

CHAPTER 27

FAMILY SEPARATION ALLOWANCE (FSA)2701 ENTITLEMENT PROVISION

270101. Types Authorized. FSA is payable only to members with dependents. Two types of FSA are authorized, Type I and Type II. Both types are payable in addition to any other allowance or per diem to which a member may be entitled. A member may qualify for FSA-I and FSA-II for the same period. In such cases, concurrent payment of both types is authorized. A member may not, however, receive more than one payment of FSA-II for the same period, even though qualified for FSA-R and FSA-S or FSA-T. The purpose of FSA and the conditions of entitlement are set out in this chapter.

270102. Definitions

A. Dependents. The term "dependents" is defined as:

1. Primary. Spouse or children as defined in the Definitions.

2. Secondary. Parents as defined in the Definitions.

NOTE: A person on active duty and entitled to basic pay is not a dependent for FSA purposes.

B. Permanent Station. The term "permanent station" has the same meaning as defined in the Definitions.

C. Duty Station. The term "duty station" is the same as defined in the Definitions.

D. Overseas. For the purpose of FSA-I, this term applies to a location outside the contiguous 48 states, the District of Columbia, and Hawaii.

E. Household. This term 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-II purposes, this applies only to secondary dependents.

270103. FSA-I. The purpose of this FSA is to pay a member for added housing expenses caused by enforced separation from dependents. It is not payable under any condition to a member permanently assigned to a duty station in Hawaii or to any duty station under permissive orders except when subparagraph 270301B applies. It is not payable to a member attached to the United States Truce Supervision Organization who is in receipt of the United Nations Mission Subsistence Allowance (mission per diem).

A. When Payable. FSA-I is payable to each member with dependents who is on permanent duty outside the United States or in Alaska who meets all of the following conditions:

1. Transportation of dependents to the permanent duty station or to a place near that station is not authorized at Government expense;

2. Dependents do not live at or near the permanent duty station; and

3. Adequate government quarters or housing facilities are not available for assignment to a member and inadequate Government quarters or housing facilities are not assigned.

B. Amount Payable. FSA-I is Payable in a monthly amount equal to BAQ payable to a member without dependents in the same pay grade. (See BAQ pay tables in part three, chapter 26.)

C. Conditions. For specific conditions of entitlement, see section 2703 and tables 27-1 and 27-2.

D. Divorced or Legally Separated Members. Treat FSA-I cases involving a divorced or legally separated member, or such a member with a child in the legal custody of a former spouse or another person, the same as FSA-II cases. See subparagraph 270201B.

270104. FSA-II This FSA provides compensation for added expenses incurred because of an

enforced family separation under one of the conditions in A1 through 3 below. It 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 270301B applies).

A. When Payable. Through 30 September 1980, FSA-II is payable to a member serving in pay grade E-4 (over 4 years' service) or above as a member with dependents. Effective 1 October 1980, FSA-II is payable to a member serving in any grade as a member with dependents. A member must meet all general requirements and one of the following conditions.

*1. FSA-II, Subcategory FSA-R. Transportation of the dependents is not authorized at Government expense (see paragraph 270301) and the dependents do not live in the vicinity of the member's home port/permanent duty station.

*2. FSA-II, Subcategory FSA-S. The member is on duty aboard a ship which is continuously away from the home port for more than 30 days, and the dependents reside in the vicinity of the home port. Effective 20 June 1994, a member is entitled to FSA-S for a redeployment if the member returned to home port after the original deployment for a period of 30 days or less and redeployed for a period of more than 30 days provided that the dependents reside in the vicinity of the home port. See paragraph 270301B for those dependents whose location is other than the permanent duty station/home port.

*3. FSA-II, Subcategory FSA-T. The member is on continuous temporary duty (TDY), or a period of TDY required before reporting to his initial station of assignment, or on temporary additional duty (TAD) away from his permanent duty station, each of which is for more than 30 days, and the dependents live in the vicinity of the permanent duty station, not in the vicinity of the TDY/TAD station. Effective 20 June 1994, a member is entitled to FSA-T for a redeployment if the member returned to the permanent duty station after the original deployment for a period of 30 days or less and redeployed for a period of more than 30 days provided that the dependents reside in the vicinity of the permanent duty station. See

paragraph 270301B for those dependents whose location is other than the permanent duty station.

B. Amount Payable

1. Effective 1 October 1985 through 14 January 1991, FSA-Type II is payable in a monthly amount of \$60.

2. Effective 15 January 1991, FSA-Type II is payable in a monthly amount of \$75.

C. Conditions. For specific conditions of entitlement, see tables 27-3 through 27-6.

2702 DEPENDENTS SEPARATION REQUIREMENTS

270201. Dependents. A member is not considered "a member with dependents" for FSA-II entitlement when:

A. 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.

B. The sole dependent is a spouse legally separated or child(ren) in the legal custody of another person.

C. The member's dependent parent does not reside in a home which the member controls, supervises and maintains for mutual use when circumstances permit.

