied; or

2.3.3. The Service member is authorized the with-dependent BAH rate solely based on paying child support.

2.4 Primary Dependent

A primary dependent is the Service member's spouse when the Service member is married. When a Service member is unmarried, a primary dependent is a dependent as defined in Volume 7A, "Definitions," terms 2 through 6 and term 8, excluding term 7, concerning parents.

2.5 Unaccompanied Status

A Service member is considered to be in an unaccompanied status during any portion of an assignment to a permanent duty station (PDS) OCONUS while a dependent resides in, or returns to, a location in the CONUS to establish a permanent residence.

2.6 PDS for Service Member Assigned to Ship or Afloat Staff

The home port of the ship or afloat staff to which a Service member is assigned is their PDS for CONUS COLA purposes.

3.0 CONUS COLA ELIGIBILITY

3.1 CONUS COLA Rates Payable

3.1.1. Rates Based Upon High-Cost Area Location. CONUS COLA rates are based on the Service member's PDS, their home port, a designated place, or the primary dependent's location in a CONUS high-cost area when authorized in this chapter or approved through the Secretarial Process, as applicable. The CONUS COLA rate paid to the Service member does not change when the Service member is on leave.

3.1.1.1. CONUS COLA based on a PDS begins on the day the Service member reports to the PDS and ends the day before reporting to the next PDS. The CONUS COLA rate applicable to the primary dependent's permanent residence starts on either the date the primary dependent arrives at the new residence or the date the Service member reports to the new PDS in connection with the transfer, whichever is later. When a Service member is departing from a PDS OCONUS and the new PDS is in the CONUS, then the Service member is authorized CONUS COLA for the new PDS starting on their reporting date at the new PDS.

3.1.1.1.1. The CONUS COLA rate payable based on the primary dependent's old permanent residence or the Service member's old PDS continues through the day before the Service member reports to the new PDS or the rate for the new permanent residence begins. CONUS COLA at the old rate ends the day before the rate based on the new permanent residence begins.

3.1.1.1.2. When a Service member is stationed OCONUS, but the primary dependent is in the CONUS, see paragraph 4.7 for exceptions.

3.1.1.2. The Service member may be authorized through the Secretarial Process, CONUS COLA at the rate for the dependent's location instead of the rate for the new PDS when it is necessary for the Service member and dependent to maintain separate residences.

3.1.1.2.1. If the primary dependent does not relocate, CONUS COLA would continue to be based on the rate payable for the primary dependent's permanent residence or the Service member's old PDS.

3.1.1.2.2. When the primary dependent's permanent residence is at a location different than the old PDS, and the Service member was paid based on the rate for the old PDS, the rate payable for the primary dependent's residence begins on the day the Service member reports to the new PDS.

3.1.1.3. If two married Service members maintain a joint residence with a dependent, CONUS COLA is paid to one spouse at the with-dependent rate and to the other spouse at the without dependent rate.

3.1.1.4. When a Service member is on a Permanent Change of Station (PCS) to a new PDS in the CONUS and has a Temporary Duty (TDY) in route, CONUS COLA at the new PDS rate begins the day after per diem stops provided both of the following occur:

3.1.1.4.1. The TDY is near but not at the PDS; and

3.1.1.4.2. The Service member commutes to the TDY location from what will become the permanent quarters after reporting to the new PDS.

3.1.2. Service Member Assigned to a Ship or Afloat Staff Home Port. Regardless of BAH eligibility, a Service member assigned to a ship or afloat staff is eligible for CONUS COLA unless the Service member is already drawing CONUS COLA for a dependent at another location.

3.1.2.1. The CONUS COLA rate is based on the home port of the Service member's assigned ship or afloat staff.

3.1.2.2. For CONUS COLA related to a home port change:

3.1.2.2.1. The CONUS COLA rate for the old home port stops on the day before the effective date of the home port change, and the rate for the new home port begins on the effective date of the home port change; and

3.1.2.2.2. A Service member without a dependent who ordinarily resides onboard the ship is authorized the CONUS COLA rate for the old home port until the day they move back aboard the ship, under all of the following conditions:

3.1.2.2.2.1. Quarters on board the ship are not available, such as when a ship is in dry-dock; and

3.1.2.2.2.2. The ship or afloat staff is delayed at the old home port after the effective date of the home port change.

3.1.3. Accessions. The location applicable to determining the CONUS COLA entitlement of a new Service member depends upon whether they have a dependent.

3.1.3.1. For a member without dependents, the duty location applies. The rate changes on the Service member's arrival day at each duty location until the Service member arrives at the first PDS.

3.1.3.2. A Service member with a dependent may, as applicable, elect CONUS COLA at the with-dependent rate for either the duty location or the primary dependent's location. If the Service member selects the primary dependent's location, the rate is based on the primary dependent's location until the day before the Service member arrive at the first PDS.

3.1.4. Service Member Processing for Separation or Retirement. CONUS COLA is paid during separation or retirement processing based on one of the following, if in a high-cost area:

3.1.4.1. The last PDS rate;

3.1.4.2. The primary dependent's location immediately before separation processing, if previously authorized that rate instead of the PDS rate; or

3.1.4.3. The separation or retirement processing station in the CONUS for a Service member who separates in the CONUS from a PDS OCONUS.

3.2 Secretarial Waiver When the Primary Dependent Does Not Reside at the PDS in the CONUS

Ordinarily, CONUS COLA is paid based on the Service member's PDS, or a ship, or afloat unit's home port. However, the Service may determine through the Secretarial Process that a Service member's assignment to a PDS or the circumstances of that assignment requires the dependent to reside separately and authorize or approve CONUS COLA payment based on the dependent's location. If the Secretarial Process determines that it is necessary for the primary dependent to maintain a permanent residence in a high-cost area in the CONUS at a location other than the Service member's PDS, the Service member may be authorized CONUS COLA at the rate for the primary dependent's permanent residence instead of for the Service member's PDS.

3.3 Concurrent Payment of OCONUS COLA and CONUS COLA

A Service member assigned to a PDS OCONUS may be paid OCONUS COLA at the without dependent rate and a CONUS COLA at the with-dependent rate applicable for the

high-cost area in the CONUS where the primary dependent resides only if no command-sponsored dependent is residing OCONUS with the Service member.

3.3.1. Service Member Departs. If, after a Service member departs, the Service member is authorized an extension of OCONUS COLA for a dependent residing OCONUS through the Secretarial Process, the Service member may be paid OCONUS COLA at the with-dependent rate, and CONUS COLA at the without dependent rate based on the new PDS. The specified COLA continues through the date the OCONUS COLA extension ends.

3.3.2. Dependent Leaves OCONUS Residence. Beginning the day the dependent permanently leaves the OCONUS residence, the Service member may be paid CONUS COLA at the with-dependent rate for the PDS in the CONUS.

4.0 CONUS COLA AND DEPENDENT CIRCUMSTANCES

4.1 Service Member Paying Child Support

A Service member is authorized CONUS COLA at the without-dependent rate when they are authorized BAH at the with-dependent rate or BAH Differential (see Chapter 26) based solely on the payment of child-support and not based on custody.

4.2 Effect of Physical Custody of a Child on CONUS COLA

Ordinarily, a divorced or legally separated Service member who is not identified as the primary custodial parent of a child in the divorce decree or legal separation agreement, is not authorized CONUS COLA at the with-dependent rate.

4.2.1. Service Member Has Physical Custody But Not Court Ordered/Agreed to in Legal Separation. A Service member parent who has physical custody, of at least one child, even though the physical custody is not court-ordered in the divorce decree or in a legal separation agreement, is authorized CONUS COLA at the with-dependent rate if both of the following conditions are met:

4.2.1.1. The Service member is authorized BAH; and

4.2.1.2. The Service member has physical custody of the child for a minimum of 90 consecutive days. A break of 5 or fewer days is not considered an interruption of the 90-day period, even if there are multiple breaks of 5 or fewer days.

4.2.2. Two Service Members Divorce or Separate. When the divorce or separation is between two Service members, it is possible for both Service members to be authorized CONUS COLA at the with-dependent rate if each Service member has physical custody of one or more children at the same time.

4.2.3. Service Member Paying Child Support Has Physical Custody. If a Service member paying child support has physical custody of a child for 91 or more consecutive days, excluding

any breaks for 5 or fewer days, the Service member is not considered to be receiving BAH at the with-dependent rate solely because of child support payments.

4.3 Service Member Acquires a Dependent

4.3.1. General Rules. When a Service member acquires a primary dependent, CONUS COLA is paid based on the PDS if the Service member is assigned to a PDS in the CONUS and meets the conditions in Table 67-2.

4.3.2. Dependent Visits or Moves to the PDS. A dependent may visit the Service member for 90 or fewer days at the PDS without changes to the CONUS COLA. When the visit exceeds 90 days, the CONUS COLA rate changes to the rate for the Service member's PDS location on the 91st day. If the dependent leaves the PDS area after the CONUS COLA changes, the CONUS COLA previously authorized for the dependent's location is reinstated as of the departure date.

4.4 Advance and Delayed Dependent Travel to a PDS OCONUS

When a PCS order is issued, the Service member's family may perform PCS travel at a different time than the Service member. See paragraph 3.2 when a dependent is required to reside away from the Service member's PDS.

4.4.1. CONUS COLA Based on a Dependent's Location or Old PDS

4.4.1.1. Unless otherwise authorized or approved, a Service member's CONUS COLA is based on the PDS.

4.4.1.2. If authorized or approved through the Secretarial Process, a Service member may be authorized CONUS COLA based on the dependent's permanent residence or the old PDS.

4.4.2. Applicable Rates. If a dependent relocates, the rate for the dependent's location starts on the date the primary dependent arrives at the new residence. If the dependent does not relocate, CONUS COLA is based on the primary dependent's location and continues until the primary dependent departs the authorized or approved location.

4.5 Government Defers Dependent Travel

4.5.1. Government Defers Dependent Travel to a PDS OCONUS. Table 67-5 specifies the decision process for CONUS COLA when the Government defers a dependent's travel to a PDS OCONUS.

4.5.2. Government Defers Dependent Travel to a PDS in the CONUS. CONUS COLA payment based on the primary dependent's location or old PDS continues for up to 60 days after dependent travel is authorized. If the dependent has not arrived at the Service member's PDS by the end of 60 days, and an extension to, or a waiver of, the 60-day limit has not been granted through the Secretarial Process, CONUS COLA based on the dependent's location changes to CONUS COLA based on the PDS location.

4.5.2.1. If a dependent is not relocated at Government expense, then Table 67-6 specifies the decision process for CONUS COLA when the Government delays the dependent's travel to a PDS in the CONUS and the expected travel delay is 139 or fewer days (20 weeks).

4.5.2.2. Table 67-7 specifies the decision process for CONUS COLA when the Government delays a dependent's travel to a PDS in the CONUS and the expected travel delay is 140 or more days (20 weeks).

4.6 Early Return of Dependents (ERD)

4.6.1. Early Return at Government Expense. When all of a Service member's dependents are returned from a PDS OCONUS to a CONUS location at Government expense for circumstances other than for a PCS (regardless of the reason for the return) the Service member is authorized CONUS COLA based on the primary dependent's permanent residence, starting on the arrival day at that location or the date the ERD order was issued, whichever is later.

4.6.2. Early Return at Personal Expense. When all of a Service member's dependents return early from a PDS OCONUS to a CONUS location at personal expense, the Service member is not authorized CONUS COLA.

4.7 Service Member Serving in an Unaccompanied Status OCONUS

If a Service member serving in an unaccompanied status OCONUS has dependents in multiple locations, CONUS COLA authority is based on the primary dependent's residence.

4.7.1. Eligibility. When the primary dependent establishes a residence or resides in the CONUS due to a Service member's transfer to, or while assigned at, an unaccompanied PDS OCONUS, CONUS COLA is authorized in any of the following situations:

4.7.1.1. The primary dependent relocates in the CONUS from a PDS in the CONUS;

4.7.1.2. The primary dependent resides in the CONUS and the Service member is required to perform TDY incident to a transfer to an unaccompanied PDS in the CONUS; or

4.7.1.3. The primary dependent establishes a residence in the CONUS due to the Service member's transfer from an accompanied status at a PDS OCONUS to an unaccompanied status.

4.7.2. Allowances. Table 67-8 specifies CONUS COLA for a Service member with a dependent assigned to an unaccompanied tour at a PDS OCONUS.

5.0 CONUS COLA AND UNUSUAL CIRCUMSTANCES

5.1 Service Member in a Missing Status

5.1.1. Service Member Without a Dependent. A Service member without a dependent whose PDS is in the CONUS and is in a missing status receives CONUS COLA based on the PDS location.

5.1.2. Service Member With a Dependent. A Service member with a dependent continues to receive CONUS COLA at the rate paid when they were placed in a missing status. Pay CONUS COLA based on the dependent's location when a dependent relocates.

5.2 Service Member in Confinement

If a Service member in confinement is authorized allowances, they receive the same CONUS COLA rate paid immediately before confinement. If a Service member with a dependent is transferred to a confinement facility, then the CONUS COLA is based on the dependent's location.

5.3 Service Member Requires Prolonged Hospitalization

The hospital where a Service member is transferred becomes their PDS for CONUS COLA purposes when they require prolonged hospitalization and are issued an appropriate order. This applies when a Service member is transferred from any PDS to a hospital in the CONUS for observation and treatment.

5.4 Service Member Whose PDS is Evacuated

5.4.1. Service Member With a Dependent

5.4.1.1. CONUS COLA Continuation at the Service Member's PDS

5.4.1.1.1. A Service member who is authorized CONUS COLA at the with-dependent rate based on their PDS, and who's dependent is evacuated, continues to receive CONUS COLA on the effective date of the evacuation unless the Service member's PDS changes.

5.4.1.1.2. When a determination is made through the Secretarial Process that it is necessary for a dependent to maintain a permanent residence in an area other than where the PDS is located, CONUS COLA at the with-dependent rate is based on the designated place for the primary dependent. The CONUS COLA starts the day after per diem at the designated place ends.

5.4.1.2. CONUS COLA at a Designated Place. When a Service member's command-sponsored dependent resides at a designated place in the CONUS due to an evacuation from a location OCONUS, the Service member is authorized CONUS COLA at the with-dependent rate starting the day after per diem at the designated place ends. The rate is based on the designated place for the primary dependent.

5.4.2. Service Member Without a Dependent. A Service member without a dependent who was authorized CONUS COLA at the PDS on the date an evacuation is ordered is authorized CONUS COLA through the day before the Service member reports at the new PDS.

6.0 RESERVE COMPONENT (RC) MEMBER

6.1 Called or Ordered to Active Duty

Table 67-9 specifies CONUS COLA for an RC member called or ordered to active duty for a period of 140 or more days or in support of a contingency operation. A DoD or U.S. Coast Guard retired Service member called or ordered to active duty is authorized the same CONUS COLA as an RC member.

6.2 Modified or Amended Order

If an RC member receives an order modification or amendment that extends the original assignment, the modification or amendment determines the eligibility for CONUS COLA.

Table 67-1. CONUS COLA Eligibility

RULE	CONUS COLA Eligibility	Circumstances
1	CONUS COLA Eligible	a. A Service member is assigned to a high-cost area in the CONUS. b. A Service member is in an unaccompanied status OCONUS, if the Service member's primary dependent resides in a high-cost area in the CONUS. c. A new Service member is ordered to active duty to a high-cost area through accession. d. A Service member is married to another Service member. Each is authorized CONUS COLA. This authority exists whether the married Service members maintain a joint residence or separate residences. e. A Service member is assigned to duty in the CONUS and the primary dependent does not reside at the PDS in the CONUS and it is determined through the Secretarial Process that both of the following conditions apply: 1. The Service member's primary dependent resides in a high-cost area in the CONUS because of the Service member's PDS or other circumstances. 2. It would be inequitable for the allowance to be determined on the basis of the Service member's PDS. f. A RC member is called to active duty is for a period of 140 or more days or in support of a contingency operation.
2	CONUS COLA Ineligible	a. During the travel days a Service member is authorized for a permanent change of station (PCS) between the old PDS and new PDS. If the Service member is receiving CONUS COLA before the PCS, then the CONUS COLA payments stop on the first travel day. b. During the travel days a Service member (including an RC member) is authorized for a PCS (see ***Joint Travel Regulations, Chapter 5, Para. 051201***) from the place last entered (or called to) active duty (PLEAD) to the first PDS. If the Service member is receiving CONUS COLA before the PCS, then the CONUS COLA payments stop on the day before the first travel day. c. An RC member on active duty under an order for 139 or fewer days, unless the duty is in support of a contingency operation (see section 6.0). d. For more than one location at a time.

Table 67-2. Service Member Acquires a Dependent Who is in the CONUS

RULE	Location of Service Member's PDS	Basis for CONUS COLA
1	In the CONUS	a. If the dependent is located at or near the PDS, change CONUS COLA to the with-dependent rate based on the PDS as of the date the Service member gained the dependent. b. If the dependent is not located at or near the PDS, change CONUS COLA to the with-dependent rate based on the Service member's PDS as of the date the Service member gained the dependent or, if the Service member requested and received a Secretarial waiver, based on the dependent's location as of that date (see par. 3.2).
2	OCONUS	a. The dependent's location if the dependent does not reside at or near the PDS OCONUS. b. Start CONUS COLA at the with-dependent rate based on the dependent's location as of the date they became a dependent.

Table 67-3. Dependent Performs PCS Travel Before the Service Member

RULE	If…	and the CONUS COLA for the dependent's location…	then…
1	the old PDS was in the CONUS and the new PDS is in the CONUS,	was authorized or approved through the Secretarial Process,	(1) stop CONUS COLA based on the old PDS the day before the primary dependent arrives. (2) start CONUS COLA based on the primary dependent's location on the arrival date or the date specified by the authorizing or approving document, whichever is later.
2	the old PDS was in the CONUS and the new PDS is in the CONUS,	was not authorized or approved through the Secretarial Process,	(1) continue CONUS COLA based on the current PDS until the Service member arrives at the new PDS.* (2) start CONUS COLA based on the new PDS the day the Service member arrives at the new PDS.
3	the old PDS was in the CONUS and the new PDS is OCONUS	was authorized or approved through the Secretarial Process,	(1) continue CONUS COLA based on the current PDS until the Service member arrives at new PDS.* (2) start OCONUS COLA based on the dependent's location on the arrival date, or the date specified by the authorizing or approving document, whichever is later.
4	the old PDS was in the CONUS and the new PDS is OCONUS	was not authorized or approved through the Secretarial Process,	continue CONUS COLA based on the current PDS until the Service member arrives at new PDS.*

Table 67-3. Dependent Performs PCS Travel Before the Service Member (Continued)

RULE	If…	and the CONUS COLA for the dependent's location…	then…
5	the old PDS was OCONUS and the new PDS is in the CONUS	was authorized or approved through the Secretarial Process,	start CONUS COLA based on the primary dependent's location on the arrival date, or the date specified by the authorizing or approving document, whichever is later.
6	the old PDS was OCONUS and the new PDS is in the CONUS	was not authorized or approved through the Secretarial Process,	start CONUS COLA based on the new PDS the day the Service member arrives at the new PDS.*
*COLA is not payable on authorized days of travel.			

Table 67-4. Dependent Travel After a Service Member

RULE	If…	and the CONUS COLA for the dependent's location…	then…
1	the old PDS was in the CONUS and the new PDS is in the CONUS	was authorized or approved through the Secretarial Process,	(1) continue the CONUS COLA based on the old PDS or the primary dependent's location, whichever has a higher rate.* (2) start CONUS COLA based on the new PDS as of the date the primary dependent departs provided the Service member has arrived at the new PDS.
2	the old PDS was in the CONUS and the new PDS is in the CONUS	was not authorized or approved through the Secretarial Process,	(1) continue CONUS COLA based on the current PDS until the Service member arrives at the new PDS.* (2) start CONUS COLA based on the new PDS the day the Service member arrives at the new PDS.
3	the old PDS was in the CONUS and the new PDS is OCONUS	was authorized or approved through the Secretarial Process,	(1) continue the CONUS COLA based on the old PDS or the primary dependent's location, whichever has a higher rate.* (2) stop CONUS COLA on the day before the primary dependent departs.
4	the old PDS was in the CONUS and the new PDS is OCONUS	was not authorized or approved through the Secretarial Process,	continue the CONUS COLA based on the current PDS until the Service member arrives at the new PDS.*
*COLA is not payable on authorized days of travel.			

