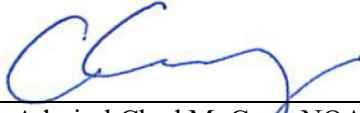


	NOAA COMMISSIONED OFFICER CORPS DIRECTIVES		CHAPTER	VERSION
	PAY, ALLOWANCES, AND ENTITLEMENTS		02	3.0
	AUTHORIZED BY:		EFFECTIVE DATE	
	 		July 9, 2025	
	Rear Admiral Chad M. Cary, NOAA Director, NOAA Corps and Office of Marine and Aviation Operations		REVIEW DATE	
			December 2, 2029	

Purpose

This chapter summarizes pay, allowance, and entitlements policy and procedures for NOAA Corps officers pursuant to the governing statutes, Joint Travel Regulations, and Department of Defense Financial Management Regulations where applicable.

References

- (A) [10 U.S.C. Chapter 40](#) – Leave
- (B) [10 U.S.C. Chapter 53](#) – Miscellaneous Rights and Benefits
- (C) [33 U.S.C. Chapter 43](#) – National Oceanic and Atmospheric Administration Commissioned Officer Corps
- (D) [37 U.S.C.](#) – Pay and Allowances of the Uniformed Services
- (E) [38 U.S.C. Chapter 53](#) – Special Provisions Relating to Benefits
- (F) [15 C.F.R., Part 15, Subpart C](#) – Involuntary Child and Spousal Support Allotments of NOAA Corps Officers
- (G) [Joint Travel Regulations](#) – Uniformed Service Members and DOD Civilian Employees
- (H) [Department of Defense Financial Management Regulations](#) Volume 7a – Military Pay Policy – Active Duty and Reserve Pay
- (I) [Department of Defense Financial Management Regulations](#) Volume 7b – Military Pay Policy – Retired Pay
- (J) Department of Defense Instruction (DoDI) 1322.16 – Montgomery GI Bill Program
- (K) DoDI 1341.13 – Post-9/11 GI Bill
- (L) COMDTINST 7220.20A – Aviation Incentive Pay and Bonus Program
- (M) COMDTINST M7220.29D – U.S. Coast Guard Pay Manual
- (N) [Government Accountability Office Manual for Guidance of Federal Agencies, Title 4](#) - Claims

- (O) [Executive Order 11023](#), as amended by [Executive Order 13341](#) – Providing for the performance by the Secretary of Commerce of certain functions relating to the National Oceanic and Atmospheric Administration
- (P) [NOAA Delegation of Authority No. 86](#) – OMAO Delegations of Authority

DOCUMENT HISTORY		
Version	Description of Change	Effective Date
3.0	Updates section 020405 (E) to align with updates to JTR Chapter 5, Part A, section 0506, which authorizes TLE for either seven or 21 days.	July 2025
2.0	Clarifies BAH eligibility for NOAA Corps officers with dependents but wishing to stay aboard the vessel in home port (NCD 020307)(B)). Rectifies policy inconsistencies for NOAA Ship commanding officer responsibility pay and rescinds relevant OMAO policy (NCD 020508). Corrects eligibility requirements for Post 9/11 GI Bill (NCD 020701).	March 2025
1.0	Initial Document	December 2024

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020101 – General

- (A) This chapter establishes policy concerning the pay and allowances for all active NOAA Corps officers and officer candidates per the United States Code (U.S.C.), Department of Defense (DoD) Financial Management Regulation (FMR) (DoD 7000.14-R) and Joint Travel Regulations (JTR).
- (B) The NOAA Corps is required by law to conform, as far as practicable, to the regulations regarding pay and allowances to those of the Department of Defense ([37 U.S.C. § 1001\(b\)](#)). This chapter is intended to provide only broad guidance and reference. NOAA Corps officers should consult the Joint Travel Regulations (JTR) and the DoD FMR for more specific information for individual cases. In the event of an inconsistency between the JTR or DoD FMR and this Directive, the JTR and DoD FMR controls.
- (C) NOAA Corps active duty and retired pay compensation is administered by the NOAA Corps Payroll Unit located at the United States Coast Guard (USCG), Pay & Personnel Center (PPC) in Topeka, Kansas. The USCG processes NOAA Corps pay in accordance with a service agreement that was initially established in 1985 and continues to the present.
- (D) The NOAA Commissioned Personnel Center (CPC), Officer Personnel Management Division (OPMD), NOAA Corps Payroll Unit processes all pay and entitlement actions for active duty NOAA Corps officers and officer candidates.
- (E) Official paydays are the 1st (end-month) and the 15th (mid-month) of each month, or the business day preceding the 1st or the 15th if either should fall on a Federal holiday or weekend.
- (F) NOAA Corps officers and officer candidates are advised to review monthly pay slips to ensure transactions are completed accurately, ensuring appropriate pay and entitlements. These transactions include pay changes, allotment adjustment, and proper accounting for accrued leave that may have been taken. Any discrepancies or mistakes should be reported to NOAA Corps Payroll Unit as soon as they are found.

Part 2 – Computation of Service and Basic Pay

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Part 2 – Computation of Service and Basic Pay

020201 – Basic Pay

- (A) Basic Pay is the primary means of compensation for service. Except for certain periods of unauthorized absence, approved leave without pay, or temporary inactivation under an approved career intermission program, all NOAA Corps officers are entitled to basic pay while on active duty. The amount of basic pay is commensurate with the NOAA Corps officers' grade and length of service. ([37 U.S.C. Chapter 3](#) & [37 U.S.C. § 1009](#); DoD FMR Vol. 7A, Chapter 1)
- (B) NOAA Corps officers who have entered into an agreement to participate in a career flexibility program authorized by [33 U.S.C. § 3036](#) are paid basic pay in an amount equal to two-thirtieths of the amount of monthly basic pay to which the officer would otherwise be entitled under [37 U.S.C. § 204](#) as a NOAA Corps officer of the uniformed services on active duty in the grade and years of service of the officer when the officer commences participation in the program. ([33 U.S.C. § 3036\(f\)\(1\)](#))

020202 – Creditable Service

- (A) Pursuant to [37 U.S.C. § 205](#), a NOAA Corps officer's cumulative years of service for the purpose of determining the officer's rate of Basic Pay are computed by adding all periods of active and inactive service as a commissioned officer. This includes service in the current ranks/pay grades of officer candidate/OCUI2 upon graduation from Basic Officer Training Class (BOTC), ensign/O-1 and above, service as a deck officer or junior engineer, and periods served in the former Environmental Science Services Administration or Coast and Geodetic Survey. It does not include service as a ship keeper, seaman, fireman, oiler, etc., under "shipping articles" (24 Comp. Gen. 829 and 25 Comp. Gen. 680).
- (B) A NOAA Corps officer with prior service will receive a Statement of Creditable Service (SOCS) from CPC, OPMD. Upon receipt of a SOCS, the officer's pay entry base date and active service date will be adjusted accordingly.

020203 – Effect of Absence from Duty on Creditable Service

- (A) Officer Status – Time spent by officers in an absence without leave, absence due to own misconduct, civil confinement, or military confinement status is counted as creditable service for pay purposes. However, it is not counted as creditable service for retirement longevity or leave accrual purposes. (DoD FMR Vol. 7A Chapter 1, Table 1-12).

020204 – Computation of Time for Pay

- (A) How to Compute Rates of Pay – [5 U.S.C § 5505](#) establishes the rules for division of time and computation of pay for services rendered.

