

VOLUME 7A, CHAPTER 40: “GENERAL PROVISIONS GOVERNING ALLOTMENTS OF PAY (Other than Child and Spousal Support Allotments Required by Law)”

SUMMARY OF MAJOR CHANGES

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

Substantive revisions are denoted by an * 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 January 2010 is archived.

| PARAGRAPH | EXPLANATION OF CHANGE/REVISION | PURPOSE |
|----------------------|---|----------------|
| 400303 Table 40-1 | Updated to reflect transition to electronic savings bonds. | Update |
| All | Reviewed chapter for accuracy, formatting, and updated references and hyperlinks. | Update |

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CHAPTER 40

GENERAL PROVISIONS GOVERNING ALLOTMENTS OF PAY
(Other than Child and Spousal Support Allotments Required by Law)

4001 GENERAL

400101. Application

The provisions of this chapter do not apply to child and spousal support allotments required by law to be started when a member has failed to make periodic payments under a support order. See Chapter 41 for applicable provisions.

400102. Authority

Under instructions issued by the Secretary of Defense, the personnel identified in section 4004, may authorize allotments from their pay for the purposes set forth in Chapters 40 through 43.

400103. Policy

The allotment system is provided to help Military Service members adjust their personal and family finances to military service. It is a convenience and privilege not to be exploited or abused. Other than amount changes, administrative changes may be made at the request of the allottee without the member's consent. This includes address changes.

4002 DEFINITIONS

See Glossary for the definition of allotment, allottee, allotter and financial organization.

4003 AUTHORIZED ALLOTMENTS

400301. General

Voluntary allotments of military pay and allowances by service members in active military service are limited to discretionary and non-discretionary allotments.

400302. Discretionary Allotments

Members are authorized no more than six discretionary allotments. The member shall certify that the allotment is within the limits of the law (e.g., allotments may not be used to repay gambling debts in a state where gambling is not permitted). Examples include, but are not restricted to, the following:

A. Payment of premiums for commercial life insurance on the life of the member, the member's spouse, or children. This includes United States Government Life

Insurance, Army Mutual Aid Insurance, Navy Mutual Aid Insurance, dental and health insurance for the benefit of family, and vehicle insurance.

B. Voluntary payment to a dependent or other relative. This allotment may be made to a spouse, former spouse(s), other dependents, and/or relative(s) not legally designated as a dependent(s). Support allotments may be made payable directly to a court, a state agency, a court trustee, a welfare agency, or to a child's guardian or custodian. This allotment may be made payable to a financial organization for credit to the account of the allottee.

C. Deposits to a financial institution, mutual fund company, or investment firm.

D. Payment of car loans.

E. Payment of mortgage or rent.

F. Payment of a loan to repay consumer credit, e.g., a loan or finance company.

G. Deposits into the Savings Deposit Program.

H. Payments to the Air Force Enlisted Members Widow's Home for Air Force members only.

400303. Non-Discretionary Allotments

Non-discretionary allotments of military pay and allowances by members in active military service are limited to the following:

* A. Purchase of U.S. savings bonds through [TreasuryDirect®](#).

B. Repayment of loans to the Army Emergency Relief, Navy and Marine Corps Relief Society, Air Force Aid Society, and American Red Cross.

C. Voluntary liquidation of indebtedness to the United States that includes the following:

1. Indebtedness incurred due to defaulted notes insured by the Federal Housing Administration or guaranteed by the Department of Veterans Affairs.

2. Payment of amounts due under the Retired Serviceman's Family Protection Plan, in the case of retired Military Service members serving on active duty.

D. Any other indebtedness to any department or agency of the United States Government (except to the Military Department that pays the member).

E. Any repayment of debts owed to an organization for funds administered on behalf of the United States Government and any such debts assigned to a collection agency.

F. Payment for pledges for charitable contributions to the following:

1. Combined Federal Campaign (CFC). Only one such allotment is authorized for any Military Service member.

2. Army Emergency Relief, Navy and Marine Corps Relief Society, or Affiliates of the Air Force Assistance Fund. Only one such allotment is authorized for any Military Service member.