Table 67-5. Government Defers Dependent's Authorized Travel to a PDS OCONUS

RULE	If the expected travel delay is…	and…	then…
1	at least 61 days but less than 20 weeks and the dependent did not relocate at Government expense,	the dependent arrives within 60 days of being given permission to travel to the PDS OCONUS,	(1) continue CONUS COLA based on the old PDS upon the Service member's departure.* (2) start CONUS COLA for the authorized dependent's location upon the Service member's arrival date. (3) stop CONUS COLA on the day before the primary dependent arrives at the new PDS.
2	at least 61 days but less than 20 weeks and the dependent did not relocate at Government expense,	the dependent does not arrive within 60 days of being given permission to travel to the PDS OCONUS,	(1) continue CONUS COLA based on the old PDS upon the Service member's departure.* (2) start CONUS COLA for the authorized dependent's location upon the Service member's arrival date. (3) stop CONUS COLA on the 60th day.
3	20 or more weeks and the dependent did not relocate at Government expense,	the dependent arrives within 60 days of being given permission to travel to the PDS OCONUS,	(1) continue CONUS COLA based on the old PDS upon the Service member's departure.* (2) start CONUS COLA for the authorized dependent's location upon the Service member's arrival date. (3) stop CONUS COLA on the day before the primary dependent arrives at the new PDS.
4	20 or more weeks and the dependent did not relocate at Government expense,	the dependent does not arrive within 60 days of being given permission to travel to the PDS OCONUS,	(1) continue CONUS COLA based on the old PDS upon the Service member's departure.* (2) start CONUS COLA for the authorized dependent's location upon the Service member's arrival date. (3) stop CONUS COLA on the 60th day.

Table 67-5. Government Defers Dependent's Authorized Travel to a PDS OCONUS (Continued)

RULE	If the expected travel delay is…	and…	then…
5	20 or more weeks and the dependent relocates at Government expense,	the dependent arrives within 60 days of being given permission to travel to the PDS OCONUS,	(1) change the CONUS COLA rate on the date the primary dependent arrives at the designated location from the rate based on the old PDS to the rate based on the designated location.* (2) stop CONUS COLA on the day before the primary dependent arrives at the new PDS.
6	20 or more weeks and the dependent relocates at Government expense,	the dependent does not arrive within 60 days of being given permission to travel to the PDS OCONUS,	(1) change the CONUS COLA rate on the date the primary dependent arrives at the designated location from the rate based on the old PDS to the rate based on the designated location.* (2) stop CONUS COLA on the 60th day.
*COLA is not payable on authorized days of travel.			

Table 67-6. Government Defers Dependent's Travel to a PDS in the CONUS When the Old PDS is in the U.S. and the Expected Travel Delay is 139 or Fewer Days (20 Weeks)

RULE	If the dependent…	and the CONUS COLA for the dependent's location …	then upon the Service member's departure, continue CONUS COLA based on the old PDS*
1	arrives within 60 days of travel authority,	was authorized or approved through the Secretarial Process,	(1) upon the Service member's arrival date, start CONUS COLA for the authorized dependent's location through the day before the primary dependent arrives at the new PDS. (2) beginning on the primary dependent's arrival date at the PDS, start CONUS COLA based on the new PDS.
2	does not arrive within 60 days of travel authority,	was authorized or approved through the Secretarial Process,	(1) upon the Service member's arrival date, start CONUS COLA for the authorized dependent's location for up to 60 days. (2) beginning on the 61st day, base CONUS COLA on the new PDS.
3	does not travel	was not authorized or approved through the Secretarial Process,	and beginning on the arrival date, start CONUS COLA based on the new PDS.*
*COLA is not payable on authorized days of travel.			

Table 67-7. Government Defers Dependent's Travel to a PDS in the CONUS When the Old PDS is Outside the U.S. or the Old PDS is in the U.S. and the Expected Travel Delay is 140 or More Days (20 Weeks)

RULE	If the dependent…	and the CONUS COLA for the dependent's location …	then…
1	arrives within 60 days of travel authority and they are relocated at Government expense,	was authorized or approved through the Secretarial Process,	(1) change the CONUS COLA basis on the date the primary dependent arrives at the designated location and continue it through the day before the primary dependent arrives at the PDS.* (2) beginning on the primary dependent's arrival date at the PDS, change the basis for CONUS COLA to the PDS.
2	arrives within 60 days of travel authority and they are not relocated at Government expense,	was authorized or approved through the Secretarial Process,	(1) continue CONUS COLA through the day before the primary dependent arrives at the new PDS and base it on the old PDS as of the Service member's departure.* (2) beginning on the primary dependent's arrival date at the PDS, change the basis for CONUS COLA to the new PDS.
3	does not arrive within 60 days of travel authority and they are relocated at Government expense,	was authorized or approved through the Secretarial Process,	(1) change the CONUS COLA basis on the date the primary dependent arrives at the designated location from the old PDS to the designated location through the 60th day after travel is authorized to begin.* (2) beginning on the 61st day after travel is authorized to begin, change the basis for CONUS COLA from the dependent's location to the new PDS.
4	does not arrive within 60 days of travel authority and they are not relocated at Government expense,	was authorized or approved through the Secretarial Process,	(1) continue CONUS COLA through the 60th day after travel is authorized to begin based on the old PDS. (2) beginning on the 61st day after travel is authorized to begin, change the basis for CONUS COLA from the old PDS to the new PDS.

Table 67-7. Government Defers Dependent's Travel to a PDS in the CONUS When the Old PDS is Outside the U.S. or the Old PDS is in the U.S. and the Expected Travel Delay is 140 or More Days (20 Weeks) (Continued)

RULE	If the dependent…	and the CONUS COLA for the dependent's location …	then…
5	does not travel	was not authorized or approved through the Secretarial Process,	start CONUS COLA based on the new PDS as of the Service member's arrival date.
*COLA is not payable on authorized days of travel.			

Table 67-8. Service Member (With a Dependent) Assigned to an Unaccompanied Tour at a PDS OCONUS

See CONUS COLA			
RULE	**If the Service member's dependent…**	**and…**	**then…**
1	retains a permanent residence in the CONUS	the primary dependent remains at the old PDS,	continue to pay CONUS COLA, based on the old PDS.
2	retains a permanent residence in the CONUS	the primary dependent is at a location in the CONUS other than the old PDS and the Service member is receiving CONUS COLA for the dependent's location based on a Secretarial waiver,	continue the CONUS COLA previously paid.
3	retains a permanent residence in the CONUS	the primary dependent is at a location in the CONUS other than either the old PDS or location for which the Service member had a Secretarial waiver,	continue to pay CONUS COLA, based on the old PDS and start CONUS COLA the day the Service member arrives at the new PDS based on the primary dependent's location.
4	relocates the permanent residence from the CONUS to another location in the CONUS at Government expense	a. the primary dependent either travels with or in advance of the Service member,	(1) stop the old CONUS COLA rate the day before the dependent's arrival day. (2) start CONUS COLA the day the primary dependent arrives at the new residence location based on the dependent's location.*
		b. a dependent travels after the Service member,	(1) continue CONUS COLA based on the Service member's old PDS through the day before the primary dependent's arrival at the new residence location. (2) start CONUS COLA on the arrival day based on the dependent's location.*
5	relocates the permanent residence from OCONUS to the CONUS at Government expense	a dependent travels in advance of, with, or after the Service member,	start CONUS COLA based on the dependent's location the day the primary dependent arrives at the new residence.*
6	relocates permanent residence from the CONUS to a location OCONUS at Government expense	a. a dependent travels in advance of the Service member or with the Service member,	continue CONUS COLA based on the old PDS through the day before the Service member's arrival at the new PDS.
		b. a dependent travels after the Service member,	continue CONUS COLA based on the old PDS through the day before the primary dependent's arrival.*

Table 67-8. Service Member (With a Dependent) Assigned to an Unaccompanied Tour at a PDS OCONUS (Continued)

See CONUS COLA			
RULE	**If the Service member's dependent…**	**and…**	**then…**
7	relocates the residence at personal expense	a. CONUS COLA is authorized through the Secretarial Process,	continue CONUS COLA based on the rules in this table.*
	relocates the residence at personal expense	b. CONUS COLA based on the new location is not authorized through the Secretarial Process,	continue CONUS COLA based on the rules in this table through the day before the primary dependent's arrival.*
8	is not OCONUS	the Service member is assigned to an unaccompanied assignment OCONUS or unusually arduous sea duty,	(1) pay CONUS COLA based on the old PDS rate if the dependent does not relocate. (2) pay CONUS COLA based on the dependent's location if the dependent does relocate.
9	continues to reside at same location	the Service member is required to perform a TDY, inside or outside the CONUS, due to a transfer to another unaccompanied tour,	continue CONUS COLA based on the primary dependent's permanent residence.
10	continues to reside at same location	the Service member is required to perform a TDY due to a transfer in the U.S.,	(1) continue CONUS COLA based on the primary dependent's permanent residence through the day before the day the Service member reports to the new PDS. (2) start CONUS COLA at the rate for the new PDS on the day the Service member reports at that PDS.
*COLA is not payable on authorized days of travel.			

Table 67-9. RC Member CONUS COLA Determination

RULE	If an RC member is called or ordered to active duty …	and PCS HHG transportation …	then…
1	for 140 or more days	a. is authorized,	(1) start CONUS COLA on the first active-duty day based on the primary residence at the time called or ordered to active duty through the day before arrival at the PDS. (2) starting the day the Service member reports to the PDS, change the basis for CONUS COLA to the PDS location.
	for 140 or more days	b. is not authorized,	start CONUS COLA on the first active-duty day based on the primary residence at the time called or ordered to active duty.
2	for 139 or fewer days for a contingency operation	is not authorized,	(1) start CONUS COLA on the first active-duty day of an assignment that supports a contingency operation and base it on the primary residence at the time called or ordered to active duty. (2) there is no authority to pay CONUS COLA when the assignment is fewer than 140 days and not in support of a contingency operation.

Table 67-10. RC Member's Order is Modified or Amended

See CONUS COLA			
RULE	**If an RC member's order is modified or amended…**	**and PCS HHG transportation …**	**then…**
1	and the days remaining on the existing order plus the number of days added by the extension total 140 or more days	is not authorized,	CONUS COLA based on the primary residence continues or would start on the modification or amendment date.
2	and the days remaining on the existing order plus the number of days added by the extension total 140 or more days	is authorized,	CONUS COLA based on the primary residence, if currently authorized, would stop the day before the modification or amendment in CONUS COLA based on the PDS rate would begin on the modification or amendment date or CONUS COLA based on the PDS would continue.

*REFERENCES

1.0 – GENERAL

37 U.S.C. § 403b

2.0 – DEFINITIONS SPECIFIC TO CONUS COLA

2.1	37 U.S.C. § 403b(c) National Defense Authorization Act for Fiscal Year (FY) 2024, Public Law 118-31, Section 625, December 22, 2023

4.0 – CONUS COLA AND DEPENDENT CIRCUMSTANCES

4.5.1.	Office of the Assistant Secretary of Defense (OASD) Manpower and Reserve Affairs (M&RA) Memo, August 12, 2020
4.6	OASD (M&RA) Memo, May 5, 2020

VOLUME 7A, CHAPTER 68: "COST OF LIVING ALLOWANCE OUTSIDE THE CONTINENTAL UNITED STATES (OCONUS COLA) AND TEMPORARY LODGING ALLOWANCE (TLA)"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated February 2023 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated chapter, formatting and hyperlinks to comply with current administrative instructions.	Revision
Table 68-4	Numbered the notes on Table 68-4.	Revision
References	Updated references.	Revision

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CHAPTER 68

COST OF LIVING ALLOWANCE OUTSIDE THE CONTINENTAL UNITED STATES (OCONUS COLA) AND TEMPORARY LODGING ALLOWANCE (TLA)

1.0 GENERAL

1.1 Purpose

The ***OCONUS COLA*** is a non-taxable allowance that offsets the higher prices of goods and services, excluding housing, in foreign countries, U.S. territories, Alaska, and Hawaii. OCONUS COLA equalizes purchasing power so that a Service member can purchase the same level of goods and services OCONUS as he or she could if stationed inside the continental United States (CONUS). In addition to OCONUS COLA, station allowances in Chapter 68 include the TLA. The TLA partially offsets the cost of lodging and meals, and incidental expenses incurred while occupying temporary lodgings OCONUS.

1.2 Authoritative Guidance

This chapter includes policy previously cited in the Joint Travel Regulations (***JTR***), Chapter 9. The statutory requirements for the chapter are provided by Title 37, United States Code (U.S.C.), section 405 (***37 U.S.C. § 405***). The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 STANDARD ALLOWANCES

2.1 Definitions Specific to OCONUS COLA and TLA

2.1.1. Vicinity. The "vicinity" is the entire country, U.S. territory or possession, or state when in Alaska or Hawaii where the Service member's permanent duty station (PDS) is located. When a Service member resides with a dependent and commutes to the PDS, the dependent is considered to be residing at or in the vicinity of the PDS even if in an adjacent country or state. If the Service member transfers to a new PDS in the same country, state, or U.S. territory or possession as the designated place, and the Service member is required to maintain two separate households (for example, the Service member cannot commute daily from the dependent's location to the PDS), then a second station allowance may be authorized or approved through the Secretarial Process. In this case, the dependent is not considered at or in the vicinity of the Service member's PDS even though located in the same country, state, or U.S. territory or possession.

2.1.2. Government Dining Facility. Government dining facilities operate using appropriated funds and provide meals to Service members with or without charge under an agreement between the facility and the Government. Common terms for Government dining facilities include: Government mess, general mess, dining hall, dining activity, mess hall, galley, field kitchen, flight kitchen, or similar terms. Activities operated by non-appropriated funds, such

as an officer's mess, club, organized mess and other similar terms are not considered Government dining facilities. See Definitions for more information.

2.1.3. Government Quarters. "Government quarters" include individual quarters provided with or without charge under agreement with the Government. For COLA purposes, barracks are considered Government quarters, including dormitory and quarters aboard a ship. See Definitions for more information.

2.1.4. OCONUS COLA Index. The OCONUS COLA index represents how much more expensive it is to purchase goods and services OCONUS compared to the same level of goods and services available in an average location within the CONUS. For example, an OCONUS COLA index of 110 indicates that the prices in the area OCONUS are overall 10% more expensive than in the CONUS. An index of 100 indicates that the overall cost of the goods and services surveyed is approximately the same at the location OCONUS as in the CONUS and no COLA is warranted.

2.1.5. Service Member With-Dependent. A Service member is considered with-dependent if any of the following criteria apply:

2.1.5.1. The Service member is authorized to have a dependent reside at or in the vicinity of the Service member's PDS OCONUS and the dependent resides there;

2.1.5.2. The Service member was married to another Service member on effective date of the permanent change of station (PCS) order. If one Service member is later released from active duty or separated or retired from the Service, then he or she becomes a dependent if he or she remains near the active-duty Service member's former PDS; or

2.1.5.3. The Service member is joined by a dependent or acquires a dependent while serving OCONUS and the dependent is one of the following:

2.1.5.3.1. Command-sponsored and residing with a Service member at an OCONUS location at which an "accompanied by dependents" tour is authorized, the Service member is authorized to serve that tour, and the dependents are authorized by the appropriate authority to be at the Service member's PDS;

2.1.5.3.2. A bona fide resident of the same area as the Service member's non-foreign PDS OCONUS; or

2.1.5.3.3. An officer or civilian employee of the United States stationed in the same area as the Service member's non-foreign PDS OCONUS.

2.1.6. Service Member Without Dependent. A Service member is considered to be without dependent if any of the following criteria apply:

2.1.6.1. The Service member has no dependents;

2.1.6.2. The Service member does not have a dependent who resides at or in the PDS vicinity;

2.1.6.3. The Service member is joined by a dependent or acquires a dependent while serving OCONUS and the Service member is not a Service member with-dependent as defined in subparagraph 2.1.5;

2.1.6.4. The Service member has a dependent residing at or in the PDS vicinity who is not command-sponsored; or

2.1.6.5. The Service member does not have legal custody and control of a dependent (***Comp Gen B-131142, June 3, 1957***). For the purposes of COLA or TLA, a Service member paying child support for a child but who does not have legal custody or control of the child is without a dependent unless the Service member has a command-sponsored dependent at the PDS other than the dependent on whose behalf the Service member pays child support.

2.2 Eligibility for OCONUS COLA and TLA

2.2.1. Service Member Married to Another Service Member. When a Service member is married to another Service member who is on active duty, the spouse on active duty is not considered a dependent.

2.2.2. Unaccompanied Tour and "Unusually Arduous Sea Duty." When a Service member is assigned to an unaccompanied tour or "unusually arduous sea duty" and a dependent remains at the Service member's old PDS OCONUS or is at an approved designated place OCONUS, then the Service member is not considered to have a dependent at the unaccompanied or sea duty PDS. The Service member is eligible for OCONUS COLA or TLA at the with-dependent rate for the dependent's location.

2.2.3. Command-Sponsored. A dependent must be command-sponsored for the Service member to receive OCONUS COLA or TLA based on the dependent's presence unless the Service member is eligible for these allowances as specified under subparagraphs 2.1.5.2, 2.1.5.3 and/or the JTR, paragraphs 050809, 050814, 050903, or 050907.

2.3 Special Circumstances Affecting OCONUS COLA or TLA

2.3.1. Dependents Travel Before or After the Service Member Travels. Authorization or approval by either the Secretary concerned or the Secretarial Process may be made for the following:

2.3.1.1. Advance Travel. When dependents are command-sponsored and authorized to travel before the Service member and arrive at the new PDS OCONUS before the Service member, housing allowance changes can be based on the advance arrival at the PDS

OCONUS under Chapter 26, paragraph 10.7. If advance travel of dependents has been authorized or approved by the selected process, COLA payment is also authorized or approved, without separate action based on the number of dependents at the new PDS;

2.3.1.2. Delayed Travel. When dependents are authorized (or required) to travel from a PDS OCONUS after the Service member and arrive at a new PDS after the Service member, the housing allowance for the old PDS OCONUS can continue based on the dependents' delayed travel under Chapter 26, paragraph 10.7, and COLA for the same time period continues without separate action;

2.3.1.3. Deferred Travel. When dependent travel to a new PDS OCONUS is deferred, COLA at an old PDS OCONUS or designated place continues until the dependents depart or for 60 days after dependent travel to the new PDS is authorized. The Secretarial Process may extend the 60-day period (see Chapter 26, paragraph 10.6); or

2.3.1.4. Other Circumstances. Authorization or approval of housing allowance continuation under Chapter 26, paragraph 10.2 (e.g., training or a Service member's pending retirement), authorizes COLA continuation for the same time period without separate action.

2.3.2. Foreign-Born Dependent Returned to Country of Origin. If the Secretary concerned authorizes the return of a foreign-born dependent to the country of the dependent's origin, as specified in the JTR, paragraph 050804, including when the Service member is stationed in the same country, the Service member is authorized OCONUS COLA or TLA, as appropriate, at the with-dependent rate based on the dependent's location OCONUS. OCONUS COLA or TLA payments on behalf of the dependent's location begin on the day a dependent arrives at that location. See the DoD Instruction *(DoDI) 1315.18* (Procedures for Military Personnel Assignments) for the return of foreign-born dependents.

2.3.3. Observer to United Nations (UN) Peacekeeping Organization on a PCS. A Service member assigned on a PCS as an observer to a UN peacekeeping organization who receives a UN mission subsistence allowance is also authorized OCONUS COLA or TLA as specified in this chapter. The OCONUS COLA and TLA amount combined with the UN mission subsistence allowance is limited to the OCONUS COLA and TLA of a Service member permanently assigned to other than a UN Peacekeeping Organization in the same area. This paragraph does not authorize a reduction in the UN mission subsistence allowance.

2.3.4. Service Member Assigned to Unaccompanied Tour or "Unusually Arduous Sea Duty." The OCONUS COLA or TLA payment for the dependent's location begins on the day he or she arrives at that location.

2.3.4.1. Requirements. Table 68-1 specifies OCONUS COLA and TLA when a Service member with a dependent serves an unaccompanied tour or is on "unusually arduous sea duty."

2.3.4.1.1. If the location is a designated place in a non-foreign area OCONUS and the Service member is assigned to an unaccompanied tour, a dependent-restricted tour, or "unusually arduous sea duty," one of the following conditions must apply:

2.3.4.1.1.1. The Service member was a legal resident of that area before entering active duty;

2.3.4.1.1.2. The Service member's spouse was a legal resident of that area when they married,

2.3.4.1.1.3. The Service member was called to active duty from that area,

2.3.4.1.1.4. It is the Service member's home of record,

2.3.4.1.1.5. The relocation of the Service member's dependent was authorized or approved through the Secretarial Process, or

2.3.4.1.1.6. The dependent remained at his or her current location prior to the Service member's assignment.

2.3.4.1.2. If the Service member is scheduled to serve an accompanied tour immediately after completing an unaccompanied tour or "unusually arduous sea duty," OCONUS COLA or TLA for a location OCONUS may be authorized. The Service member must have sufficient time in Service remaining as specified in the JTR, paragraph 050806 for an unaccompanied tour or as specified in the JTR, paragraph 050814 for a dependent-restricted tour or "unusually arduous sea duty."

