

VOLUME 7A, CHAPTER 27: “FAMILY SEPARATION ALLOWANCE (FSA)”**SUMMARY OF MAJOR CHANGES**

All changes are denoted by [blue font](#).

Substantive revisions are denoted by an asterisk (*) symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by [***bold, italic, blue, and underlined font***](#).

The previous version dated [November 2017](#) is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	Updated formatting and hyperlinks to comply with current administrative instructions.	Revision
References	Renamed “Bibliography” to “References” and updated statutes and supporting references.	Revision

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CHAPTER 27

FAMILY SEPARATION ALLOWANCE (FSA)

2701 GENERAL

270101. Purpose

The chapter provides policy for FSA. FSA provides compensation for added expenses incurred because of an enforced family separation under one of the conditions in subparagraphs 270203.A.1 through 3. FSA 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 270401.C applies).

270102. Authoritative Guidance

The pay policies and requirements established by the Department of Defense (DoD) in this chapter are derived primarily from, and prepared in accordance with Title 37, United States Code (U.S.C.), section [427](#). Due to the subject matter in this chapter, the list of authoritative sources is extensive. The specific statutes, regulations, and other applicable guidance that govern each individual section are listed in a reference section at the end of the chapter.

2702 ENTITLEMENT PROVISIONS

270201. Types Authorized

FSA is payable to members with dependents. FSA is payable in addition to any other allowance or per diem, to which a member may be entitled. The member, however, may not receive more than one payment of FSA for the same period, even though qualified for FSA - Restricted (FSA-R), FSA - Ship (FSA-S), and FSA - Temporary (FSA-T).

270202. Definitions

A. Dependents. The term “dependents” has the same meaning as defined in the Volume 7A, Definitions and is further defined in subparagraphs 270202.A.1 through 270202.A.3:

1. Child. A dependent child(ren) is an unmarried child(ren) of the member who is in the 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(ren) as a result of a court ordered custody agreement or finalized divorce decree, which provides that the child(ren) physically reside with the member on an equal basis (no less than 14 days during a month) as compared to the time the child(ren) reside(s) with the former spouse, and the member’s actual physical custody of the child(ren) is precluded due to an enforced family separation described under paragraph 270203. Such a custody arrangement must be stipulated in the signed

court order or divorce decree, subject to the verification by the Secretary of the Military Department concerned. See subparagraph 270301.C.

2. Parents. The term “Parents” is defined in the Volume 7A, Definitions.

3. Spouse. An individual who is legally married to the Service member.

B. Duty Station. The term “duty station” is defined in the Volume 7A, Definitions.

C. Permanent Duty Station (PDS). The term “PDS” is defined in the Volume 7A, Definitions.

D. Household. The term “household” 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 purposes, this applies only to secondary dependents.

270203. FSA

A. When Payable. FSA is payable to a member serving in any grade as a member with dependents. The member must meet all general requirements and one of the following conditions:

1. FSA - R

a. The member’s dependents, including dependents acquired after the effective date of [Permanent Change of Station \(PCS\)](#) orders (see Table 27-1 (FSA Commencement Dates), rules 8 and 9), do not live in the vicinity of the member’s homeport/PDS, and their transportation to or near the PDS is not authorized at government expense (see paragraph 270401).

b. Transportation of dependents is authorized at government expense, but member elects an unaccompanied tour of duty because a dependent cannot accompany the member to, or at that homeport/PDS due to certified medical reasons, regardless of the date on which the member first made the election to serve an unaccompanied tour.

2. FSA - S. The member is on duty aboard a ship, and the ship is away from the homeport continuously for more than 30 days.

NOTE: The dependents are not required to reside in the vicinity of the homeport.

3. FSA - T. The member is on Temporary Duty (TDY) or Temporary Assigned Duty (TAD) away from the PDS continuously for more than 30 days, and the member’s

dependents do not reside at or near the TDY or TAD station. This includes members who are required to perform a period of the TDY or TAD before reporting to their initial station of assignment. Members on an unaccompanied tour are entitled to FSA-T for TDY or TAD periods of over 30 continuous days if the member's dependents do not reside at or near the TDY or TAD station and they do not reside near the PDS as defined in paragraph 270303.

B. Amount Payable

Effective October 1, 2002, FSA is payable in a monthly amount of \$250.