270202. Temporary Social Visits by Dependents

A. FSA-I and FSA-R. Credit continues to accrue while the member's dependents visit at or near member's permanent station, but for no longer than 3 continuous months. Facts must clearly show that the dependents are merely 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, stop credit for FSA at the end of the 3-month period. If the visit is initially intended to exceed 3 months, stop FSA credit the day before the dependents arrive at the member's permanent station. Credit is again authorized on and after the day dependents depart from the permanent station. How-

ever, a member is entitled to FSA-I and/or 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 do not visit.

B. FSA-T. Credit continues to accrue to a member whose dependents visit at or near the temporary duty station continuously for 30 days or less. Facts must show the dependents are merely visiting. If the visit exceeds 30 days, a 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 the dependents depart the temporary duty station, if the member's TDY 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 entitled on behalf of the dependents who are not visiting the member.

C. 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 are merely visiting. If the visit exceeds 30 days, entitlement to FSA-S ends on the day preceding the date of their 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 entitled to FSA-S on behalf of the dependents who are not visiting the member.

270203. Dependents Reside Near Duty Station 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, FSA may accrue on behalf of the 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. 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 reasonable commuting distance of a station; however, the 50-mile rule is

not inflexible. 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 1-1/2 hours, the dependents shall be considered as not residing near the member's duty station unless the member actually commutes daily. 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 member's duty station for personal reasons, rather than as a result of military restriction on dependents' travel, FSA entitlement does not accrue. In questionable cases, commanders may submit requests for determination through channels to the appropriate office listed below:

A. Army. OASA (FA) Attn: SAFM-FAA-EC, Indianapolis IN 46249-2201.

B. Navy. Bureau of Naval Personnel (OP-134), Washington DC 20370-2020.

C. Air Force. USAF Military Personnel Center, Randolph AFB TX 78150-6421.

D. Marine Corps. Commandant of the Marine Corps (Code FDD), Wash DC 20380.

2703 CONDITIONS OF ENTITLEMENT

270301. Entitlement Incident to PCS Reassignments

A. CONUS Assignments. This subparagraph applies to FSA entitlement incident to regular PCS reassignments (CONUS) and permissive PCS reassignments (CONUS).

*1. Entitlement to FSA upon regular PCS is authorized only when movement of a member's dependents to the new permanent duty station is not authorized at Government expense.

*2. Entitlement to FSA-S upon regular PCS is authorized only when the ship leaves the home port for more than 30 days and the

dependents reside in the vicinity of the home port of the ship.

*3. Entitlement to FSA-T upon regular PCS is authorized only when the member departs the PDS for more than 30 days and the dependents reside in the vicinity of the PDS.

*4. A member who is otherwise authorized movement of dependents at Government expense to permanent duty station is not so authorized when the member is voluntarily reassigned to 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.

*B. Effective 1 December 1994, for all members reporting PCS on and after this date, the provisions in paragraph 270301A2 and 3 apply.

*C. Waiver Provision. See subparagraph 270301E for circumstances in which waivers may be granted.

*D. 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 the member's dependents are permitted must elect to serve either an unaccompanied or accompanied tour.

1. Effective 14 November 1986, except as waived by the Secretary concerned, when a member elects to serve an unaccompanied tour in lieu of an accompanied tour at a permanent station where the member's dependents are permitted, the member is not entitled to FSA-R for such a tour. (Secretarial waiver of this policy maybe granted in situations where it would be inequitable to deny FSA-R to a member because of unusual family or operational circumstances.) The following subparagraphs are applicable to the transition period:

a. A member who on 30 September 1986 was entitled to FSA-R based on an elected unaccompanied tour (formerly, "all others" tour) or initially entitled to FSA-R under table 27-5, rule 1 or 2, remains entitled to FSA-R until reassigned PCS as long as the member's dependents do not live at or near the duty station.

(1) Under table 27-5, rules 1 and 2, member's date of detachment or constructive date of detachment from old permanent station must be 30 September 1986 or earlier. Note the following subparagraph:

(2) A member with an elected unaccompanied tour (formerly "all others" tour) who departed the permanent station with TDY en route to the new permanent duty station before 1 October 1986, is entitled to FSA-R (versus FSA-T) under table 27-3 rule 11.

b. A member with an elected unaccompanied tour election (formerly "all others" tour) who was initially entitled to FSA-R during the period 1 October 1986 through 13 November 1986, under table 27-5, rules 1 and 2, remains entitled to FSA-R through 13 November 1986. Entitlement may be extended by Secretarial waiver.

(1) Under table 27-5, rules 1 and 2, member's date of detachment from the old permanent duty station must be during the period 1 October 1986 through 13 November 1986. Note the following subparagraph:

(2) A member with an elected unaccompanied tour (formerly "all others" tour) who departed the permanent duty station with TDY enroute to the new permanent duty station on any date, 1 October 1986 through 13 November 1986, and the period of TDY ends before 14 November 1986, is entitled to FSA-R (versus FSA-T) under table 27-3, rule 11.

c. A member with an elected unaccompanied tour (formerly "all others" tour) who departed the permanent duty station with more than 30 days TDY en route to the new permanent duty station, with departure on any date, 1 October through 13 November 1986, and the period of TDY ends after 13 November is entitled to FSA-T under table 27-3 rule 12. Such member becomes entitled to FSA-R at the new permanent duty station only by Secretarial waiver.