2.3.4.1.3. If the Service member is serving a dependent-restricted tour or "unusually arduous sea duty," a location OCONUS may be justified under unusual conditions or circumstances if authorized or approved by the Secretary concerned.

2.3.4.2. Payment of Allowances to Service Member at Unaccompanied Tour or "Unusually Arduous Sea Duty" Station. While a Service member is authorized station allowances for a dependent's location, the Service member is also authorized the OCONUS COLA and TLA, if any, at the "without dependent" rate at the new PDS.

2.3.4.3. Subsequent Reassignment to an Accompanied Tour Area. Upon a subsequent PCS order to an accompanied tour area to which dependent transportation is authorized, OCONUS COLA and TLA stop the day before the Service member departs due to the PCS order or the day before the effective date of the home port change from OCONUS. See paragraph 3.2 for OCONUS COLA exceptions.

2.3.4.4. Dependent Relocates from a Designated Place at Personal Expense. If a dependent relocates from a designated place at personal expense, station allowances must stop or be reduced by the number of dependents departing the day before the dependent departs the

designated place. Station allowances are not authorized at the dependent's new location because that location is not a designated place.

3.0 OCONUS COLA

An OCONUS COLA is authorized for a Service member assigned to a PDS OCONUS to help maintain the equivalent purchasing power of the discretionary portion of spendable income as the Service member's counterparts based in the CONUS. This allowance compensates for the higher cost of goods and services OCONUS. To calculate the OCONUS COLA, the goods and services purchased in an area OCONUS, excluding housing, are compared to the cost of goods and services purchased in the CONUS. See paragraph 2.3 for special circumstances affecting OCONUS COLA.

3.1 Factors That Affect OCONUS COLA Rates

3.1.1. Geographic Location. The geographic location of the PDS governs the OCONUS COLA payable unless otherwise authorized or approved through the Secretarial Process. See COLA Information for current geographic information.

3.1.2. COLA Indexes. See ***OCONUS COLA Calculator*** for specific locations OCONUS. COLA rates are based on a Service member's PDS. Paragraph 3.3 provides the rates when any of the following occur:

3.1.2.1. A ship's home port is the PDS for OCONUS COLA purposes;

3.1.2.2. A dependent resides at a location other than the PDS in connection with an unaccompanied assignment; or

3.1.2.3. A dependent is evacuated.

3.1.3. Calculating OCONUS COLA Indexes. See Calculation of OCONUS COLA Index.

3.1.4. Surveys. The two surveys conducted to determine prices OCONUS are the Living Pattern Survey (LPS) and the Retail Price Schedule (RPS). See the Defense Travel Management Office ***(DTMO) Survey Instruments*** for more detailed information about the LPS and RPS data surveys. Data from these surveys help determine the OCONUS COLA indexes.

3.1.5. Foreign Currency Exchange Rates. The Office of the Undersecretary of Defense, Personnel and Readiness (OUSD (P&R)) reviews and adjusts exchange rates when necessary for countries where Service members are assigned. OUSD (P&R) adjusts OCONUS COLA based on currency fluctuations as frequently as twice monthly. See the ***DTMO Currency Adjustment*** for more information.

3.1.6. COLA Unique Expenses. In some areas OCONUS, a Service member or dependent incurs mandatory and excessive expenses that a Service member based in CONUS does not normally incur. Since the expenses are not incurred by every Service member OCONUS, they

cannot be a part of the ordinary COLA index calculation. For these expenses, payment is a lump-sum dollar-for-dollar reimbursement for a specifically authorized expense at a designated authorized location.

3.1.6.1. Authorization. All requests to authorize a COLA Unique Expense must be submitted from a Major Command to OUSD (P&R) through the applicable Service representative listed at ***Uniformed Services Contact Information***. OUSD (P&R) specifically authorizes or approves the expense for reimbursement according to the ***DoD Overseas Station and Housing Allowance Process Guide***. OUSD (P&R) does not accept requests from individual Service members to authorize a COLA Unique Expense.

3.1.6.2. Reimbursement. The Secretary concerned may reimburse a COLA Unique Expense if Table 68-2 authorizes the location and expense. Services may alternatively use the Secretarial Process to reimburse an authorized expense or expenses. Once a COLA Unique Expense has been authorized for a location, no further examination may be made to compare the spendable income of the claimant to the amount of the expense claimed. Any claim based on a valid receipt for an authorized COLA Unique Expense may be reimbursed in a lump sum, dollar-for-dollar, through Service payment procedures. The Service concerned is not required to recover any amount refunded to a Service member by a foreign government agency.

3.1.6.3. Authorized Locations and Expenses. Table 68-2 specifies the authorized locations and expenses for a COLA Unique Expense reimbursement.

3.1.7. OCONUS COLA Report Submission. See Part 2 of the DoD Overseas Station and Housing Allowance Process Guide.

3.2 Start and Stop OCONUS COLA

3.2.1. Start OCONUS COLA. Generally, OCONUS COLA starts on the day a Service member reports to a new PDS, the effective day of a home port change, or the day his or her dependent arrives before the Service member at either the new PDS or the new home port, as specified in paragraph 3.3. However, if the Service member is authorized a monetary allowance in lieu of transportation plus per diem (MALT Plus) on the reporting day, OCONUS COLA starts on the day after the Service member's reporting day.

3.2.2. Stop OCONUS COLA. OCONUS COLA stops the day before a Service member departs from OCONUS on a PCS order or the day before the effective date of a ship's or unit's home port change unless any of the following occur:

3.2.2.1. An extension is authorized through the Secretarial Process;

3.2.2.2. OCONUS COLA is authorized during a PCS between PDSs in close proximity, when at the new PDS the member continues to commute from the residence occupied at the old PDS. OCONUS COLA continues during temporary duty (TDY) en route. If the COLA rate differs, the rate for the old PDS is paid through the day prior to the member's report date. COLA for dependents is paid as specified in paragraph 3.3; or

3.2.2.3. A Service member without a dependent undergoes a home port change. In that circumstance, the Service member is authorized OCONUS COLA based on the old home port until the day he or she moves back aboard the ship under the following conditions:

3.2.2.3.1. The ship does not depart from the old home port before or on the effective date of the home port change; and

3.2.2.3.2. Quarters on board the ship are not available, such as when the ship is in dry dock.

3.3 OCONUS COLA for Service Member With a Dependent

A Service member with a dependent is authorized OCONUS COLA based on the number of command-sponsored dependents at the PDS vicinity, regardless of Government dining facility availability. This includes when the Service member has a dining facility aboard ship available. Table 68-3 specifies exceptions. A Service member is authorized OCONUS COLA for all command-sponsored dependents, including a Federal employee who is a spouse or child and eligible for a post allowance in his or her own right. Paragraph 3.5 specifies OCONUS COLA authority for a Service member married to another Service member.

3.3.1. Home Port Change. If a Service member is currently assigned to a ship or other fleet unit with an announced home port change (or receives a PCS order to a ship or other fleet unit with an announced home port change) and a dependent is authorized to travel to the new home port, the new home port is the Service member's PDS for COLA purposes (***65 Comp Gen 888 (1986)***).

3.3.2. PCS Order Amendment Changes the PDS. When a Service member receives a PCS order amendment that names a different PDS before he or she joins a dependent who has already arrived at or in the vicinity of a new PDS OCONUS, and on whose behalf OCONUS COLA was authorized, OCONUS COLA at the original PDS rate ends on the dependent's departure day for the newly designated PDS. OCONUS COLA at the initial PDS can extend more than 60 days after the amended order effective date only if specifically authorized or approved through the Secretarial Process. OCONUS COLA at the new PDS rate based on the number of command-sponsored dependents begins on the dependent's arrival day.

3.3.3. OCONUS COLA Due to Evacuation of the Service Member's PDS. If a Service member's PDS is evacuated, OCONUS COLA at the with-dependent rate stops on the dependent's departure date due to the evacuation. Until the dependent returns to the Service member's PDS, the Service member is considered "without a dependent" for OCONUS COLA purposes. When a dependent is evacuated from OCONUS or from a location in the CONUS to reside at an authorized or approved designated place OCONUS, the Service member is authorized OCONUS COLA at the with-dependent rate for the designated place beginning the day after per diem stops. Station allowances are not payable for a dependent who is not command-sponsored at the Service member's PDS OCONUS.

3.4 OCONUS COLA for Service Member Without a Dependent

3.4.1. Reduced OCONUS COLA. When both Government quarters and a Government dining facility are available, a Service member is paid a reduced OCONUS COLA. Reduced OCONUS COLA is calculated using a fixed percentage of the COLA rate for a Service member with no dependents living in private-sector housing.

3.4.2. Government Dining Facility Availability. The decision to authorize OCONUS COLA for a Service member without a dependent is based on whether the dining facility is actually available to the Service member, whether he or she is expected to purchase food for preparation in Government quarters, and whether the Government quarters have facilities to keep and prepare meals.

3.4.2.1. For OCONUS COLA purposes, if a permanently assigned Service member purchases meals or receives meals at no cost at a Government dining facility, or receives meals using a Government-provided meal card, then a Government dining facility is available.

3.4.2.2. Table 68-4 specifies the conditions for determining OCONUS COLA authorization for a Service member without a dependent.

3.4.3. Leave Periods. If a Service member without dependent takes leave away from the PDS vicinity OCONUS, OCONUS COLA continues for the first 30 days and stops on day 31. If OCONUS COLA is stopped, it starts again the day the Service member returns to the PDS from leave.

3.5 Service Member Married to Another Service Member

Table 68-5 specifies OCONUS COLA for a Service member married to another Service member. See Table 68-4 for COLA when both Service members are grade E-5 or below, are serving on sea duty, and have no other dependents.

3.6 Non-Command-Sponsored Dependent in PDS Vicinity

A Service member who is serving an unaccompanied tour at a PDS OCONUS is not authorized with-dependent OCONUS COLA when a non-command-sponsored dependent accompanies or joins the Service member, even if the Service member chooses not to use an available Government dining facility. The Service member is authorized the same OCONUS COLA as any other Service member without a dependent under the same conditions (see subparagraph 3.4.1). If the Service member changes the tour election and agrees to serve the tour as accompanied, with-dependent, OCONUS COLA as specified in paragraph 3.3 starts on the day the dependent becomes command-sponsored.

3.7 Fractional Cost of Living Allowance for a Service Member Without a Dependent

3.7.1. Eligibility. This paragraph applies only to a Service member receiving the reduced OCONUS COLA. The PDS includes a ship or other unit having an assigned home port OCONUS as opposed to an assigned PDS OCONUS.

3.7.1.1. The Service member's duty, as distinguished from a travel status, must require his or her absence from the PDS during one or more meals.

3.7.1.2. The commanding officer, or an officer designated by the commanding officer for that purpose, must validate that the meals are not furnished.

3.7.2. Allowances

3.7.2.1. The COLA is for the PDS, or in the case of a Service member assigned to a ship or other unit having an assigned home port OCONUS, the place where the Service member takes meals. Calculate the fractional COLA amount payable by applying the percentages specified in Table 68-6 for the meals involved to the daily COLA at the "0 dependent" rate for the PDS.

3.7.2.2. A Service member without a dependent receiving the reduced OCONUS COLA rate is authorized a percentage of the "0 dependent" COLA rate for each meal not provided in a Government dining facility in addition to the reduced OCONUS COLA.

3.8 Service Member Assigned to Ship or Fleet Unit

3.8.1. Delayed Travel. Secretarial authorization or approval of the housing allowance for a dependent continuing during the delayed departure from a PDS OCONUS, as specified in Chapter 26, also authorizes COLA continuation for the same time period without a separate authorization or approval. Subparagraph 4.8.3 applies whether the Service member's new PDS is in the CONUS or OCONUS.

3.8.2. Service Member Assigned to Duty Aboard a Two-Crew Nuclear Submarine. The ship's home port is the Service member's PDS for station allowances.

3.8.2.1. When a Service Member Reports to the Home Port Before Reporting Aboard. When a Service member is assigned to a two-crew nuclear submarine and reports to the ship's home port before reporting aboard because the ship is deployed, the Service member is authorized station allowances the day after he or she arrives at the home port, and no further travel is required by the order before reporting aboard the submarine (***57 Comp Gen 178 (1977)***).

3.8.2.2. Service Member Without a Dependent Ordered to a TDY at Home Port (OCONUS COLA Only). OCONUS COLA is authorized for a Service member without a dependent while the Service member is performing a TDY ashore if all of the following conditions are met:

3.8.2.2.1. The Service member is assigned to a two-crew nuclear submarine,

3.8.2.2.2. The Service member has reported aboard, and

3.8.2.2.3. The training and rehabilitation is for a period of 16 or more days at the ship's home port OCONUS.

3.9 Reserve Component (RC) Member

3.9.1. Eligibility. An RC member called or ordered from a residence OCONUS to active duty or active duty for training (ADT) may be authorized OCONUS COLA. Command sponsorship is not required when a Service member is authorized OCONUS COLA at the with-dependent rate for the place last entered (or called to) active duty (PLEAD). The Service member must reside permanently in the area concerned at the time called or ordered to active duty (***55 Comp Gen 135 (1975)***).

3.9.2. Allowances. An RC member is authorized OCONUS COLA for the tour duration as specified in Table 68-7 unless he or she is called or ordered to active duty for any of the following reasons:

3.9.2.1. Training for 140 or More Days. The initial OCONUS COLA rate ends on the day before the Service member reports at the duty location specified in the active-duty order. Authority for OCONUS COLA for the PDS location begins the day the Service member reports at that location. A Service member called or ordered to ADT from a location in the CONUS for 140 or more days at one location is authorized OCONUS COLA in the same manner as a Service member already on active duty;

3.9.2.2. Other Than Training for 181 or More Days With PCS Allowances. A Service member called or ordered to active duty for other than training from a location in the CONUS for 181 or more days at one PDS location OCONUS is authorized OCONUS COLA as of the day he or she reports at that location except as in subparagraph 3.9.2.3. The initial rate for the primary residence OCONUS stops the day before the Service member reports at the PDS duty location specified in the active-duty order. OCONUS COLA authority for the PDS location begins the day the Service member reports at that location; or

3.9.2.3. Other Than Training for 181 or More Days But Not Authorized HHG Transportation. When HHG transportation is not authorized, an RC member called or ordered to active duty for other than training for 181 or more days at one location, away from his or her primary place of residence OCONUS at the time called or ordered to active duty, is assigned to duty at that residence and paid OCONUS COLA at that location rate. HHG transportation under a TDY order does not affect this authority. OCONUS COLA authority begins on the first active-duty day.

3.10 Calculations for OCONUS COLA

Calculate a Service member's OCONUS COLA payment using data from three individual sources and tables: the Annual Compensation Table, the Spendable Income Table, and the COLA Index Table. OCONUS COLA is specified as a daily rate. The annual COLA is calculated by multiplying the Service member's annual spendable income by the authorized COLA index. For OCONUS COLA, spendable income is that portion of the Service member's annual compensation used to purchase items in the RPS. Use Table 68-8 to calculate annual OCONUS COLA and Table 68-9 to calculate monthly OCONUS COLA. See ***Overseas COLA Computation Example***.

4.0 TLA

TLA is intended to partially pay a Service member for higher-than-normal expenses incurred by a Service member or dependent while occupying temporary lodging OCONUS. OCONUS TLA is available when it is necessary for a Service member or dependent to occupy temporary lodging upon arrival at, or immediately before leaving, a PDS OCONUS, or during other periods as specified in this section. Personal inconvenience to a Service member or dependent is never a determining factor. TLA is not intended, and must not be used, for the personal enrichment of a Service member, including authorization or approval of TLA Special (see paragraph 4.10).

NOTE: Organizations are expected to take appropriate disciplinary action when TLA is provided for inappropriate reasons.

4.1 TLA Authority

The senior commander of the Service in the country or area is the TLA Authority. In countries or areas where more than one Service is represented, the senior commander of all of the Services is the TLA Authority. The TLA Authority may delegate authority as determined appropriate to judiciously administer TLA. TLA may be authorized when a Service member or dependent needs to occupy temporary lodging at personal expense. The TLA Authority authorizes or approves TLA only for the number of days needed to prevent undue financial hardship to the Service member during that period.

4.2 TLA Authority Responsibilities

The TLA Authority must issue written TLA guidance for the country or area under his or her responsibility. Effective guidance and management at all levels should minimize TLA costs by preventing the need for TLA, shortening the authorized period, and reducing the amount payable.

4.2.1. Submit Written Guidance. An electronic (Word) copy of the required written guidance and changes to or re-issuances of the written material implementing this authority must

be provided, via the Service Compensation Chief, to the Allowances Division, OUSD (P&R). This written material must be coordinated with the Uniformed Services present in the country or area, consistent with the general payment conditions listed in this chapter and designed to uniformly authorize TLA to each Service member.

4.2.2. Establish Efficient Policies. To ensure economical TLA administration, the OCONUS TLA Authority's written guidance to help the Service member locate permanent quarters should emphasize all of the following:

4.2.2.1. A Service member and any dependents should use existing Government transient facilities to the fullest extent possible upon PDS arrival or departure. The Service member must be advised of and encouraged to use recommended temporary lodging;

4.2.2.2. A Service member in a TLA status should be given priority over other potential occupants of transient facilities;

4.2.2.3. A Service member uses, when practical, leased quarters furnished and equipped for temporary occupancy by a family;

4.2.2.4. Promote the use of temporary lodging with facilities for preparing and consuming meals;

4.2.2.5. Maintain contact with the local, private-sector market for permanent housing and provide incoming families with reliable, realistic, and current information concerning location, availability, description, and cost;

4.2.2.6. Maintain an up-to-date list of approved, regularly inspected temporary lodging;

4.2.2.7. Inform the Service member of Government furniture available upon arrival at the new PDS for temporary loan while occupying permanent Government quarters or private-sector housing before the household goods (HHG) arrive. Before departure from the PDS, inform the Service member of Government furniture available for temporary loan after the HHG has been picked up for shipment;

4.2.2.8. The Service member should occupy permanent Government quarters or private-sector housing as soon as possible upon arrival and should not vacate sooner than necessary upon departure on a PCS order. This should ensure that TLA ends the day before the Service member could reasonably occupy permanent Government quarters or private-sector housing upon arrival at the PDS OCONUS, even if he or she does not occupy permanent Government quarters or private-sector housing;

4.2.2.9. Requirements for dependent travel should contain advice to the Service member about appropriate household items to include in unaccompanied baggage; and

4.2.2.10. Any additional TLA period will not be authorized or approved when a Service member is not expected to incur any excess costs or suffer undue financial hardship.

4.2.3. Advise Service Members. It is the TLA Authority's responsibility to ensure that a Service member is advised of all of the following responsibilities and requirements:

4.2.3.1. The Service member must aggressively seek permanent Government quarters or private-sector housing upon arrival. When the Service member will be assigned Government quarters, the provision to seek private-sector housing is not applicable;

4.2.3.2. The Service member must register with an official upon arrival and keep that official informed of progress in obtaining permanent Government quarters or private-sector housing at intervals of 15 or fewer days, as determined by the TLA Authority;

4.2.3.3. The Service member must provide a statement to the official indicating the beginning and end of TLA;

4.2.3.4. The limitations on the number of authorized TLA days for arrival or departure and of any requirement for a written justification to extend TLA to the maximum number of days;

4.2.3.5. The requirement to relocate as soon as practical to other permanent Government quarters or private-sector housing, or to reoccupy the Government quarters or private-sector housing formerly occupied;

4.2.3.6. The amount of the TLA payment depends on the expenses incurred at the temporary lodging;

4.2.3.7. The Service member must obtain and keep receipts for lodging expenses to support TLA payment; and

4.2.3.8. Lodging expenses are not allowed while staying with friends or relatives, but the meal and incidental expense rate (M&IE) is payable for the eligible TLA period.