C. Conditions:

1. For specific commencement dates, see Table 27-1;
2. For overseas eligibility, see Table 27-2;
3. For specific dates to stop FSA, see Table 27-3; and
4. For specific conditions of entitlement, see Table 27-4.

D. Member Married to Member

1. FSA is payable to a member married to another member regardless of whether the member has any non-active duty dependents, when all other general conditions are met, and provided members were residing together immediately before being separated by reason of execution of military orders.

a. Except as provided in subparagraph 270203.D.2, not more than one monthly FSA may be paid with respect to a married military couple for any month. Each member may be entitled to FSA within the same month, but both cannot simultaneously be entitled. Payment will be made to a member whose orders resulted in the separation. If both members receive orders requiring departure on the same day, then payment will go to the senior member.

b. If a member meets the requirements for credit of FSA, but entitlement is precluded by an existing entitlement status of the spouse, then the second member may, if still qualified, immediately become entitled to FSA upon termination of the spouse's status. The couple may qualify for sequential entitlements to FSA, provided military orders keep them continuously separated.

c. In order to qualify for a subsequent entitlement to FSA, a married member couple, no longer separated by reason of military orders, must reestablish a joint household and reside together.

2. FSA is payable to both married members when they reside together with their dependents immediately before being separated from dependents, by competent orders to assignments prescribed in subparagraphs 270203.A.1 through 3. Each member's entitlement is

determined individually based on assignment and separation from dependents. The dual allowance will continue until one of the members is no longer assigned to one of those duty assignments. The other member will continue to receive the allowance until no longer assigned to one of those duty assignments. This is true even when both members are assigned to the same duty location away from their dependents.

3. In the case of a member married to another member, and the couple has a child, one member may claim the child for entitlement to Basic Allowance for Housing and the other member, when otherwise entitled, may claim the child for entitlement to FSA. The FSA entitlement may alternate between members based on the same dependent. However, FSA may not be paid simultaneously to both members on behalf of the same dependent, except as provided in subparagraph 270203.D.2. See subparagraph 270401.D.

2703 DEPENDENTS SEPARATION REQUIREMENTS

270301. Dependents

A member is not considered “a member with dependents” for FSA 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. An exception occurs when the member has joint physical and legal custody of the child(ren) and the child(ren) otherwise would reside with the member at least 14 days each month, for the current assignment. In such assignment, the member will be considered as a “member with dependents” for FSA entitlement;

C. The member has been awarded joint legal and physical custody of the child(ren) as a result of a court ordered custody agreement or finalized divorce decree, which provides that the child(ren) physically reside with the member less than 14 days during the month;

D. The member’s dependent parent does not reside in the home, which the member controls, supervises, and maintains for mutual use when circumstances permit; or

E. A dependent is entitled to active duty basic pay. This does not negate an entitlement to FSA to a couple comprised of a member married to another member with no other dependents. Such a couple is entitled to FSA.

270302. Temporary Social Visits by Dependents

A. FSA-R. Credit continues to accrue while the member’s dependents visit at or near the member’s PDS, but for no longer than 3 continuous months. Facts clearly must show that the dependents merely are 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, then stop credit for FSA at the end of the 3-month

period. If the visit initially is intended to exceed 3 months, then stop FSA credit the day before the dependents arrive at the member's PDS. Credit is again authorized on and after the day that the dependents depart from the PDS. A member is entitled to 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 are not visiting the member.

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

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

270303. Dependents Reside Near Duty Station

A. 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, then FSA may accrue on behalf of those 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. Also, 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 the station, but the 50-mile rule is not inflexible.

B. 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 one and a half hours, the dependents will be considered as not residing near the member's duty station, unless the member actually commutes daily.

C. 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 the member's duty

station for personal reasons, rather than as a result of military restriction on dependents' travel, then FSA entitlement does not accrue.

D. In questionable cases, commanders may submit requests for determination through channels to the appropriate office listed:

1. Army: Deputy Chief of Staff, G-1
ATTN: DAPE-PRC
300 Army Pentagon
Washington, DC 20310
2. Navy: Chief of Naval Operations, (N130)
701 South Courthouse Rd
Arlington, VA 22204-2472
3. Air Force: Commander, Air Force Personnel Center
550 C Street West
Randolph AFB, TX 78150-6421
4. Marine Corps: Commandant of the Marine Corps (RFF)
James W. Marsh Center
3280 Russell Road
MCB Quantico, VA 22134

2704 CONDITIONS OF ENTITLEMENT

270401. Entitlement Incident to Permanent Change of Station (PCS) Reassignments

A. Continental United States (CONUS) Assignments. Conditions of FSA entitlement incident to regular CONUS PCS reassignments and permissive PCS reassignments are detailed in subparagraphs 270401.A.1 through 270401.A.4.

