



DoD INSTRUCTION 1340.24

FAMILY SEPARATION ALLOWANCE

Originating Component: Office of the Under Secretary of Defense for Personnel and Readiness

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Reissues and Cancels: DoD Instruction 1340.24, "Family Separation Allowance," September 17, 2009

Incorporates and Cancels: Assistant Secretary of Defense for Manpower and Reserve Affairs Memorandum, "Implementation of Days of Continuous Duty On Board a Ship While at Home Port for Entitlement to Family Separation Allowance," February 25, 2021

Approved by: Gilbert R. Cisneros, Jr., Under Secretary of Defense for Personnel and Readiness

Purpose: In accordance with the authority in DoD Directive 5124.02 and the authority in Section 427 of Title 37, United States Code (U.S.C.), this issuance establishes policy, assigns responsibilities, and prescribes procedures for determining family separation allowance (FSA) eligibility.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.

1.2. POLICY.

A Service member with dependents is entitled to monthly FSA payments in accordance with Section 427 of Title 37, U.S.C. when:

- a. The movement of dependents is not authorized to or near the Service member's permanent duty station (PDS) at Government expense and the dependents do not reside at or near that PDS;
- b. A Service member is on duty on board a ship away from the home port of the ship (or under orders to remain on board the ship while at the home port) for a continuous period of more than 30 days; or
- c. A Service member is on temporary duty away from their PDS for a continuous period of more than 30 days and the dependents do not reside at or near the temporary duty station.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS.

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Defense for Manpower and Reserve Affairs:

- a. Provides FSA guidance to the Military Services.
- b. Serves as the focal point for FSA-related policies and adjudicates requests for exceptions to policy beyond the authorities provided in this issuance.
- c. Recommends changes be made to Volume 7A of DoD 7000.14-R as necessary.

2.2. UNDER SECRETARY OF DEFENSE (COMPTROLLER)/CHIEF FINANCIAL OFFICER, DEPARTMENT OF DEFENSE.

The Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense, issues specific guidance regarding military pay and procedures for entitlement to FSA in accordance with Chapter 27 of Volume 7A of DoD 7000.14-R.

2.3. SECRETARIES OF THE MILITARY DEPARTMENTS.

The Secretaries of the Military Departments establish Service-specific policy to administer FSA in accordance with Section 427 of Title 37, U.S.C., and this issuance. This guidance will be coordinated with the Assistant Secretary of Defense for Manpower and Reserve Affairs.

SECTION 3: PROCEDURES

3.1. GENERAL PROVISION.

FSA's purpose is to partially reimburse Service members separated from their dependents for the reasonable amount of extra expenses that result from such separation.

a. FSA is payable in addition to any other allowance or per diem to which a Service member may be entitled.

b. Generally, a Service member who is eligible for FSA pursuant to this section may only receive one FSA payment for the same period. See Paragraph 3.2.f. for entitlement eligibility of Service members married to other Service members.

c. A Service member entitled to FSA is paid a monthly allowance of \$250.

3.2. ENTITLEMENT ELIGIBILITY.

a. A Service member assigned to a PDS, either within or outside the continental United States, is entitled to monthly FSA payments when they are separated from their dependents due to military orders if:

(1) The transportation of dependents to or near the Service member's PDS is not authorized at Government expense pursuant to Section 452 of Title 37, U.S.C., and the dependents do not live at or near the Service member's PDS or home port.

(2) The Service member is on duty on board a ship away from the home port of the ship (or under orders to remain on board the ship while at the home port) for a continuous period of more than 30 days. When a Service member is under orders to remain on board a ship while at the home port, the days on the ship while at the home port will count towards the continuous period of more than 30 days, except when a Service member must stay on board solely for disciplinary reasons.

(3) The Service member is on temporary duty away from their PDS or home port for a continuous period of more than 30 days, and the dependents do not reside at or near the temporary duty location.

(a) If a Service member can commute daily to the location of the dependents, then the Service member is considered to be at or near the temporary duty location.