4.3 Applicable Situations for a TLA

4.3.1. Situations That Require Temporary Housing. TLA may be authorized during any of the following periods:

4.3.1.1. Upon initial arrival or reporting at a PDS OCONUS either while waiting for Government quarters or while completing arrangements for other private-sector housing when Government quarters are not available. This includes reporting for a TDY at an activity within the limits of the new PDS OCONUS (***Comp Gen B-208740, January 31, 1983***);

4.3.1.2. Immediately preceding departure for a PCS from a PDS OCONUS after a Service member vacates Government quarters or private-sector housing in connection with a PCS

order. This includes reporting for a TDY at a location within the limits of the old PDS OCONUS (Comp Gen B-208740, January 31, 1983);

4.3.1.3. While a Service member without a dependent is seeking permanent Government quarters or private-sector housing following a TDY assignment of 90 or more days when he or she vacated permanent Government quarters or private-sector housing before beginning the TDY (***59 Comp Gen 486 (1980)***);

4.3.1.4. During a Service member's hospitalization when a dependent must use temporary lodging OCONUS because the Service member was hospitalized en route between PDSs;

4.3.1.5. While house hunting after the Service member arrives at the new PDS and reports for duty in connection with a PCS; or

4.3.1.6. When the appropriate official determines that TLA is necessary for a Service member, once he or she is established in, must vacate, or is waiting to reoccupy permanent Government quarters, private-sector housing, or privatized housing for reasons beyond the Service member's control. This does not include a ship entering any type of maintenance availability. The appropriate official must base the determination on the OCONUS TLA Authority's written guidance.

4.3.1.6.1. TLA begins the day temporary lodging is first used and ends on the day before permanent Government quarters, private-sector housing, or privatized housing is reoccupied, or when the OCONUS TLA Authority determines TLA is no longer justified.

4.3.1.6.2. TLA does not include any expenses incurred before the TLA period begins or after it ends, except for extra lodging charges authorized as specified in section 6.0.

4.3.1.6.3. TLA ends if the OCONUS TLA Authority determines that TLA is no longer necessary due to any of the following reasons:

4.3.1.6.3.1. There are no excess costs,

4.3.1.6.3.2. The Service member failed to accept adequate permanent Government quarters; or

4.3.1.6.3.3. The Service member stopped diligently searching for permanent private-sector housing.

4.3.2. Additional TLA

4.3.2.1. In addition to the responsibilities in paragraph 4.2, the OCONUS TLA Authority's written guidance is used to determine whether undue financial hardship can result if an additional TLA period is not authorized or approved. The guidance must be used before

authorizing or approving additional TLA periods upon initial arrival, delayed departure, or early termination of either permanent Government quarters or private-sector housing.

4.3.2.2. Applications for additional TLA periods must establish the need for TLA.

4.3.2.3. The OCONUS TLA Authority must direct consideration of the daily amount of all of the following payments and expenses before authorizing additional TLA:

4.3.2.3.1. The amount of TLA the Service member has received or will receive;

4.3.2.3.2. Current and estimated expenses for temporary lodging;

4.3.2.3.3. The housing allowance for a Service member. However, the housing allowance is not considered when paid for a dependent at a place other than the Service member's PDS, or for a Service member receiving TLA at the with-dependent rate for the Service member only; and

4.3.2.3.4. Family Separation Housing.

4.4 General Payment Conditions

4.4.1. Service Member Responsibilities. The Service member must either meet the requirements in subparagraph 4.2.3 or submit acceptable reasons for noncompliance before TLA payment. TLA payment or further TLA authority must be denied if the Service member has not complied with those TLA requirements in accordance with the OCONUS TLA Authority's written guidance or if he or she failed to submit acceptable reasons for noncompliance.

4.4.2. Government Quarters. When Government quarters are available and other lodging is used, lodging reimbursement is limited to the cost of Government quarters as specified in the JTR, subparagraph 020303.C. If Government quarters are not available, the Service member should provide written certification to support any voucher documentation submitted to comply with finance regulations.

4.4.3. Non-Occupancy. If the temporary lodging is not occupied during a portion of the TLA period, reimbursement is allowed for the other days when it is occupied during the authorized TLA period.

4.4.4. TLA Periods. There may be a break between an initial TLA period and any additional authorized TLA period.

4.4.5. Unaccompanied Tour. A Service member serving an unaccompanied tour is not authorized TLA when he or she chooses not to use an available Government dining facility or available Government quarters because a non-command-sponsored dependent is in the PDS vicinity.

4.4.6. PCS Order Canceled or Revoked. When the Service member's PCS order is canceled or revoked after he or she occupies temporary lodging, the Service member may receive TLA reimbursement up to the maximum number of days allowed by the OCONUS TLA Authority.

4.4.7. Advance Payment. An advance may be paid for the number of authorized TLA days, after authority is provided, based on the appropriate directive issued as specified in the OCONUS TLA Authority's guidance.

4.4.8. Old and New PDS in Close Proximity or in the Same Country. When a Service member's old and new PDSs are in close proximity to each other or in the same country, the TLA authority does not change. However, when a Service member's new PDS is within commuting distance of the Government quarters or private-sector housing occupied while at the old PDS, the Service member may not be authorized TLA unless the Service member's commanding officer approves temporary lodging based on a necessary residence change for reasons beyond the Service member's control.

4.4.9. Certification Confirming Military Necessity. The following situations require that a Service member's order be annotated with or include an attached certification that retaining TLA lodging was due to military necessity and not due to the Service member's personal choice or convenience:

4.4.9.1. When a Service member receiving TLA is ordered on a TDY while away from the PDS;

4.4.9.2. When a Service member receiving TLA before his or her PCS departure is ordered on deployment from the PDS, including the home port or permanent duty location of a ship, staff, or afloat unit; or

4.4.9.3. When a Service member receiving TLA is hospitalized after arrival at a new PDS or before a PCS departure.

4.5 Receipt of Multiple Allowances

Duplicate payment for the same expense is not authorized.

4.5.1. COLA and Housing Allowances. A Service member may be paid a COLA, a ***Basic Allowance for Housing***, or an ***Overseas Housing Allowance (OHA)***, if applicable, when paid TLA.

4.5.2. Evacuation Allowances. TLA is not payable due to an evacuation.

4.5.3. Temporary Quarters Subsistence Expenses (TQSE) or Temporary Quarters Subsistence Allowances (TQSA). A Service member married to a civilian employee may be authorized TLA while the civilian employee receives TQSE or TQSA, (see the JTR, section 0542) as long as the TLA and TQSE or TQSA payments cover different expenses.

4.5.4. Dependent Receives Basic Pay. A Service member may not be paid allowances on behalf of a dependent for any period while that dependent is entitled to basic pay as specified in ***37 U.S.C. § 204*** and ***37 U.S.C. § 421***.

4.6 TLA for Initial Assignment

4.6.1. Authorization Period. TLA authorization for a PDS assignment OCONUS requiring a residence change ordinarily should not exceed 60 days, which do not have to be consecutive. The initial 60-day period begins on the same date as the COLA. The OCONUS TLA Authority's Authorizing Official (AO) may authorize or approve a period in addition to the initial 60-day maximum to follow immediately after the first 60 days or begin at some later date after the initial period expires. The additional period may be authorized or approved in increments of 15 or fewer days for any of the following reasons beyond the Service member's or dependent's control:

4.6.1.1. HHG does not arrive;

4.6.1.2. Service requirements cause a delay in the availability of or assignment to Government quarters;

4.6.1.3. Acts of God, fire, flood, earthquake, riot, civil unrest, or other disturbances that make normally available or anticipated Government quarters or private-sector housing temporarily or permanently uninhabitable or unavailable;

4.6.1.4. A landlord withdraws the private-sector housing from the market;

4.6.1.5. The Service member is unable to secure private-sector housing that the housing officer considers suitable to the Service member's needs, in an acceptable location, and comparable to and within the price range of housing that other Service members in the area are currently using. The lease cost for housing can exceed the OHA ceiling; or

4.6.1.6. Either the Service member or dependent is hospitalized, or the Service member's duties require the Service member to be away from the PDS (or home port, if attached to a ship) limiting opportunities to arrange for permanent Government quarters or private-sector housing.

4.6.2. Review of Effort to Find Permanent Housing. At the end of the first TLA period of 15 or fewer days, or a longer period authorized under extenuating circumstances, the OCONUS TLA Authority's AO should review the Service member's progress in obtaining permanent housing.

4.6.2.1. If the Service member's efforts appear deficient, the OCONUS TLA Authority's AO must remind the Service member of his or her responsibilities. A Service member who does not comply, without an acceptable reason, will lose authorization for TLA unless the Service member is awaiting assignment to Government quarters.

4.6.2.2. The Service member's absence from the PDS due to a TDY, maneuvers, being aboard ship, sickness, hospitalization, serious illness of dependents, or other acceptable reasons, excuses the Service member from aggressively seeking permanent housing during the absence and postpones the date for submitting the required information. This applies when evaluating the Service member's progress toward obtaining permanent Government quarters or private-sector housing and in determining TLA authorization or approval during each succeeding period.

4.6.3. TLA Authorization. TLA authorization that starts upon initial arrival continues until a Service member occupies permanent Government quarters or private-sector housing unless TLA is terminated earlier for an acceptable reason specified in this chapter. The allowance stops accruing on the day before a Service member occupies the permanent housing. With the exception of allowed extra lodging charges, no expenses incurred on the permanent Government quarters or private-sector housing occupancy day are used in computing TLA (see section 6.0). In any case, TLA must stop the day HHG is delivered.

4.7 TLA for Initial Assignment When New PDS is a Ship

4.7.1. Reporting Day. On the actual reporting day aboard a ship, the lodging cost for lodging jointly occupied by the Service member and a dependent is not divided between the Service member and the dependent. The entire lodging cost is included as a TLA expense.

4.7.2. Period While Awaiting the Ship's Arrival

4.7.2.1. When a Service member is in a TDY status at the home port OCONUS awaiting arrival of his or her assigned ship, he or she is eligible for per diem. Therefore, the Service member is ineligible for TLA during the waiting period. The waiting period begins on the arrival day at the home port and continues through the day before the actual reporting day aboard the ship. During this waiting period, the ship is the Service member's new PDS for personal travel. For TLA purposes, the Service member has not reached the new PDS until reporting to the ship. TLA can begin after the Service member reports to the ship and meets the other criteria in this chapter.

4.7.2.2. The number of dependents occupying temporary lodging in the PDS area or the home port when the new PDS is a ship determines the amount to authorize for meals, which is used to compute the TLA rate payable on behalf of any dependents for days when a Service member is authorized per diem.

4.7.2.3. When a Service member receiving per diem is also receiving TLA for a dependent, and both are at the home port, lodging costs for jointly occupied lodging are apportioned 50% for the Service member and 50% for all dependents combined for all days except on the reporting day to the ship, regardless of the number of family members.

4.7.3. TLA During Home Port Change for Initial Assignment. If a Service member is currently assigned to a ship or other fleet unit with an announced home port change, or is in receipt of a PCS order to a ship or other fleet unit with an announced home port change, and the dependent

is authorized to travel to the new home port as the new home port is the Service member's PDS for TLA purposes (65 Comp Gen 888 (1986)).

4.8 Service Member Arrives or Departs at a Different Time Than a Dependent

4.8.1. Service Member Arrives Before Dependent. When a Service member arrives at a PDS OCONUS before a dependent, the Service member may be authorized TLA if the conditions specified in section 4.0 are met. Upon the dependent's arrival, TLA may also be authorized or approved for the Service member and dependent. If the dependent arrives after the initial 60-day period expires, an additional TLA period may be authorized as specified in subparagraph 4.8.3 whether or not TLA was paid during the initial 60-day period.

4.8.2. Dependent Arrives at or in the PDS Vicinity OCONUS Before the Service Member. Authorization or approval through the Secretarial Process is required for the dependent's arrival in advance of the Service member as specified in Chapter 26 before TLA payment. Once advance travel is authorized or approved, and a dependent arrives at or in the PDS vicinity OCONUS, the dependent's TLA starts the day TLA is authorized for the Service member provided the dependent is command-sponsored.

4.8.3. Dependent Departs the PDS Vicinity OCONUS After the Service Member. Before TLA payment, authorization or approval through the Secretarial Process is required for the dependent's delayed travel as specified in Chapter 26. Once delayed travel is authorized or approved, TLA for the dependent is authorized under the same conditions as applicable to a Service member when a dependent departs the PDS vicinity OCONUS after the Service member.

4.9 TLA Upon Departure

4.9.1. Time Limitation. The TLA period cannot start more than 10 days before the Service member leaves the PDS in compliance with a PCS order, except in the following situations:

4.9.1.1. One or more dependents remain in the old PDS vicinity as specified in Table 68-10. TLA may be authorized up to 10 days immediately preceding the day the last dependent leaves the PDS. This is regardless of the effective date of the PCS order from that PDS;

4.9.1.2. A longer TLA period is authorized due to delayed departure or the early termination of permanent Government quarters or private-sector housing; or

4.9.1.3. The Service member or dependent is hospitalized, or the Service member's duties require the Service member to be away from the PDS or home port, if attached to a ship.

4.9.2. Departure From PDS. Table 68-10 specifies the TLA authorization upon departure from a PDS under certain circumstances.

4.10 Special TLA Requests (TLA Special)

TLA requests for a higher lodging factor (TLA Special) under special or unusual circumstances may be authorized only before the dates required and by the Allowances Division Director's issued determination. See TLA Special computation examples at the DTMO Computation Examples web page.

4.10.1. TLA Special Warranted. When lodging costs escalate due to a special event and TLA is insufficient for lodging, a TLA Special may be warranted for a specific period.

4.10.2. Request Requirements. Commands must submit requests before the days that the higher rate is needed. The request must include all of the following:

4.10.2.1. The event dates and the dates when a TLA Special is required;

4.10.2.2. Hotel prices before the event and anticipated prices during the event stated in U.S. currency from at least five and preferably seven different hotels located in the affected area;

4.10.2.3. The number of authorized travelers and the ages of any dependents;

4.10.2.4. Locations affected;

4.10.2.5. Recommended lodging amount; and

4.10.2.6. Documentation indicating when the forthcoming special event will occur (***47 Comp Gen 127 (1967)*** and ***Comp Gen B-161396, May 3, 1976***).

4.10.3. Submission Process. The Service member's command may request TLA Special authority before the requested dates by email to:

E-Mail: dodhra.mc-alex.dtmo.mbx.allowances-branch@mail.mil

4.10.4. Limitations. Allowances Division, OUSD (P&R) will not take action on a TLA Special request received after the dates the TLA Special rate was needed, regardless of the circumstances.

4.10.4.1. TLA Special is not authorized for a Service member who is in a TDY status and receiving per diem at a home port OCONUS awaiting arrival of the assigned ship. The Allowances Division Director may authorize TLA Special for an accompanying dependent.

4.10.4.2. TLA Special stops the day after a Service member voluntarily refuses adequate Government quarters for personal convenience.

5.0 OTHER SITUATIONS FOR TLA

5.1 Service Member Married to Another Service Member

If two Service members married to each other maintain separate households at or in the vicinity of their PDS or PDSs OCONUS, each Service member is authorized TLA based on whether the Service member concerned has a dependent at or in the vicinity of the PDS OCONUS. See computation examples at the DTMO Computation Examples web page.

5.2 Period of TDY or Deployment While Away From PDS

A Service member receiving TLA who is ordered on a TDY (whether after arrival at the new PDS or before his or her PCS departure) or who is ordered on deployment from the home port of a ship, staff, or afloat unit, is authorized to continue to receive TLA on his or her own behalf. The temporary lodgings must be retained because of the Service member's military assignment. This may include the lodging cost at the TLA location while the Service member is on TDY.

5.3 Converted Tour

A Service member whose tour is converted to an accompanied tour may be eligible for TLA for him or herself and any command-sponsored dependent who was a dependent on the effective date of the PCS order to the PDS OCONUS if the conditions specified in the TLA Authority's written guidance are met. The Service member must make every reasonable effort to find suitable permanent Government quarters or private-sector housing for a dependent before the dependent arrives. TLA may be authorized or approved for the Service member and dependent only if the Service member is unable to find suitable housing before the dependent arrives for reasons beyond the Service member's control.

5.4 Service Member Acquires a Dependent

A Service member serving a tour OCONUS who has no dependents on arrival but who acquires a dependent during that tour is ineligible for TLA for the dependent when the dependent arrives at the PDS because the Service member was without a dependent on the effective date of the PCS order (***Comp Gen B-186628, September 17, 1976***). A Service member may be authorized TLA for him or herself, when eligible, or for a dependent acquired while serving at a PDS OCONUS if the dependent is command-sponsored at the PDS from which the dependent departs.

5.5 Hospitalization Period

A Service member receiving TLA who is hospitalized after arrival at a new PDS or before a PCS departure may continue to receive TLA on his or her own behalf. This may include the Service member's share of the temporary lodging cost as a TLA expense when, due to the hospitalization, temporary lodging must be retained at the PDS. The Service member's order must be annotated or have certification attached that states the TLA lodging was retained due to military necessity and not due to the Service member's personal choice or convenience.

5.6 Leave or Permissive Travel

5.6.1. Leave or Permissive Travel in the PDS Vicinity. After a Service member has reported for duty, TLA may be paid for any day he or she is on leave or permissive travel in the PDS vicinity and seeking private-sector housing or awaiting assignment to Government quarters. This enables a Service member to complete PCS travel and be placed on leave so that station allowance eligibility is established by reporting to the new PDS.

5.6.2. Leave or Permissive Travel Away From the PDS Vicinity. TLA is not payable for any day a Service member is on leave or permissive travel away from the PDS vicinity unless one or more dependents remain in the PDS vicinity to continue to seek private-sector housing or while awaiting assignment to Government quarters. In that case, the number of dependents who continue to occupy temporary lodging determines the rate payable. In either case, postponement of TLA pending return is not authorized. This provision helps ensure that TLA is paid only in connection with the PDS.

5.7 Dependent Assigned to Government Quarters

When a dependent is assigned to Government quarters in connection with advance arrival at a Service member's PDS OCONUS, during delayed departure from a Service member's PDS OCONUS, or "other circumstances" as specified in Chapter 26, a decision is made by either the Secretary concerned or through the Secretarial Process at the Service's discretion to pay or continue station allowances. When a dependent resides in Government quarters, a housing allowance is not authorized.

5.8 TLA for RC Member

An RC member called or ordered to ADT for 140 or more days or active duty for other than training for 181 or more days who is authorized PCS allowances is authorized TLA as specified in this chapter. When an RC member is authorized TLA at the with-dependent rate for the PLEAD, command sponsorship is not required. The RC member must reside permanently in the area concerned at the time called or ordered to active duty (55 Comp Gen 135 (1975)). COLA authorization begins on the first active-duty day.

5.9 Retirement or Separation From Service

A Service member who retires or separates from service, stays in the PDS area, and then moves at a later date or moves OCONUS to either a home of record or home of selection chosen by the Service member is ineligible for TLA or TLA Special.

6.0 TLA CALCULATIONS

6.1 TLA Rates Payable and Calculation Procedures

6.1.1. TLA Computation. Apply TLA accrual provisions for the standard TLA computation specified in paragraph 6.2 when computing TLA upon arrival and departure.

Expenses incurred on the departure day are not considered. However, when lodging expenses are incurred on the day of departure, calculate TLA as specified in this section. See TLA and TLA Special computation examples.

6.1.2. Extra Room-Charge Payment. When the Service member or a dependent, checks into or out of temporary lodging at a time of day that results in the payment of room charges for an extra day, calculate the lodging rate at 1.5 times the percentage rates specified in Table 68-11 for that extra day, except as specified in paragraph 6.3.1. M&IE remains at the specified percentages.

6.1.3. Number of Persons Occupying Temporary Lodging. When determining the number of persons occupying temporary lodging, do not count the Service member for any day that he or she is not authorized TLA on his or her own behalf.

6.1.4. TLA Authorized on the Reporting Day

6.1.4.1. When TLA is authorized on the reporting day, per diem is 75% of the locality M&IE rate for the new PDS OCONUS as determined in the JTR, paragraph 020310 when the Service member or dependent travels on a PCS order by commercial air, train, bus, ship, Government transportation, or Government-procured transportation. See the JTR, paragraph 050202 for reimbursement for commercial transportation and per diem. The lodging expense on the reporting day is reimbursed as TLA. See TLA computation examples.

6.1.4.2. TLA is not payable on the reporting day when MALT Plus is payable. The Service member may be authorized TLA when he or she, or a dependent, occupies temporary lodging on the reporting day to the new PDS and MALT Plus is not payable.

6.2 Standard TLA Computation

6.2.1. Time Limit. TLA is calculated in increments of 15 days, except when more than one TLA rate applies within the computation period. If the final lodging period is greater than 15 days, but less than 30 days it may be processed as a single payment.

6.2.2. Currency Conversion Fees. When determining the lodging expense in connection with TLA, add the International Transaction Fees, also known as currency conversion fees, charged by the Government Travel Charge Card (GTCC) to the actual daily lodging cost along with any lodging tax or value-added tax (VAT) relief certificate cost, and other authorized lodging costs. When using a personal charge card instead of the GTCC while not formally exempt from having a GTCC, International Transaction Fees charged by the credit card company are not part of the calculation.

6.2.3. TLA Calculation. Steps 1-3 explain how to calculate standard TLA using Table 68-11. When calculating TLA, use the actual amount without rounding.

