



Department of Defense INSTRUCTION

NUMBER 1340.24
September 17, 2009

USD(P&R)

SUBJECT: Family Separation Allowance (FSA)

- References:
- (a) Sections 204, 401, 406, 421, and 427 of title 37, United States Code
 - (b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
 - (c) Volume 7A of DoD Manual 7000.14-R, "Military Pay Policy and Procedures - Active Duty and Reserve Pay," current edition
 - (d) Section 604 of Public Law 110-417, 'Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, Section 604,' October 14, 2008
 - (e) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," as amended

1. PURPOSE. This Instruction establishes policy and assigns responsibilities for determining FSA eligibility in accordance with the guidance in section 427 of Reference (a) and the authority in Reference (b).

2. APPLICABILITY. This Instruction 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 the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that a Service member is entitled to monthly FSA payments when the movement of dependents is not authorized to or near the member's permanent duty station (PDS) at Government expense and the dependents do not reside at or near that PDS; or when the Service member is otherwise separated from his or her dependents for a continuous period of more than 30 days due to military orders, consistent with section 427 of Reference (a).

5. RESPONSIBILITIES

a. Principal Deputy Under Secretary of Defense for Personnel and Readiness (PDUSD(P&R)). The PDUSD(P&R), under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, shall:

- (1) Provide FSA guidance.
- (2) Review and coordinate on all DoD issuances regarding FSA.
- (3) Direct that changes be made as necessary to Volume 7A of DoD 7000.14-R (Reference (c)).

b. Under Secretary of Defense Comptroller (USD(C)/Chief Financial Officer (CFO), Department of Defense. The USD(C)/CFO shall issue specific guidance regarding military pay and procedures for entitlement to FSA under chapter 27 of Reference (c).

c. Secretaries of the Military Departments. The Secretaries of the Military Departments may develop supplementary guidance to implement FSA within their respective Department and this guidance shall be coordinated with the PDUSD(P&R).

6. PROCEDURES. See Enclosure.

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction is effective immediately.



Gail H. McGinn
Deputy Under Secretary of Defense (Plans)
Performing the Duties of the
Under Secretary of Defense for
Personnel and Readiness

Enclosure
Procedures

ENCLOSURE
PROCEDURES

1. GENERAL PROVISION

a. FSA is payable in addition to any other allowance or per diem to which a Service member may be entitled.

b. Generally, an individual Service member who is eligible for FSA under section 2 of this enclosure may only receive one FSA payment for the same period. However, paragraph 2.f. of this enclosure provides the rules for members married to other Service members.

c. A Service member entitled to FSA is paid a monthly allowance of \$250.

2. ENTITLEMENT ELIGIBILITY

a. A Service member assigned to a PDS, either within or outside the continental United States, is entitled to monthly FSA payments when the member is separated from his or her dependents due to military orders if:

(1) The transportation of dependents to or near the Service member's PDS is not authorized at Government expense under section 406 of Reference (a) and the dependents do not live at or near the member's PDS or homeport.

(2) The Service member is on duty on board a ship away from the home port of the ship for a continuous period of more than 30 days.

(3) The Service member is on temporary duty away from his or her PDS for a continuous period of more than 30 days, and the dependents do not reside at or near the temporary duty location.

b. A Service member (including a Reserve Component member serving on active duty for 30 days or more) who meets the requirements of paragraph 2.a. of this enclosure will be paid FSA if he or she:

(1) Is entitled to basic pay under section 204 of Reference (a).

(2) Has a qualified dependent, as defined in the Glossary.

c. A Service member who becomes entitled to an allowance under this section by virtue of duty described under subparagraphs 2.a.(2) or 2.a.(3) of this enclosure for a continuous period of more than 30 days is entitled to FSA effective as of the earlier of the following two periods:

(1) First day of that period.

(2) First day the Service member ceased being entitled to a previous FSA payment due to the end of the duty described under subparagraphs 2.a.(2) or 2.a.(3) of this enclosure, provided the member's previous FSA entitlement ceased within 30 days before the first day of that period.

d. FSA is not authorized for a Service member who elects to serve an unaccompanied tour of duty at a PDS to which the dependents are authorized Government transportation under section 406 of Reference (a), unless:

(1) The Secretary of the Military Department concerned determines that it would be inequitable to deny the allowance to the Service member because of unusual family or operational circumstances; or

(2) A Service member elects to serve an unaccompanied tour of duty because a dependent could not accompany the member to or at the PDS for certified medical reasons.

e. FSA is payable under this section even though the Service member does not maintain a residence or household for his primary dependents who would otherwise normally reside with the member in such residence or household when the member's duty assignment permits.

f. FSA is payable to a Service member married to another Service member regardless of any other dependency status, when assigned to duties described under subparagraph 2.a. of this enclosure, provided the members resided together immediately before being separated by reason of execution of military orders. Additionally, according to section 604 of Public Law 110-417 (2008) (Reference (d)):

(1) Each Service member married to another Service member, with dependents other than his or her spouse, who are simultaneously assigned to duties described under subparagraph 2.a. of this enclosure, may be paid the full monthly FSA until one of the members is no longer assigned to such duties.

(2) A Service member married to another Service member with no dependents other than his or her spouse may not have more than one monthly FSA paid per military couple.

g. Section 421 of Reference (a) does not bar FSA entitlement.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DEERS	Defense Enrollment Eligibility Reporting System
FSA	Family Separation Allowance
PDS	permanent duty station
PDUSD(P&R)	Principal Deputy Under Secretary of Defense for Personnel and Readiness
USD(C)/CFO	Under Secretary of Defense Comptroller/Chief Financial Officer

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this Instruction.

a. active duty. Defined in Joint Publication 1-02 (Reference (e)).

b. Defense Enrollment Eligibility Reporting System (DEERS). A worldwide, computerized database of uniformed services members (sponsors), their family members, and others who are eligible for military benefits, including TRICARE.

c. FSA qualified dependents.

(1) dependent. An individual described under section 401 of Reference (a) who is enrolled in DEERS.

(2) dependent child. An unmarried child of the Service member who is in 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 as a result of a finalized divorce decree, which provides that the child physically reside with the member on an equal basis (no less than 14 days per month) as compared to the time the child resides with the former spouse, and the member's actual physical custody of the child is precluded due to the fact that the member is assigned to duties described under paragraph 2.a of the Enclosure. Such a custody arrangement must be stipulated in a signed court order or divorce decree, subject to the verification by the Secretary of the Military Department concerned.

(3) dependent spouse. An individual who is legally married to the Service member and who physically resided with the member immediately before being separated by reason of execution of military orders, and with whom the member intends to reestablish a joint household for the purpose of residing with the spouse once military orders no longer keep them continuously separated.

d. Reserve Component. Defined in Reference (e).