2. See procedures for tour elections and Secretarial waiver in individual service regulations: AR 55-46 (reference (as)); the Bureau of Naval Personnel Instructions in the 1300.26 series (reference (at)); the Marine Corps

order in the 1300.8 series (reference (au)); AFR 39-1 1 (reference (av)) and AR 36-20 (reference (aw)).

3. Refer to tables 27-1 and 27-4 for FSA entitlement for otherwise eligible members assigned PCS overseas.

4. A member who is voluntarily reassigned PCS (overseas) under permissive orders from a station where the member is already entitled to FSA-R, remains entitled if reassigned to an area overseas where dependents are not permitted (dependents-restricted tour) or under circumstances authorized by secretarial waiver.

5. A member already entitled to FSA-R based on assignment to station where no accompanied tour is authorized, who is voluntarily reassigned PCS (overseas) during the period 1 October 1986 through 13 November 1986 under permissive orders to an area overseas where dependents are permitted, remains entitled to FSA-R through 13 November 1986. Entitlement may be extended by Secretarial waiver.

***E. 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 it is in the best interest of the government to permit payment of FSA-II to members who, through no fault of their own, must relocate unaccompanied under certain circumstances.

1. Services may waive provisions of paragraph 270301 A1,2, and 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 unaccompanied for reasons of equity in unusual family or operational circumstances. Waiver under these circumstances is effective upon the date granted. This approval authority is hereby granted to:

a. Service Secretaries or their designated representatives at the headquarters level which governs compensation policy, or

b. Service Major Commands and Unified Commands

2. This waiver authority should be used prudently.

3. Waiver under these circumstances is effective upon the date granted.

a. When ordered to a new overseas duty station where certified medical reasons involving family members or terrorist activity would make it inappropriate for dependents to accompany the member.

b. When ships in overhaul make temporary home port changes, or

c. When married military couples with dependents are involuntarily separated by military orders (inside or outside CONUS), or when married military couples with dependents are separated by voluntary acceptance of unaccompanied tours in unrestricted areas.

*4. Provided the requirements of subparagraph 270104A are met other than the requirement that the member's dependents must reside at the home port or permanent duty station, a Secretarial waiver will apply for the entire period of deployment, interim period, and redeployment.

***F. Delays Caused by the Government (Tables 27-1 and 27 4).** The following are examples of delays in transportation of dependents due to government reasons:

Example 1: On 1 July, 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 the statement that the anticipated delay for movement of dependents is more than 60 days. Member departed old station on 6 July and arrived at the overseas station on 7 July where Government quarters were not available. Dependents joined member on 26 September having performed travel under orders dated 10 September. Member was entitled to FSA-I for period 7 July through 25 September, and FSA-II for period 6 July through 25 September.

Example 2: Member applied for dependency determination for a dependent mother on 3 June and was transferred overseas on 14 September.

After arrival overseas, member received approval of the dependency application for a dependent mother retroactive to 1 May. The mother was not authorized concurrent travel to member's permanent station because a determination of dependency had not been made on the effective date of the orders. Delay in processing the dependency application was caused by the government. Before transfer overseas, member had maintained quarters to be shared with the mother. An enforced separation resulted upon transfer overseas. Credit for FSA-II accrues from the date member departed from the permanent station or the first day of authorized travel time, whichever is later, through the day before the date the dependent mother arrived at the overseas station.

G. Changes in Tour Elections. See table 27-1, rules 3 and 8, and table 27-4, rules 12 and 13.

H. Dependents Evacuated. See table 27-2 rule 14, and table 27-5, rule 8. A member is entitled to otherwise proper credit of FSA-II when the dependents are evacuated from a danger area and they temporarily occupy Government quarters at a safe haven area under conditions outlined in subparagraph 270302G.

I. Dependents' Travel Prohibited Under Immigration Laws. If a dependent is otherwise authorized transportation at Government expense but is not eligible under immigration laws for entry into United States before a member reports to the new permanent station, entitlement to FSA-R does not accrue. (Entitlement to FSA-T or FSA-S is not affected by this subparagraph.)

270302. 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.

27030. FSA During a Missing Status

A. Special FSA Entitlement. A member, with dependents, who enters a missing status is entitled to a family separation allowance in the amount of \$60 per month while in a missing status during the Vietnam conflict. These provisions apply only to members who do not qualify for FSA-II under subparagraph 270104A prior to entering a missing status. Entitlement begins on

the date the member is reported in a missing status and continues for the period the member is carried in such status.

B. FSA-T 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 27-6.) 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 270304.)

Example: Member departed the permanent station on TDY 9 August; was downed by hostile fire while flying over enemy territory on 2 September; remained in a missing status until 4 November and returned to permanent station on 10 November. Member qualified for FSA-T on 8 September. If otherwise qualified, entitlement exists to FSA-T for period 9 August to 9 November.

*270304. Computation of Single or Multiple Periods of More Than 30 Days

*A. 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 permanent duty station continuously for more than 30 days. Compute this period as follows:

1. Count actual number of days in the month, including the day the member departs the permanent duty station on TDY and the day of return to the permanent duty station. Include the 31st day of the month in this computation, even though payment is made on a 30-day month basis, as prescribed in part one, chapter 2, section 0202.