6.2.3.1. Step 1: Calculate the daily M&IE and lodging ceiling by multiplying the percentage specified in Table 68-11 by the applicable locality ***per diem rate***. Exceptions to this

ceiling are specified in paragraph 6.3. Use the percentages specified in Table 68-11 for both lodging and M&IE except when any of the following circumstances apply:

6.2.3.1.1. A TLA Special has been authorized for lodging;

6.2.3.1.2. Temporary lodging is not available at the PDS;

6.2.3.1.3. Permanent Government quarters are being renovated or lack adequate cooking and eating facilities;

6.2.3.1.4. Temporary quarters contain adequate cooking facilities;

6.2.3.1.5. The Service member or dependent stays with friends or relatives. In that case, reimbursement of lodging cost is not authorized, but the TLA M&IE is paid;

6.2.3.1.6. A Service member is authorized a temporary lodging cost at the new PDS as specified in paragraph 5.2 as a TLA expense during a TDY or deployment period. In that case, the Service member is included in the number of persons for lodging, but not for M&IE. Determine the TLA amount payable by subtracting the Service member's share of the meal allowance from the total M&IE. To calculate the Service member's share, divide the M&IE amount by the total number of persons in the Service member's family, including the Service member, occupying the temporary lodging; or

6.2.3.1.7. The applicable percentage is 100% for the Service member and (non-service member) spouse. Add the percentage in Table 68-11 for the rest of the dependents. When calculating the percentage for a family without the spouse, use the Service member and one (the oldest) dependent at the 100% rate. Add the percentages in Table 68-11 for the rest of the dependents.

6.2.3.2. Step 2: Determine the payable lodging cost by comparing the actual daily lodging cost, including lodging tax or VAT relief certificate cost, International Transaction Fees charged by the GTCC, and other authorized lodging costs, as specified in subparagraph 6.2.2, with the lodging cost ceiling calculated using Table 68-11. Select the lesser amount:

6.2.3.2.1. Itemized lodging receipts, invoices, or vendor statements are required to verify lodging expenses; or

6.2.3.2.2. When the Service member is in a TDY status at the TLA location, regardless of the per diem amount received, reduce the lodging expense by the lodging cost used to determine the Service member's per diem rate.

6.2.3.3. Step 3: Determine the daily TLA amount by adding the payable lodging to the M&IE rate calculated as specified in Table 68-11. See TLA computation examples.

6.3 TLA Computation in Non-Standard Circumstances

6.3.1. TLA for Lodging Contracted by the Government or Under Government Jurisdiction. When the Service member or a dependent, checks into or out of lodging at a time of day that results in the payment of a lodging, rental, or service charge for an extra day, add the extra amount paid to the daily TLA amount for the check in day or the day before check out. TLA is computed according to standard TLA computations in either of the following situations:

6.3.1.1. A Government contractor furnishes temporary lodging; or

6.3.1.2. The temporary lodging is a guesthouse, exchange hotel, temporary lodging facility, or transient facility (such as visiting officer's quarters) under Government jurisdiction, whether operated with appropriated or non-appropriated funds.

6.3.2. Temporary Lodging Not Available at PDS. When neither Government nor commercial temporary lodging is available at the PDS and the Service member must obtain lodging nearby, determine the maximum daily TLA amount by multiplying the lodging location per diem rate by the percentage in Table 68-11. If the per diem rate for the lodging location is lower than that for the PDS, use the PDS locality per diem rate. Finance regulations may require a statement from the Service member's commanding officer or designee that the lodging used was the nearest suitable accommodations available to the Service member's PDS.

6.3.3. TLA Authorized for Limited Kitchen Facilities

6.3.3.1. A Service member may be authorized TLA to cover the cost of restaurant meals when kitchen facilities are limited and any of the following apply:

6.3.3.1.1. The Service member or dependent occupies Government quarters while the kitchen is being renovated;

6.3.3.1.2. The Service member or dependent occupies Government quarters or private-sector housing during utility loss; or

6.3.3.1.3. The Service member or dependent initially occupies permanent Government quarters or private-sector housing without a stove or refrigerator and meals cannot be prepared.

6.3.3.2. Calculate TLA for meals by multiplying the applicable percentage in Table 68-11 by the meals portion of the locality M&IE per diem rate.

6.3.4. Temporary Quarters Contain Facilities for Preparing and Consuming Meals. The presence of a stove and oven, counter or tabletop space, refrigerator, sink, water, table, chairs, and cooking and eating utensils is evidence of adequate cooking and eating facilities; however, the absence of one or more of these amenities does not automatically constitute inadequate cooking and eating facilities for TLA purposes.

6.3.4.1. When temporary lodging has adequate cooking and eating facilities, the daily TLA rate for lodging does not change, but the M&IE amount is reduced by one half. The reduced M&IE amount based on adequate cooking facilities does not apply when a friend or relative provides lodging or to the first and last days of TLA; in those cases, the full amount of M&IE is paid.

6.3.4.2. When the Service member demonstrates to the official designated in the local TLA regulations that the facilities for preparing and consuming meals are inadequate or, for other reasons, may not be used for all or part of the period involved, the Service member may be authorized TLA without the M&IE reduction.

Table 68-1. OCONUS COLA and TLA for a Service Member With a Dependent Serving an Unaccompanied Tour or on "Unusually Arduous Sea Duty"

RULE	If…	and…	then the applicable station allowance is authorized…
1	station allowances are authorized or approved by the same level of Secretarial approval as required for dependent travel,	a dependent relocates in connection with the Service member's PCS,	at the with-dependent rate based on the dependent's location OCONUS.
2	station allowances are authorized or approved by the same level of Secretarial approval as required for dependent travel,	a dependent does not relocate in connection with the PCS,	at the with-dependent rate based on the old PDS.
3	it is the Service member's first PDS,	the dependent's location is approved through the Secretarial Process,	for the dependent's location.
4	a Service member is transferred between unaccompanied tours or "unusually arduous sea duty" assignments,	a dependent remains at the Service member's prior PDS OCONUS or previously designated place and is authorized station allowances,	during the second tour.
5	a Service member is transferred between unaccompanied tours or "unusually arduous sea duty" assignments,	a dependent relocates to a new designated place in connection with the Service member's transfer,	for the new designated place as otherwise specified in this table.
6	a dependent is residing at or in the Service member's PDS vicinity (home port for "unusually arduous sea duty") when the PDS is declared an unaccompanied tour area,	a dependent moves to a designated place,	as otherwise specified in this table.
7	a dependent is residing at or in the Service member's PDS vicinity (home port for "unusually arduous sea duty") when the PDS is declared an unaccompanied tour area,	the dependent's initial move from the PDS was under evacuation conditions,	as specified in paragraph 3.3.4.

Table 68-1. OCONUS COLA and TLA for a Service Member With a Dependent Serving an Unaccompanied Tour or on "Unusually Arduous Sea Duty" (Continued)

RULE	If…	and…	then the applicable station allowance is authorized…
8	a dependent is en route to a Service member's PDS OCONUS or to a designated place to which transportation at Government expense has been authorized,	the new PDS (or home port for "unusually arduous sea duty") is declared an unaccompanied tour area,	based on the place to which the dependent is diverted, starting on the dependent's arrival date and stopping on the dependent's departure date from that location. A statement from the Service member's commanding officer, or an officer designated by the commanding officer, should support that the dependent was notified that permission to complete travel was withdrawn and that the dependent was directed to proceed to a specified place to await further instructions.
9	a dependent is en route to a Service member's PDS OCONUS or to a designated place to which transportation at Government expense has been authorized,	an amendment to the initial order or a new PCS order is issued assigning the Service member to another unaccompanied tour area or "unusually arduous sea duty" assignment,	based on the place to which the dependent is diverted, starting on the dependent's arrival date and stopping on the dependent's departure date from that location. A statement from the Service member's commanding officer, or an officer designated by the commanding officer, should support that the dependent was notified that permission to complete travel was withdrawn and that the dependent was directed to proceed to a specified place to await further instructions.

Table 68-2. Authorized Locations and Expenses for COLA Unique Expense Reimbursement

Location	Expense	Effective Date
Singapore	1. Mandatory and excessive road tax for one POV.	June 6, 2006
	2. Mandatory and excessive registration and transfer fees for one POV.	June 6, 2006

NOTE: For the most current approved locations and expenses, see the appropriate drop-down box on the OCONUS COLA landing page of on the DTMO website.

Table 68-3. OCONUS COLA for a Service Member With a Dependent

RULE	If…	then…
1	a Service member is on leave away from the PDS vicinity for 31 or more days and is accompanied by all command-sponsored dependents,	OCONUS COLA is not authorized beginning on the 31st day.
2	a command-sponsored dependent departs the PDS vicinity for a period of 31 or more consecutive calendar days,	OCONUS COLA payment beginning on the 31st day is reduced to the rate for the number of command-sponsored dependents remaining at the PDS.
3	a command-sponsored dependent departs the PDS vicinity to attend school,	OCONUS COLA payment is reduced the day after the dependent's departure to the rate for the number of command-sponsored dependents remaining. For early return of dependents (ERD), the rate is reduced the day after the dependent's departure or on the date the order was issued, whichever is later.
4	one or more, but not all, command-sponsored dependents depart the PDS vicinity for early or advance return,	OCONUS COLA payment is reduced the day after the dependent's departure to the rate for the number of command-sponsored dependents remaining. For early return of dependents (ERD), the rate is reduced the day after the dependent's departure or on the date the order was issued, whichever is later.
5	all the command-sponsored dependents depart the PDS vicinity for early or advance return,	the Service member becomes a Service member "without a dependent" and the OCONUS COLA at the with-dependent rate terminates the day before the command-sponsored dependent departs the Service member's PDS or the day before the date an ERD order is issued, whichever is later.
6	a Service member is in a confinement status due to disciplinary action,	OCONUS COLA is authorized only at the rate for the number of command-sponsored dependents who continue to reside in the PDS vicinity.

Table 68-3. OCONUS COLA for a Service Member With a Dependent (Continued)

NOTE: See paragraph 2.3 for early or advance return of a foreign-born, command-sponsored dependent authorized to travel to his or her native country.

*Table 68-4. Determining OCONUS COLA for a Service Member Without a Dependent
See Notes.

RULE	If…	then…
1	a Service member has Government quarters available but does not have a Government dining facility available for three meals a day at the PDS,	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
2	the commander authorizing OCONUS COLA expects the Service member to cook and eat meals in Government quarters,	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
3	a Service member has Government quarters available, but the commanding officer, installation commander, or delegated designee, provides a statement that using the Government dining facility is impractical due to mission or operational needs. (Note 1.)	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
4	an enlisted Service member does not have Government quarters available and is authorized to mess separately,	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
5	a Service member is authorized to mess separately and maintains a joint residence with a spouse who also is a Service member,	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
6	a Service member in grade E-7 or higher who has no dependent chooses to occupy private-sector housing instead of Government quarters,	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
7	a Service member in grade E-6 who has no dependent chooses to occupy private-sector housing instead of inadequate Government quarters,	the Service member is authorized OCONUS COLA at the "0 dependent" rate.

Table 68-4. Determining OCONUS COLA for a Service Member Without a Dependent (Continued)
See Notes.

RULE	If…	then…
8	a Service member has no dependent, is assigned to permanent duty aboard a ship, and occupies private-sector housing. (Note 2.)	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
9	each Service member of a married Service member couple is in grade E-5 or below, has no other dependent, is assigned to permanent duty aboard a ship, and chooses to occupy private-sector housing instead of assigned Government quarters aboard a ship,	the Service member is authorized OCONUS COLA at the "0 dependent" rate.
10	the Service member has Government quarters available and eats, or is expected to eat, the majority of meals in a Government dining facility because meal preparation in the Government quarters is not expected or permitted,	the Service member is authorized the reduced OCONUS COLA rate.
11	a Service member has both a Government dining facility and Government quarters available at the PDS, including aboard a ship,	the Service member is authorized the reduced OCONUS COLA rate.
12	a Service member has Government quarters available and routinely eats two or more meals a day in a dining facility,	the Service member is authorized to receive only the reduced OCONUS COLA rate, not the "0 dependent" rate.
13	a Service member has Government quarters available but his or her non-command-sponsored dependents live at or near the PDS,	the Service member is authorized to receive only the reduced OCONUS COLA rate, not the "0 dependent" rate.

Table 68-4. Determining OCONUS COLA for a Service Member Without a Dependent (Continued)
See Notes.

RULE	If…	then…
14	a Service member without a dependent is in a confinement status and serving a sentence due to disciplinary action,	the Service member is not authorized OCONUS COLA.

NOTE:
1. Personal convenience is not a determining factor.
2. If the Service member is in grade E-6 or above, he or she may choose not to occupy assigned Government quarters aboard a ship. A member in grade E-4 or E-5 may be authorized to not occupy assigned Government quarters aboard a ship.

Table 68-5. OCONUS COLA for Two Service Members Married to Each Other

RULE	If two Service members married to each other…	then…
1	maintain separate households at or in the vicinity of their PDS or PDSs OCONUS,	each Service member is authorized OCONUS COLA, based on whether the Service member concerned has a dependent at or in the vicinity of the PDS OCONUS.
2	maintain a joint household at or in the vicinity of their PDS OCONUS,	one Service member is authorized to receive OCONUS COLA at a rate based on the number of dependents present, if any. The other Service member is authorized to receive OCONUS COLA at the "0 dependent" rate.

Table 68-6. Fractional COLA Rates by Meal

Meal	Applicable Percentage
Morning	7
Noon	15
Evening	15

Table 68-7. OCONUS COLA for RC Member Called or Ordered to Active Duty From OCONUS

Number of Days Called or Ordered to Active Duty	OCONUS COLA
31 or More	OCONUS COLA for the primary residence OCONUS at the time called or ordered to active duty, whether for a TDY or a PCS, beginning on the first active-duty day.
30 or Fewer	OCONUS COLA if the call or order to active duty is in support of a contingency operation or whenever there is no per diem authority. The Service member is authorized OCONUS COLA at the rate for his or her principal place of residence at the time called or ordered to active duty (55 Comp Gen 135 (1975)).

Table 68-8. Calculate Annual OCONUS COLA

Step	Procedure
1	Determine the Service member's annual compensation.
2	Determine the Service member's average annual spendable income: a. Locate the dollar range for the appropriate annual compensation amount, as determined in Step 1. b. Find where this dollar range intersects with the number of command-sponsored dependents on the annual spendable income table. c. This number is the Service member's average annual spendable income.
3	Find the Service member's COLA index based on the PDS.
4	Subtract 100 from the prescribed COLA index. Divide the difference by 100 to change it to a percentage (for example, 20 becomes 0.20 or 20%).
5	Multiply the Service member's average annual spendable income, in Step 2, by the percentage in Step 4. The result is the Service member's annual OCONUS COLA.

Table 68-9. Calculate Monthly OCONUS COLA

Step	Procedure
1	Divide the annual OCONUS COLA amount by 360 (days) (see Table 68-8).
2	Carry the result to five digits to the right of the decimal to get the daily amount.
3	Multiply the result by the number of days in the month for which the allowance is payable.
4	Round the amount to the nearest cent to get the monthly OCONUS COLA.

Table 68-10. TLA When Departing a PDS

RULE	Departure	TLA Authorization
1	Dependent Departs before the Service Member	When a dependent departs a PDS OCONUS before the Service member, TLA may be authorized for the Service member and dependent when eligible. TLA due to the dependent's departure is limited to 10 days immediately preceding the day the last dependent departs, and must not begin earlier than the issue date of the PCS order or official alert notice. Upon departure of the Service member at a later date, TLA may again be authorized or approved for the Service member.
2	Delayed Departure	When the authorized TLA period has begun and actual departure is delayed through no fault of the Service member or dependent, TLA may be authorized or approved by the AO, in increments of 10 or fewer days, for the entire period that temporary lodging is required. This includes a dependent's delay due to the Service member's death.
3	Early Permanent Housing Termination	When, for reasons beyond the control of the Service member or dependent, permanent Government quarters or private-sector housing must be relinquished more than 10 days before the estimated departure date, the AO may authorize or approve TLA beginning the day the permanent Government quarters or private-sector housing is relinquished. Acceptable reasons include: a. The Transportation Officer determines it necessary to ship HHG after considering anticipated leave; necessary travel time; HHG shipment transit times; compliance with requirements of local packing, crating, and shipping agencies; meeting shipping schedules; and other requirements related to HHG shipments. b. Expiration or termination of lease or rental agreement occurs after a Service member receives the PCS order or alert notice. c. A landlord withdraws the private-sector housing from the market. d. The AO determines that an Act of God, civil unrest, or other disturbance makes occupancy of permanent housing inadvisable. e. The Service member is required by lease, custom, or law to surrender housing at a fixed date more than 10 days before the scheduled departure or before a lease's expiration to permit inspection, finalization of utility bills and deposits, redecoration, or adjudication of damage claims. f. Housing authorities require the Service member to vacate permanent Government quarters for the Government's convenience. g. The OCONUS TLA Authority determines that permanent Government quarters or private-sector housing must be relinquished.

Table 68-10. TLA When Departing a PDS (Continued)

RULE	Departure	TLA Authorization
4	Service Member Detaches from a Ship Away from Home Port	When a Service member detaches on a PCS from a ship in a home port OCONUS while the ship is away from its home port and he or she returns to the home port, then TLA may be authorized unless he or she receives per diem. If per diem is authorized at the home port, the Service member can receive TLA only if a dependent occupies temporary lodging at the home port.
5	TLA before PCS Order Issuance	A Service member may be authorized TLA before a PCS order is issued. The PCS AO, or the designated representative, must provide a written statement that the Service member was advised that the order would be issued before the PCS order is actually issued. The Service member must provide this statement if required by finance procedures. Information, such as the date of eventual release from active duty, expiration of term of service, retirement eligibility, or expected rotation from duty OCONUS, is not notification of intent to issue an order (***52 Comp Gen 769 (1973)***). The length of time between when the Service member receives written advice that a PCS order will be issued and when the order is issued may not exceed the relatively short period between when a PCS order determination is made and when the order is actually issued.

Table 68-11. Daily M&IE and Lodging Percentages
See Notes.

Number of Eligible Persons Occupying Temporary Lodging	Lodging Percentage	M&IE Percentage
Service member or one dependent (total one person)	100 (Note 2)	65
Service member couples (total two persons - percentage each when lodging together)	65	65
Service member and one dependent, or two dependents (total two persons - percentage together)	100	100
Each additional dependent age 12 and older	35	35
Each additional dependent under age 12	25	25

NOTE:
1. See ***Temporary Lodging Allowances – Calculation Percentages*** on the DTMO website for the most current rates.
2. Prior to October 1, 2020, the one-person lodging rate was 65 percent.

*REFERENCES

CHAPTER 68 - COST OF LIVING ALLOWANCE OUTSIDE THE CONTINENTAL UNITED STATES (OCONUS COLA) AND TEMPORARY LODGING ALLOWANCE (TLA)

1.0 – GENERAL

1.1	37 U.S.C. § 405

2.0 – STANDARD ALLOWANCES

2.1.6.5.	Comp Gen B-131142, June 3, 1957
2.3.1.3.	Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs Memo, dated December 6, 2022

3.0 – OCONUS COLA

3.3.1.	65 Comp Gen 888 (1986)
3.8.2.1.	57 Comp Gen 178 (1977)
3.9.1.	55 Comp Gen 135 (1975)

4.0 – TEMPORARY LODGING ALLOWANCE (TLA)

4.3.1.1.	Comp Gen B-208740, January 31, 1983
4.3.1.3.	59 Comp Gen 486 (1980)
4.5.4.	37 U.S.C. § 204
4.5.4.	37 U.S.C. § 421
4.7.3.	65 Comp Gen 888 (1986)
4.10.2.6.	47 Comp Gen 127 (1967)
4.10.2.6.	Comp Gen B-161396, May 3, 1976
4.10.4.3.	Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs Memo, dated September 23, 2020

*5.0 – OTHER SITUATIONS FOR TLA

5.4	Comp Gen B-186628, September 17, 1976
5.8	55 Comp Gen 135 (1975)
Table 68-3	Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs Memo, dated May 19, 2020

*REFERENCES (Continued)

Table 68-7	55 Comp Gen 135 (1975)
Table 68-10	52 Comp Gen 769 (1973)
Table 68-11	Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs Memo, dated September 23, 2020

VOLUME 7A, APPENDIX A: "REIMBURSEMENT OF ADOPTION EXPENSES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision

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APPENDIX A

REIMBURSEMENT OF ADOPTION EXPENSES

1.0 GENERAL

1.1 Purpose

The purpose of this appendix is to prescribe the DoD policy for the reimbursement of adoption expenses to qualified members, as authorized by law.