1. Entitlement to FSA upon regular PCS is authorized only when movement of a member's dependents to the new PDS is not authorized at government expense.

2. Members are entitled to FSA-S when performing duty onboard a ship if the ship is away from the homeport for more than 30 continuous days. If, however, the ship arrives and remains at a port other than the homeport for a period of more than 30 days at a location where the member's dependents reside, then payment of the FSA-S is precluded if the member resides with the dependents. A member is entitled to FSA-S for redeployment if the member returned to the homeport after the original deployment for a period of 30 days or less and redeployed for a period of more than 30 continuous days.

3. A member who is otherwise entitled to transportation of dependents at government expense, but whose dependent cannot accompany the member to or at that homeport/PDS due to certified medical reasons, is entitled to FSA under this subparagraph.

4. A member who otherwise is authorized movement of dependents at government expense to PDS is not so authorized when he or she is voluntarily reassigned on 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. Waiver Provision. See subparagraph 270401.D. for circumstances in which waivers may be granted.

C. 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 his or her dependents are permitted must elect to serve either an unaccompanied or an accompanied tour.

1. Except as waived by the Secretary of the Military Department concerned, a member electing to serve an unaccompanied tour, in lieu of an accompanied tour at a PDS where his or her dependents are permitted, is not entitled to FSA-R for such a tour. A member who is in receipt of accompanied tour orders, and subsequently requests to serve an unaccompanied tour, to include a dependents-restricted tour, in lieu of an accompanied tour at a PDS where his or her dependents are permitted, is not entitled to FSA-R for such a tour. Secretarial waiver of this policy may be granted in situations where it would be inequitable to deny FSA-R to a member because of the unusual family or operational circumstances.

2. See applicable procedures for tour elections and secretarial waiver in the appropriate individual Military Service regulation.

3. Refer to Table 27-2 (FSA-R, Overseas Assignment) for FSA entitlement for otherwise eligible members assigned PCS overseas.

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

D. 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 that it is in the best interest of the government to permit payment of FSA to members who, through no fault of their own, must relocate in an unaccompanied status under certain circumstances.

1. The Military Services may waive provisions of subparagraphs 270401.A.1, 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 in an unaccompanied status for reasons of equity in the 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. Combatant commands and Service major commands.
2. 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 terrorist activity would make it inappropriate for dependents to accompany the member; or
 - b. When ships in overhaul make temporary homeport changes.
 4. Provided the requirements of subparagraph 270203.A are met, other than the requirement that the member's dependents reside at the homeport or PDS, a waiver issued by the Secretary of the Military Department concerned will apply to the entire period of the deployment, an interim period, and redeployment.

E. Delays Caused by the Government (Table 27-2, Note 4). The following are examples of delays in transportation of dependents due to government reasons:

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

Example 2: The member applied for a dependency determination for his or her dependent mother on June 3 and was transferred overseas on September 14. After arrival overseas, the member received approval of the dependency application for his or her dependent mother retroactive to May 1. The mother was not authorized concurrent travel to the member's PDS because the determination of dependency had not been made on the effective date of those orders. Delay in processing the dependency application was caused by the government. Before the transfer overseas, the member had maintained quarters to be shared with his or her mother. An enforced separation resulted upon transfer overseas. Credit for FSA accrues from the date the member departed from the PDS or the first day of authorized travel time, whichever is later, through the day before the date that his or her dependent mother arrived at the overseas station.

F. Changes in Tour Elections. See Table 27-2, rules 12 and 13.

G. Dependents Evacuated. A member is entitled to FSA if separated from dependents as a result of either an authorized evacuation or an ordered evacuation, provided that the requirements for FSA are otherwise met. Payment does not begin until the 31st day of an ordered evacuation. FSA is not payable when evacuation is due to member or dependent misconduct.

H. Dependents' Travel Prohibited Under Immigration Laws. No entitlement to FSA-R accrues if a dependent is authorized transportation at government expense but is not eligible under immigration laws for entry into the United States before a member reports to the new PDS. (Entitlement to FSA-T or FSA-S is not affected by this subparagraph.)