Part 2 – Computation of Service and Basic Pay

- (B) Rates of Pay – To determine a NOAA Corps officer's monthly rate of basic pay, refer to: <https://www.dfas.mil/militarymembers/payentitlements/Pay-Tables/>

020205 – Commencement of Active Duty Pay

- (A) When Entitled to Basic Pay – As a uniformed service member, or member, the rates of monthly basic pay for NOAA Corps officers are prescribed per [37 U.S.C Chapter 3](#). NOAA Corps officers are entitled to receive pay according to their pay grades and years of service when they are on active duty in a pay status and not prohibited by law from receiving such pay. The pay grade to which a NOAA Corps officer is assigned is prescribed by [37 U.S.C. § 201](#).
- (B) Original Appointment of Officers – Pay and allowances accrue from the date of acceptance of appointment as a permanent or temporary officer. The normal method of acceptance is taking the oath of office. Commencement of travel per an order is considered acceptance for pay purposes.
- (C) Promotions – A NOAA Corps officer who is promoted to a grade above ensign is entitled to the pay and allowances of the grade to which promoted on the effective date of the promotion. ([37 U.S.C. § 1010](#))

Table 2.2.1. When Active Duty Begins

Rule	When a person is	and	then active duty pay and allowances	
			begin on	are authorized for
1	originally appointed as a commissioned officer or officer candidate	appointment is permanent or temporary	date of formal acceptance of appointment	
2	service academy graduate commissioned as an Ensign	appointment is issued and accepted within six months of graduation	date of rank as stated in the commission	
		appointment is not issued or accepted within six months of graduation	date of formal acceptance of appointment (17 Comp. Gen. 377)	
3	retired uniformed service member called or recalled to active duty		date member reports for active duty	
4	retired uniformed service member officer ordered to report for physical examination preparatory to call or recall to active duty, and continues to assigned duty station			period of examination, and allowable travel time in connection therewith

020206 – Termination of Active Duty Pay

Active duty pay is terminated upon separation or change in status. Active duty pay and allowances are credited through the appropriate date as indicated below:

- (A) Retirement – The day before the date the officer is placed on the retired list.
- (B) Resignation or Discharge– The date shown as official date of separation in official notice or, if no official date of separation is shown, the date the NOAA Corps officer receives official notice, except:
 - (1) Discharge orders do not of themselves relieve the Government of its obligation to an officer. The NOAA Corps officer must have received actual or constructive notice by the effective date, unless the officer willfully avoids notice of separation. If a NOAA Corps officer is kept in service without fault, in ignorance of an order of dismissal, entitlement to all salaries and benefits of the office continue.

Part 2 – Computation of Service and Basic Pay

- (2) If held in service under orders after the date shown in discharge orders, a NOAA Corps officer is entitled to pay if there is nothing in the record showing non-entitlement.
- (C) Termination of a NOAA Corps Officer Under Temporary Appointment – The date before the date of termination of the appointment, except for those situations described in DoD FMR Vol 7A, Chapter 1 Table 1-5.

020207 – Continuation of Pay under Special Circumstances

- (A) Recalled to Active Duty – Retired NOAA Corps officers recalled to active duty by orders of competent authority are entitled to the pay and allowances to which the recalled officer is entitled for the grade or rank in which the officer is serving. ([37 U.S.C. § 903](#))

020208 – Pay Entitlement for Authorized Leave and Authorized Absence

- (A) Authority – [10 U.S.C. Chapter 40](#), as applicable to NOAA through 33 U.S.C. § 3071(a)(1) provides the authority for granting leave accruing for NOAA Corps officers. Detailed regulations which contain authority for payment of unused accrued leave are prescribed in NCD Chapter 6.
- (B) Entitlement During Leave Periods – Except as provided in Table 2.2.2, a NOAA Corps officer is entitled to proper credit of full pay and allowances during periods of leave.
- (C) Definition of Full Pay and Allowances – The term “full pay and allowances” for the purpose of this section means:
 - (1) Basic Pay
 - (2) Special Pays (Except when leave and/or authorized absence is incident to separation or retirement from active duty)
 - (3) Incentive Pay for Hazardous Duty (Except when leave and/or authorized absence is incident to separation or retirement from active duty)
 - (4) Basic Allowances for Housing (BAH) and Subsistence (BAS)
 - (5) Family Separation Allowance. (Except when leave and/or authorized absence is incident to separation or retirement from active duty)

Table 2.2.2. Authorized Absence – Effect on Pay and Allowances

Rule	When a uniformed service member is absent from duty	and	then the officer	and the period of absence is
1	on authorized leave	such leave is: a. regular accrued leave b. emergency leave c. delay en route	is entitled to otherwise proper credit of full pay and allowances during the period of absence	charged as leave.
2		such leave is in advance of that accrued		charged against leave as it accrues (Note 1)
3		such leave is: a. sick in quarters or convalescent b. liberty c. proceed time d. parental leave		not chargeable against leave.
4	at home in an awaiting orders status pending final action on the physical evaluation board proceedings	leave was not specifically granted in the member's orders	is entitled to pay and allowances as follows: a. Basic pay b. BAS c. BAH (Note 2)	chargeable to leave to the extent possible. (Note 3)

Notes:

1. Refer to NCD 020209(D) for collection requirements when advance leave is changed to excess leave.
2. Members without dependents are entitled to BAH in accordance with Part 3 of this Chapter.
3. Excess leave that may result during such absence is not charged. However, a negative leave balance that existed before the member being ordered home awaiting orders status continues until separation or retirement, at which time it must be collected as excess leave.
4. A member separating effective 1 March whose separation leave period through 28 February (or through 29 February during leap year) results in excess leave, is not entitled to pay and allowances for 29 and 30 February (or for 30 February during leap year) as if February were a 30-day month. These days are not considered days of excess leave; however, the member is considered to be in a non-pay status through 30 February (5 Comp. Gen. 935).

020209 – Withholding Pay for Unauthorized Absence and Other Lost Time

(A) Effect on Pay and Allowances. The types of unauthorized absence and other lost time and their effect on pay and allowances are shown in Table 2.2.3. Forfeitures of pay and allowances will be computed as follows:

- (1) When Pay Stops – Withhold one day's pay for each full day of absence. Unauthorized absence of 24 consecutive hours or less does not affect pay or allowances. This applies even though the absence involves parts of two days. Begin collection or withholding of pay on the day NOAA Corps officers absent themselves without authority. This includes:

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(a) The day leave, liberty, or authorized travel time expires, if hour of expiration is 2359 or earlier. When the hour of expiration is 2400, begin collection or withholding of pay on the following day.

(b) The day taken into custody by civil authorities.

Exception: If a NOAA Corps officer is held in civil custody while on authorized leave, the NOAA Corps officer is entitled to pay and allowances until the leave expires.

(2) When Pay Resumes – A NOAA Corps officer is entitled to pay and allowances on the day of return to a duty status, as appropriate. Entitlement accrues even though the NOAA Corps officer is not immediately returned to the NOAA Corps officer's regular duty station.

(B) Unauthorized Absence

(1) A NOAA Corps officer who is absent from duty without authority is considered absent without leave (AWOL). The NOAA Corps officer's commanding officer or applicable leave granting authority determines whether the NOAA Corps officer's status is termed AWOL, absent over leave, or desertion.

(2) Administrative Determination of Unauthorized Absence – When a NOAA Corps officer is in an unauthorized absence status, the officer's commanding officer or applicable leave granting authority determines whether the absence was unavoidable. Table 2.2.3 contain rules for determining whether the absence was unavoidable. If it is not excused as unavoidable, the NOAA Corps officer (including one mentally incompetent) forfeits pay and allowances for the period of absence.

(C) Absence in Custody of Civil Authorities – See Table 2.2.3 for entitlement to pay and allowances for the period of absence.

(1) Pay Earned Before Arrest – The NOAA Corps officer may be paid all pay and allowances earned before the date of arrest and confinement if authorized by the Director.

(2) NOAA Corps Officer Released on Bail – When a NOAA Corps officer is released on bail, withhold pay and allowances for the period NOAA Corps officer was in custody pending final action by civil authorities.

(3) NOAA Corps officer on Leave – If a NOAA Corps officer is held by civil authorities while on authorized leave, NOAA Corps officer is entitled to pay and allowances until leave expires, even though NOAA Corps officer is convicted of an offense.

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- (D) Notification – It is the responsibility of the commanding officer or applicable leave granting authority to notify CPC of an officer's unauthorized absence or other lost time in order to make the appropriate changes to pay and allowances.