2. Include days of authorized travel time to and from the TDY station. When there is no delay en route chargeable as leave, count the day of departure from the permanent station and the day of return to the permanent station. 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

a. Constructive day of departure from permanent duty station (either the actual date of detachment plus days of authorized

leave, proceed time and/or permissive travel days used, or the first day of authorized travel, whichever is later).

b. Constructive day of return to the permanent duty station 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: Member permanently stationed at A is ordered TDY to B for training of approximately 30 days; training is to begin 1 June. Member is authorized travel by POC as more advantageous to the government, and 5 days' leave en route. Member departs from A 25 May and uses 5 days' leave en route to B. Member completes the training 27 June, departs from B 28 June, and returns to duty at A 30 June. Constructive day of departure is 30 May. Period of absence is 32 days (30 May-30 June). If member qualifies under paragraph 270104 entitlement exists to FSA-T for 30 days (pay does not accrue for 31 May and 30 June).

Example 2: Circumstances are the same as in Example 1, except member uses 5 days of leave after completion of training. Departs from A 30 May, completes training 27 June, departs from B 28 June, and returns to duty at A 5 July. Constructive day of return is 30 June. Period of absence is 32 days, computed as in example 1. If member otherwise qualifies, entitlement exists to FSA-T for 30 days.

3. When TDY is authorized in conjunction with PCS, include days of authorized travel time to the TDY station and from the TDY station to the new duty station. When there is no delay en route and/or proceed time involved, count the day of departure from 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 2a and b above (proceed time authorized and used to be included with delay in the computation). Consecutive assignments to TDY in conjunction with PCS may be combined in determining the 30-day period.

4. Under specific circumstances, when travel in connection with TDY is performed by privately owned conveyance 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 such case, the Joint Federal Travel Regulations (JFTR) authorize 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 the particular member's travel allowance. Computation for FSA-T entitlement under this subparagraph is not necessarily based on constructive travel time.

5. If member's TDY status is interrupted, 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 permanent station do not interrupt the period unless the member is relieved from the attachment to the TDY station. However, a member who returns to the permanent station to assume a duty status (such as participation in official flights) does interrupt a period of temporary duty. If leave en route is authorized after detachment from the TDY station, add constructive travel time from the TDY station to the permanent station to the period of TDY in determining the 30-day period.

***B. FSA-T for Multiple Periods of Deployment.** Effective 20 June 1994, and provided the conditions of subparagraph 270104A3 are met, the periods of FSA-T eligibility for multiple periods of temporary duty deployment, including the periods between such deployments, are calculated as follows:

1. 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.

2. **Initial Deployment Period:** Calculate the FSA-T period of the initial TDY/TAD deployment asset forth in subparagraph A, above.

3. Interim and Redeployment Period:

a. The interim period starts the day after the initial deployment through the day prior to redeployment. The interim period must be 30 days or less.

b. The redeployment period will begin the day the member departs the permanent duty station and end upon return to the permanent duty station. The redeployment period must be more than 30 days and will be added to the interim period.

Example 1: Member permanently stationed at A is ordered TDY to B for 45 days with departure from PDS on 2 January and return to PDS on 15 February. Member departs from PDS on 18 March for redeployment of 35 days. Since member qualified for FSA-T for the initial deployment, member 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: Member permanently stationed at A is ordered TDY to B for 60 days with departure from PDS on 1 March and returns to PDS on 29 April. Member departs from PDS on 31 May for redeployment of 40 days. Although member qualified for the initial 60-day period deployment, member is ineligible for the interim period, actual interim period is 31 days, (30 April -30 May). The member would be entitled to FSA-T for the actual redeployment period (40 days).

Example 3: Member permanently stationed at A is ordered TDY to B for 31 days with departure from PDS on 1 June and returns to the PDS on 1 July. Member departs from PDS on 2 July for redeployment of 41 days. Since member qualified for FSA-T for the initial deployment of 31 days, member is eligible for the continued FSA-T for the interim/redeployment period (actual interim period is 0 days, actual redeployment period is 41 days).

*C. **FSA-S for Single Periods.** Credit for FSA-S may not be applied until the member has been on duty on board a ship away from the home port of the ship for a continuous period of more than 30 days. Periods of leave, temporary addi-

tional duty, hospitalization, military confinement in a pay status, or short visits by the member (not the ship) to the home port of the ship do not interrupt the qualifying period unless the member is detached (PCS) from the ship. Consecutive assignments to duty on board two or more ships away from the home port may be combined to meet this requirement. See Example 5 below. In computing the continuous period of more than 30 days, count the actual number of calendar days (including the 31st day of the month) the member was on duty on board a ship while it was away from its home port. Include in this computation the day of departure on board a ship from its home port (or the day the member joins or rejoins a ship away from its home port, if applicable) and the day of return on board a ship to its home port. 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 on board ship departing its home port on 15 June and returning on 15 July is entitled to FSA-S in the amount of \$75 (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 on board ship departing its home port on 5 October and returning on 4 November is entitled to FSA-S in the amount of \$72.50 (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 on board ship departing from its home port on 25 February (non-leap year) and returning on 26 March 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 on board a ship on 25 May while it's away from the home port and returns with the ship to the home port on 30 June is entitled to FSA-S in the amount of \$87.50 (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 on board ship A departing from its home port on 2 August was transferred (PCS) to ship B on 18 August (detached

and attached the same day) while ship B was away from its home port. Member remains aboard ship B until it returns to the home port on 6 September. Member is entitled to FSA-S in the amount of \$85 (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).