(b) In the case of a Reserve Component (RC) member, other than a member of the Active Guard and Reserve or an RC member activated for a period of a such duration that the activation results in a permanent change of station, the PDS may be considered to be the location from which the RC member is ordered to active duty or the RC member's place of entry to active duty.

b. A Service member (including an RC member serving on active duty for more than 30 calendar days) who meets the requirements of Paragraph 3.2.a. will be paid FSA if they:

(1) Are entitled to basic pay pursuant to Section 204 of Title 37, U.S.C.

(2) Have a qualified dependent or are married to another Service member in receipt of basic pay.

c. A Service member who becomes entitled to an allowance in accordance with this section by virtue of duty described in Paragraph 3.2.a.(2) or Paragraph 3.2.a.(3) for a continuous period of more than 30 days is entitled to FSA effective as of the earlier of these two periods:

(1) The first day of that period; or

(2) The first day the Service member stopped being entitled to a previous FSA payment due to the end of the duty described in Paragraph 3.2.a.(2) or Paragraph 3.2.a.(3), provided the Service member's previous FSA entitlement stopped within 30 calendar days before the first day of that period.

d. FSA is payable to Service members who meet the requirements of Paragraph 3.2.a. even though the Service members do not maintain a residence or household for their dependents who would otherwise normally reside with the Service members in such residence or household when the Service members' duty assignments permit.

e. FSA is not authorized for a Service member who elects to serve an unaccompanied tour of duty at a PDS to which the dependents are authorized Government transportation pursuant to Section 452 of Title 37, U.S.C., unless:

(1) The Service member elects to serve an unaccompanied tour of duty because a dependent could not accompany the Service member to or at the PDS for certified medical reasons; or

(2) The Secretary of the Military Department concerned determines it would be inequitable to deny the allowance to the Service member because of unusual family or operational circumstances.

f. FSA is payable to a Service member married to another Service member in receipt of basic pay regardless of any other dependency status, when assigned to duties described in Paragraph 3.2.a., provided the Service members resided together immediately before being separated because of execution of military orders.

(1) Each Service member married to another Service member, with dependents other than their spouse, who is simultaneously assigned to duties described in Paragraph 3.2.a., will be paid the full monthly FSA until one of the Service members is no longer assigned to such duties. FSA shall continue to apply to the remaining Service member so long as the Service member is assigned to duties described in Paragraph 3.2.a.

(2) A Service member married to another Service member with no dependents other than their spouse may not have more than one monthly FSA paid per military couple.

(3) Section 421 of Title 37, U.S.C., does not bar FSA entitlement.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
FSA	family separation allowance
PDS	permanent duty station
RC	Reserve Component
U.S.C.	United States Code

G.2. DEFINITIONS.

Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
active duty	Defined in Section 101(18) of Title 37, U.S.C.
FSA qualified dependent	<p>dependent. An individual described in Section 401 of Title 37, U.S.C.</p> <p>dependent child. An unmarried child of the Service member who is in their legal custody. Legal custody includes a circumstance in which the Service member has been awarded joint physical and legal custody of a dependent child as a result of a finalized divorce decree, which provides that the child physically reside with the Service member on an equal basis (no less than 14 days per month) as compared to the time the child resides with the former spouse, and the Service member's actual physical custody of the child is precluded due to the fact that the Service member is assigned to duties described in Paragraph 3.2.a. Such a custody arrangement must be stipulated in a signed court order or divorce decree, subject to verification by the Secretary of the Military Department concerned.</p> <p>dependent spouse. An individual who is legally married to the Service member and who physically resided with the Service member immediately before being separated because of execution of military orders, and with whom the Service member intends to reestablish a joint household for the purpose of residing with the spouse once military orders no longer keep them continuously separated.</p>
RC	Defined in Section 101(24) of Title 37, U.S.C.

REFERENCES

- DoD 7000.14-R, Volume 7A, “Department of Defense Financial Management Regulation: Military Pay Policy - Active Duty and Reserve Pay,” current edition
- DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- United States Code, Title 37