

Interim Change 30-97 and 36-98 are incorporated in this change.

CHAPTER 38

SERVICE ACADEMY CADETS, MIDSHIPMEN, AND SERVICE ACADEMY PREPARATORY SCHOOL STUDENTS

3801 ENTITLEMENT PROVISIONS

Cadets at the United States Military Academy and the United States Air Force Academy and midshipmen at the United States Naval Academy are entitled to pay at the monthly rate prescribed in Table 2-5. When rations-in-kind are not furnished, cadets and midshipmen are entitled to commuted rations at the daily rate established by the Secretary of the Navy. While traveling under orders, cadets and midshipmen are entitled to the travel and transportation allowances prescribed as identified in section 3804, below.

3802 SERVICE ACADEMY PREPARATORY SCHOOL STUDENTS

380201. Effective November 30, 1993, a student at the United States Military Academy Preparatory School, the United States Naval Academy Preparatory School, or the United States Air Force Academy Preparatory School, who was selected to attend the preparatory school from civilian life, is entitled to monthly student pay at the same rate as provided for cadets and midshipmen.

380202. Effective November 30, 1993, a student at a preparatory school referred to in subparagraph 380202, above, who, at the time of the student's selection to attend the preparatory school, was an enlisted member of the Uniformed Services on active duty for a period of more than 30 days, will continue to receive monthly basic pay at the rate prescribed for the student's pay grade and years of service as an enlisted member.

3803 RATIONS

★ Cadets and midshipmen are entitled to rations in kind or commuted rations at the rate of \$5.25 (October 1, 1998) (\$5.15 effective October 1, 1997) per day at all times. This includes periods while they are at the academies, on authorized leave, sick in hospitals, and in a travel status for which a per diem is payable.

3804 TRAVEL AND TRANSPORTATION ALLOWANCES

The travel and transportation allowances payable to cadets and midshipmen are prescribed in Joint Federal Travel Regulations (JFTR), Volume 1, Chapter 7 Part 4 (reference (d)).

3805 DATES TO START AND STOP PAY AND ALLOWANCES

See Table 38-1.

3806 FOREIGN CADETS AND MIDSHIPMEN--PAY AND ALLOWANCES

Persons from Canada, the American Republics, and the Republic of the Philippines who are receiving instructions at the Military Service academies are entitled to the same pay, commuted rations, and travel and transportation allowances as are authorized for United States cadets and midshipmen. However, the mileage allowance for persons from Canada and the American Republics for travel to the academy for initial admission is not limited to mileage for travel within the United States.

3807 INCENTIVE PAY AND SPECIAL PAY

Cadets and midshipmen are not entitled to incentive pay for hazardous duty (HDIP) or special pay for duty subject to hostile fire or imminent danger.

3808 SETTLEMENT FOR UNUSED ACCRUED LEAVE

Cadets and midshipmen are not entitled to lump-sum leave benefits.

3809 TAXES

The basic pay of cadets and midshipmen is subject to federal and state withholding tax and FICA tax. Chapters 1 and 2 of this volume are applicable.

3810 ALLOTMENTS

The Military Department concerned determines whether cadets and midshipmen may register allotments of pay.

3811 ADVANCE PAY FOR CLOTHING AND EQUIPMENT PURCHASES

381101. General. The Secretaries of the Military Department concerned prescribe the amount to be advanced each new cadet or midshipman to cover the cost of initial clothing and equipment. The amount advanced is deducted in regular installments from the cadet's or midshipman's monthly pay until fully collected. Any cadet or midshipman who is discharged (whether voluntarily or involuntarily) before graduation and before the total amount has been repaid, shall turn in as much of the clothing and equipment of a distinctive military nature as is necessary to liquidate the balance owed.

381102. Members Involuntarily Discharged. If a cadet or midshipman is involuntarily discharged, and the value of the turned-in clothing and equipment does not cover the balance owed, apply the value of the turned-in clothing and equipment to the balance owed and cancel the net remaining.

381103. Members Voluntarily Discharged. If a cadet or midshipman is discharged voluntarily, and the value of the turned-in clothing and equipment does not cover the balance owed, apply the value of the turned-in clothing and equipment to the balance owed and report the net remaining to the cognizant DFAS Center as a debt owed to the United States.

3812 COLLECTION OF INDEBTEDNESS

For general policies and requirements relating to collection of indebtedness, see Chapter 50 of this volume. Private indebtedness for services (laundry, dry cleaning, shoe repair, etc.) is not an indebtedness collectible under Chapter 50.

3813 CONTINUANCE OF PAY AND ALLOWANCES

Pay and allowances continue to accrue to cadets or midshipmen while they are absent in an official missing or missing-in-action status. See Chapter 34 of this volume. Cadets and midshipmen also are entitled to full pay while traveling under orders.

3814 DEATH BENEFITS

Death gratuity entitlement and settlement of unpaid pay and allowances instructions are contained in Chapter 36 of this volume.

3815 SERVICEMEMBERS' GROUP LIFE INSURANCE (SGLI)

Effective June 20, 1972, cadets and midshipmen became eligible for SGLI coverage while on full-time duty as a cadet or midshipman at a Service academy. See Chapter 47 of this volume. Details covering the administration of the SGLI program for cadets or midshipmen are contained in the pay procedural instructions of the Military Service academy concerned.

<u>DATES TO START AND STOP PAY AND ALLOWANCES</u>		
R U L E	A	B
	When a cadet or midshipman	then pay and allowances
1	has been officially admitted to one of the Service academies	start on the day of admission (note 1).
2	has been discharged and later reappointed to one of the Service academies	were stopped on date of discharge, and start again on day of reappointment (note 1).
3	has been dismissed by sentence of court-martial	stop on the date of termination of service as specified in orders directing dismissal.
4	has been dismissed from the academy by other than court-martial action before graduating	stop on date of dismissal.
5	dies before graduation	stop on the date of death.
6	is appointed a second lieutenant in the Army or Air Force upon graduation	stop on the day before the date of graduation.
7	is commissioned in the Regular Navy or Marine Corps	stop on the day before the date of formal acceptance of appointment.
8	is voluntarily placed in a leave without pay status	stop on the day before the member enters a leave without pay status. If the member is readmitted to the academy, pay and allowances start again on the day of readmission.
9	is not appointed a second lieutenant in the Army immediately upon graduation	continue until the member is appointed a second lieutenant or is discharged (note 2).

NOTES:

1. An Oath of Allegiance must be taken before first payment is made.
2. In case of appointment, active duty pay is payable from date of graduation (Table 2-1, rule 5); therefore, an adjustment is necessary between cadet pay received and active duty pay due.

Table 38-1. Dates to Start and Stop Pay and Allowances