270402. 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.

270403. FSA 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 27-3 (Date to Stop FSA). 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 270404.

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

270404. 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 PDS 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 PDS on TDY or TAD and the day of return to the PDS. Include the 31st day of the month in this computation, even though payment is made on a 30-day month basis, as prescribed in Chapter 1, section 0102.

2. Include days of authorized travel time to and from the TDY or TAD station. When there is no delay enroute chargeable as leave, count the day of departure from the PDS and the day of return to the PDS. When delay enroute 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 the PDS either is the actual date of detachment plus days of authorized leave, proceed time, and permissive travel days used or the first day of authorized travel, whichever is later.

b. Constructive day of return to the PDS 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: The member permanently stationed at site A is ordered TDY or TAD to site B for training of approximately 30 days. Training is to begin June 1. The member is authorized travel by privately owned conveyance (POC) as more advantageous to the government, and 5 days of leave enroute. The member departs from site A on May 25 and uses 5 days of leave enroute to site B. The member completes the training on June 27, departs from site B on June 28, and returns to duty at site A on June 30. Constructive day of departure is May 30. The period of absence is 32 days (May 30 - June 30). If a member qualifies under paragraph 270203, then entitlement exists to FSA-T for 30 days (i.e., there is no entitlement for May 31 and June 30).

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

3. When TDY or TAD is authorized in conjunction with PCS, include days of authorized travel time to the TDY or TAD station and from the TDY or TAD station to the new duty station. When there is no delay enroute or proceed time involved, count the day of departure from the old duty station and the day of arrival at the new duty station. When delay enroute 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 subparagraphs 270404.A.2.a and b. Proceed time authorized and used will be included with the delay when making the computation. Consecutive assignments to TDY or TAD in conjunction with PCS may be combined in determining the 30-day period.

4. Under specific circumstances, when travel in connection with TDY or TAD is performed by POC 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 that case, the Joint Travel Regulations (JTR) authorizes 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 a particular member's travel allowance. Computation for FSA-T entitlement under this subparagraph is not necessarily based on constructive travel time.

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

B. FSA-T for Multiple Periods of Deployment. Provided the conditions of subparagraph 270203.A.3 are met, the periods of FSA-T eligibility for multiple periods of TDY or TAD deployment, including the periods between such deployments, are calculated as follows:

1. Count. Although payment is made on a 30-day month basis, count the actual number of days in each applicable month, to include the 31st day of the month, as one of the actual days.

2. Computation. Calculate the FSA-T period of the initial TDY or TAD deployment to determine the initial deployment period as described in subparagraph 270404.A.

3. Interim and Redeployment Period

a. The interim period begins on 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 begins the day that the member departs the PDS and ends upon return to the PDS. The redeployment period must be more than 30 days and will be added to the interim period.

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

Example 3: The member permanently stationed at site A is ordered to perform TDY or TAD at site B for 31 days, with departure from PDS on June 1 and returns to the PDS on July 1. The member departs from PDS on July 2 for redeployment of 41 days. Since the member qualified for FSA-T for the initial deployment of 31 days, he or she 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 onboard a ship away from the homeport of the ship for a continuous period of more than 30 days. Periods of leave, TAD, hospitalization, military confinement in a pay status, or short visits by the member (not the ship) to the homeport of the ship do not interrupt the qualifying period unless the member is detached (PCS) from the ship. Consecutive assignments to duty onboard two or more ships away from the homeport may be combined to meet this requirement. See Example 5. In computing the continuous period of more than 30 days, count the actual number of calendar days (including the 31st day of the month) that the member was on duty onboard a ship while it was away from its homeport. Include in this computation the day of departure onboard a ship from its homeport (or the day the member joins or rejoins a ship away from its homeport, if applicable) and the day of return onboard a ship to its homeport. 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 onboard a ship that departs its homeport on June 15 and returns on July 15 is entitled to FSA-S in the amount of \$250 (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 onboard a ship that departs its homeport on October 5 and returns on November 4 is entitled to FSA-S in the amount of \$241.83 (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 onboard a ship that departs from its homeport on February 25 (non-leap year) and returns on March 26 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 onboard a ship on May 25 while it is away from the homeport and returns with the ship to the homeport on June 30 is entitled to FSA-S in the amount of \$291.67 (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 onboard a ship A that departed from its homeport on August 2 was transferred (PCS) to ship B on August 18 (detached and attached the same day) while ship B was away from its homeport. The member remains aboard ship B until it returns to the homeport on September 6. The member is entitled to FSA-S in the amount of \$283.33 (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 Periods of Deployment. Provided the conditions of subparagraph 270203.A.2 are met, the periods of FSA-S eligibility for multiple periods of TDY or TAD deployment aboard a ship, including the period between such deployments, are calculated as follows:

1. Count. 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. Computation. Calculate the FSA-S period of the initial deployment aboard a ship as described in subparagraph 270404.C.