G. Allotments to the Department of Veterans Affairs for Deposit to the Post-Vietnam Era Veterans Educational Assistance Program. The allotment must be divisible by \$5 and with a minimum amount of \$25 and not more than \$100. Once authorized by the Service member, the allotment must run a minimum of twelve consecutive months, unless the member suspends participation or terminates enrollment from the program due to personal hardship or release from active duty.

H. Payment of delinquent federal, state, or local income or employment taxes.

I. Lease payments when members are assigned to privatized housing units under the Military Housing Privatization Initiative. See Chapter 43, section 4304.

4004 ELIGIBLE ALLOTTERS

400401. Members on Extended Active Duty

Members on extended active duty who may make allotments of pay include commissioned and warrant officers, aviation cadets, and enlisted members.

400402. Allotments Continued to Retired Status

To aid personnel in the transition from active duty to retired status, all existing authorized discretionary allotments of members on active duty may be continued as approved allotments.

4005 PAY AND ALLOWANCES WHICH MAY BE ALLOTTED

400501. Maximum Amount for Allotment

Include the following items in computing the maximum amount of pay and allowances that may be allotted for members assigned within the continental United States:

A. Basic pay.

- B. Basic allowance for housing for members with dependents and members without dependents including family separation housing.
- C. Basic allowance for subsistence.
- D. Incentive Pays
 - 1. Aviation Career.
 - 2. Career Enlisted Flyer.
 - 3. Hazardous Duty.
 - 4. Submarine Duty.
- E. Special Pays
 - 1. Assignment Incentive.
 - 2. Special Pays for Dental, Medical, Board Certified Nonphysician Health Care Provider, Nonphysician Health Care Provider, Nurse Anesthetists, Optometry, Reserve Health Care Professionals in Critically Short Wartime Specialties, Reserve Medical, Veterinary and Pharmacy officers.
 - 3. Career Sea.
 - 4. Career Sea Pay Premium.
 - 5. Continuation Pays for Nuclear-Qualified, Engineering and Scientific, Judge Advocate, and Surface Warfare Officers.
 - 6. Designated Unit.
 - 7. Diplomate Pay for Psychologists.
 - 8. Diving Duty.
 - 9. Enlisted Members Extending at Designated Overseas Locations.
 - 10. Officers Holding Position of Unusual Responsibility and of Critical Nature.
 - 11. Special Duty Assignment.

400502. Members Assigned Outside the Continental United States

Include the following pay and allowance items in addition to those listed in paragraph 400501:

- A. Cost-of-Living Allowance.
- B. Family Separation Allowance (FSA-R only).
- C. Family Separation for Housing.
- D. Hardship Duty Pay.
- E. Hostile Fire/Imminent Danger (applies only to members in a designated area).
- F. Overseas Housing Allowance.

400503. Amounts Withheld from Pay and Allowances

The following amounts must be withheld from the maximum amount of pay and allowances that may be allotted:

- A. Federal, state, and Federal Insurance Contributions Act taxes.
- B. The repayment of debts properly chargeable against a member's pay account (does not include repayments of advance pay).
- C. Premiums of Servicemembers' Group Life Insurance (SGLI) and Family SGLI.
- D. Montgomery GI Bill deduction.

400504. Commander's Restriction

Commanders may restrict further the total amount a member may allot when necessary to help the member meet essential personal needs.

4006 PERIODS OF ALLOTMENTS

Exceptions to Allotments for Indefinite Periods. Allotments are made for indefinite periods except those:

400601. To Military Service Relief Organizations.

400602. To the American Red Cross.

400603. To the United States for:
- A. Repayment of indebtedness.
 - B. Payment of delinquent federal income taxes.
400604. For CFC charity drive donations.
400605. For payment of delinquent state or local income or employment taxes.

4007 ALLOTMENT PAYMENT OFFICES

400701. Army

The Defense Finance and Accounting Service-Indianapolis, Indianapolis, IN 46249, pays all Army allotments except class X, which are paid locally.