1.2 Authoritative Guidance

The pay policies and requirements established by DoD in this chapter are derived primarily from, and prepared in accordance with ***Title 10, United States Code (U.S.C.), section 1052***. Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 APPLICABILITY AND SCOPE

This appendix applies to the Defense Finance and Accounting Service (DFAS)-Cleveland (CL) site, each Military Service personnel activity, and Service members serving on continuous active duty for at least 180 days. This appendix also applies to full-time Active Guard/Reserve members on active duty orders for at least 180 days.

3.0 POLICY

The members specified in section 4.0, whose adoption of a child under 18 years of age has been finalized, may be reimbursed a maximum of $2,000 per child for qualified expenses related to the adoption. In the event of multiple adoptions, the maximum reimbursable amount is $5,000 per calendar year. A benefit may not be paid for any expense paid to or for a member of the Armed Forces under any other adoption benefits program administered by the Federal Government or under any such program administered by a state or local government. The DFAS-CL site is responsible for paying all approved adoption reimbursement claims. DFAS-CL is also responsible for providing primary guidance concerning adoption expense reimbursement procedures. The date the claim is received by DFAS-CL determines the creditable calendar year for determining the maximum reimbursable amount for multiple adoptions.

4.0 ELIGIBILITY REQUIREMENTS

4.1 Active Duty Requirements

Service members must serve on continuous active duty for at least 180 days. In addition, members are not entitled to reimbursement expenses if they separate from active duty before the adoption is final. Members are eligible for reimbursement expenses if the adoption is finalized

before separation from active duty, the claim form has been signed and certified by the member's commanding officer, and the claim is submitted to the DFAS-CL site prior to discharge. Members may request a voluntary extension of assignment beyond their normal expiration of term of service to complete the adoption process.

4.2. Period of Eligibility

4.2.1. A member described in paragraph 4.1, who incurs expenses when adopting a child under 18 years of age, must have the adoption finalized while on active duty to be eligible for reimbursement. Prior to separation from active duty, members must submit an application for reimbursement no later than:

4.2.1.1. 2 years after finalization of the adoption; or

4.2.1.2. 2 years after date that documentation of U.S. citizenship is issued (in the case of a foreign adoption).

4.2.2. If deployment responsibilities impact the member's ability to comply with the 2-year deadline, DFAS can make exceptions. In these cases, the verifying official who signs the DoD (DD) Form 2675, Reimbursement Request for Adoption Expenses, will submit a letter stating that the member's deployment impacted the member's ability to comply with the 2-year deadline.

4.3 Eligible Members

Adoption expense reimbursements may be paid to married or single members. If both parents are military members (including members of the Coast Guard when operating as a Military Service in the Navy), then only one member may be reimbursed for expenses related to the adoption of the same child.

4.4 Qualifying Adoptions

4.4.1. Adoption expenses that may be reimbursed include:

4.4.1.1. Adoption of a child under the age of 18;

4.4.1.2. Adoption by a single person;

4.4.1.3. Infant adoption;

4.4.1.4. Inter-country adoption;

4.4.1.5. Adoption of a child with special needs; and

4.4.1.6. Adoption of stepchildren.

4.4.2. Adoptions qualify for reimbursement only if the adoption is arranged by:

4.4.2.1. A qualified adoption agency; or

4.4.2.2. Other source authorized to place children for adoption under state or local law.

4.4.3. A qualified adoption agency means any of the following:

4.4.3.1. State or local government agency which has responsibility under state or local law for child placement through adoption;

4.4.3.2. A nonprofit, voluntary adoption agency that is authorized by state or local law to place children for adoption; or

4.4.3.3. Any other source authorized by a state to provide adoption placement, if the adoption is supervised by a court under state or local law. (As used in this appendix, "state or local" refers to a state or locality in the United States.)

4.4.4. A qualified adoption agency for inter-country adoptions would be a foreign government or an agency authorized by a foreign government to place children for adoption, in any case which:

4.4.4.1. The adopted child is entitled to automatic citizenship in accordance with ***8 U.S.C. § 1431***, also known as the Immigration and Nationality Act; or

4.4.4.2. A certificate of citizenship has been issued for such child under ***8 U.S.C. § 1433***.

NOTE: In either case, documentation that describes the mission of the foreign agency and the authority delegated from the foreign government should be provided.

5.0 RESPONSIBILITIES

5.1 Member Responsibilities

5.1.1. A member must submit a Reimbursement Request for Adoption Expenses for reimbursement of qualifying expenses using a separate DD Form 2675 for each qualifying adoption. Application assistance is available through ***Military One Source adoption consultation*** or installation personnel designated by the Military Service. The completed DD 2675 and substantiating documentation must be submitted no later than:

5.1.1.1. 2 years after finalization of the adoption; or

5.1.1.2. 2 years after date that documentation of U.S. citizenship is issued (in the case of a foreign adoption).

5.1.2. A member must manually or digitally sign a thoroughly completed application for reimbursement and have it verified by the member's commander or designated verifying official.

5.1.2.1. When the DD 2675 is manually signed, the member's command must submit the application via AskDFAS or Postal Mail:

Note: The preferred method for Adoption Reimbursement Claims submission is through AskDFAS: See ***Adoption Reimbursement*** on DFAS.MIL.

Defense Finance and Accounting Service - Cleveland
Special Actions Team/JFLADA
ATTN: Adoption Reimbursement
1240 East Ninth Street
Cleveland, OH 44199

5.1.2.2. When the completed DD 2675 is digitally signed, either the member's command or the member must submit a copy of the application via AskDFAS or Postal Mail (see subparagraph 5.1.2.1).

NOTE: The member must retain the original application, including all supporting documents and proof (e.g., postal tracking receipt or AskDFAS confirmation receipt) that the application was submitted by the 2-year deadline.

5.1.3. If neither the member nor the spouse is able to appear personally at the servicing personnel activity, then the completed claim forms may be mailed to the personnel activity. The spouse of a Service member, who is unable to complete a claim package due to military duty, can sign a claim form under a power of attorney. All claims signed by a spouse must include the power of attorney as a part of the claims package.

5.1.4. Service members must substantiate all expenses with documentation. Documentation must include receipts marked "PAID" or canceled checks.

5.1.4.1. If the receipts are from a foreign entity, then they should list the U.S. currency equivalency.

5.1.4.2. Reconstruction of expense records is permissible when the original records are unavailable, and the member submits a notarized affidavit stating the costs.

5.1.4.3. The member must submit a full English translation of any foreign language document, to include the translator's certification that he or she is competent to translate the foreign language into English, and that his or her translation is complete and correct.

5.1.4.4. The member is responsible for providing the appropriate documentation that establishes the adoption is final and that it was arranged by a qualified adoption agency, as defined in paragraph 4.4.

5.1.4.5. With respect to documents originating from a state or other authorized adoption agency, copies of those documents must be certified as true copies of the original by the state or adoption agency. If the original document is filed with the court, then the member must submit a copy of the adoption order certified by the clerk of courts. NOTE: These documents will not be returned to the member.

5.1.5. In determining whether an adoption of a child in a foreign country is final, the member must submit a copy of the final court documents, as well as proof of U.S. citizenship for the child. The following documents are acceptable forms of proof of U.S. citizenship:

5.1.5.1. A copy of a U.S. court order that recognizes foreign adoption or documents the "re-adopting" of the child in the United States, granting the child U.S. citizenship;

5.1.5.2. A letter from the U.S. Citizenship and Immigration Services which states the status of the child's adoption, granting the child U.S. citizenship;

5.1.5.3. A copy of a U.S. passport (page with personal information only); or

5.1.5.4. A copy of a U.S. Certificate of Citizenship.

5.1.6. The member is responsible for maintaining a file for the reimbursement claim. This file should contain copies of all paperwork related to the claim, including the receipts, agency documentation, and court papers associated with the adoption proceedings or court-certified copies until the claim is paid or denied.

5.1.7. The member will submit only one reimbursement claim per adoption.

5.2 Secretaries of the Military Departments Responsibilities

Each Service Secretary will designate personnel as reviewing officials to evaluate and approve submission of payment claims for reimbursement by Service members under the jurisdiction of the Military Department concerned; accept and maintain a copy of claims for reimbursement; and forward the authorization for payment of the adoption reimbursement claim to DFAS for final approval and payment. See subparagraphs 5.1.2.1 and 5.1.2.2 for instructions on how the application should be submitted.

5.3 DFAS-CL Responsibilities

The DFAS-CL site is the central site location for review, certification, and payment of adoption expense reimbursement payments. DFAS-CL is the primary source for guidance concerning the adoption expense reimbursement program. DFAS-CL will also maintain data on expenditures on a fiscal year basis. The contact information for DFAS-CL adoption expense reimbursement program is:

DFAS-CL8
(Code JFLADA)
Commercial phone: 216-522-5576/6701
DSN: 580-5576/6701

Note: The DFAS-CL adoption reimbursement program can be contacted through AskDFAS: See https://www.dfas.mil/MilitaryMembers/payentitlements/adoptionreimbursement/.

5.4 Military Services' Adoption Expense Reimbursement Funding Responsibilities

The Military Services provide funding authorization to DFAS-CL by memorandum each fiscal year. The DFAS-CL site charges the applicable Military Service provided appropriations according to standard cross-disbursing operating procedures.

6.0 ADOPTION REIMBURSEMENT PROCEDURES

6.1 Authorized Reimbursable Expenses

The DFAS-CL site will pay documented, reasonable, and necessary adoption expenses, up to $2,000 per adoptive child. Not more than $5,000 will be paid per calendar year to any member. In the case of two married members (including the Coast Guard when operating as a Military Service in the Navy), only one member may claim expenses for each adopted child and the couple is limited to the $5,000 per calendar year maximum. The calendar year is determined by the date the claim is received by DFAS-CL for payment. Reasonable and necessary expenses include the following:

6.1.1. Public and private agency fees, including adoptive fees charged by an agency in a foreign country;

6.1.2. Placement fees, including fees charged adoptive parents for counseling;

6.1.3. Legal fees, including court costs, for services that are unavailable to a member for the Military Services;

6.1.4. Medical expenses, including hospital expenses, of the biological mother of the child to be adopted and of a newborn infant to be adopted; and

6.1.5. Temporary foster care charges when payment of such charges is required to be made before the adoptive child's placement.

6.2 Unqualified Expenses

The term "reasonable and necessary expenses" does not include:

6.2.1. Travel expenses;

6.2.2. Items such as clothing, bedding, toys, and books; or

6.2.3. Any costs associated with an adoption arranged in violation of federal, state, or local law.

6.3 Payment Processing Requirements

6.3.1. A separate DD 2675 must support each claim.

6.3.2. Eligibility for reimbursement is supported by the documentation submitted. If the eligibility for reimbursement cannot be determined from the documents provided or claimed expenses are not properly supported by receipts, then the DFAS-CL site will retain the claim and request the necessary information or documentation.

6.3.3. The DFAS-CL site will issue the reimbursement by Electronic Funds Transfer (EFT) to the member's EFT account as designated on the DD 2675 within 30 days of receipt of a properly prepared and supported claim package. A member without access to an EFT method of payment must submit a request for EFT waiver to receive a check.

6.3.4. If the claim is denied, then DFAS-CL will send a letter to the member stating this fact. DFAS-CL will not return documents to the members.

6.4 Appeals

If a member receives a claim denial, they can request reconsideration in writing and add additional explanation or documentation. If, upon reconsideration, the member receives a notice of final action regarding the denial of the claim, the member may appeal to the Defense Office of Hearings and Appeals, in accordance with DoD Instruction (DoDI) 1340.21, Enclosure 7. The request for appeal should include copies of all relevant court documents and statements of the member or other persons in support of the claim and be sent to DFAS at the address listed in subparagraph 5.1.2.1.

REFERENCES

APPENDIX A – REIMBURSEMENT OF ADOPTION EXPENSES

1.0 – GENERAL

10 U.S.C. § 1052

3.0 – POLICY

10 U.S.C. § 1052(e)
DoDI 1341.09, July 5, 2016

4.0 – ELIGIBILITY REQUIREMENTS

DoDI 1341.09, July 5, 2016
4.4.1. 10 U.S.C. §§ 1052(a) and (b)
4.4.2. 10 U.S.C. § 1052(g)(1)
4.4.3. 10 U.S.C. § 1052(g)(3)
4.4.4. 10 U.S.C. § 1052(g)(3)(D)
4.4.4.1. 8 U.S.C. § 1431
4.4.4.2. 8 U.S.C. § 1433

5.0 – RESPONSIBILITIES

5.1 DoDI 1341.09, Paragraph 3.2, July 5, 2016
5.2 DoDI 1341.09, Paragraph 2.3, July 5, 2016

6.0 – ADOPTION REIMBURSEMENT PROCEDURES

DoDI 1341.09, Section 3, July 5, 2016
6.4 DoDI 1340.21, May 12, 2004

VOLUME 7A, APPENDIX B: "DISPOSITION OF FORFEITURES AND FINES AS A RESULT OF COURTS-MARTIAL, NONJUDICIAL PUNISHMENT, AND DESERTION"

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APPENDIX B

DISPOSITION OF FORFEITURES AND FINES AS A RESULT OF COURTS-MARTIAL, NONJUDICIAL PUNISHMENT, AND DESERTION

1.0 GENERAL

1.1 Purpose

This appendix describes the transfer of certain forfeitures and fines as a result of courts-martial, nonjudicial punishment, and desertion to the Armed Forces Retirement Home Trust Fund (AFRHTF).

1.2 Authoritative Guidance

The policy prescribed in this appendix was prepared in accordance with applicable statutes, regulations, and other guidance referenced throughout the appendix. The primary authoritative source is ***Title 10, United States Code (U.S.C.), section 2772***. To ensure accuracy and completeness, a reference page listing the authoritative sources that support this appendix is provided at the end of the appendix. The references are listed in the order they appear in the appendix.

2.0 SCOPE

This appendix applies to the Defense Finance and Accounting Service (DFAS) site, or the military service pay office and to limited-duty officers, regular and Reserve warrant officers, and regular and Reserve enlisted members of the Army, Navy, Air Force, and Marine Corps.

3.0 GENERAL POLICY

The Chief Operating Officer (COO) for the Armed Forces Retirement Home (AFRH) determines, on the basis of the financial needs of the AFRH, a percentage of forfeitures and fines adjudged by courts-martial and nonjudicial punishment, and amounts forfeited on account of desertion against limited-duty officers, warrant officers, and enlisted members to be transferred to the AFRHTF. The COO has determined that 100 percent of all forfeitures and fines will be transferred to the AFRHTF. Transfer only those amounts that are in excess of any indebtedness to the United States and amounts owed to individuals. For the purpose of this appendix, the term "indebted" or "debt" refers to amounts due from the member for reimbursement to the United States.

> Example: An amount due the Internal Revenue Service pursuant to a tax levy, which may ordinarily be thought of as a "debt" to the United States, is not a "reimbursement" or "debt" for purposes of this appendix. The term "amounts owed to individuals" refers to amounts owed from a member's pay by direction of a commanding officer, pursuant to ***10 U.S.C. § 939***, or Article 139 of the Uniform Code of Military Justice.

4.0 PROCEDURES

4.1 Transfer of Fines

When a limited-duty officer, warrant officer, or enlisted member is sentenced by a court-martial or nonjudicial punishment to pay a fine, the DFAS site or military service pay office, as applicable, will ensure the funds are transferred to the AFRHTF within 30 days from the end of the month in which the fine was collected.

4.2 Transfer of Courts-Martial and Nonjudicial Punishment Forfeitures

When a limited-duty officer, warrant officer, or enlisted member is sentenced to forfeit all or part of his/her pay, the DFAS site or military service pay office, as applicable, will ensure the funds are transferred to the AFRHTF within 30 days from the end of the month in which the forfeiture is collected. Multiple-month forfeitures, or forfeiture amounts which are collected over 2 or more months, will be transferred on a monthly basis to the AFRHTF. Do not wait until the entire amount of the forfeiture has been collected before making such transfers.

> Example: A member is sentenced to forfeiture of pay of $500 per month for 2 months, and the effective date of the forfeiture is November 29. The transfer would be $33.33 ($500 divided by 30 days, times 2 days left in the month) no later than December 30; $500 ($500 divided by 30 days times 30 days) no later than January 30; and $466.67 ($500 divided by 30 days times 28 days left uncollected) no later than March 2, into the AFRHTF.

4.3 Transfer of Courts-Martial and Nonjudicial Punishment Forfeitures When Indebted to the Government

When a limited-duty officer, warrant officer, or enlisted member is sentenced to forfeit all or part of his/her pay, and the member is indebted to the Government, the DFAS site or military service pay office, as applicable, will not transfer any amounts to the AFRHTF until all known debts have been established. Any forfeiture amounts exceeding the uncollected indebtedness will be transferred to the AFRHTF. All amounts collected thereafter, not to exceed the total amount of the forfeiture, will be transferred to the AFRHTF.

> Example 1: A member has a forfeiture of $200 per month for 2 months, with outstanding debts totaling $300. Transfer $100 to the AFRHTF only after the first $300 of forfeitures has been collected.

> Example 2: If the debt is $500 and forfeiture is $600, then the DFAS site or military service pay office, as applicable, will transfer the difference of $100 to the AFRHTF.

> Example 3: If the debt is $800 and forfeiture is $500, then no amounts will be transferred to the AFRHTF at this time. If subsequent debt collection recovers $700, then the first $300 ($800 indebtedness minus $500 forfeiture) collected will

be credited to the applicable military personnel appropriation, and the next $400 received will be credited to the AFRHTF.

4.4 Indebtedness After Forfeiture Becomes Effective

Debts incurred by a limited-duty officer, warrant officer, or enlisted member after a sentence has been executed, and before credit of the forfeiture to the AFRHTF, do not affect the disposition of the forfeiture. The forfeiture will be credited to the AFRHTF as if the indebtedness did not exist.

4.5 Remission of Indebtedness

If a forfeiture of a limited-duty officer, warrant officer, or enlisted member is not credited to the AFRHTF due to outstanding debts, and the unliquidated portion of the debts is thereafter remitted or canceled, then the DFAS site or military service pay office, as applicable, will not credit the forfeiture that equals the amount of indebtedness remitted or canceled to the AFRHTF. It remains in the military personnel appropriation.

4.6 Commissioned Officers

The DFAS site or military service pay office, as applicable, will credit forfeitures and fines of Regular and Reserve commissioned officers (except warrant and limited-duty officers), to the appropriation to which the member's pay is properly chargeable.

4.7 Forfeitures as a Result of Desertion

When a limited-duty officer, warrant officer, or enlisted member is declared a deserter, the amount of forfeitures on account of the desertion will be credited to the AFRHTF. For the purpose of this paragraph, the phrase "forfeitures on account of the desertion" refers to all pay and allowances due and unpaid at the time of a member's desertion that are automatically forfeited when a member is determined to be a deserter.

4.8 Transfer of Desertion Forfeitures

The DFAS site or military service pay office, as applicable, will transfer desertion forfeitures according to the procedures in paragraph 4.2.

REFERENCES

APPENDIX B - DISPOSITION OF FORFEITURES AND FINES AS A RESULT OF COURTS-MARTIAL, NONJUDICIAL PUNISHMENT, AND DESERTION

3.0 – GENERAL POLICY

10 U.S.C. § 2772(b)

4.0 – PROCEDURES

4.1	10 U.S.C. § 2772
4.7	10 U.S.C. § 2772(a)(2) United States v. Landers, 92 U.S. 77 (1876) Comptroller General B-145618, May 11, 1961

VOLUME 7A, APPENDIX C: "IMPLEMENTING PROCEDURES FOR MANDATORY ELECTRONIC FUNDS TRANSFER (EFT) OF MILITARY PAY"

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APPENDIX C

IMPLEMENTING PROCEDURES FOR MANDATORY ELECTRONIC FUNDS TRANSFER (EFT) OF MILITARY PAY

1.0 GENERAL

1.1 Purpose

This appendix provides the policy for the administration and delivery of payments to military members, retirees, and annuitants through the EFT method of payment.

1.2 Authoritative Guidance

The pay policies and requirements established by the DoD in this chapter are derived primarily from and prepared in accordance with the Treasury Financial Manual (TFM) and United States Code (U.S.C.), Title 31. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2.0 DoD METHOD OF PAYMENT

2.1 Policy

All Federal payments must be made by EFT, with the exception of tax refunds. See ***31 U.S.C. § 3332*** and corresponding regulations published by U.S. Department of Treasury (Treasury), Bureau of Fiscal Service at ***TFM Part 4A, section 2040***.