3. Interim and Redeployment Period

a. The interim period begins on 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 begins on the day that the member departs the ship's homeport and ends upon returning to the homeport. The redeployment period must be more than 30 days and will be added to the interim period.

Example 1: A member is onboard a ship that departed from the homeport on January 2 and returned to the homeport on February 15. The same member is onboard a ship that departed from the homeport on March 18 for a redeployment of 35 days. Since the member qualified for FSA-S for the initial deployment, the 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 is onboard a ship that departed from the homeport on March 1 and returned to the homeport on April 29. The member also was onboard a ship that departed the homeport on May 31 for a redeployment of 40 days. Although the member qualified for the initial 60-day deployment, the member is ineligible for the interim period. Consequently, the actual interim period is 31 days (April 30 through May 30). The member would be entitled to FSA-S for the actual redeployment (40 days).

Example 3: A member is onboard a ship that departed from the homeport on June 1 and returned to the homeport on July 1. The same member was onboard a ship that departed the homeport July 2 for a redeployment of 41 days. Since the member qualified for FSA-S for the initial deployment of 31 days, the 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 subparagraphs 270404.A and B:

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

2. Periods of hospitalization or TDY or TAD for more than 30 days by the member at a place residing with his or her dependents may not be included when calculating whether the 30-day requirement was met.

270405. Ship Moves from Homeport

When a ship moves from its homeport to another port within 50 miles of the homeport (or one and a half hours travel time as prescribed in paragraph 270303), those members attached to the ship, whose dependents do not reside at or near such homeport under the criteria of paragraph 270303, 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-mile (or one and a half hours travel time) limit from the homeport of the ship. When the movement of the ship is less than 50 miles (or one and a half hours travel time) from the homeport, FSA-S is not payable to those members. If, however, the ship moves more than 50 miles (or one and a half hours travel time) from the homeport, then FSA-S is payable if members otherwise are entitled.

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

270406. Specific Conditions of Entitlement to FSA

See Tables 27-1, 27-2, 27-3, and 27-4.

Table 27-1. FSA - Commencement Dates

R U L E	A	B	C
	When an eligible member	and the member	then FSA credit
1	departs the PDS on PCS (not authorized FSA-R at old station), or TDY or TAD, including TDY or TAD in conjunction with PCS (note 1)	is not authorized proceed time or leave enroute	starts on date of detachment from old station (note 1).
2		is authorized proceed time or leave enroute	starts on the constructive date of detachment from the old PDS (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 homeport 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 homeport	remains on duty onboard a ship away from its homeport continuously for more than 30 days	starts on first day that member boards ship away from its homeport (note 2).
5	acquires an initial dependent after the date of departure from old station enroute to PCS overseas, but no later than the effective date of the PCS order (FSA-R) (notes 3 and 4)	meets conditions of Table 27-2, rule 1	starts on the date that a member acquires a dependent or the constructive date of detachment from old station (Table 27-2, rule 2), whichever is later.
6		meets conditions of Table 27-2, rule 13, note 3, or rule 14	(if any) starts according to Table 27-2, rule 13, note 3, or rule 14.
7	acquires an initial dependent after the date of departure from old station enroute to 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 3)	is on TDY or TAD enroute 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 or TAD starts on the date the member acquires dependent (FSA-T) (note 1).

Table 27-1. FSA - Commencement Dates (Continued)

R U L E	A	B	C
	When an eligible member	and the member	then FSA credit
8	a. acquires dependent after the effective date of the PCS orders (note 3), but before member's date of departure on subsequent reassignment PCS, and	is not on TDY or TAD	starts FSA-R on date member acquires dependent.
9	b. dependent does not live at or near the member's PDS (where member is not entitled to FSA-R)	is on leave (co-resident with dependent or not)	
10		is on TDY or TAD not within commuting distance of dependent's residence	starts FSA-T on date member acquires dependent.
11		is on TDY or TAD within commuting distance of dependent's residence (paragraph 270303)	starts FSA-R on member's date of return to PDS.
12		is on TDY or 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 or TAD starts on the date that the member acquires a dependent (FSA-T) (note 1).
13		remains away from homeport aboard ship for more than 30 days after the date the dependent is acquired	starts on the date that the member acquires a 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 270302 or subparagraph 270303.C.
15		relocates dependent away from duty station at member's expense	starts FSA-R on the date of a dependent's departure from the duty station (note 5).