400702. Marine Corps and Navy

The Defense Finance and Accounting Service-Cleveland, Anthony J. Celebrezze Federal Building, Cleveland, OH 44199, pays all Marine Corps and Navy allotments of pay.

400703. Air Force

The Defense Finance and Accounting Service-Indianapolis, IN 46249, pays all Air Force allotments except class X, which are paid locally.

4008 RESTRICTIONS

400801. Establishment, Discontinuance, and Changes to Existing Allotments

A properly executed form (e.g., Department of Defense [***DD Form 2558***](#), Authorization to Start, Stop or Change an Allotment) or a written request from a member (or from an agent acting under a specific power of attorney) or an automated data exchange (from specific organizations) may be used to establish, discontinue, or change an allotment. The [***DD Form 2558***](#) is available in an electronic medium. Further, a service member's written signature is not required to effect an allotment from pay when automated data exchange is utilized. Automated computer programs that allow members to establish, discontinue, or change an allotment using a personal identification number (PIN) are permitted. Allotments will be established, discontinued or changed only after the member's identity has been validated.

400802. Minors

Allotments may not be made payable to children under 16 years of age. They may be made payable to the children's guardian or custodian. Spouses of members may be named as allottees regardless of age.

400803. Mental Incompetents

Allotments may not be made payable to mentally incompetent persons. Allotments may be made payable to a guardian or to the institution where a mentally incompetent person is confined.

400804. Power of Attorney

The holder of a member's special power of attorney may use that document to establish, change, or stop an allotment. The special power of attorney specifically must state the authority to establish, change, or stop allotments. A general power of attorney is not acceptable to establish, change, or stop an allotment.

400805. Member Awaiting Trial by Court Martial

A. Members may not register allotments between the date that a Court Martial is ordered and the date of the approval or disapproval of the sentence, except when instructed by the convening authority to establish an allotment for deferred forfeitures.

B. Discontinue allotments whenever:

1. Necessary to permit collection of the forfeiture in the monthly amount specified and within the time limitation stated in the Court Martial sentence.

2. A member is sentenced to forfeit all pay and allowances due from the date the sentence is approved by the convening authority. This applies even though the convening authority defers the forfeitures and suspends the discharge when ordering the sentence into execution.

C. Allotments may be registered by a prisoner provided the amount of pay and allowances not forfeited is sufficient to cover allotment deductions.

400806. Returned Absentees, Deserters, and Prisoners

Allotments will not be registered for a returned absentee or deserter, unless the cognizant Defense Finance and Accounting Service (DFAS) site has verified the member's pay status.

400807. Fraudulent Enlistment

Pay and allowances may not be allotted when pay is suspended pending final action on determination of fraudulent enlistment.

400808. Reduced Pay of Allotter

When a reduction in grade or stoppage of pay does not leave sufficient funds for allotments in force, allotments will be discontinued.

4009 RIGHT TO ALLOTMENT IN CASE OF DEATH

400901. Death of Allotter

All allotments are revoked upon the death of the member. No further allotment payments may be made by the paying allotment office after receipt of notice of the member's death. Deductions made from the member's pay, but not paid to the allottee, become part of the member's arrears of pay. Allotments paid after the member's death may not be collected from the allottee, with two exceptions:

A. Allotments erroneously established after notice of death of the allotter.

B. Unearned insurance premiums (insurance premiums paid 1 month in advance of the day payment is actually due). See Military Service procedural instructions for actions required by the disbursing officer maintaining the pay account. However, the issuance of a check for an allotment does not constitute payment until it is negotiated and the amount is collected by the payee. Accordingly, if a check is sent directly to an allottee and has not been negotiated, then recoupment action is appropriate.

400902. Death of Allottee

An allotment check, even though endorsed, does not become part of an allottee's estate if it is not cashed or negotiated before the allottee's death. It is not subject to any expense incurred by, or on behalf of, the allottee before or after death. All unnegotiated allotment checks will be returned to the office from which issued. Returned allotment checks shall be credited to the member's account or paid in accordance with Military Service instructions if the member has been separated from the Military Service.