Table 2.2.3. Unauthorized Absence and Other Lost Time – Effect on Pay and Allowances

Rule	When a uniformed service member is absent from duty	and	the officer
1	without authority (AWOL), over leave or liberty, excess travel en route	the absence has been excused as unavoidable	is entitled to otherwise proper credits of pay and allowances.
2		the absence was not excused as unavoidable	is not entitled to pay and allowances
3	in confinement by civil authorities or by military authorities for civil authorities	the member is being detained as a witness before a civil court	is entitled to otherwise proper credits of pay and allowances
4		the absence was excused as unavoidable	
5		the absence was not excused as unavoidable	is not entitled to pay and allowances, except for that part of the period that is covered by authorized leave
6	in confinement by military authorities for a foreign civil offense (Note 1)	indictment by the foreign country is pending	is entitled to otherwise proper credit of pay and allowances for period before the date member is charged or indicted by the foreign country.
7		has been charged or indicted by the foreign country	is not entitled to pay and allowances, except for that part of the period that is covered by authorized leave (36 Comp. Gen. 173) (Note 2)

Notes:

1. Use this rule only in cases where the foreign country has jurisdiction under the terms of a treaty or other agreement with the United States.
2. Should the absence be excused as unavoidable, the officer is entitled to full pay and allowances.

Part 3 – Housing and Subsistence Allowances

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020301 – Basic Allowance for Subsistence (BAS)

- (A) Basic Allowance for Subsistence (BAS) is authorized by 37 U.S.C. § 402, and administered under the regulations provided in the DoD FMR Vol. 7A, Chapter 25. Except as otherwise provided by law, NOAA Corps officers who are entitled to basic pay are entitled to BAS. ([37 U.S.C. § 402](#))
- (B) Any NOAA Corps officer receiving full BAS must pay for all meals and rations that they receive from, or on behalf of, the U.S. Government. All meals furnished by or on behalf of the Government will be charged at the rates established annually by the Under Secretary of Defense (Comptroller) and published in DoD FMR Vol. 7A, Chapter 25.

020302 – Basic Allowance for Housing (BAH)

- (A) Basic Allowance for Housing (BAH) is authorized by [37 U.S.C. § 403](#), and administered under the regulations provided in the DoD FMR Vol. 7A, Chapter 26.
- (B) NOAA Corps officers are authorized a housing allowance based on grade, dependency status, and location. The location not only determines the rate, but whether the type of allowance is BAH or Overseas Housing Allowance (OHA) (See NCD 020308). The rate of BAH is based on rental housing costs and is paid independent of an officer's actual housing costs. Except for a partial housing allowance (BAH-Partial) or BAH-Differential (BAH-Diff), a housing allowance is not paid to an officer assigned to or occupying adequate Government quarters.
- (C) BAH Rates
 - (1) The Per Diem, Travel, and Transportation Allowance Committee (PDTATAC) determine adequate housing costs in a Military Housing Area (MHA) for all uniformed services members authorized BAH. The determination for housing allowances is based upon the costs of adequate rental housing for civilians with comparable income levels in the same area.
 - (2) An adjustment in the BAH rates as a result of PDTATAC housing costs redetermination in an MHA takes effect when Basic Pay changes, or when a temporary increase is authorized.
 - (3) An MHA is defined geographically by postal zip code within the United States. Major military population areas are further identified by a combination of two-digit code for the state and a three-digit numerical designation within the state. For small military population areas, postal zip codes are aggregated into areas of similar housing cost and designated as County Cost Groups.
 - (4) Refer to the Defense Travel Management Office (DTMO) website for current BAH rates.

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- (D) Start and Stop Dates – Permanent duty station (PDS) housing allowance eligibility starts on an officer's PCS reporting date to a new PDS. Refer to DoD FMR, Vol. 7A, Chapter 26, Section 2.2 for specific information on when housing allowances start and stop under different circumstances.
- (E) Government Quarters Assignment – A housing allowance (except BAH-Partial or BAH-Diff) is not authorized for officers who are assigned to or occupying Government quarters appropriate to the grade, rank, or rating of the officer and adequate for the officer and dependents, if with dependents.
- (F) BAH-Partial – A NOAA Corps officer without dependents assigned to single-type Government quarters (i.e. shipboard) or is on field duty and not authorized BAH or OHA without dependents, or if paying child support, BAH or OHA with dependents based on payment of child support, or BAH-Diff is authorized BAH-Partial. See DoD FMR Vol. 7A, Chapter 26 for specific conditions under which BAH-Partial is authorized or denied.
- (G) BAH Differential (BAH-Diff) – A NOAA Corps officer assigned to single-type Government quarters (i.e. shipboard), leased quarters, or a housing facility under the jurisdiction of a uniformed service is not usually authorized more than BAH-Partial. However, if the officer is authorized BAH solely due to paying child support and the officer is paying an amount equal to or greater than BAH-Diff, then the officer is authorized BAH-Diff. An officer is not authorized BAH-Diff if the child support payment is less than the officer's applicable pay grade BAH-Diff amount.

020303 – BAH Waiver

- (A) A NOAA Corps officer with dependents may be granted a BAH waiver to maintain the BAH at the previous duty station or designated dependent location, in lieu of relocating their dependent(s) and household goods to the new duty station. When a cost comparison determines that maintaining the previous duty station BAH rate for the duration of the assignment is less than the cost of relocating dependent(s) and household goods to the new duty station, a waiver may be granted.
- (B) The monthly BAH rate amount actually paid to a NOAA Corps officer must not be reduced as a result of changes in the national monthly housing cost, or a NOAA Corps officer's promotion. If the NOAA Corps officer is reduced in pay grade or loses BAH authorization, then the BAH waiver at the current rate terminates on the effective reduction date or the date the NOAA Corps officer's eligibility to BAH for a given MHA terminates. A BAH waiver prevents the decrease of a BAH rate as long as the officer's status remains unchanged and the officer is in receipt of BAH. This means that officers will be entitled to the 1 January published BAH rate, or the BAH rate

Part 3 – Housing and Subsistence Allowances

authorized on 31 December, whichever rate is higher. BAH waivers continue until an officer's status changes due to:

- (1) The receipt of a permanent change of station (PCS) order to a new duty station located in a different MHA or to a new duty station located outside of the United States; or
 - (2) A change in dependency status from with-dependent to without-dependent.
- (C) Definition of Cost Comparison Applicable to BAH Waiver Determinations - The total cost for all travel entitlements for dependents and the relocation of the household is compared to the difference in BAH for the duration of the assignment. A waiver may be granted if the increased BAH is less than the cost of the travel and relocation.
- (D) Requesting a BAH Waiver - A NOAA Corps officer may request a BAH waiver by submitting a memorandum request through their chain of command to the Director, Commissioned Personnel Center (CPC). A determination will be made on the request by the Director, CPC, as delegated by the Director, upon receipt.
- (E) BAH Waiver Authorization Provisions
- (1) In consideration of error on policy misinterpretation, BAH waiver determinations made by Director, CPC, as delegated by the Director are final and not subject to appeal to higher authority.
 - (2) Upon approval of a BAH waiver request, basing BAH on either a NOAA Corps officer's previous duty station or dependent location, the authorization remains in effect until the NOAA Corps officer executes a PCS from their permanent duty station, retires, resigns, discharges, divorces, a dependency status change occurs from with-dependents to without-dependents, a dependency status change occurs from without dependents to with dependents, the NOAA Corps officer and dependents (if with dependents) are assigned to Government owned or leased family type quarters, the NOAA Corps officer (if without dependents) is assigned to Government quarters, or the NOAA Corps officer and/or their dependents (if with dependents) relocate their residence out of the boundary area their residence is located in, or out of their residence location, whichever action occurs first.
 - (3) BAH waiver terminates when a NOAA Corps officer with dependents is in receipt of a permanent change of station (PCS) order to a new duty station located in a different MHA or to a new PDS located outside of the United States.
- (F) PCS Order to An Unusually Arduous Sea Duty Ship
- (1) The Director may designate certain NOAA ships as unusually arduous sea duty.