Table 27-1. FSA - Commencement Dates (Continued)

R U L E	A	B	C
	When an eligible member	and the member	then FSA credit
16	has dependent depart overseas duty station at government expense because of evacuation (other than medical), under determination of the Secretary concerned as being in national interest, or for other emergency reasons not personal or caused by dependent's misconduct		starts on the 31st day of a dependent's departure from the duty station.
17	reports onboard a ship after a change of homeport has been declared	does not reside with dependents at or near the current homeport of the ship	starts on the date the member reports onboard a ship (note 6).

NOTES:

1. Do not pay FSA-T or FSA-S until the member has been on TDY or TAD or on duty aboard ship away from homeport continuously for more than 30 days (or, if applicable, for more than 30 days after the date that a 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 270404.)
2. Does not apply if the ship is in a port (other than its homeport) located within commuting distance of the residence of the member's dependents continuously for more than 30 days. Also, see paragraph 270405.
3. The effective date of PCS orders is the date a member is required to begin travel from the old PDS or the last TDY or TAD, in order to arrive at the new PDS on the date authorized by the mode of transportation authorized. (JTR, Appendix A, Effective Date of PCS Order)
4. A member who acquired an initial dependent after the date of departure from old station enroute PCS to CONUS from overseas or enroute 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 JTR, Chapter 5. Therefore, the member is not entitled to FSA-R. (In this case, no tour election provision exists to overcome the travel provision.)
5. If already started under paragraph 270302, the entitlement continues upon departure of dependents from the duty station.
6. FSA-R does not accrue if the member was onboard a ship when the change in homeport was declared, except under paragraph 270401.

Table 27-2. FSA-R - Overseas Assignment

R U L E	A	B	C	D
	If an eligible member is	and	and	then the member('s)
1	selected for PCS overseas	the accompanied tour is not authorized		is entitled to FSA-R for the entire unaccompanied tour (notes 1 and 2).
2		elects the unaccompanied tour instead of the authorized accompanied tour		is not entitled to FSA-R for the length of such tour, including tour extensions (note 3).
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 the member for government reasons (notes 4 and 5).
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 6).
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 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 5).

Table 27-2. FSA-R - Overseas Assignment (Continued)

R U L E	A	B	C	D
	If an eligible member is	and	and	then the 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		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 5).
11	assigned overseas	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	the member reelects the unaccompanied tour before dependents depart CONUS	is not entitled to FSA-R on and after the date reelection is approved (note 3).
13	assigned overseas	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 3).

Table 27-2. FSA-R - Overseas Assignment (Continued)

R U L E	A	B	C	D
14	If an eligible member is assigned overseas	and has failed to make a tour election before arrival at new duty station	and elects accompanied tour after arrival at the overseas station	then the member(s) 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 5).

NOTES:

1. In all cases, entitlement exists only if dependents do not live at or near the duty station. (See paragraph 270303.) In areas where dependents are not permitted, member does not have to apply for transportation of dependents or to elect type of tour.
2. These tours include dependent restricted tours and situations where the member is not authorized to serve an accompanied-with-dependents tour in those locations where such tours are authorized.
3. The Secretary of the Military Department 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 270401.D for conditions subject to waiver and individual Military Service regulations for procedures for requesting a waiver from the Secretary of the Military Department concerned.
4. Where dependents' travel delay is not due to government reasons, but member is required to perform TDY or TAD enroute, family separation for period of TDY or TAD is considered to be due to military requirements and member is entitled to FSA-R under Table 27-4, rule 11.
5. Delays due to government reasons include:
 - a. lack of transportation facilities,
 - b. disapproval by CONUS commanders,
 - c. disapproval for reasons of health (i.e., pregnancy of wife), and
 - d. insufficient service retainability or time remaining in the overseas tour.
6. 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.