2.2 Personnel Subject to EFT Participation

2.2.1. Active Duty (AD) Military

AD military personnel and personnel entering or reentering the military service must provide the EFT method of payment information upon arrival at their respective military processing station, unless exempt under paragraph 2.3 or they have filed a waiver request under paragraph 2.4. Personnel currently on AD but not enrolled in the EFT method of payment are required to submit EFT method of payment information when they perform Temporary Assigned Duty, Temporary Duty Travel, Permanent Change of Station travel, are promoted, reenlist, or become eligible for a new payment.

2.2.2. Reserve and National Guard (NG)

Reserve and NG personnel entering or reentering a Reserve Component, upon processing into their respective component, or upon mobilization or recall to AD must provide the EFT method of payment information, unless exempt under paragraph 2.3 or they have filed a waiver request under paragraph 2.4. Mobilized or recalled personnel are also required to continue participation after demobilization or deactivation. Personnel currently affiliated with a Reserve or

NG unit, but not enrolled in the EFT method of payment, are required to submit the EFT method of payment information when they become eligible for any new payment.

2.2.3. Military Retirees and Annuitants

All retirees, separated military personnel, and Survivor Benefit Plan annuitants who become eligible for new payments or annuities must provide the EFT method of payment information, unless exempt under paragraph 2.3 or they have filed a waiver request under paragraph 2.4. NOTE: Personnel currently receiving payments at a financial institution or address in a foreign country where the EFT method of payment is not available are exempt from this policy until the EFT method of payment becomes available.

2.2.4. Academy and Reserve Officer Training Corps (ROTC) Cadets and Midshipmen

Military Service Academy, ROTC cadets, and midshipmen are required to participate in the EFT method of payment. Personnel not presently enrolled must enroll immediately, unless exempt under paragraph 2.3 or they have filed a waiver request under paragraph 2.4.

2.2.5. Individual Ready Reservist (IRR)

IRRs and annual muster participants are required to participate in the EFT method of payment. Personnel not presently enrolled must enroll immediately, unless exempt under paragraph 2.3 or they have filed a waiver request under paragraph 2.4.

2.3 Personnel Exempt From EFT Participation

AD military, retirees, or survivor annuitants receiving payments in an overseas area where the EFT method of payment is not available are exempt from this policy until the EFT method of payment becomes available at a financial institution in their area or until they relocate to an area, where the EFT method of payment is available.

2.4 Waivers

Payment by electronic funds transfer is not required in the following cases:

2.4.1. Where an individual:

2.4.1.1. Was born prior to May 1, 1921, and was receiving payment by check on March 1, 2013;

2.4.1.2. Receives a type of payment for which Treasury does not offer delivery to a Treasury-sponsored account. In such cases, those payments are not required to be made by electronic funds transfer, unless and until such payments become eligible for deposit to a Treasury-sponsored account;

2.4.1.3. Is ineligible for a Treasury-sponsored account because of suspension or cancellation of the individual's Treasury-sponsored account by the Financial Agent;

2.4.1.4. Has filed a waiver request with Treasury certifying that payment by electronic funds transfer would impose a hardship because of the individual's inability to manage an account at a financial institution or a Treasury-sponsored account due to a mental impairment, and Treasury has not rejected the request; or

2.4.1.5. Has filed a waiver request with Treasury certifying that payment by electronic funds transfer would impose a hardship because of the individual's inability to manage an account at a financial institution or a Treasury-sponsored account due to the individual living in a remote geographic location lacking the infrastructure to support electronic financial transactions, and Treasury has not rejected the request;

2.4.2. Where the political, financial, or communications infrastructure in a foreign country does not support payment by electronic funds transfer;

2.4.3. Where the payment is to a recipient within an area designated by the President or an authorized agency administrator as a disaster area. This waiver is limited to payments made within 120 days after the disaster is declared;

2.4.4. Where either:

2.4.4.1. A military operation is designated by the Secretary of Defense in which uniformed services undertake military actions against an enemy; or

2.4.4.2. A call or order to, or retention on, active duty of members of the uniformed services is made during a war or national emergency declared by the President or Congress;

2.4.5. Where a threat may be posed to national security, the life or physical safety of any individual may be endangered, or a law enforcement action may be compromised;

2.4.6. Where the agency does not expect to make payments to the same recipient within a one-year period on a regular, recurring basis and remittance data explaining the purpose of the payment is not readily available from the recipient's financial institution receiving the payment by electronic funds transfer;

2.4.7. Where an agency's need for goods and services is of such unusual and compelling urgency that the Government would be seriously injured unless payment is made by a method other than electronic funds transfer; or, where there is only one source for goods or services and the Government would be seriously injured unless payment is made by a method other than electronic funds transfer; and

2.4.8. An individual who requests a waiver under subparagraphs 2.4.1.4 and 2.4.5 of this section shall provide, in writing, to Treasury a certification supporting that request, in such form that Treasury may prescribe. The individual shall attest to the certification before a notary public, or otherwise file the certification in such form that Treasury may prescribe.

2.4.8.1. For AD members and reservists, certifications will be submitted in writing to the Unit Commander.

2.4.8.2. For military retirees, certifications will be submitted in writing to:

DFAS, U.S. Military Retired Pay
8899 E. 56th Street
Indianapolis, IN 46249-1200

2.4.8.3. For survivor annuitants, certifications will be submitted in writing to:

DFAS, U.S. Military Annuitant Pay
8899 E. 56th Street
Indianapolis, IN 46249-1300

Example: I certify that I do not have a financial institution or authorized payment agent. Signature_____ Date _____

NOTE: Treasury reserves the right to reject any waiver request it receives.

2.5 Exception

Emergency payments (defined in Chapter 32, section 3.2) and certification of no account with a financial institution, as described in paragraph 2.4, are the only exceptions to the requirement for delivery by the EFT method of payment. All pay for which an exception to the EFT method of payment requirement has not been granted, and for which the payee has not designated an account for receipt, is held at the DFAS central site or military service pay office until the required financial institution information is provided. Check payments are mailed on payday from the servicing DFAS central site or military service pay office to the member's mailing address.

3.0 REIMBURSEMENT FOR FINANCIAL INSTITUTION FEES

3.1 Reimbursements

Charges resulting from erroneous information provided by the individual or the financial institution to the servicing financial office are not the liability of the government and are not reimbursed. Reimbursement for financial institution fees is authorized when an administrative or mechanical error on the part of the government causes the pay of a military member to be deposited late or in an incorrect manner or amount. Such reimbursements are limited to overdraft charges, minimum balance, or average balance charges levied by the financial institution.

3.2 Procedures

The servicing DFAS central site or military service pay office contacts the financial institution to explain the error and requests that charges levied against the account holder be reversed. If the financial institution declines to reverse the charges, then government reimbursement of the charges is made via the EFT method of payment, directly to the applicable account involved. Such charges are funded from the appropriation available for the pay of the member concerned.

4.0 ALLOTMENTS

4.1 General

The EFT method of payment is the preferred method for paying all allotments and should be used whenever possible. It is DoD's intention to work with recipients of all allotments, such as courts receiving child support and/or alimony payments, dependents, spouses, insurance companies, and mortgage companies, to accept allotment payment by the EFT method of payment when systems become available for third party EFT method of payment.

4.2 Savings Allotments

The EFT method of payment is required for all savings allotments sent to financial institutions participating in the Federal Reserve System.

4.3 Allotments to Non-Individuals

The EFT method of payment is required for all discretionary allotments to non-individuals.

*REFERENCES

APPENDIX C - IMPLEMENTING PROCEDURES FOR MANDATORY ELECTRONIC FUNDS TRANSFER (EFT) OF MILITARY PAY

2.0 – DoD METHOD OF PAYMENT

2.1	31 U.S.C. § 3332 TFM Part 4A § 2040 Title 31, Code of Federal Regulation (CFR), § 208.3
2.4	31 CFR § 208.4
Note	31 CFR § 208.4(a)(v)

3.0 – REIMBURSEMENT FOR FINANCIAL INSTITUTION FEES

3.1	10 U.S.C. § 1053

VOLUME 7A, "COMPARABLE GRADES"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated April 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	This chapter has been certified as current.	Current

Comparable Grades

Pay Grade	Army	Navy/Coast Guard	Marine Corps
O-10	General	Admiral	General
O-9	Lieutenant General	Vice Admiral	Lieutenant General
O-8	Major General	Rear Admiral (UH)	Major General
O-7	Brigadier General	Rear Admiral (LH)	Brigadier General
O-6	Colonel	Captain	Colonel
O-5	Lieutenant Colonel	Commander	Lieutenant Colonel
O-4	Major	Lieutenant Commander	Major
O-3	Captain	Lieutenant	Captain
O-2	1st Lieutenant	Lieutenant (JG)	1st Lieutenant
O-1	2nd Lieutenant	Ensign	2nd Lieutenant
W-5	Chief Warrant Officer	Chief Warrant Officer (note 1)	Chief Warrant Officer 5
W-4	Chief Warrant Officer	Chief Warrant Officer	Chief Warrant Officer 4
W-3	Chief Warrant Officer	Chief Warrant Officer	Chief Warrant Officer 3
W-2	Chief Warrant Officer	Chief Warrant Officer	Chief Warrant Officer 2
W-1	Warrant Officer		Warrant Officer
E-9	Sergeant Major of the Army	Master Chief Petty Officer of the Navy	Sergeant Major of the Marine Corps
E-9	Command Sergeant Major or Sergeant Major	Master Chief Petty Officer	Sergeant Major or Master Gunnery Sergeant
E-8	First Sergeant or Master Sergeant	Senior Chief Petty Officer	First Sergeant or Master Sergeant
E-7	Sergeant First Class	Chief Petty Officer	Gunnery Sergeant
E-6	Staff Sergeant	Petty Officer, 1st Class	Staff Sergeant
E-5	Sergeant	Petty Officer, 2nd Class	Sergeant
E-4	Corporal or Specialist	Petty Officer, 3rd Class	Corporal
E-3	Private First Class	Seaman	Lance Corporal
E-2	Private	Seaman Apprentice	Private First Class
E-1	Private	Seaman Recruit	Private

Note 1: The W-5 grade is not used by the Coast Guard.

Comparable Grades (Continued)

Pay Grade	Air Force	Space Force
O-10	General	General
O-9	Lieutenant General	Lieutenant General
O-8	Major General	Major General
O-7	Brigadier General	Brigadier General
O-6	Colonel	Colonel
O-5	Lieutenant Colonel	Lieutenant Colonel
O-4	Major	Major
O-3	Captain	Captain
O-2	1st Lieutenant	1st Lieutenant
O-1	2nd Lieutenant	2nd Lieutenant
W-5		
W-4		
W-3		
W-2		
W-1		
E-9	Chief Master Sergeant of the Air Force	Chief Master Sergeant of the Space Force
E-9	Chief Master Sergeant	Chief Master Sergeant
E-8	Senior Master Sergeant	Senior Master Sergeant
E-7	Master Sergeant	Master Sergeant
E-6	Technical Sergeant	Technical Sergeant
E-5	Staff Sergeant	Sergeant
E-4	Senior Airman	Specialist 4
E-3	Airman, First Class	Specialist 3
E-2	Airman	Specialist 2
E-1	Airman, Basic	Specialist 1

VOLUME 7A, "DEFINITIONS"

SUMMARY OF MAJOR CHANGES

Changes are identified in this table and also denoted by blue font.

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by ***bold, italic, blue, and underlined font***.

The previous version dated July 2022 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
Allowance; Active Duty; Active Service; Basic Pay; Certifying Officer (CO); Dependent; Designated Place; Excess Leave; Field Duty; Flag Officer; Fully Qualified Health Professional; He, His, Him; Hostile Fire; Operational Flying Duty; Permanent Change of Station; Permanent Duty Station (PDS);	Updated definitions for clarity amongst Volume 7A chapters.	Revision

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
Reserve Officers' Training Corps (ROTC); Spouse; Support	Updated definitions for clarity amongst Volume 7A chapters.	Revision
Active-Duty List	Updated to include the U.S. Space Force in accordance with Public Law 116-92, section 952, dated December 20, 2019.	Revision
Combat Zone	Updated definition to match the definitions as they appear in DoDI 1340.09, "Hazard Pay Program," January 26, 2018, Change 1, February 2, 2024, and DoDI 1340.24, "Combat Zone Tax Exclusion (CZTE)," September 28, 2010.	Revision
PDS Vicinity	Added definition for clarity amongst Volume 7A chapters.	Added
Reenlistment Bonus	Updated the definition with the correct statute. The Fiscal Year 2008 National Defense Authorization Act consolidated special pays, incentive pays, and bonuses, resulting in cancellation of Section 308 of Title 37. Reenlistment bonus provisions are now found in Section 331 of Title 37.	Revision

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DEFINITIONS

1.0 GENERAL

The following list defines general terms of significance or importance relating to military pay entitlement policies for the DoD that are discussed in various chapters in Volume 7A. This list of definitions provides general information. It is by no means an exhaustive list of all financial management terms, and it does not define terms when standard dictionary definitions apply. Authoritative guidance with more detailed explanations or nuances may be found in Volume 7A specific chapters.

2.0 LIST OF DEFINITIONS

Absence Over Leave

Absent beyond the period for which leave was authorized.

Absent Without Leave

Absence from a place of duty without permission or authorization and without the intention of deserting.

Active Duty

Full-time duty in the active military service of the United States, including full-time training duty, annual training duty, and attendance, while in the active service, at a school designated as a Military Service school by law or by the Secretary concerned.

Active Duty for a Period of More Than 30 Days

Active duty under a call or order that does not specify a period of 30 days or less.

Active Duty for Training

Full-time duty in the active Military Service of the United States for training purposes.

*Active-Duty List

A single list for the Army, Navy, Air Force, Marine Corps or Space Force, which contain the names of all officers of that Armed Force who are serving on active duty, other than officers described in ***10 United States Code (U.S.C.) § 641***.

*Active Service

Active service means service on active duty or full-time National Guard duty.

Advance Payment

Payment of pay (pay and allowances in certain cases) before it is earned.

Advanced Leave

Leave authorized before it is accrued.

Aerial Flights

Flights in military aircraft or spacecraft, and also flights in nonmilitary aircraft when required by competent orders to fly in such aircraft. A flight begins when the aircraft or spacecraft takes off from rest at any point of support located on the surface of the earth and terminates when it next comes to a complete stop at a point of support located on the surface of the earth.

Air National Guard

The part of the organized militia of several states, Puerto Rico, Guam, the Canal Zone, the Virgin Islands, and the District of Columbia, active and inactive, that:

1. is an air force;

2. is trained, and has its officers appointed, under the sixteenth clause of section 8 article I, of the Constitution;

3. is organized, armed, and equipped wholly or partly at Federal expense; and

4. is federally recognized.

Allotment

A definite portion of the pay and allowances of a person in the Military Service, which is authorized to be paid to a qualified allottee.

Allottee

The person or institution to whom the allotment is made payable.

Allotter

The person from whose pay the allotment is made.

*Allowance

A monetary amount paid to an individual for specific needs, such as food, housing, uniforms, or equipment.

Appropriation

An amount of money specifically authorized by Congress against which obligations may be incurred and from which payments may be made.

Approved

The ratification or confirmation of an act already done.

Armed Forces of the United States

Includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard, and all components thereof.

Army National Guard

The part of the organized militia of several states, Puerto Rico, Guam, the Canal Zone, the Virgin Islands, and the District of Columbia, active and inactive, that:

1. is a land force;

2. is trained, and has its officers appointed, under the sixteenth clause of section 8 article I, of the Constitution;

3. is organized, armed, and equipped wholly or partly at Federal expense; and

4. is federally recognized.

Authorized

1. Permission given before an act.

2. Giving through regulations an allowance to an eligible individual requiring no other action.

Example: When the regulation states that a Service member is authorized an allowance, it means that an eligible individual has that allowance without further action by any other activity.

Aviation Service and Aviation Skills

Service or skills identified by the Secretary of the Military Department concerned that require the knowledge, skills, or ability to fly or operate flight capable machines.

Basic Allowance for Housing (BAH)

An amount of money prescribed and limited by law which an officer or enlisted member receives to pay for quarters not provided by the Government.

Basic Allowance for Subsistence (BAS)

An allowance payable to officers and enlisted members for the purpose of subsisting themselves. BAS is payable at all times when entitled to basic pay after completion of initial military training, except as otherwise prohibited by law.

*Basic Pay

The fundamental component of military pay of an officer or enlisted member, determined according to grade/rank and years of service. Basic pay does not include special pay, retainer pay, incentive pay, retired pay, or equivalent pay, or allowances.

Beneficiary

The recipient of certain benefits due as a result of relationship to or designation by a member consistent with applicable law.

Captive Status

A missing status resulting from a member's involvement in a hostile action. Hostile action is determined by the Secretary of Defense.

Captivity-Related Offense

An offense, committed while in a captive status and related to the status, which is listed in ***5 U.S.C. § 8312(b)*** or (c) or ***10 U.S.C. Chapter 47***, that is punishable by dishonorable discharge, dismissal, or confinement for a minimum of 1 year.

*Certifying Officer (CO)

An individual designated to attest to the correctness of statements, facts, accounts, and amounts appearing on a voucher, or other documents. A CO is pecuniarily liable for payments in accordance with 31 U.S.C. § 3528.

Clothing Monetary Allowance

Refers to the several types of clothing maintenance allowances paid by cash; (for example: standard, basic, or special).

Combat Operation

A military action that may involve carrying out a strategic, operational, or tactical mission against a hostile or unfriendly force, to include carrying on combat and any related movement, supply, attack, defense, and maneuvers needed to gain the objectives of a battle or campaign.

*Combat Zone

An area the President of the United States designates by Executive Order in accordance with ***26 U.S.C., § 112*** as an area in which U.S. Armed Forces are engaging in or have engaged in combat. In this context, the combat zone is generally designated in response to a national emergency and involves persistent, violent confrontations with hostile forces. Usually, an area becomes a combat zone or ceases to be a combat zone on the dates the President designates by Executive Order.

Command Sponsored Dependent

1. A dependent residing with a Service member at an Outside Continental United States (OCONUS) location at which an accompanied by dependents tour is authorized, the Service member is authorized to serve that tour, and who is authorized by the appropriate authority to be at the Service member's Permanent Duty Station (PDS).

2. The Service member is authorized to receive station allowances, Cost of Living Allowance (COLA), and Temporary Lodging Allowance (TLA) at the with dependent rate on behalf of a command sponsored dependent as a result of the dependent's residence at/in the Service Member's PDS vicinity.

3. Command sponsorship is not required to receive Overseas Housing Allowance (OHA) at the with dependents rate.

Commissioned Officer

Unless otherwise qualified, a member of the uniformed services having rank or grade of second lieutenant, ensign, or above, either permanent or temporary, in any of the uniformed services.

Commuted Rations

The value of in-kind government subsistence (rations) converted to a cash equivalent payment.

Competent Orders

Orders issued by the Secretary concerned, or such officer or officers as the Secretary may designate, to members of their respective Service or to members of other Services when such latter members are performing duty with a Service other than their own.

Continental United States (CONUS)

Unless otherwise qualified, means the 48 contiguous states and the District of Columbia.

Contingency Operation

Any military operation that:

1. Is designated by the Secretary of Defense as an operation in which members of the U.S. Armed Forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or

2. Results in the call or order to, or retention on, active duty of members of the uniformed services under ***10 U.S.C. §§ 688***, ***12301(a)***, ***12302***, ***12304***, ***12304a***, ***12305***, or ***12406***; ***10 U.S.C. Chapter 13***; ***14 U.S.C. § 3713***; or any other provision of law during a war or national emergency declared by the President or the Congress.

Cost of Living Allowance (COLA)

A supplemental allowance designed to offset higher prices in the highest cost locations.