Part 3 – Housing and Subsistence Allowances

- (2) A NOAA Corps officer with dependents who receives a PCS order to an unusually arduous sea duty ship and has no intention of relocating any of their dependents to the ship's U.S. home port is authorized BAH at the ship's U.S. home port rate unless the NOAA Corps officer requests BAH on their NOAA Form 56-25, NOAA Travel Questionnaire for either:
- (a) The previous duty station so long as the NOAA Corps officer is making a daily round-trip commute from their residence to their duty station and their dependent(s) will remain in the residence shared with the NOAA Corps officer. The NOAA Corps officer's Commanding Officer must certify that the NOAA Corps officer is making a daily round-trip commute; or
 - (b) The dependent designated location where a NOAA Corps officer relocates their dependents to at Government expense. See the definition of Designated Place in the Joint Travel Regulations, Appendix A, Definitions and Acronyms. BAH at the dependent location may not be paid if the NOAA Corps officer is able to commute daily between the permanent duty station and the dependents' residence.
- Note: A NOAA Corps officer who relocates their dependent(s) to the ship's U.S. homeport and is authorized the BAH with dependent rate for the homeport, and subsequently relocates their dependent(s) out of the U.S. home port at their own expense, is not authorized to submit a request for BAH for the dependent location. BAH remains based on the ship's U.S. homeport.
- (G) Dependent Travel Delayed – The intent of the BAH waiver to authorize BAH based on the previous duty station or a designated place of dependents is based on the NOAA Corps officer's intention to remain separated from their dependents throughout the duration of their tour aboard the ship. The intent does not apply for a delay in dependent travel (except when ordered by competent authority) or a temporary separation from dependents after the NOAA Corps officer executes the PCS and reports aboard the ship. Temporary dependent separations of this nature are considered matters of personal choice and not a basis for temporary BAH rate protection.
- (H) NOAA Corps Officer Paying Child Support – A NOAA Corps officer who is receiving BAH with-dependents based on payment of child support and receives a PCS order to an unusually arduous sea duty ship that has a homeport in the vicinity of their current duty station may request via memorandum to Director, CPC to receive the BAH with-dependents based on payment of child support rate for their previous duty station, if higher than the ship's home port rate. Approval is contingent on their private sector residence being within a commutable distance to the ship's homeport. The NOAA Corps officer will continue to commute from their residence while serving aboard the ship.

Note: If the private sector residence of a NOAA Corps officer without dependents is not within a commutable distance to the ship's homeport, and the NOAA Corps officer is residing aboard the ship, the NOAA Corps officer is not authorized a locality based BAH with or without dependent rate. The NOAA Corps officer is assigned to their shipboard quarters and is authorized either the BAH Partial rate for their pay grade, or the BAH Differential (BAH DIFF) rate for their pay grade if paying child support.

(I) NOAA Corps officer PCS to an OCONUS PDS and Elects the Unaccompanied Tour

(1) For a NOAA Corps officer with dependents who makes a PCS to an OCONUS PDS and who elects to serve an unaccompanied tour at their OCONUS PDS, dependent transportation to that OCONUS PDS is not authorized at Government expense. The PCS order must specify the NOAA Corps officer is electing the unaccompanied tour at their OCONUS PDS. The NOAA Corps officer will request BAH to the Director, CPC, via the NOAA Form 56-25, NOAA Travel Questionnaire for either:

- (a) The previous PDS location if the NOAA Corps officer's residence is within the Reasonable Commuting Distance (RCD) standard to the previous PDS; or
- (b) The designated place, which can be either the NOAA Corps officer's current residence location where their dependents reside but is beyond the RCD standard to the previous PDS, or the designated place where the NOAA Corps officer elects to relocate their dependents at Government expense. See the Designated Place definition in the JTR, Appendix A, Definitions and Acronyms.

Note: In the case of a NOAA Corps officer serving an unaccompanied OCONUS tour and the dependents relocating from a designated place at personal expense: For regulations concerning housing allowance authorization, see DoD FMR Vol. 7A, Chapter 26. For regulations concerning CONUS COLA authorization, see DoD FMR Vol. 7A, Chapter 67. For OCONUS COLA and TLA authorization, see DoD FMR Vol. 7A, Chapter 68.

(2) If single-type government quarters are not available for assignment to the NOAA Corps officer at the OCONUS PDS, and the dependent does not reside at or near the PDS, a determination for FSH-B (Family Separation Housing BAH) or FSH-O (Family Separation Housing OHA) will be made by the NOAA Corps officer completing the Family Separation Allowances Worksheet (NF 56-15). If a NOAA Corps officer is delaying the transportation of their dependents to their OCONUS PDS, the NOAA Corps officer is not serving an

unaccompanied tour and is not authorized FSH-B or FSH-O at the OCONUS PDS.

- (3) A dependent may visit the NOAA Corps officer at the OCONUS PDS for up to 90 consecutive days without affecting the with-dependent allowance or FSH (Family Separation Housing). If the visit exceeds 90 days, or if there is evidence that the dependent has established a residence in the vicinity of the NOAA Corps officer's OCONUS PDS, regardless of the number of days following the dependent's arrival at the PDS, it is no longer a visit but a change of the dependents' permanent residence. The dependent is considered to be residing at the PDS and the dependent-location housing allowance and FSH stops. In this event, the NOAA Corps officer is authorized PDS-based with-dependent allowance. Evidence includes residing with the NOAA Corps officer, living in other than temporary lodging, gainful employment in the PDS vicinity, or enrollment in an educational or vocational training program.
- (4) If the dependent subsequently departs the PDS after day 90 to establish a residence elsewhere, FSH, if otherwise payable, and the with-dependent allowance previously authorized are reinstated as of the departure day.
- (5) When a NOAA Corps officer serves an unaccompanied tour at the first (i.e., the initial PDS when coming on active duty) PDS, payment of a with-dependent housing allowance is based on one of the locations described in the JTR, par. 050814, 050903, and 050907, if the dependent has been authorized/approved to reside at one of the locations described in those paragraphs.
- (6) A NOAA Corps officer transferred between unaccompanied tours, whose dependent does not move, may continue to be authorized a with-dependent rate based on the dependent's location. The NOAA Corps officer must submit a memorandum requesting BAH waiver to CPC and be issued a BAH waiver memorandum for the new OCONUS PDS.
- (7) A NOAA Corps officer transferred between unaccompanied tours whose dependent moves from the NOAA Corps officer's prior PDS (PDS before the NOAA Corps officer was assigned on the first unaccompanied tour) to a designated place, or from a designated place to another designated place if the move is authorized/approved under the JTR, par. 050808, is authorized a with-dependent rate based on the dependent's new location.
- (8) If dependents relocate from a designated place at personal expense to any other OHA location that is not in the vicinity of the NOAA Corps officer's PDS, start OHA based on the new location effective the date private sector housing is obtained once the required documentation is provided. Stop the with-dependent allowance based on the designated place from which the dependent departed

effective the day before the dependent departed that location if an OHA area or the day before the dependent arrives at the new location if departing a BAH area.

- (9) When a NOAA Corps officer serves an unaccompanied tour, and the dependents' location is in an OHA payable location, the housing allowance for the dependents' location may be authorized effective the date of the lease or mortgage, or if the dependents' location is in a BAH payable area, effective the NOAA Corps officer's PCS reporting date to the OCONUS PDS.
- (10) If the dependent relocates at personal expense from a designated place in a BAH area to a different location in a BAH area that is not at or near the NOAA Corps officer's PDS, continue BAH based on the previously authorized location (either old PDS or dependent location before the move). If the dependent relocates from a designated place in an OHA area to a location in a BAH area, start BAH based on the new location on the dependent's arrival date and stop the OHA the day before dependent's departure.

Note: If all of the NOAA Corps officer's dependents arrive at the NOAA Corps officer's OCONUS PDS (OHA area) and stay beyond 90 days, the NOAA Corps officer is not authorized OHA simply because the dependents are present. To be paid OHA, the NOAA Corps officer must provide a copy of a leasing agreement and utility bills for private section leased/owned housing.

