



Department of Defense **INSTRUCTION**

NUMBER 1341.11

March 4, 2008

USD(P&R)

SUBJECT: Family Subsistence Supplemental Allowance (FSSA) Program

- References:**
- (a) DoD Instruction 1341.11, "Family Subsistence Supplemental Allowance (FSSA) Program," December 17, 2002 (hereby canceled)
 - (b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))" October 17, 2006
 - (c) Sections 401 and 402a of title 37, United States Code
 - (d) DoD 7000.14-R, "Department of Defense Financial Management Regulations (FMRS)," Volume 7A, "Military Pay Policy and Procedures – Active Duty and Reserve Pay," December 2007, Chapter 25, "Basic Allowance for Subsistence (BAS)," October 2007
 - (e) References (e) through (f), see Enclosure 1

1. PURPOSE

This Instruction:

- 1.1. Reissues Reference (a) under the authority of Reference (b).
- 1.2. Implements policy, assigns responsibilities, and prescribes procedures under section 402a of Reference (c) to carry out the FSSA Program.

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense, the 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, the Combatant Commands, the Office of the Inspector General, Department of Defense, the Defense Agencies and the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components.") Service members include any members of the Military Services serving on active duty, including Reserve Component members on active-duty orders.

3. DEFINITIONS

Terms used in this Instruction are defined in Enclosure 1.

4. POLICY

It is DoD policy under section 402a of Reference (c) that a FSSA allotment shall be made available to supplement the basic allowance for subsistence (BAS) of a Service member. The combined effect of the household income level and household size of a Service member shall determine the member's eligibility under the FSSA Program.

5. RESPONSIBILITIES

5.1. The Principal Deputy Under Secretary of Defense for Personnel and Readiness, under the Under Secretary of Defense for Personnel and Readiness, shall:

5.1.1. Review and coordinate on all DoD issuances for the FSSA Program.

5.1.2. Be responsible for providing FSSA Program policy implementation guidance.

5.1.3. Monitor compliance with written policy.

5.1.4. Maintain the currency of this Instruction.

5.1.5. Prepare an annual report to the Congress, in consultation with the Secretary of Homeland Security, as required by section 402a of Reference (c).

5.2. The Under Secretary of Defense (Comptroller)/Chief Financial Officer shall develop specific regulations on military pay policy and procedures for the payment of FSSA under Chapter 25 of DoD 7000.14-R (Reference (d)).

5.3. The Secretaries of the Military Departments

5.3.1. Shall develop supplementary guidance, as necessary, for the proper implementation of the FSSA Program in their respective organizations.

5.3.2. Shall communicate information about the FSSA Program through their venues.

5.4. The Heads of the DoD Components shall ensure:

5.4.1. Compliance with this Instruction.

5.4.2. That DoD Component personnel and their families shall be informed of the FSSA Program, with particular emphasis on junior personnel.

6. PROCEDURES

6.1. Eligibility

6.1.1. Any member of the Military Services serving on active duty and receiving full or partial BAS may participate in the FSSA Program, if such member meets the criteria prescribed in this section.

6.1.2. Eligibility is based on the household size and income of a Service member. If the income of a Service member, together with the income of the rest of the household (if any) of that Service member, is within 130 percent of the poverty line as determined by the U.S. Department of Agriculture (USDA) under sections 2012 and 2014(c) of title 7, United States Code (Reference (e)), then the member qualifies for FSSA.

6.1.3. At least one person in the household of a Service member must be a military dependent for that Service member to be eligible for the FSSA Program.

6.1.4. The FSSA Program is voluntary. Service members must apply and be certified to receive the FSSA payment.

6.1.5. When a Service member is in a non-pay status for any reason, the Service member is not eligible for the FSSA during that non-pay period.

6.2. Program

6.2.1. The FSSA Program increases the BAS of a Service member by an amount that is intended to remove the household of that Service member from eligibility for benefits under the USDA Food Stamp Program.

6.2.2. The FSSA shall be paid monthly in whole dollars, which are equal to the amount that is required to bring the household income of that Service member to 130 percent of the Federal poverty line. The amount of FSSA paid each month is not to exceed \$500 according to section 402a of Reference (c).