***D. FSA-S for Multiple Period of Deployment.** Effective 20 June 1994, and provided the conditions of subparagraph 270304A2 are met, the periods of FSA-S eligibility for multiple periods of temporary duty deployment aboard a ship, including the period between such deployments, are calculated as follows:

1. 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.

2. Initial Deployment Period: Calculate the FSA-S period of the initial deployment aboard a ship as set forth in subparagraph C, above.

3. Interim and Redeployment Period:

a. The interim period starts the day after the initial deployment through the day prior to redeployment. The interim period must be 30 days or less.

b. The redeployment period will begin the day the member departs the ship's home port and end upon returning to the home port. The redeployment period must be more than 30 days and will be added to the interim period.

Example 1: A member on board ship departing from the home port on 2 January and ship returns to the home port on 15 February. Same member on board ship departing from the home port 18 March for redeployment of 35 days. Since member qualified for FSA-S for the initial deployment, 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 on board ship departing from the home port on 1 March and ship

returns to the home port on 29 April. Same member on board ship that departs the home port 31 May for redeployment of 40 days. Although member qualified for the initial 60-day period deployment, member is ineligible for the interim period, actual interim period is 31 days, (30 April -30 May). The member would be entitled to FSA-S for the actual redeployment (40 days).

Example 3: A member on board ship departing from the home port on 1 June and ship returns to the home port on 1 July. Same member aboard ship that departs the home port 2 July for redeployment of 41 days. Since member qualified for FSA-S for the initial deployment of 31 days, 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).

***E. Restrictions.** The following restrictions apply to A and B above:

1. The 30-day requirements to qualify for FSA-T or FSA-S are separate, and periods of temporary duty and duty aboard ship while away from home port may not be combined for the purpose of FSA entitlement.

2. Periods of hospitalization or temporary duty for more than 30 days by the member at a place residing with the dependents may not be included in arriving at the 30-day requirement.

270305. Ship Moves From Home Port. When a ship moves from its home port to another port within 50 miles (or 1-1/2 hours travel time as prescribed in paragraph 270203) of the home port, those members attached to the ship whose dependents do not reside at or near such home port under the criteria of paragraph 270203, 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 miles (or 1-1/2 hour travel time) limit from the home port of the ship. When the movement of the ship is less than 50 miles (or 1-1/2 hours travel time) from the home port, FSA-S is not payable to those members. However, if the ship moves more than 50 miles (or 1-1/2 hours

travel time) from the home port FSA-S is payable if otherwise entitled.

Example 2: A member upon reassignment to a ship, moves the family to a location outside the current 50 mile/1-1/2 hour limit of the home port of the ship. Subsequently, the ship moves from the home port and on the 29th day docks at a port inside the 50 mile (1-1/2 hour travel time) limit of the home port for 5 days. The ship then returns to the home port. 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 home port since the member's dependents do not reside at or near the home port and since the ship did not move to a location more than 50 miles (or 1-1/2 hours travel time) from the port, that is, 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/1-1/2 hour limit of the home port of the ship, but actually commutes. A movement of the ship from the home port 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 home port. Therefore, since after movement of the ship to the new location the member is unable to commute, member would meet the requirement for FSA-S, if dependents resided more than 50 miles (or 1-1/2 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/1-1/2 hour limit, the movement of the ship resulting in the residence being located outside the 50 mile/1-1/2 hour limit for some of the members, but not all. Those members whose dependents reside more than 50 miles (1-1/2 hours travel time) from the new location of the ship and do not commute, would fulfill the vicinity requirement for entitlement to FSA-S. Those members whose dependents reside within 50 miles (1-1/2 hours travel time) of the new location of the ship would not become entitled to FSA-S, by virtue of the ship's movement.

270306. **Member Married to Member.** In the case of member married to member, and they have a child that either parent can claim for BAQ one parent may claim the child for BAQ purposes and the other parent, when otherwise entitled, may claim the child for FSA. FSA may alternate between parents based on the same dependent; however, FSA may not be paid simultaneously to both members on behalf of the same dependent. (See subparagraph 270301C.)

270307. **Specific Conditions of Entitlement**

- A. **FSA-I.** See tables 27-1 and 27-2.
- B. **FSA-II.** See tables 27-3, 27-4, 27-5, and 27-6.