(J) To a Dependent-Restricted OCONUS PDS

- (1) A NOAA Corps officer with dependents making a PCS to a dependent-restricted PDS may submit a memorandum to the Director, CPC requesting BAH for either:
 - (a) The previous PDS if the NOAA Corps officer's residence is within the RCD standard to the previous PDS; or
 - (b) The designated place, which can be either the NOAA Corps officer's current residence where their dependents reside but is beyond the RCD standard to the previous PDS, or the designated place where the NOAA Corps officer elects to relocate their dependents at Government expense. See the Designated Place definition in the JTR, Appendix A, Part 1, Definitions.

Note: In the case of a NOAA Corps officer serving a dependent-restricted OCONUS tour and the NOAA Corps officer relocates their dependents at personal expense: For regulations concerning housing allowance authorization, see DoD FMR Vol. 7A, Chapter 26. For regulations concerning CONUS COLA authorization, see DoD FMR

Vol. 7A, Chapter 67. For OCONUS COLA and TLA authorization, see DoD FMR Vol. 7A, Chapter 68.

- (2) If BAH waiver is authorized and the NOAA Corps officer meets the FSH eligibility requirements, FSH-B or FSH-O may be authorized.
- (3) When a NOAA Corps officer serves a dependent-restricted tour at the first (i.e., the initial PDS when coming on active duty) PDS, payment of a with-dependent housing allowance is based on one of the locations described in the JTR Chapter 5, Sections 050814 (Dependent-Restricted Tour), 050903 (Dependent Travel when a Service Member Assigned to a Ship or Mobile Unit is Undergoing a Home Port Change or Move), or 050907 (Unusually Arduous Sea Duty or Sea Duty Specified OCONUS of 1 Year or More), if the dependent has been authorized/approved to reside at one of the locations described in those paragraphs.
- (4) A NOAA Corps officer transferred between dependent-restricted tours, whose dependents do not move, continues to be authorized a with-dependent rate based on the dependent's location. The NOAA Corps officer must submit a memorandum to the Director, CPC for subsequent authorization for the new PDS.
- (5) A NOAA Corps officer transferred between dependent-restricted tours whose dependent moves from the NOAA Corps officer's prior PDS (PDS before the NOAA Corps officer was assigned on the first dependent-restricted tour) to a designated place, or from a designated place to another designated place if the move is authorized/approved under JTR Chapter 5, Section 050808 (Dependent Travel and Transportation Due to an Alert Notice), is authorized a with-dependent rate based on the dependent's new location.
- (6) If dependents relocate from a designated place at personal expense to any other OHA location that is not in the vicinity of the NOAA Corps officer's PDS, start OHA based on the new location effective the date private sector housing is obtained once the required documentation is provided. Stop the with-dependent allowance based on the designated place from which the dependent departed effective the day before dependent departed that location if an OHA area or the day before the dependent arrives at the new location if departing a BAH area.
- (7) When a NOAA Corps officer serves an unaccompanied tour in an OHA payable area, and the dependent's location is in an OHA payable location, the housing allowance for the dependent's location may be authorized effective the date of the lease or mortgage, or if the dependent location is in a BAH payable area, effective the NOAA Corps officer's PCS reporting date to the OCONUS PDS.

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- (8) If the dependent relocates at personal expense from a designated place in a BAH area to a different location in a BAH area that is not at or near the NOAA Corps officer's PDS, continue BAH based on the previously authorized location (either old PDS or dependent location before the move). If the dependent relocates from a designated place in an OHA area to a location in a BAH area, start BAH based on the new location on the dependent's arrival date and stop the OHA the day before dependent's departure.
- (K) NOAA Corps Officer is Stationed OCONUS and Acquires a Dependent(s) – When a NOAA Corps officer stationed OCONUS acquires a dependent (i.e., marriage, birth, adoption, etc.), the NOAA Corps officer will submit a memorandum to the Director, CPC to request a with-dependent housing allowance be based on the:
 - (1) Dependent location if the dependent does not reside at or near the OCONUS PDS – If the dependent does reside at or near the OCONUS PDS, the housing allowance is based on the OCONUS PDS. If the dependent's residence is in an OHA payable area, to authorize OHA a private sector housing expense is required for the dependent location.
 - (2) FSH Eligibility – Effective the date the dependent is acquired:
 - (a) If the dependent resides in the OCONUS PDS vicinity, then FSH is not authorized and the NOAA Corps officer is authorized the PDS with-dependent housing allowance.
 - (b) If single-type Government quarters are not available for a NOAA Corps officer at the OCONUS PDS, and the dependent does not reside in the PDS vicinity, the NOAA Corps officer will work with Officer Personnel Management Division to submit appropriate FSH request documentation to NOAA Corps Payroll. A NOAA Corps officer may not decline assignment to available single-type Government quarters, and the command may not release a NOAA Corps officer from their assignment to single-type Government quarters to gain FSH authorization. FSH is not authorized if the NOAA Corps officer is assigned to Government owned/leased quarters at the OCONUS PDS.
 - (c) If a NOAA Corps officer is residing in private sector quarters and single-type Government quarters are available at the OCONUS PDS, FSH is not authorized.
 - (d) The adequacy or suitability of available Government quarters is not a consideration factor with respect to FSH.
 - (3) Dependents may visit the NOAA Corps officer at an OCONUS PDS without changes to allowances. However, when the visit exceeds 90 consecutive days, or if there is evidence that the dependent has established a residence in the

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vicinity of the NOAA Corps officer's OCONUS PDS, regardless of the number of days following the dependent's arrival at the PDS, it is no longer a visit but a change of the dependents' permanent residence. Evidence includes (but is not limited to) residing with the NOAA Corps officer, living in other than temporary lodging, gainful employment in the PDS vicinity, or enrollment in an educational or vocational training program.

- (4) The with-dependent allowance is changed to be based on the PDS location and FSH, if being paid, stops. If dependents subsequently depart the PDS area after with-dependent allowances are changed and FSH stopped, the with-dependent allowance and FSH previously authorized are reinstated as of the dependent's departure date.

020304 – BAH: Determination of Dependency

- (A) Purpose – This section explains the conditions necessary to establish dependency and the support of dependency for entitlement to a housing allowance. It must be used by CPC, OPMD in:
 - (1) Determination of the relationship or dependency of dependents and related housing allowance entitlement;
 - (2) Certification of minimal requirements; and,
 - (3) Counseling NOAA Corps officers concerning their housing allowance on behalf of dependents.
- (B) Dependency Approval – Dependency must be determined before entitlement to a housing allowance is authorized. After initial dependency approval is made, CPC will maintain adequate levels of internal audit to assure the legality, propriety, and correctness of all housing allowance payments.
- (C) Certification of Dependents Status – NOAA Corps officers must validate their housing allowance entitlement by verifying their Direct Access BAH/Dependency Data annually.
- (D) Eligibility
 - (1) A NOAA Corps officer's spouse and unmarried, minor children (as defined in 37 U.S.C. § 401) are always dependents for housing allowance purposes except under certain situations as described in NCD 020304(E), NCD 020304(K), NCD 020304(L), NCD 020304 (M) and NCD 020305(B).
 - (2) An unmarried minor child of an invalid marriage, or a marriage annulled as void or voidable, is a dependent for housing allowance purposes; or

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- (3) An incapacitated child over age 21, a ward of the court, or an unmarried child over age 21 and under age 23 who is attending college full time requires an in-fact dependency. The child is a secondary dependent and must be dependent upon the NOAA Corps officer for over one-half of the child's support. The child's income, not counting the NOAA Corps officer's contributions, must be less than one-half of the child's monthly living expenses.
- (E) No Authorization on Behalf of Certain Dependents – A NOAA Corps officer is not authorized a housing allowance for:
- (1) A minor child entitled to basic pay as a uniformed service member on active duty, including a minor child attending a military service academy where the United States furnishes quarters;
 - (2) A spouse who is on active duty in a uniformed service and entitled to basic pay and allowances. This does not include spouses in a military service of a foreign Government, even if that spouse is furnished quarters or paid a monetary allowance in lieu of quarters by that foreign Government.
 - (3) A dependent for which the NOAA Corps officer is no longer required to or has been absolved of the requirement to provide support;
 - (4) A dependent whose whereabouts are unknown and whose absence or whereabouts cannot be explained;
 - (5) A former spouse to whom the NOAA Corps officer is paying alimony;
 - (6) A dependent who occupies Government quarters as a permanent residence without payment of a rental charge;
 - (7) A child for whom the NOAA Corps officer pays child support and the following conditions exist:
 - (a) the child is in another active duty uniformed service member's custody (including a former spouse); and
 - (b) the uniformed service member with custody of the child is assigned to Government or Government-leased family quarters or receives a with-dependent housing allowance on behalf of the child (this does not include privatized housing).
 - (8) A child after adoption by a third party and the final adoption order or decree has been entered. When the NOAA Corps officer supports the child pending a final decree, authority for a housing allowance continues after an interlocutory decree of adoption has been entered if the decree does not change the legal relationship between the child and the officer.