6.2.2.1. The military income of a Service member is part of household income. Not all military pay and allowances are counted as income for the purposes of the FSSA Program. (See Enclosure 2.)

6.2.2.2. If a Service member is eligible for the FSSA for less than 1 month, the payment shall be prorated for the number of days eligible during the month at a rate of 1/30th of 1 month of FSSA for each eligible day served.

6.2.3. FSSA eligibility shall be based on USDA gross monthly income eligibility standards in effect at the time of certification or re-certification, available at: <http://www.fns.usda.gov/fsp/government/cola.htm> (select the link for the current fiscal year to locate the correct table). All overseas locations except Hawaii shall use the Alaska column. The District of Columbia shall use the 48 States column. The amount of the FSSA received shall be determined by subtracting the total household income from the applicable limit for a particular household size as specified in the table. The Service member shall be paid the difference, which is rounded up to the nearest whole dollar, not to exceed \$500.

6.2.4. If a FSSA-eligible Service member is receiving food stamps, the amount of FSSA the member is eligible to receive shall be equal to the calculated FSSA payment, or the USDA Food Stamp Program allotment, whichever is higher, not to exceed \$500. If a Service member is not receiving food stamps, or does not qualify for food stamps, it is possible that the Service member still may qualify for the FSSA Program. Due to differences in legislation governing the FSSA Program and the USDA Food Stamp Program, it is possible that a Service member who is receiving food stamps may not qualify for the FSSA Program.

6.3. Application Procedures

6.3.1. Service members may apply for the FSSA Program at locations designated by their respective Military Service. Command financial counselors, personnel services, community or family support services, or equivalent organizations may act as prescreening organizations, but shall not grant any Service member final certification for the FSSA Program. Those organizations may review documentation and generally may assist Service members in obtaining necessary paperwork and gathering information needed for certification. Those organizations also may estimate the amount of the FSSA and may share that information with the Service member. That amount is not binding or final until it is certified by one of the selected certification points of the Military Service.

6.3.2. The Military Services may prescribe procedures for online application. Following such application, the Service members shall provide the documentation necessary to verify household income and size.

6.3.3. Service members shall sign a printed copy of DD Form 2857, "Family Subsistence Supplemental Allowance Application" (obtained online at <http://www.dmdc.osd.mil/fssa>) declaring that all provided information is accurate.

6.3.4. To the extent practicable, in-place administrative processes shall be used to support the FSSA Program. When necessary, each Military Service shall assist and process applications for members of other Military Services where reasonable access to their own Military Service is not available, such as at joint commands.

6.4. Certification

6.4.1. Each Military Service shall designate certification points that usually are associated with an administrative, personnel, command, or financial services staff. Those points shall be responsible for officially certifying qualification for the FSSA Program, shall calculate the exact amount of payment, shall notify the member of determination of eligibility and the amount of payment, and shall pass necessary information to the Defense Finance and Accounting Service or to the Coast Guard Personnel Service Center for such payment.

6.4.2. Each Military Service is responsible for ensuring that adequately trained personnel are in position to process and certify applications.

6.4.3. When calculating the exact amount of the allowance, certifying officials shall consider the following information:

6.4.3.1. For the FSSA Program, household income and military income have specific meanings, as defined in Enclosure 2.

6.4.3.2. Initial certification is effective as of the date of official receipt of the application by the certifying office, except for Reserve Component members. (See subparagraph 6.6.1.2.)

6.4.4. Applicants shall be counseled on the following items:

6.4.4.1. During participation in the FSSA Program, any increases in household income of \$100 or more per month, or any decrease in the size of that household, must be reported within 30 days to the certifying official. It shall be the responsibility of the Service member to report those changes, and failure to do so may result in termination of eligibility for the FSSA Program and in command action.

6.4.4.2. The FSSA income may affect participation of the household in certain programs for which eligibility is based on income, such as subsidized school lunch programs, the Women, Infant, and Children Program, day care programs, and earned income tax credit (EITC).

6.4.4.3. If the Service member participates in the USDA Food Stamp Program, the FSSA income shall be reported to the USDA Food Stamp Program Office. Receipt of a FSSA payment either may render the household of a Service member ineligible for food stamps or may reduce the amount of the food stamp benefit.