FSA-I—CONDITIONS OF ENTITLEMENT						
R U L E	A	B	C	D	E	F
	If member's overseas PCS assignment to	and member elects to serve	and concurrent travel	and member changes election to	and member	then member's entitlement to FSA-I (note 1)
1	area where dependents are not permitted					exists for entire unaccompanied tour.
2	an area where concurrent travel is automatically authorized, or to an advance application area	the "all others" tour before departure from CONUS				exists for entire unaccompanied tour, including tour extensions.
3				"with command sponsored dependents" tour, and change is approved (note 2)		continues through 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 3).
4		the "with command sponsored dependents" tour prior to departing CONUS	is authorized and performed			does not exist.
5			is authorized by area commander but not performed due to Government reasons (note 4)			exists through day before date dependents arrive at overseas station.
6			is not authorized by area commander		complies with all area regulations for entry of dependents	continues through 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 3).
7	an area where concurrent travel is automatically authorized, or to an advance application area	the "with command sponsored dependents" tour before departing CONUS	is not authorized by area commander		fails to comply with area regulations for entry of dependents	stops at time member fails to take timely action according to area regulations.
8			is not performed for any reason	the "all others" tour before dependents depart CONUS		continues for entire unaccompanied tour, if otherwise eligible. If member is not drawing FSA-I, entitlement accrues on and after date reelection is officially approved.
9	an area covered by rules 1, 2, 3, 5, 6, 7, and 8				has an only dependent on active duty	does not exist.

NOTES:

1. Entitlement in all cases exists only if Government quarters are not available for assignment to member, and dependents do not reside at or near duty station.
2. Change in tour election from "all others" to "with command-sponsored dependents" tour must be fully documented, and officially approved by the headquarters of the Service concerned. This also applies to elections (made after member arrives overseas) to serve the "with command-sponsored dependents" tour.
3. Delays due to government reasons include:
 - a. Lack of transportation facilities.
 - b. Disapproval by CONUS commanders.
 - c. Disapproval for reasons of health (pregnancy of wife, etc.)
 - d. Insufficient service retainability or time remaining in the overseas tour.
4. FSA credit accrues only if dependents are prevented from traveling with member for reasons caused by the government and the delay is more than 30 days. Period of more than 30 days begins date member departs from old station or first day of authorized travel time, whichever is later. It includes TDY en route and leave taken while attached to TDY station. It does not include leave en route.

Table 27-1. FSA-I—Conditions Of Entitlement

FSA-I—CONDITIONS AFFECTING ENTITLEMENT		
R U L E	A	B
	When eligible member	FSA credit
1	arrives at permanent station (outside United States or in Alaska)	starts on date of arrival.
2	departs upon reassignment from permanent station	continues through the date of departure.
3	no longer has eligible dependent	continues through the day before the date member no longer has an eligible dependent.
4	is assigned Government quarters	continues through the day before the day Government quarters become available for assignment.
5	enters non-pay status for any reason, except as provided in paragraph 030205	continues through the day before the date member enters non-pay status.
6	is discharged and immediately reenlists at same station	continues through discharge and immediate reenlistment.
7	acquires dependent after arrival at permanent station and meets requirements for FSA-I	starts date dependent is acquired.
8	is on TDY away from his permanent station, including TDY within the United States	continues for 60 days or less without certificate from member (note 1).
9	is hospitalized at or away from permanent station, including hospitalization within the United States	
10	is on authorized leave (accrued or advance) at, or away from, permanent station, including leave within the United States	
11	is in military confinement or otherwise restricted by military authority	
12	continues in status covered by rules 8 through 11 for more than 60 days	continues (note 2).
13	travels under PCS orders to and from a permanent station outside CONUS or in Alaska	does not accrue while en route (see rules 1 and 2 for start and stop dates).
14	has dependent depart overseas duty station at Government expense because of evacuation (other than medical), under determination of Secretary concerned (or designee) as being in national interest, or for other emergency reasons not personal or caused by dependent's misconduct (note 3)	starts on date of dependents' departure from member's duty station.

NOTES:

1. Member must meet requirement of paragraph 270403.
2. Payment must be supported by member's certificate that member maintained private quarters at permanent station.
3. These circumstances are covered in JFTR, paragraphs U6000, U5240C, U5240-B. FSA-I does not accrue if evacuation

under paragraph U5240-B was caused by the dependent's misconduct. Entitlement to FSA does not accrue if dependents are returned for reasons indicated under JFTR, paragraph U5240-D.

Table 27-2. FSA-I—Conditions Affecting Entitlement

FSA-II—CONDITIONS OF ENTITLEMENT					
R U L E	A	B	C	D	
	If member	and	and	then	
1	is on TDY, including TDY within the United States	member is entitled to FSA-R when entering such status (note 1)	member's permanent station remains unchanged	FSA-R credit continues during TDY.	
2	is hospitalized at or away from member's permanent station including hospitalization in the United States			FSA-R credit continues during period hospitalized.	
3	is in military confinement or otherwise restricted by military authority			FSA-R credit continues during period confined or restricted.	
4	is on authorized leave (accrued or advance) at or away from member's permanent station, including leave in the United States			FSA-R credit continues during leave.	
5	is on authorized leave (accrued or advance) at residence where member's dependents reside			member's leave is followed by a period of temporary duty (any number of days) within commuting distance of residence where member's dependents reside (paragraph 030203)	FSA-R credit continues during leave but is suspended during period of TDY.
6	is on any status covered by rules 1 through 4, or enters such status			member's permanent station changes	FSA-R credit stops (note 2).
7	is reassigned PCS from a permanent station in United States to a hospital for observation or treatment	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	mbr is entitled to FSA-R.	
8	enters any status covered by rules 2, 3, and 4	member is entitled to FSA-T when entering such status	member is not relieved from attachment to the TDY station	member continues to receive FSA-T.	
9	is ordered to a hospital as a patient in attached status			member is not entitled to FSA-T.	
10	is on TDY for more than 30 days from member's permanent station	member does not qualify for FSA-R at permanent station	member's permanent station remains unchanged	member is entitled to FSA-T for authorized travel time to and from TDY station and for duty at that station (note 4).	
11	is performing travel or TDY en route to new or first permanent duty station on PCS or initial permanent duty assignment	is entitled to FSA-R at new permanent duty station (note 4)		member is entitled to FSA-R for TDY and authorized travel period (note 4).	
12	is on TDY for more than 30 days en route to a new permanent assignment	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 station and for duty at that station (note 4).	