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- (F) **Determinations and Fraudulent Claims** – Any uniformed service member who submits a claim for a housing allowance that contains a false statement is subject to criminal prosecution and a punitive separation, total forfeitures, and confinement.
- (G) **Dependency Validation** – Annual revalidation of dependency is required for a NOAA Corps officer with dependents who receives a housing allowance through their respective OPFs.
- (H) **NOAA Corps Officer’s Marriage Status Determination**
 - (1) Any case where the validity of a NOAA Corps officer’s marriage is questioned is considered a case of doubtful relationship and may depend on the laws of states and jurisdictions in which the marriage or divorce is made. Doubtful relationships for housing allowance purposes include remarriage within a prohibited period following a divorce, marriage by proxy, marriage by telephone, common-law marriages, foreign nation divorce, void marriage, and annulled marriage. See DoD FMR Vol. 7A, Chapter 26 regarding determination of validity of such relationships.
 - (2) **Determination and Validations** – Submit requests for determination on validity of a marriage in doubtful cases or for validation of payments to the Director, CPC.
- (I) **Dependent Support**
 - (1) Proof of support of a lawful spouse or unmarried, minor, legitimate child of a NOAA Corps officer is generally not required. However, when an appropriate office receives evidence or a complaint from a dependent of nonsupport or inadequate support, proof of adequate support is required.
 - (2) **Non-support** – A NOAA Corps officer who fails to support a dependent on whose behalf a housing allowance is received is not authorized a housing allowance on that dependent’s behalf. A NOAA Corps officer does not avoid the legal responsibility to comply with a court order for support by forfeiting a housing allowance. Housing allowances must be recouped for nonsupport or inadequate support periods. Subsequently paying support arrears does not authorize a NOAA Corps officer a housing allowance for the dependent unless the non-support or inadequate support was caused as a result of mission requirements (such as remote assignment with limited access to administrative support and/or financial networks) or the actions of outside agencies (such as financial institutions, postal service, etc.) over which the NOAA Corps officer has no control.
 - (3) **Unstated Support Amount or Release from Support Responsibility** – A legal separation agreement, court decree, judgment, or order that is silent on

dependent support, does not state the dependent support amount, or absolves the NOAA Corps officer of dependent support responsibility does not affect a NOAA Corps officer's housing allowance. This is true regardless of the jurisdiction in which the decree, agreement, or order was issued or of the dependent's domicile. The NOAA Corps officer is authorized a housing allowance on behalf of a dependent if the NOAA Corps officer contributes to the dependent's support in an amount that is not less than the applicable BAH-Differential (BAH-Diff) rate.

- (4) Legal Separation Agreement or Court Order Stating Amount of Support – When there is a court order or legal separation agreement stating the support amount, a uniformed service member must contribute to the dependent's support the amount specified to receive BAH-Diff. In no case may the support payments be less than the applicable BAH-Diff rate. The failure to contribute to the dependent's support an amount specified in a court order or legal separation agreement is not misconduct. However, the refusal to obey a lawful order, issued by competent authority, to contribute to the dependent's support the amount specified in a court order or legal separation agreement may be the basis for discipline under NCD Chapter 7 (NCD 07403).
- (5) Joint Legal Custody – When a NOAA Corps officer is divorced from a person who is not a uniformed service member, they share joint legal custody of a child, and the former spouse is awarded primary physical custody, then the NOAA Corps officer is a non-custodial parent for housing allowance purposes.
 - (a) When the NOAA Corps officer's court-ordered child support is less than the applicable BAH-Diff rate and the officer is not residing in, or assigned to Government quarters, the officer is only authorized a housing allowance at the without dependent rate.
 - (b) When a NOAA Corps officer not assigned to Government quarters pays additional support to the former spouse who has primary custody of the child so that the total child support provided is equal to or more than the BAH-Diff rate, the officer is authorized a housing allowance at the with-dependent rate.
- (6) Temporary Custody – When a NOAA Corps officer has temporary custody of a child and they reside in a private-sector residence, the cost of maintaining the residence is not a factor in determining authority for the with-dependent housing allowance rate and may not be used instead of, or in addition to, child support to qualify for increased allowances. The dependent child must reside with the NOAA Corps officer on a non-temporary basis, which is a period of 91 or more consecutive days, for the officer to qualify for the with-dependent housing allowance rate for the temporary period. The cost of maintaining a

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home may not be added to the amount of child support to qualify for the increased allowances.

- (7) Adequate Support – When a court order or legal separation agreement does not establish support requirements, a NOAA Corps officer must provide a support amount that is at least equal to the BAH-Diff rate applicable to the officer's grade. The support amount required to retain or receive a housing allowance for a dependent is not necessarily adequate to meet uniformed service policies.
- (8) Increase in Support Required by Increase in BAH-Diff Rates – Whenever BAH-Diff rates increase, the minimum amount of dependent support required for housing allowances purposes increases to the new rate. A NOAA Corps officer receiving a housing allowance on behalf of a dependent must increase the amount of support within 60 days of the increase in order to continue receiving the housing allowance.
- (9) Settlement Agreements
 - (a) Property settlements made under a court order or written agreement are not considered support for housing allowance purposes.
 - (b) Payments made under a settlement in place of support are considered support only for the period specified in the written agreement or court order.
 - (c) A lump-sum settlement in place of support made under written agreement or court order is support for the period the lump sum would reasonably cover the dependent's support.
- (10) Interlocutory Decree of Divorce
 - (a) For purposes of this section, an interlocutory decree is a court judgment which is temporary and not intended to be final until either:
 - (i) other matters come before the judge; or
 - (ii) there is a specified passage of time to determine if the interlocutory decree (judgment) is "working" (becomes accepted by both parties) and should become final.
 - (b) If an interlocutory decree of divorce does not provide for support to the former spouse, the NOAA Corps officer is not authorized a housing allowance for the former spouse after the date of the decree unless the officer provides proof of support.
- (J) Dependent Parent

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- (1) Determination – A parent’s dependency is determined based on an affidavit with supporting evidence as required submitted by the NOAA Corps officer to the Director, CPC.
 - (2) Dependency Requirement – A NOAA Corps officer is authorized a housing allowance on behalf of a parent who depends on the officer for more than one-half of the parent’s support. The parent’s income, not counting the officer’s contribution, must be less than one-half of the parent’s monthly living expenses and the officer’s contribution must be more than one-half of the parent’s monthly living expenses. A parent’s residence in a charitable institution, public or private, does not prohibit the officer from receiving a housing allowance for the parent. See FMR Vol. 7A, Chapter 26, Section 3.2.2.1 for specific conditions.
- (K) Adopted Child, Stepchild, or Child Born Out of Wedlock
- (1) Proof of Parentage – A NOAA Corps officer who claims a housing allowance for an adopted child, stepchild, or a child born out of wedlock must provide proof of parentage as follows:
 - (a) For an adopted child, documentation showing the NOAA Corps officer is the child’s legal parent.
 - (b) For a stepchild, a marriage license showing the NOAA Corps officer is married to the child’s legal parent and documentation showing that the officer’s spouse is the parent of the child.
 - (c) For a child born out of wedlock, a birth certificate with the NOAA Corps officer’s name cited is required. If the officer’s name is not stated on the birth certificate or on a court order, the officer must provide a notarized affidavit of parentage from the uniformed service member. If the child is not in the custody of the officer parent, the case is treated as specified in the rules for BAH-Diff.
 - (2) Support Requirements – A NOAA Corps officer may claim a dependent child, adopted child, stepchild, or out of wedlock child for housing allowance purposes. The officer is authorized a housing allowance if the officer contributes to the dependent’s support and that support is at least equal to the applicable BAH-Diff. This includes an officer authorized BAH-Diff and an officer assigned to single-type Government quarters when the child is in the physical custody of another person. See FMR Vol. 7A, Chapter 26, Section 5.6.1.
- (L) Other Cases
- (1) For a child living with a NOAA Corps officer’s former spouse, see DoD FMR Vol. 7A, Chapter 26, Section 3.0.