Table 27-3. Date to Stop FSA

R U L E	A	B
		If a member
1	has dependents who arrive at the duty station with intent to establish a residence	day before dependents arrive (note 1).
2	on next reassignment, arrives at a station where member does not qualify for FSA	day before the date on which the member arrives at new station (note 2).
3	returns from TDY or TAD of more than 30 days	day before date of the member's return from TDY or TAD (note 3).
4	is in a non-pay status for any period	day before the date entering such status, except as provided in Chapter 1, subparagraph 010402.E.
5	has a sole dependent in an institution, and if the stay in the institution continues	day before 1-year from the date that the member's sole dependent entered an institution (note 4).
6	is onboard a ship away from its homeport	day before ship returns to homeport or date of detachment from ship, whichever is earlier (note 5).
7	reports onboard a ship after a change of homeport has been declared	effective date of the change of homeport.
8	has only secondary dependents who reside with relatives or friends	day before the date the dependents move to home of relatives or friends.
9	completes period of TDY or TAD of more than 30 days in conjunction with PCS	day before the date the member arrives at the new station (note 3).
10	has dependent(s) who return to the PDS after departing in conjunction with authorized or ordered evacuation	day before the date dependent(s) return.

NOTES:

1. See paragraph 270302 for temporary social visits.
2. If a delay enroute 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.
3. If delay enroute and/or proceed time is authorized, then use the constructive date. (See subparagraph 270404.A.)
4. Applies when stay in the institution is initially not expected to exceed 1-year.
5. FSA-S continues if the member is detached and attached the same day to another ship away from its homeport.

Table 27-4. FSA - Conditions of Entitlement

R U L E	A	B	C	D
	If a member	and	and	then
1	is on TDY or TAD, including TDY or TAD within the United States	the member is entitled to FSA-R when entering such status (note 1)	the member's PDS remains unchanged	FSA-R credit continues during TDY or TAD.
2	is hospitalized at or away from member's PDS 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 PDS, 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 TDY or TAD (any number of days) within commuting distance of residence where member's dependents reside (paragraph 270303)
6	is on any status covered by rules 1 through 4, or enters such status		member's PDS changes	FSA-R credit stops (note 2).

Table 27-4. FSA - Conditions of Entitlement (Continued)

R U L E	A	B	C	D
	If a member	and	and	then
7	is reassigned PCS from a PDS in the United States to a hospital for observation or treatment	the 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	the member is entitled to FSA-R.
8	enters any status covered by rules 2, 3, and 4	the member is entitled to FSA-T when entering such status	member is not relieved from attachment to the TDY or TAD station	member continues to receive FSA-T.
9	is ordered to a hospital as a patient in attached status			the member is not entitled to FSA-T.
10	is on TDY or TAD for more than 30 days from member's PDS	the member does not qualify for FSA-R at PDS	member's PDS remains unchanged	the member is entitled to FSA-T for authorized travel time to and from TDY or TAD station and for duty at that station (note 4).
11	is performing recruit/basic training, pipeline school, Officer Candidate School (OCS), travel or TDY or TAD enroute to initial PDS	the member is entitled to FSA-R at new PDS (notes 1 and 4)		the member is entitled to FSA-R for recruit/basic training, pipeline school, OCS, travel or TDY or TAD and authorized travel period (note 4).

Table 27-4. FSA - Conditions of Entitlement (Continued)

R U L E	A	B	C	D
	If a member	and	and	then
12	is on TDY or TAD for more than 30 days enroute to a new permanent assignment	the 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 or TAD station and for duty at that station (note 4).
13	is on TAD	the 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 homeport	FSA-S accrues during the entire period of TDY or TAD (note 5).
14	is hospitalized away from the ship			FSA-S accrues during the 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 the period that the member is confined or restricted.
17	is in any status covered by rules 13 through 16		the ship returns to homeport	entitlement to FSA-S ends on the day before ship returns to homeport.
18			member is detached from the ship while it is away from homeport	entitlement to FSA-S ends on date of detachment from ship (note 6).