★Table 27-3. FSA-II—Conditions of Entitlement

R U L E	A	B	C	D
	If member	and	and	then
13	is on temporary additional duty	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 home port	FSA-S accrues during entire period of temporary additional duty (note 5).
14	is hospitalized away from the ship			FSA-S accrues during period of hospitalization (note 5).
15	is on authorized leave			FSA-S accrues during period of leave (note 5).
16	is in military confinement on or away from the ship or otherwise restricted by military authority from performing duty			FSA-S accrues during period member is confined or restricted.
17	is in any status covered by rules 13 through 16		the ship returns to home port	entitlement to FSA-S ends on day before ship returns to home port.
18			member is detached from ship while it is away from home port	entitlement to FSA-S ends on date of detachment from ship (note 6).
19			member is detached from ship while it is away from home port and is later reassigned to ship while it is away from its home port	FSA-S accrues from date of reassignment to ship provided ship does not return to home in less than 31 days (note 6).
20	enters any status covered by rules 1 through 19		member's only dependent is on active duty	member is not entitled to any type of FSA.
★21	is on TDY redeployment of more than 30 days	following earlier TDY deployment 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
★22	is on board a ship redeployed for more than 30 days	following 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

NOTES:

1. Must meet the requirements of paragraph 270104.
2. A new determination of entitlement is required if member's permanent station changes.
3. More than 90 days is prolonged hospitalization.
4. Includes members in the recruit training/OCS pipeline. Members are not entitled to FSA-R or FSA-T during authorized leave en route or proceed time (see table 27-5, rules 1 and 2). See table 27-6, rule 9 for date to stop FSA-II.
5. If dependent's residence is within commuting distance of the place where member is in such status, FSA-S will continue for 30 days only.
6. Does not apply if member is detached and attached the same day to another ship away from its home port (subparagraph 270304B).

★Table 27-3. FSA-II—Conditions of Entitlement (Continued)

FSA-R—OVERSEAS ASSIGNMENT				
R U L E	A	B	C	D
	If eligible member is	and	and	then member(s)
1	selected for PCS overseas	the accompanied tour is not authorized		is entitled to FSA-R for entire unaccompanied tour (notes 1 and 6).
2		elects the unaccompanied tour instead of the authorized accompanied tour		
3		elects the accompanied tour	concurrent travel is authorized and dependents travel with member	is not entitled to FSA-R.
4		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 member for Government reasons (notes 2 and 4).
5		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			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 3).
8			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 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 4).

Table 27-4. FSA-R—Overseas Assignment

R U L E	A	B	C	D
	If eligible member is	and	and	then 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		after arrival at overseas station, an accompanied tour is authorized (previously unavailable) and member elects the accompanied tour	change is approved	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 4).
11		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		has previously elected the accompanied tour, but concurrent travel is not performed	reelects the unaccompanied tour before dependents depart CONUS	is not entitled to FSA-R on and after date reelection is approved (note 5).
13		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 5).
14			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 4).

NOTES:

1. In all cases, entitlement exists only if dependents do not live at or near the duty station. (See paragraph 270203.) In areas where dependents are not permitted, member does not have to apply for transportation of dependents or to elect type of tour.
2. Where dependents travel delay is not due to Government reasons but member is required to perform TDY en route, family separation for period of TDY is considered to be due to military requirements and member is entitled to FSA-R under table 27-3, rule 11.
3. 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.
4. Delays due to Government reasons include:
 - a. Lack of transportation facilities.
 - b. Disapproval by CONUS commanders.
 - c. Disapproval for reasons of health (pregnancy of wife, etc.).
 - d. Insufficient service retainability or time remaining in the overseas tour.
5. The Secretary 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 270301C for conditions subject to waiver and individual Service regulations for procedures for requesting Secretarial waiver.
6. This includes dependent-restricted tours and also situations where the member is not authorized to serve an accompanied-by-dependents tour in those locations where such tours are authorized.