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- (2) For a child living with a NOAA Corps officer's former or estranged spouse who is a uniformed service member assigned to family government quarters, see DoD FMR Vol. 7A, Chapter 26, Section 3.0.
- (3) For a dependent confined in a penal or correctional institution, see DoD FMR Vol. 7A, Chapter 26, Section 4.4.

020305 – BAH: NOAA Corps Officer Married to Another Uniformed Service Member

- (A) General – A dependent who is on active duty in a U.S. uniformed service and entitled to Basic Pay cannot be a dependent for housing allowance purposes. ([37 U.S.C. § 421](#)) Refer to DoD FMR Vol. 7A, Chapter 26, Section 4.5.2 for more information regarding housing allowances when both spouses are entitled to basic pay. See Paragraph (E) below for member to member couples when one or both are serving on sea duty.
- (B) Separate Households – When both uniformed service members maintain separate households at or in the vicinity of their PDS, each is individually authorized BAH or OHA. Only one member may receive BAH or OHA at the with-dependent rate if there are dependents involved (e.g., child(ren), parents). If dependents are involved and one member is assigned to Government owned or leased family-type quarters, that member is not authorized BAH or OHA. If the other member resides in private sector quarters, that member is only authorized BAH or OHA without dependents. In no case may a spouse who also is a member of a uniformed service in receipt of Basic Pay be a dependent for allowance purposes in this Part. ([37 U.S.C. § 421](#))
- (C) Other Dependents
 - (1) Child(ren) from Previous Relationships and Dependent Parents – When one or both members are authorized housing allowances for a child(ren) from a previous relationship or on behalf of a dependent parent(s), and the members marry and are stationed in the same area, all children and dependent parents of either member are one (or the same) class of dependents. Therefore, only one housing allowance at the with-dependent rate (including BAH-Diff) is payable. Any child(ren) born of their marriage, or adopted by them, is within the same class of dependents for housing allowances purposes. However, if the member elects to stop receiving a housing allowance at the with-dependents rate, then the other member may claim the children for housing allowance purposes. A relationship determination is required, but ordinarily a dependency determination is not. In all instances of a NOAA Corps officer having a spouse on active duty, full details must be given showing the spouse's full name, social security number, duty station, and branch of uniformed service. This does not apply to two members living together but not married. These members are each authorized a housing allowance based on each member's dependents.

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- (2) Dependents of Marriage – When two members, with no other dependents, are married to each other, they may elect which member receives a housing allowance for their adopted children or children born of their marriage. Both members must agree to the election. If the members cannot agree, the senior member is authorized a housing allowance for their children. Such elections may not be applied retroactively. The members may subsequently elect to transfer BAH entitlement from one member to the other. Changes are effective as of the date of election.
 - (3) Members Assigned to Different Locations – When married members are assigned to different locations, pursuant to competent orders, the authorization for a housing allowance at the with-dependent rate or to Government-furnished quarters should be determined separately, without regard to the general rule that all children and parents of the members are dependents of the same class for housing allowance entitlements. Each member is required to have physical custody of a dependent if both members are claiming a housing allowance authorization at the with-dependent rate.
 - (4) Dependent Parents – When one of two married members is receiving a housing allowance at the with-dependent rate, the class of dependents includes either member's parents and only one member is authorized a housing allowance at the with-dependent rate or BAH-DIFF for the one class of dependents when the members are assigned to the same or adjacent duty stations.
- (D) Dependent Custody Effects on Housing Allowances
- (1) Divorce or Legal Separation – In addition to NCD 020304(K), the following rules apply when the divorced or separated parents are both members. These rules apply only when neither member is assigned to family-type Government quarters, unless otherwise specified.
 - (a) Unless both members agree to the contrary, the custodial parent is authorized a housing allowance for the child(ren), regardless of the child support amount received by that member. In addition to the court order, a separate notarized agreement between the members must be provided for the non-custodial member to receive a housing allowance for the child(ren);
 - (b) When each member has legal and physical custody of one or more of the children of the marriage, each member is authorized a housing allowance for the children in their individual custody, regardless of child support payments from one member to the other;
 - (c) When a child of the marriage is in a third party's custody, only one member is authorized housing allowance for the child, even if both

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members are paying sufficient child support to qualify for the housing allowance. The senior member is authorized a housing allowance for the child when the two members do not agree on which person claims the authorization. If the members are of equal rank, date of rank determines which one receives a housing allowance for the child;

- (d) In joint legal custody cases, when physical custody changes from one parent to another, each parent is authorized a housing allowance for the child during those periods the child is actually in that parent's custody;
 - (e) When a non-custodial member pays child support to the custodial parent who also has another dependent who makes the member eligible for a housing allowance, there is a presumption that the custodial parent's entitlement is based on the dependent(s) other than the child(ren) of the marriage. The housing allowance authorization for the custodial and non-custodial parents is determined individually; or
 - (f) When the dependent is no longer in one class, the housing allowance authorization for the custodial and non-custodial parents is determined individually. For example, if the non-custodial parent pays child support to a non-active duty parent for a child from a previous marriage or relationship, the non-custodial parent may qualify for a housing allowance based solely on the basis of the member's child support for the child. (See NCD 020302(G) regarding BAH-Diff)
- (E) Duty Status Effects on BAH or OHA – Unless the NOAA Corps officer's pay grade, permanent duty station (PDS) assignment, or quarters assignment specifically preclude the authorization of a without dependent housing allowance or a with-dependent housing allowance based solely on the payment of child support, a married member-to-member couple who have no BAH-eligible dependents from their marriage are each authorized a housing allowance when residing in private-sector quarters. If one or both members are assigned to sea duty, the member(s) cannot occupy their shipboard quarters except when required (e.g., when on duty or underway) and receive a without-dependent housing allowance or with-dependent housing allowance based solely on the payment of child support. The NOAA Corps officer occupying their shipboard quarters is only authorized BAH Partial or, if paying child support, BAH Differential (BAH-DIFF).

020306 – BAH: Government Quarters

- (A) General – A housing allowance, other than BAH Partial or BAH-DIFF, is not authorized to a NOAA Corps officer who is assigned to Government quarters appropriate to the NOAA Corps officer's grade, rank, or rating and adequate for the NOAA Corps officer and dependents, if with dependents. BAH-Diff or BAH-Partial may be authorized only if the NOAA Corps officer is assigned to single type

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Government quarters or a single type housing facility under a uniformed service and not authorized BAH or OHA.

- (B) Government quarters include:
 - (1) Sleeping accommodation or family-type housing owned or leased by the U.S. Government;
 - (2) Lodgings or other quarters obtained by U.S. Government contract;
 - (3) Dormitories or similar facilities operated by cost-plus-a-fixed-fee contract; and
 - (4) Sleeping or housing facilities furnished by a foreign government on behalf of the U.S. Government.
- (C) Government quarters for BAH purposes do not include transient facilities such as temporary lodging facilities, guest houses, hostess houses, or hotel-type accommodations built by and/or operated by non-appropriated fund activities (NAFA), or privatized housing. Government owned, non-NAFA transient quarters are Government quarters for BAH purposes.
- (D) For more detailed information regarding specific BAH circumstances relating to occupation of Government quarters and privatized housing, refer to DoD FMR Vol 7A, Chapter 26, Sections 8.0 and 9.0.