Table 27-4. FSA - Conditions of Entitlement (Continued)

R U L E	A	B	C	D
	If a member	and	and	then
19	is in any status covered by rules 13 through 16		member is detached from ship while it is away from homeport and is later reassigned to ship while it is away from its homeport	FSA-S accrues from date of reassignment to ship provided ship does not return to homeport in less than 31 days (note 6).
20	is on TDY or TAD redeployment of more than 30 days	current TDY or TAD follows earlier TDY or TAD 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.
21	is onboard a ship redeployed for more than 30 days	redeployment follows 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.
22	meets the qualifying requirements of any of the rules 1 through 21	member is married to another active duty member	the couple was residing together immediately before being separated by reason of military orders	member is entitled to FSA under the subparagraph 270203.A.3.
23	executes PCS orders causing a separation from the member's spouse			member is entitled to FSA-R under subparagraph 270203.A.1.
24	meets the qualifying requirements of any of the rules 1 through 21	the member is married to another active duty member and the couple has dependents	the couple and dependents were residing together immediately before each member is separated by reason of military orders	each member is entitled to FSA under the specific rule. (note 7)

Table 27-4. FSA - Conditions of Entitlement (Continued)

NOTES:

1. Must meet the requirements of paragraph 270203.
2. A new determination of entitlement is required if member's PDS changes.
3. More than 90 days is prolonged hospitalization.
4. Members are not entitled to FSA-R or FSA-T during authorized leave enroute or proceed time (see Table 27-1, rules 1 and 2). See Table 27-3, rule 9 for date to stop FSA.
5. If the dependent's residence is within commuting distance of the place where member is in such status, then 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 homeport (subparagraph 270404.B).
7. Not more than one monthly allowance may be paid with respect to each member of a married military couple for any month. The dual allowance will continue until one of the members is no longer assigned to one of those duty assignments. The other member will continue to receive the allowance until no longer assigned to one of those duty assignments.

REFERENCES*CHAPTER 27: - FAMILY SEPARATION ALLOWANCE (FSA)****2702 - ENTITLEMENT PROVISIONS**

270201	37 U.S.C. § 427 DoD Instruction, 1340.24, September 17, 2009 47 Comptroller General (Comp Gen) 788
270202.A	51 Comp Gen 116 37 U.S.C. §§ 401, 421
270202.D	46 Comp Gen 148
270203.A	37 U.S.C. § 427
270203.B	37 U.S.C. § 427(b)
270203.B.3	37 U.S.C. § 427(a)
270203.D	37 U.S.C. § 427(d)
270203.D.3	60 Comp Gen 154

2703 - DEPENDENTS SEPARATION REQUIREMENTS

270301.A	51 Comp Gen 97
270301.B	43 Comp Gen 332, (Question 23) MS Comp Gen B-213658, June 26, 1984 MS Comp Gen B-211693, July 15, 1983 MS Comp Gen B-179976, November 7, 1974
270301.C	45 Comp Gen 170 46 Comp Gen 148
270302.A	43 Comp Gen 596
270302.B and C	43 Comp Gen 332
270303	43 Comp Gen 332, (Question 26) 44 Comp Gen 572 44 Comp Gen 217 MS Comp Gen B-182098, October 9, 1975 52 Comp Gen 912 55 Comp Gen 991

2704 - CONDITIONS OF ENTITLEMENT

270401	37 U.S.C. § 427(d)
270401.A.2	37 U.S.C. § 427 43 Comp Gen 527
270401.A.3	37 U.S.C. § 427
270401.A.4	37 U.S.C. § 427(c)
270401.C (Example 2)	44 Comp Gen 434
270401.D.3	37 U.S.C. § 427(c)
270401.E	43 Comp Gen 332

270401.G	43 Comp. Gen. 332
270402	43 Comp Gen 596
270403.B	45 Comp Gen 633
270404.A.1	43 Comp Gen 596
	44 Comp Gen 537
270404.A.2	44 Comp Gen 537
270404.A.2.b (Example 1)	44 Comp Gen 537
270404.A.5	43 Comp Gen 755
	43 Comp Gen 748
270404.B	45 Comp Gen 838
	43 Comp Gen 748
	52 Comp Gen 912
	55 Comp Gen 991
Table 27-1	37 U.S.C. § 427
Rule 5	47 Comp Gen 67
Rule 7	43 Comp Gen 596
Rule 8	43 Comp Gen 332
Rule 9	43 Comp Gen 596
Rules 12-17	43 Comp Gen 332
Notes 4 and 5	43 Comp Gen 332
Table 27-3	
Rule 1	43 Comp Gen 332
Rule 5	43 Comp Gen 596
Rule 10	43 Comp Gen 332
Note 3	43 Comp Gen 332
Table 27-4	
Note 4	45 Comp Gen 838