Table 27-4. FSA-R—Overseas Assignment (Continued)

FSA-II—COMMENCEMENT DATES			
R U L E	A	B	C
	When eligible member	and member	then FSA credit
1	departs the permanent station on PCS (not authorized FSA-R at old station), or TDY, including TDY 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		is authorized proceed time or leave en route	starts on constructive date of detachment from old permanent duty station (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 home port aboard ship, including a ship in an inactive status	remains in this status continuously for more than 30 days	starts on date of departure (note 2).
4	joins or rejoins a ship away from home port	remains on duty on board a ship away from its home port continuously for more than 30 days	starts on first day that member boards ship away from its home port (note 2).
5	acquires initial dependent after the date of departure from old station en route PCS overseas, but no later than the effective date of the PCS order (FSA-R) (notes 6 and 7)	meets conditions of table 27-4, rule 1	starts on date member acquires dependent or constructive date of detachment from old station (table 27-5, rule 2), whichever is later.
6		meets conditions of table 27-4, rule 13, note 5, or rule 14	(if any) starts according to table 27-4, rule 13, note 5, or rule 14.
7	acquires initial dependent after the date of departure from old station en route 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 6)	is on TDY 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 starts on the date the member acquires dependent (FSA-T) (note 1).
8	a. acquires dependent after the effective date of the PCS order (note 6), but before member's date of departure on subsequent reassignment PCS b. and dependent does not live at or near member's permanent duty station (FSA-R)	is not on TDY/TAD	starts on date member acquires dependent.
9		is on leave (co-resident with dependent or not)	
10		is on TDY/TAD not within commuting distance of dependent's residence	
11		is on TDY/TAD within commuting distance of dependent's residence	
12	a. acquires dependent after the effective date of the PCS order (note 6), but before member's date of departure on subsequent reassignment PCS b. and dependent does not live at or near the member's permanent duty station (where member is not entitled to FSA-R)	is on TDY/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 starts on date member acquires dependent (FSA-T) (note 1).
13		remains away from home port aboard ship for more than 30 days after the date the dependent is acquired	starts on date member acquires 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 270202 (temporary social visit); paragraph 270203 (change of residence).
15		relocates dependent away from duty station at member's expense	starts on date of dependent's departure from duty station (note 5).

Table 27-5. FSA-II—Commencement Dates

R U L E	A	B	C
	When eligible member	and member	then FSA credit
16	has dependent depart overseas duty station at Government expense because of evacuation (other than medical), under determination of Secretary concerned (or designee) as being in national interest, or for other emergency reasons not personal or caused by dependent's misconduct (note 3)		starts on date of dependent's departure from duty station.
17	reports on board ship after a change of home port has been declared	does not reside with dependents at or near the current home port of the ship	starts on the date member reports on board ship (note 4).

NOTES:

1. Do not pay FSA-T or FSA-S until member has been on TDY/TAD or on duty aboard ship away from home port continuously for more than 30 days (or, if applicable, for more than 30 days after date 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 270304.)
2. Does not apply if ship is in a port (other than its home port) located within commuting distance of the residence of member's dependents continuously for more than 30 days. Also see paragraph 270305.
3. These circumstances are covered in JFTR, volume 1, paragraphs U6000, U5240-C, U5240-B. FSA-II does not accrue if evacuation under paragraph U5240-B was caused by the dependent's misconduct. Entitlement to FSA does not accrue if dependents are returned for reasons indicated under JFTR, paragraph U5240-D.

4. FSA-R does not accrue if member was on board ship when the change in home port was declared, except under paragraph 270301.
5. If already started under paragraph 270202, entitlement continues upon departure of dependents from duty station.
6. The effective date of PCS orders is the date a member is required to begin travel from the old permanent duty station (PDS) or the last temporary duty station, in order to arrive at the new PDS on the date authorized by the mode of transportation authorized. (JFTR, Appendix A, Effective Date of PCS Orders)
7. Member who acquired 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 JFTR, part C, chapter 5; therefore, such member is not entitled to FSA-R. (In this case, no tour election provision exists to overcome the travel provision.)

Table 27-5. FSA-II-Commencement Dates (Continued)

DATE TO STOP FSA-II		
R U L E	A	B
		If member
1	has dependents who arrive at the duty station with intent to establish a residence	the day before dependents arrive (note 1).
2	on next reassignment, arrives at a station where member does not qualify for FSA-II	the day before date member arrives at new station (note 5).
3	returns from TDY (TAD) of more than 30 days	the day before date of member's return from TDY (TAD) (note 2).
4	is in a non-pay status for any period	the day before the date entering such status, except as provided in paragraph 030205.
5	has sole dependent in an institution, and if the stay in the institution continues	the day before 1 year from the date member's sole dependent entered an institution (note 3).
6	is on board a ship away from its home port	the day before ship returns to home port or date of detachment from ship, whichever is earlier (note 4).
7	reports on board a ship after a change of home port has been declared	the effective date of the change of home port.
8	has only secondary dependents who reside with relatives or friends	day before date dependents move to home of relatives or friends.
9	completes period of TDY of more than 30 days in conjunction with PCS	the day before the date the member arrives at the new station (note 2).

NOTES:

1. See paragraph 270202 for temporary social visits.
2. If delay en route and/or proceed time is authorized, use constructive date. See subparagraph 270304A.
3. Applies when stay in the institution is initially not expected to exceed 1 year.
4. FSA-S continues if member is detached and attached the same day to another ship away from its home port.
5. 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.

Table 27-6. Date To Stop FSA-II

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