6.5. Re-Certifications

6.5.1. Service members receiving FSSA must report to their certifying officials within 30 days for re-certification when any of the following events occurs:

6.5.1.1. The monthly household income increases by \$100 or more, when compared to the current amount the Service member is qualified to receive.

6.5.1.2. The household size decreases.

6.5.1.3. Promotion (certification shall terminate the day before the effective date of promotion).

6.5.1.4. Permanent change of station move (certification shall terminate the day before the date that the Service member officially checks in to the new duty station).

6.5.1.5. Annual re-certification. This shall be conducted for all participating Service members effective February 1 of each year. This date was chosen to account for the typical January 1 pay raises.

6.5.2. If during re-certification it is determined that the amount of the FSSA a Service member is qualified to receive will decrease, based on an increase in the household income of that Service member, recovery of a FSSA payment for the previous period of eligibility is not authorized if the \$100 income increase threshold was not exceeded.

6.5.3. Re-certifications must be completed in 30 days or less, before or after one of the events listed in subparagraph 6.5.1., to maintain continuous qualification for the FSSA Program. The effective date of re-certification shall be the day following the last day of the previous certification period. In cases where the Service member does not reapply in 30 days after the lapse of certification, a re-certification shall be treated as an initial application.

6.5.4. The certifying official shall notify Service members during the re-certification process that they may request a comparison between USDA Food Stamp Program eligibility and the FSSA calculation under subparagraph 6.2.4.

6.6. Reserve Component Participation in the FSSA Program

6.6.1. The following additional guidance is provided for Reserve Component member eligibility for the FSSA Program:

6.6.1.1. The household income of the Reserve Component member is computed by adding the military income that was received by that Service member while on active duty to any other household income received during the same calendar month that the Service member is on active duty. If the active duty period spans more than 1 calendar month, the FSSA eligibility shall be based on the month during which the most active duty days were performed. The Reserve Component members shall be paid 1/30th of a 1-month FSSA for each day of duty that is performed, for periods of active duty less than 1 full month. The 1-month household income of a Reserve Component member shall not be less than what the military income of that Service member would be if on active duty for 1 full month.

6.6.1.2. A Reserve Component member shall apply for the FSSA Program before the conclusion of any period of active duty. The starting date of the qualification period shall be the first day of active duty. The 30-day re-certification window that is described in subparagraph 6.5.3. shall apply.

6.6.1.3. An eligible Reserve Component member who serves on active duty every day in a single calendar month, regardless of the number of days in the month, shall receive a 1-month FSSA payment.

6.6.1.4. An eligible Reserve Component member that is scheduled for more than one period of nonconsecutive active duty in a 30-day period may make a single application for the FSSA for all the active duty in that period.


7. INFORMATION REQUIREMENTS

The FSSA application and certification described in subparagraph 6.3. is exempt from licensing in accordance with paragraph C4.4.2 of DoD 8910.1-M (Reference (f)).

8. RELEASABILITY. UNLIMITED. This Instruction is approved for public release. Copies may be obtained through the Internet from the DoD Directives Program Web Site at <http://www.dtic.mil/whs/directives>.

9. EFFECTIVE DATE.

This Instruction is effective immediately.



Michael L. Dominguez
Principal Deputy Under Secretary of Defense
for Personnel and Readiness

Enclosures – 2
References
Definitions

E1. ENCLOSURE 1

REFERENCES, continued

- (e) Sections 2012 and 2014(c) of title 7, United States Code
- (f) DoD 8910.1-M, "Department of Defense Procedures for Management of Information Requirements," June 30, 1998

E2. ENCLOSURE 2

DEFINITIONS

E2.1. Dependent. The full definition of that term is in section section 401 of Reference (c) and, in part, includes the following:

E2.1.1. The spouse of a Service member.

E2.1.2. An unmarried child of the Service member who is under 21 years of age, or under 23 years of age, if he or she is enrolled full-time in an institution of higher education and is in fact dependent on the member for one-half of his or her support; or for a child of any age, if that child is incapable of self-support because of mental or physical incapacity and is in fact dependent on the member for one-half of his or her support.

