



DEFENSE FINANCE AND ACCOUNTING SERVICE
ARLINGTON
1851 SOUTH BELL STREET
ARLINGTON, VA 22240-5291

OCT 18 2006

DFAS-NP

MEMORANDUM FOR DIRECTOR, ACCOUNTING AND FINANCE POLICY,
OFFICE OF THE UNDER SECRETARY OF DEFENSE
(COMPTROLLER)
DIRECTOR, FINANCE MISSION AREA, STANDARDS AND
COMPLIANCE, DEFENSE FINANCE AND ACCOUNTING
SERVICE

SUBJECT: Interim Change to the Department of Defense Financial Management Regulation
("DoDFMR"), Volume 7A, Regarding Special Leave Accrual (DFAS Item #P-58)

Attached is Interim Change 37-06 to Volume 7A, Chapter 35 of the "DoDFMR." This change authorizes special leave accrual for Service members performing qualifying duty that is designated by the Service Secretaries on or after August 29, 2005.

Assignment of this interim change number is authority for the Director for Finance to initiate a procedural modification to implement this change. This office requests that the Director for Accounting and Finance Policy post a copy of this interim change to the "DoDFMR" web site.

Richard D. Davis
for Richard D. Davis
Director for Policy and Performance
Management

Attachment:
As stated

cc:
DFAS-AMO (Pat McGriff)
DFAS-DE/DG
DFAS-PM/IN (Dennis Eicher)
DFAS-PMA/CL
DoD-DHRA/OGC
ODUSD(MPP)(Comp)
Service Liaisons
USCG/NOAA/PHS Liaisons

SPECIAL LEAVE ACCRUAL**1. Revise subparagraph 350102.B.2 as follows:**

2. A member not qualifying for SLA for service in a hostile fire/imminent danger area, may, after September 30, 1979 qualify and carry forward up to 120 days of unused leave by reason of assignment to a designated deployable ship, mobile unit, or other similar prescribed duty or on or after August 29, 2005 is performing duties designated by the Secretary concerned as qualifying. The duty assignment must be under conditions where operational mission requirements prohibit normal leave utilization as determined by the military service concerned or designated commander. Under this exemption, unused SLA leave may be carried forward until the end of the third fiscal year following the fiscal year in which the qualifying service is terminated.

2. Revise bibliography 350102.B as follows:**Paragraph****Citation**

350102.B.2

10 U.S.C. 701(f)(1)
OUSD (P&R) Memo, April 7, 2006



OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

APR 7 2006

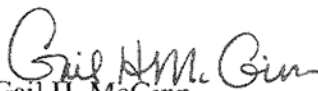
PERSONNEL AND
READINESS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, DEFENSE RESEARCH AND ENGINEERING
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Leave Accrual for Members Assigned to a Deployable Ship or Mobile Unit
or Other Duty

This directive-type memorandum establishes procedures to implement Section 682 of Public Law 109-163, the National Defense Authorization Act of Fiscal Year 2006, as codified in Section 701(f)(1) of title 10 United States Code. Section 682 authorizes the Secretary of Defense to designate duties qualifying for Special Leave Accrual. Implementing guidance is attached.

This guidance will be incorporated into the next scheduled revision of DODI 1327.6, "Leave and Liberty Procedures." It is issued pursuant to a delegation of authority from the Deputy Secretary of Defense to the Under Secretary of Defense for Personnel and Readiness.


Gail H. McGinn
Performing the Duties
of the Principal Deputy

Attachment:
As Stated

cc:
DAPE G-1
DCNO N1
AF/DP
WHS (Directives and Records Division)
DFAS

DODI 1327.5 (sections of 6.14.1 – 6.14.4 have been revised)

6.14. Special Leave Accrual for Service Members Entitled to Hostile Fire or Imminent Danger Areas, or Assigned to a Deployable Ship, Mobile Unit, or Other Duty.

6.14.1. Service members who serve on active duty for a continuous period of at least 120 days in an area in which they are entitled to special pay for duty subject to hostile fire or imminent danger under the provisions of DoD 7000.14R, volume 7A, chapter 10 (reference (g)), may accumulate up to 120 days leave at the end of the fiscal year. Service members not serving in a hostile fire or imminent danger area, but who, on or after September 30, 1979, are assigned to a designated deployable ship, mobile unit, or other similar prescribed duty or on or after August 29, 2005 are performing duties designated by the Secretary concerned as qualifying duty, may accumulate up to 120 days of leave. Leave that exceeds 60 days accumulated under this paragraph is lost unless used before the end of the third fiscal year following the fiscal year in which the service in the hostile fire or imminent danger area or operational/qualifying duty commitment is terminated.

6.14.2. Active duty members who serve in a duty assignment in support of a contingency operation are authorized to accumulate annual leave in excess of 60 days, as shown on the end of the month September Leave and Earning Statement. These Service members are authorized to retain such leave (not to exceed 90 days) until the end of the fiscal year or the following fiscal year, if other reasons preclude use of such leave. (See 10 U.S.C. Sections 701f(2)(A) and (B) (reference (b)).)

6.14.3. The situation preventing Service members assigned to such activities from using leave must have been caused by a catastrophe, national emergency and/or crisis or operations in defense of national security. Furthermore, it should be a result of the member's inability to take leave or to reduce their leave balance to 60 days before the end of the fiscal year while being assigned to said activities.

6.14.4. Special Leave Accrual shall not be used as a means to authorize the accumulation of leave in excess of 60 days that is a result of the Service member's failure to properly manage his or her leave program. It would be inappropriate to carry over that portion of the Service member's leave balance that exceeds 60 days that would have been lost at the end of the fiscal year regardless of whether or not the Service member was assigned to a designated activity. Determinations of operational mission requirements shall be made at the headquarters level that directs the leave policies of the Military Service concerned, or may be delegated to the level of the next subordinate major command. For members serving in joint organizations, determination of eligibility shall be made by the joint organization in which the member is serving. The provisions of this authority may be extended for Service members assigned to unit, headquarters, and supporting staffs when they are prohibited from taking leave because of their involvement to support a designated qualifying operational mission.

SEC. 682. CLARIFICATION OF LEAVE ACCRUAL FOR MEMBERS ASSIGNED TO A DEPLOYABLE SHIP OR MOBILE UNIT OR OTHER DUTY.

Subparagraph (B) of section 701(f)(1) of title 10, United States Code, is amended to read as follows:

“(B) This subsection applies to a member who—

“(i) serves on active duty for a continuous period of at least 120 days in an area in which the member is entitled to special pay under section 310(a) of title 37;

“(ii) is assigned to a deployable ship or mobile unit or to other duty designated for the purpose of this section; or

“(iii) on or after August 29, 2005, performs duty designated by the Secretary of Defense as qualifying duty for purposes of this subsection.”.