*Dependent

The term dependent means the following individuals in relation to a Service member:

1. Spouse, as defined by this chapter;

2. Unmarried child under the age of 21, including an adopted child or a stepchild, but not after the divorce of the member from the stepchild's natural parent;

3. An unmarried illegitimate child under the age of 21, provided the parentage on the part of the Service member is established by one of the following: a birth certificate with the member's name cited, a court order, or a signed affidavit of parentage (signed and sworn by a notary) from the member;

4. An unmarried child under the age of 21 who has been placed in the member's home by a local, state, or foreign government placement agency, or a government-approved adoption agency as a part of a normal adoption process provided the member produces a document from such agency establishing the fact of relationship and the effective date of relationship;

5. An unmarried child who is at least 21 years of age, but under 23 years of age, and is enrolled in a full-time course of study at an institution of higher learning approved by the Secretary concerned, when the member demonstrates in the manner prescribed that the child is in fact dependent on the member for over one half of the child's support;

6. An unmarried child who is, 21 years of age or older, and is incapable of self-support because of a mental or physical incapacity that occurred (1) before the age of 21 or (2) before the age of 23 while the child was enrolled in a full-time course of study at an institution of higher learning approved by the Secretary concerned, and who is in fact dependent upon the member for more than one half of the incapacitated child's support;

7. A parent of the member or the member's spouse, including a stepparent or parent by adoption, or any person who has stood in loco parentis to the member at any time for a continuous period of at least five years before the member's 21st birthday, and whose dependency on the member has been determined in accordance with the rules and regulations established by the Secretary concerned; and

8. A ward, who is an unmarried person who meets each of the following criteria:

8.1. A court of competent jurisdiction in the United States, Puerto Rico, or a possession of the United States has placed the person in the legal custody of the member:

8.1.1. either permanently; or

8.1.2. for a period which lasts at least 12 months from the date of the order;

8.2. The person must be:

8.2.1. Under 21 years of age;

8.2.2. At least 21 years of age, but under 23 years of age, and enrolled in a full-time course of study at an institution of higher learning approved by the Secretary concerned; or

8.2.3. Incapable of self-support because of a mental or physical incapacity that occurred while the person was in the legal custody of the member, met the criteria of subparagraph 8.2.1 or 8.2.2, and was in fact dependent upon the member for more than one half of their support.

8.3. The person must be dependent upon the member for over one half of the person's support;

8.4. The person must reside with the member unless separated by the necessity of Military Service to receive institutional care as a result of disability or incapacitation, or under such other circumstances as the Secretary concerned may prescribe;

8.5. The person may not be a dependent of any member under any other part of this definition; and

8.6. The person is considered to be in the same class of dependents as a member's children, if any, for the purpose of determining entitlement.

Deployment

1. A Service member of a Military Service within the DoD is considered deployed or on a deployment on any day on which, pursuant to orders, the Service member performs service for an operation at a location or under circumstances that make it impossible for them to spend off-duty time in the housing in which they reside when on garrison duty at their permanent duty station or homeport. In accordance with ***10 U.S.C. § 991***, if an RC Service member is performing active service pursuant to orders that do not establish a permanent change of station, that housing is any housing, including the Service member's residence, that the Service member usually occupies during off-duty time when on garrison duty at the Service member's permanent duty station or homeport.

2. A deployment begins when a unit, detachment, or individual not attached to a unit or detachment leaves a homeport, station, or base or leaves from an en-route training location to meet a Secretary of Defense–approved operation to meet an operational requirement. An event is an operation if it is recorded in the joint capabilities requirement manager or contained in the annual Global Force Management Data Initiative–compliant tool under the Global Force Management Data Initiative reporting structure specified in DoD Instruction 8260.03. Forces deployed pursuant to Executive orders, operational plans, or concept plans approved by the Secretary of Defense are also considered deployed.

3. A deployment ends when most of the unit or detachment, or an individual not attached to a unit or detachment, returns to their homeport, station, or base. Forces operationally employed by Secretary of Defense's orders or in "prepare-to-deploy order" status at their home station are not deployed. Movement of forces that do not meet operational requirements (e.g., movement of forces to meet training, readiness, or exercise requirements) are not considered deployments and, therefore, are not subject to deployment-to-dwell and mobilization-to-dwell limits and specified goals.

Deployment-to-Dwell Ratio for Active Component (AC)

The ratio of time a unit, detachment, or individual is deployed to the time the unit, detachment, or individual is in dwell. For example, an AC unit that is deployed for 7 months and in dwell for 21 months has a deployment-to-dwell ratio of 1:3.

Desertion

Absence without leave with intent to remain away permanently.

*Designated Place

Except as noted in item 6, the location where a Service member's dependent intends to establish a bona fide residence until authorized further dependent transportation at Government expense. The Service member must certify this intent to receive allowances associated with a designated place move. A designated place may be one of the following locations:

1. A location in the CONUS or non-foreign OCONUS area.

2. A foreign location OCONUS where a dependent is specifically authorized to travel at Government expense when a Service member is ordered to an unaccompanied or dependent-restricted tour. This is limited to the native country of a foreign-born spouse for DoD Services and Coast Guard.

3. A location OCONUS where a Service member is scheduled to serve an accompanied tour after completing an unaccompanied or dependent restricted tour, and to which dependents are specifically authorized travel at Government expense.

4. The OCONUS location in the old PDS vicinity at which a dependent remains while a Service member serves an unaccompanied or dependent-restricted tour.

5. A location in the CONUS, non-foreign OCONUS, or foreign OCONUS place to which a dependent is specifically authorized travel at Government expense when early return of dependents is authorized. This is limited to the native country of a foreign-born spouse for DoD Services and Coast Guard.

6. For evacuation allowances, a designated place is a location where a dependent establishes a permanent residence during an evacuation if conditions are not expected to improve.

Disbursing Officer

A military member or a civilian employee of a DoD Component designated to disburse monies and render accounts according to laws and regulations governing the disbursement of public money (see ***31 U.S.C. § 3321***). Disbursing officers must be U.S. citizens.

Dual Status

Enlisted members of the Navy or Marine Corps Reserve on duty as temporary officers.

Duty Station

The place at which the member is assigned for regular duty. Also, the place at which the member performs an assigned duty.

Dwell Time Active Component (AC)

In accordance with 10 U.S.C. § 991, dwell time (“dwell”), for the purposes of calculating the AC deployment-to-dwell ratio, is redefined as the time a unit, detachment, or individual not attached to a unit or detachment is not on a deployment. Dwell begins when most of a unit or detachment, or an individual not attached to a unit or detachment, returns to their homeport, station, or base from a deployment. Dwell ends when the unit or individual leaves on a deployment. An AC unit or individual is either on a deployment or in dwell.

Dwell Time Reserve Component (RC)

Defined in ***DoD Instruction 1235.12*** as the term "dwell."

Enforced Separation

Involuntary separation of the member from dependents as a result of official orders.

Enlisted Member

A person enlisted, enrolled, or conscripted into a Military Service.

Enlistee

A person who has voluntarily enlisted for Military Service.

Enlistment

The term enlistment refers to:

1. A voluntary entrance into Military Service under enlisted status, as distinguished from induction through Selective Service; or

2. A period of time, contractual or prescribed by law, which enlisted members serve between enrollment and discharge.

Entitlement

The legal right to receive items of pay and/or allowances.

Erroneous Payment

A payment of pay and/or allowances to a member to which he/she is not entitled.

*Excess Leave

Leave granted in excess of that accrued or advanced and for which the Service member is not entitled to pay and allowances. Generally, a negative leave balance at the time of release from active military duty, discharge, first extension of an enlistment, desertion, or death shall be considered excess leave regardless of the authority under which the leave resulting in the negative balance was granted.

Exigencies of the Service

Urgent demands of a Military Service.

Expiration of Term of Service

The end of a required or contracted period of service.

Extension of Enlistment

Contractual agreement, which extends an enlisted member's current enlistment for a stated period beyond normal expiration of that enlistment.

*Field Duty

Any maneuvers, war games, field exercises, or similar operations where a member is assigned to a unit being subsisted in a dining facility operated by or on behalf of the U.S. Government or with an organization drawing field rations. Members may be on per diem orders.

Financial Organizations

Any bank, savings and loan association or similar institution, or federal or state-chartered credit union.

*Flag Officer

An officer of the Navy or Coast Guard serving in or having the grade of admiral, vice admiral, or rear admiral or rear admiral (lower half); comparable to an Army, Air Force, Marine Corps and Space Force general officer.

Fleet Reserve or Fleet Marine Corps Reserve

A component of the Regular service to which members may be transferred and released from active duty after obtaining 20 or more years of active federal service.

Flight Requirement

The number of hours or minutes of flying time required to qualify for entitlement to incentive pay for a specific period of time.

Former Captive

A member who was held in a captive status.

Full-Time National Guard Duty

Training or other duty, other than inactive duty, performed by a member of the Army National Guard of the United States or Air National Guard of the United States, as a member of the National Guard of a state or territory, Puerto Rico, or the District of Columbia under

32 U.S.C. §§ 316, *502*, *503*, or *505*, for which the member is entitled to (or has waived entitlement to) pay from the United States.

*Fully Qualified Health Professional

A fully trained or licensed, registered, or certified health professional (non-HCP) who meets the requirements of the Secretary concerned for accession or retention on AD.

Government Dining Facility

A generic term used for Government mess, general mess, dining hall, dining activity, mess hall, galley, field kitchen, flight kitchen, or similar terms describing appropriated funds dining facilities. Includes general or Service organizational dining facility, a state National Guard Camp dining facility, an officers' wardroom mess, a warrant officers' and chief petty officers' mess afloat, and a flight kitchen that furnishes box lunches, in-flight meals, or rations on military aircraft are government dining facilities if used by or made available to Service members. This does not include activities operated with non-appropriated funds such as officer's club, enlisted club, squadron mess, organized mess, or similar terms, except when those activities provide meals or rations under contract or agreement with the applicable operating and food costs borne by appropriated funds.

Government Quarters or Housing Facilities

1. Sleeping accommodations owned, operated, or leased by the U.S. Government, or obtained by contract, at no cost to the traveler;

2. Dormitories or similar facilities operated by cost-plus-a-fixed-fee contractors;

3. Quarters in a state-owned National Guard Camp at no expense to the member; or

4. Any sleeping or housing facilities furnished by a foreign government on behalf of the U.S. Government.

*He, His, Him

"He," "his," and "him" include the terms "she," "her," "hers," "they," "them," and "theirs."

Home

The place recorded as home of record when the member was ordered to active duty.

*Hostile Fire

A use of force against the United States, U.S. forces, or other designated persons by an enemy of the U.S., a foreign terrorist, or a person or group of people inspired or motivated by a foreign terrorist organization.

Inactive Duty Training

The term “inactive duty training” describes:

1. Duty prescribed for members of a Reserve Component by the Secretary concerned under ***37 U.S.C. § 206*** or any other law;

2. Special additional duties authorized for members of a Reserve Component by an authority designated by the Secretary concerned and performed by them on a voluntary basis in connection with prescribed training or maintenance activities of the units to which they are assigned; and

3. The special additional duties described in paragraph 2 when performed by members of a Reserve Component in their status as members of the National Guard, but (except as provided in ***37 U.S.C. § 206 (d)(2)***) does not include work or study in connection with a correspondence course of a uniformed service.

NOTE: For pay purposes, inactive duty training may be documented on a Service-prescribed form or order covering a specific assignment and prescribed time limit.

Inductee

One who is inducted.

Induction

The act of taking a person into any of the U.S. Armed Services without voluntary action on his or her part.

In Loco Parentis

A person who stands in the place of the natural parent(s) to the Military Service member. (See also "Parent.")

Issue in-Kind

An issue in goods rather than in money.

Lost Time

That period of time not included in determining cumulative years of service for all military purposes.

Medical Officer

An officer of the Medical Corps of the Army, an officer of the Medical Corps of the Navy, or an officer of the Air Force designated as a medical officer.

Member

A person appointed or enlisted in, or conscripted into, uniformed service. (Cadets or midshipmen of the Service academies are considered members only for the purpose of establishing entitlement under the provisions of Chapter 34.)

Military Specialty

An element of the enlisted classification structure Military Occupational Specialty, Air Force Specialty Code, Navy Enlisted Classification, career field subdivision, career management field, and occupational field, as appropriate to the Military Service concerned, that identifies an individual position or group of closely related positions on the basis of the similarity of the duties involved. It is also the primary identifier of members who possess the ability, knowledge and other occupational qualifications required for effective performance in such positions.

A military specialty provides occupational standards for procurement, training, classification, and career development; identifies military skills so closely related that a degree of interchangeability exists between members assigned to the military specialty; and provides a normal career progression pattern for members within that military specialty.

Missing Status

Includes missing, missing in action, interned in a foreign country, captured, beleaguered, besieged by a hostile force, or detained in a foreign country against a member's will.

Mobilization-to-Dwell Ratio (RC)

For Reserve units, detachments, or individuals, the mobilization-to-dwell ratio is defined in DoD Instruction 1235.12.

National Guard

The Army National Guard and the Air National Guard.

Non-Foreign OCONUS Area

The States of Alaska and Hawaii, the Commonwealths of Puerto Rico and the Northern Marianas Islands, Guam, the U.S. Virgin Islands, U.S. territories and possessions.

Nurse Corps Officer

An officer of the Nurse Corps of the Army or Navy, or an officer of the Air Force designated as a nurse.

Officer

A commissioned or warrant officer.

Operational Deployment

An operational deployment begins when the majority of a unit or detachment, or an individual not attached to a unit or detachment, departs homeport, station, base, or departs from an en route training location to meet a Secretary of Defense-approved operational requirement.

*Operational Flying Duty

Enlisted. Flying performed under competent military orders by Regular or Reserve Component Enlisted Service members while holding or training for a military career enlisted flyer occupational specialty or ratings designated by the Secretary of the Military Department concerned. Personnel must be serving in assignments, to include assignments as Unmanned Aerial System and dropsonde system operators, in which basic aviation skills normally are maintained in the performance of assigned duties, as determined by the Secretary of the Military Department concerned.

Officer. Flying performed under competent military orders by a Regular or Reserve Component officer while holding or training for an aeronautical rating or designation and while serving in assignments in which basic aviation skills normally are maintained in the performance of assigned duties, as determined by the Secretary of the Military Department concerned.

Outside the Continental United States (OCONUS)

Locations outside of the 48 contiguous states and the District of Columbia.

Overpayment

An amount paid to a member, which is in excess of that to which entitled.

Parent

The natural father or mother, or father or mother through adoption. It also includes persons who have stood "in loco parentis" to a member. Also see definition for "Dependent."

*Permanent Change of Station

The permanent assignment, detail, or transfer of a member or unit to a different permanent duty station (PDS) under competent orders, which does not specify the duty as temporary, provide for further assignment to a second new PDS, or direct return to the old PDS. (For a more detailed definition, see the Joint Travel Regulations (JTR), Appendix A.)

*Permanent Duty Station (PDS)

In general, the post of duty or official station to which the member is assigned for permanent duty. (For a more detailed definition, see the JTR, Appendix A.) The primary residence of a Reserve Component member is considered the PDS for the purpose of determining allowances.

*PDS Vicinity

1. The PDS vicinity is the U.S. territory or possession, state when in Alaska or Hawaii, or the entire country (excluding the United States), where the Service member's PDS is located.

2. Member Assigned to PDS in the Continental United States (CONUS). The PDS vicinity is the local commuting area of the PDS.

3. Member commutes to OCONUS/CONUS PDS. When a Service member resides with a dependent outside the applicable PDS vicinity and commutes to the PDS, the dependent is considered to be residing at or near the vicinity of the PDS.

Primary Residence of a Reserve Component (RC) Service Member Other Than a Member of the Active Guard and Reserve (AGR)

1. The dwelling (e.g., house, townhouse, apartment, condominium, mobile home, houseboat, vessel) where the RC member resides before being ordered to active duty.

2. An RC member can have only one primary residence at any given time.

3. The primary residence location may determine an RC member's entitlement to certain allowances as otherwise specified in Volume 7A.

4. The Services' administrative policy shall ensure this is a known location prior to notification (verbal or written) of the call to active duty or issuance of the travel order.

5. If the RC member relocates the primary residence during an active-duty order period, and upon termination of the order is issued a new active-duty order, the allowances under the new order are based on the new primary residence on the first active-duty day only if there is a break in service or active duty exceeding one full day. The command may request the RC member provide documentation to support the location of their primary residence.

6. The primary residence can only change if there is a break in service or active duty exceeding one full day.

Prisoner of War

A member who was or is held in captivity by another nation's government as a result of hostilities between that nation and the United States (whether or not by declaration of war).

Privatized Housing

Housing units on or near a military facility in the U.S. and/or its territories and possessions that are acquired/constructed by a private company under the authority of ***10 U.S.C. §§ 2871 - 2885.*** Privatized housing is not considered Government quarters or Government-controlled quarters, for allowance purposes.

Punitive Discharge

A dishonorable or bad conduct discharge ordered as punishment under the Uniform Code of Military Justice (UCMJ).

Rations in-Kind

Meals or rations furnished by or on behalf of the government at no charge when BAS or commuted rations are not otherwise payable to a member in a pay status.

Ready Reserve

The Ready Reserve is comprised of Service members of the Reserve and National Guard, organized in units or as individuals, or both. These Service members are accessible for involuntary order to active duty in time of war or national emergency pursuant to 10 U.S.C. §§ 12301 or 12302 and 14 U.S.C. § 3713 in the case of members of the Coast Guard Reserve. The Ready Reserve consists of three sub-categories: the Selected Reserve, the Individual Ready Reserve, and the Inactive National Guard.

*Reenlistment Bonus

A monetary incentive offered to an enlisted member who reenlists under provisions of ***37 U.S.C. § 331***.

Reserve Components

The U.S. Army National Guard, Army Reserve, Navy Reserve, Marine Corps Reserve, U.S. Air National Guard, Air Force Reserve, Coast Guard Reserve, and the Reserve Corps of the Public Health Service.

*Reserve Officers' Training Corps (ROTC)

An officer training and scholarship program for postsecondary students authorized under Chapter 103 of Title 10 of the United States Code.

Retired Reserve

The Retired Reserve consists of:

1. Reserves who are or have been retired under ***10 U.S.C. §§ 7311, 8323,*** or ***9311***; or

2. Reserves who have been transferred to the Retired Reserve, retain their status as Reserves, if otherwise qualified.

Saved Pay

Special pay provisions that allow military members, under certain circumstances, to retain entitlement to amounts of pay and/or allowances authorized under prior laws or for a lower grade from which promoted.

Secretarial Process

Action by the Service Secretary or subordinate level specified by the Service Secretary. The Secretarial Process is an administrative and/or procedural issuance under the Service Regulation review process.

Selected Reserve

Within the Ready Reserve of each of the Reserve Components, there is a Selected Reserve. The Selected Reserves consists of units and, as designed by the Secretary concerned, are trained as prescribed in ***10 U.S.C. § 10147(a)(1)*** or ***32 U.S.C. § 502(a)***, as appropriate.

Separation

A general term that includes discharge, release from active duty or active service, release from custody and control of the Military Services, transfer to the Individual Ready Reserve, and similar changes in Active or Reserve status.

Service Academy Cadet or Midshipman

A person in training at one of the Service academies to become a commissioned officer.

Service Member

A member serving in one of the Uniformed Services including:

1. A commissioned officer, commissioned warrant officer, warrant officer, or enlisted person.

2. A retired Service member and members of the Fleet Reserve and Fleet Marine Corps Reserve who are in receipt of retainer pay.

*Spouse

An individual who is lawfully married (unless legally separated) to a Service member. An individual shall be considered married if that individual's marriage is between two individuals and is valid in the State where the marriage was entered into or, in the case of a marriage entered into outside any State, if the marriage is between two individuals and is valid in the place where entered into and the marriage could have been entered into in a State.

Statutory Limitations

The legal limits or restrictions as provided by law.

Stipend Payment

A fixed sum of money paid periodically for services or to defray expenses, especially payment to medical officers on duty at civilian medical facilities.

*Support

The term “support” includes food, shelter, clothing, medical and dental care, education, and the like.

Temporary Lodging Facilities

1. Specifically identified, Service-operated interim housing facilities that provide short-term housing accommodations for which there is a charge levied, without direct charge against the occupant’s housing allowance.

2. Includes guesthouses, except transient visiting officer quarters occupied by official visitors to the installation.

3. Does not include facilities used primarily for rest and recuperation purposes, or unaccompanied officer and enlisted quarters.

Temporary Officer Status

A member of the Navy or Marine Corps appointed as a temporary officer under the provisions of ***10 U.S.C. § 8146***.

Territories and Possessions of the United States

Territories and Possessions of the United States are incorporated and unincorporated territories over which the United States exercises sovereignty or jurisdiction. These include but are not limited to; American Samoa, Baker Island, Commonwealth of the Northern Marina Islands, Commonwealth of Puerto Rico, Guam, Howland Island, Jarvis Island, Johnson Atoll, Kingman Reef, Midway Island, Navassa Island, Palmyra Atoll, U.S. Virgin Islands, Wake Island, Petrel Island, and Serranilla Bank.

Total Forfeiture

Forfeiture of all pay and allowances as punishment under the UCMJ.

Uniformed Services

The Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, the commissioned corps of the National Oceanic and Atmospheric Administration, and the commissioned corps of the Public Health Service.

United States

The 50 states, and the District of Columbia.

Unusually Arduous Sea Duty

Duty, specified in writing through the Secretarial process, aboard a ship, unit or afloat staff with expected absences from the assigned home port for the major portion of the sea duty assignment.

Warrant Officer

A person who is designated an officer by a warrant, as distinguished from a commissioned officer who is designated an officer by a commission, and a non-commissioned officer who is designated an officer, often by virtue of seniority.