E2.1.3. The parent of a Service member if the parent is dependent on that member for more than one-half of the support of the parent, and is certified “a dependent,” in accordance with DoD or Military Department regulations.

E2.2. Household. The full definition of that term is in subsection (i) of section 2012, Reference (e) and includes as follows:

E2.2.1. An individual who lives alone or, while living with others, customarily purchases food and prepares meals for home consumption separate and apart from others; or,

E2.2.2. A group of individuals that live together and customarily purchase food and prepare meals together for home consumption.

E2.2.3. Spouses, parents, and their children 21 years of age or younger who live together and children (excluding foster children) under 18 years of age who live with, and are under the parental control of, a person other than their parent, together with the person that exercises parental control shall be treated as a “group of individuals” that customarily purchases and prepares meals together for home consumption, even if they do not do so.

E2.2.3.1. For a Service member who has joint custody of a child, that child may be counted as part of the household of the Service member during any month that the child spends 50 percent, or more, of his or her time with the Service member.

E2.2.3.2. An individual shall not be counted as a member of more than one household at the same time.

E2.2.3.3. A member who is separated geographically from the household of which normally he or she is a part shall be considered a member of that household for the FSSA Program.

E2.2.3.4. Dependents who normally do not live with the Service member shall not be considered part of the Service member's household.

E2.2.3.5. Households of Military Service members temporarily may have absences of certain individuals, or social visits by others to the household. Those routine temporary variations do not constitute a change in household size, and do not have to be reported. If the absence or visit extends beyond 3 consecutive months, it shall be considered a permanent change to household size, and shall be reported to a certifying official.

E2.3. Household Income

E2.3.1. Household income shall include the total amount of income that is received by any member of the household (except as noted in subparagraphs E2.3.2.1. through E2.3.2.4.) before any taxes or other deductions. This includes military income, wages, earnings, salaries, commissions, tips, self-employment income (minus the cost of producing that income), supplemental security income, temporary assistance for needy families (TANF), interest or dividend income, alimony, child support, unemployment or worker's compensation, veterans benefits, annuities, pensions and other retirement benefits, or any other direct payments from any source.

E2.3.2. The following items are not to be included as "household income":

E2.3.2.1. Earned income of a student who is attending an elementary or secondary school and is under 18 years old.

E2.3.2.2. Loans, grants, and scholarships for postsecondary students.

E2.3.2.3. Income tax refunds, insurance settlements, payments from Federal EITCs, Federal Energy Assistance payments (except those made under TANF).

E2.3.2.4. Housing and Urban Development utility reimbursements, reimbursements for expenses such as medical or dependent care (if they do not exceed actual expenses), the value of food stamps, or any other income that is excluded by section 2012 of Reference (e).

E2.3.3. Sporadic or seasonal income shall be counted only during the month, or months, in which it is received. If sporadic or seasonal income causes the household income of the Service member to exceed the \$100-dollar a month threshold (see subparagraph 6.5.1.1), the Service member shall report that information to a certifying official and shall be re-certified.

E2.3.4. Any household income that is received in foreign currency shall be converted to U.S. dollars using the prevailing rate of exchange.

E2.4. Military Income

E2.4.1. For the FSSA Program, the sources of revenue that shall be counted as “military income” are basic pay, BAS, basic allowance for housing, or cash equivalent for those that are living in Government-provided housing, overseas housing allowance (OHA), all bonuses, and all special and incentive pays except those that are excluded in subparagraph E1.4.2.

E2.4.1.1. The monthly amount of military income attributable to a bonus shall be the amount of the bonus, prorated over the period the time to which bonus is applicable.

E2.4.1.2. When a Service member lives in Government quarters while he or she is stationed overseas, the amount of housing allowance to count as income for that Service member is the OHA ceiling for the local area.

E2.4.2. The following sources of revenue shall not be counted as military income: Hostile Fire/Imminent Danger Pay, Continental United States (CONUS) Cost of Living Allowance (COLA), overseas COLA, Family Separation Allowance, all travel- and transportation-related allowances and entitlements, and clothing allowances.