4010 ALLOTMENT OVERPAYMENT RESPONSIBILITIES

401001. Army and Air Force

A. If an allotment payment is made to an allottee before the disbursing office receives notice to stop the payment from the official required by regulation to furnish this notice, then payment is credited to the disbursing officer. Collection is made from the allottee, if possible. If an allotment is paid in error because the officer responsible failed to report either the death of the allotter or any other fact that makes the allotment not payable, then the amount of the payment not recovered from the allottee is collected, if practicable, from the officer who failed to report.

B. Any check or bond received for which entitlement does not exist must be returned immediately to the issuing office. When an allotment payment is made after deductions from the member's pay have ceased, and the allottee does not return it to the office of issuance, the allottee should be required to submit a complete and detailed explanation. A determination of liability then shall be made.

401002. Navy and Marine Corps

A. Commanding Officer. The commanding officer is responsible for informing the disbursing officer of any facts which warrant the stoppage of an allotment and for any required follow-up action. The commanding officers of units or ships without disbursing officers have the same responsibility as do disbursing officers to initiate any necessary follow-up action regarding unacknowledged allotment requests.

B. Disbursing Officers. The disbursing officer who registers an allotment for a member is held responsible for proper entry on the military pay record. If the initial entry is incorrect, then the field disbursing officer making the entry is responsible for all payments or overpayments of the allotment. Failure to transfer an active allotment from a closed pay account to a new pay account imposes a liability on the disbursing officer concerned for all payments or overpayments made by the allotment officer.

Table 40-1. Allotments of Pay - General

| ALLOTMENTS OF PAY - GENERAL | | | | | | | | | | | | |
|-----------------------------|---|--|------------------------|------------------------------|-----------------------|-----------|-----------------|----------------|--|---------------------------|-------------------|------------------------|
| R U L E | A | B | | C | | D | | | E | F | | G |
| | When the purpose of an allotment is | and Military Service letter designation is | | and member on active duty is | | and is an | | | Allotments which may be continued to retired status (Note) | then the allotment period | | and payment is made by |
| | | Army and Air Force | Navy and Marine Corps | Army and Air Force | Navy and Marine Corps | Officer | Enlisted Member | Aviation Cadet | | Indefinite | Definite | DFAS |
| 1 | purchase of United States Savings Bonds through TreasuryDirect® | D | D | X | X | X | X | X | X | X | | X |
| 2 | charitable drive donation (Combined Federal Campaign) | C | C | X | X | X | X | X | | | X | X |
| 3 | repayment of loans to Army Emergency Relief, Navy and Marine Corps Relief Society, Air Force Aid Society, or American Red Cross | L | L | X | X | X | X | X | X | | X | X |
| 4 | contribution to post-Vietnam Era Veterans Educational Assistance Program | S | E Navy V USMC | X | X | X | X | | | X | X Army only | X |
| 5 | payment of indebtedness to the United States | T | T | X | X | X | X | X | X | | X | X |
| 6 | payment of delinquent taxes (federal, state, local, or employment taxes) | T | T | X | X | X | X | X | X | | X | X |
| 7 | emergency payment to a dependent | X | | X | | X | X | | | | X | X |
| 8 | remittance for Retired Serviceman's Family Protection Plan for retired members on active duty | U | U | X | X | X | X | | | X | | X |
| 9 | charitable contribution to Army Emergency Relief, Navy and Marine Corps Relief Society, or affiliates of Air Force Assistance Fund Army | F | C | X | X | X | X | X | X | | X | X |

NOTE: Includes members of the Fleet Reserve or Fleet Marine Corps Reserve when not on active duty.

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4001 - GENERAL

37 U.S.C. 701

4003 - AUTHORIZED ALLOTMENTS

400303.G

38 U.S.C. 3201-3243

4009 - RIGHT TO ALLOTMENT IN CASE OF DEATH

B-225873.2, March 28, 1991

B-225873, September 25, 1987

B-169453, April 20, 1970