020307 – BAH: Assignment Situations

- (A) NOAA Corps Officers Without Dependents (See FMR Vol 7A Chapter 26, Section 10.1)
 - (1) General – A NOAA Corps officer without dependents who is entitled to basic pay is entitled to BAH or OHA as set forth in Table 2.3.1 below. A NOAA Corps officer without dependents residing in Government-owned quarters (i.e., ship) at their PDS, cannot claim BAH or OHA without dependents or BAH or OHA with-dependents housing based on the payment of child support when the NOAA Corps officer has a private sector quarters payment (i.e., rent, mortgage) for a residence they cannot occupy because it is not in the vicinity of their PDS. The NOAA Corps officer is assigned to Government quarters at their PDS and is only authorized BAH Partial or BAH DIFF if paying child support.
 - (2) Location Rate – Ordinarily a housing allowance is paid based on the NOAA Corps officer's PDS or the home port for a NOAA Corps officer assigned to a ship or afloat unit. If a NOAA Corps officer is directed to report for duty at a location other than their PDS, a request will be sent to Director, CPC to determine if it is inequitable to pay a housing allowance based on the new PDS.

Effective on a NOAA Corps officer's PCS reporting date, the officer has a responsibility to complete and submit to their CPC HR Specialist a declaration of acceptance or refusal of quarters to report the actual type of quarters the NOAA Corps officer is assigned to at their PDS. The CPC HR Specialist has a responsibility to verify the type of quarters the NOAA Corps officer is assigned to at the PDS and correctly apply the correct BAH authorization. Contact CPC/OPMD for a determination if there is doubt on the location where the NOAA Corps officer's housing allowance is based.

- (3) Officers who receive a PCS Order to Sea Duty – NOAA Corps officers stationed ashore, receiving either BAH or OHA without dependents, or BAH or OHA with-dependents based on payment of child support, who receive a PCS order to a ship homeported within the RCD standard to both the NOAA Corps officer's shore PDS and private sector residence, may be authorized by the ship's commanding officer to continue receipt of BAH or OHA if the NOAA Corps officer continues to occupy their private sector quarters. If the NOAA Corps officer terminates their private sector quarters upon or after reporting to the ship, and is assigned to Government-owned quarters (i.e., shipboard), the NOAA Corps officer is only authorized BAH Partial or BAH-DIFF if paying child support.
 - (4) Afloat Permanent Duty Station, NOAA Corps Officers Without Dependents – NOAA Corps officers may elect to not reside in assigned shipboard quarters (except as required by duty or when underway), and are authorized BAH or OHA when the NOAA Corps officer obtains and resides in private sector quarters off the ship.
- (B) NOAA Corps Officers with Dependents (see FMR Vol 7a Chapter 26, Section 10.2)
- (1) When Authorized BAH or OHA – Except for a NOAA Corps officer paying child support and assigned to Government quarters (authorized BAH-Diff), a NOAA Corps officer with dependents who is entitled to basic pay is authorized BAH or OHA at the rate prescribed for a NOAA Corps officer with dependents when:
 - (a) Adequate Government quarters are not furnished for the NOAA Corps officer and dependents without a rental charge payment;
 - (b) Adequate Government quarters are not furnished for the NOAA Corps officer's dependents, or all of the NOAA Corps officer's dependents are prevented by competent authority from occupying such quarters, even though quarters are assigned for the NOAA Corps officer's occupancy; or

- (c) Dependents are not en route or do not accompany the NOAA Corps officer to the PDS, or the vicinity thereof, so as to preclude assignment of family quarters. Under such circumstances, the mere availability of quarters which could have been assigned does not negate the right of a NOAA Corps officer to the BAH or OHA for dependents.

Note: A NOAA Corps officer assigned to duty aboard a ship or other afloat unit and wishing to stay aboard the ship or afloat unit while in home port is authorized a with-dependent allowance when supported by a statement of the officer's commanding officer, or an officer designated by the commanding officer. The statement must specify that the dependent has established a residence at or in the home port vicinity. Such a statement must be sent to the Director, CPC. The applicable with-dependent allowance is payable even though the officer is quartered in kind aboard a ship with their afloat unit. The rate payable is the rate applicable to the ship's or afloat unit's home port. (see FMR Vol 7a Chapter 26, Section 10.2.2.5)

- (2) Location Rate – Ordinarily a housing allowance is paid based on the NOAA Corps officer's PDS, or the home port for a NOAA Corps officer assigned to a ship or afloat unit. If a NOAA Corps officer is directed to report for duty at a location other than their PDS, a request will be sent to Director, CPC to determine if it inequitable to pay a housing allowance based on the new PDS. However, a NOAA Corps officer's PCS assignment to a PDS or the circumstance of that assignment may require the dependent(s) to reside separately.
- (3) Home Port Changes – Change the housing allowance to the new home port rate on the home port change effective date prescribed, if a NOAA Corps officer:
 - (a) Is currently assigned to a ship with an announced home port change; or
 - (b) Is in receipt of a PCS order to a ship with an announced home port change; and
 - (c) The dependents are authorized travel to the new home port.

Note: If the ship is a designated unusually arduous sea duty ship, and the NOAA Corps officer has no intention of relocating their dependents to the ship's new home port location, the NOAA Corps officer may apply for BAH waiver under NCD 020303.

- (4) Multiple Dependent Locations – In instances of multiple dependent locations, the NOAA Corps officer must designate the primary residence of dependents. The housing allowance rate is based on this primary residence.
- (5) Entitlement during Leave, Travel Status, Separation, or Other Situations – see Table 2.3.2 below.

(C) Acquired Dependent (see DoD FMR Vol. 7A, Chapter 26, Section 10.3)

- (1) General Rules – When a NOAA Corps officer acquires a dependent (e.g., marriage, birth, adoption), a with-dependent housing allowance is authorized based on the:
 - (a) CONUS PDS to which the NOAA Corps officer is assigned. A NOAA Corps officer assigned at a CONUS PDS may request through the Secretarial Process a housing allowance based on the dependent's residence location. The NOAA Corps officer will submit a written request to the Director, CPC requesting the housing allowance be based on the dependent's residence location; or
 - (b) Dependent's location if the NOAA Corps officer is stationed at an OCONUS PDS and the dependent does not reside at or near the OCONUS PDS. If the dependent does reside at or near the OCONUS PDS, the housing allowance is based on the OCONUS PDS; or
 - (c) The dependent location if the NOAA Corps officer meets the PCS eligibility requirements for BAH rate protection. (See Section 020303 – BAH)

Note: If the NOAA Corps officer is assigned to Government owned or leased single-type quarters on the date the dependent is acquired, the NOAA Corps officer is authorized a with-dependent housing allowance.
- (2) While in Transit – For a NOAA Corps officer who acquires a dependent while in transit, effective the date the dependent is acquired, a with-dependent housing allowance will be based on:
 - (a) The NOAA Corps officer's previous PDS location if in CONUS, Alaska or Hawaii (BAH payable areas); or
 - (b) The BAH Transit Non-Locality rate for the NOAA Corps officer's pay grade if the previous PDS is in an OHA payable area. Unless assigned to Gov't quarters, the NOAA Corps officer is authorized the applicable BAH without dependent rate or BAH without dependent non-locality rate from the effective PCS departure date to the date before the dependent is acquired.
- (3) Family Separation Housing (FSH) Eligibility – Effective the date the dependent is acquired:
 - (a) If the dependent does reside in the OCONUS PDS vicinity, then an FSH is not authorized and the NOAA Corps officer is only authorized the with-dependent housing allowance based on the OCONUS PDS.
 - (b) If single-type Government quarters are not available for a NOAA Corps officer assigned to an OCONUS PDS, and the dependent does not reside

in the PDS vicinity, then the with-dependent housing allowance is based on the dependent's location, and FSH is also authorized.

- (c) If a NOAA Corps officer assigned to an OCONUS PDS is residing in private sector quarters, and single-type Government quarters are available at the NOAA Corps officer's CONUS PDS, FSH is not authorized. A NOAA Corps officer may not decline assignment to available single-type Government quarters at their OCONUS PDS, and the command may not release the NOAA Corps officer from assignment to single-type Government quarters for the purpose of gaining FSH authorization.
- (d) FSH is not authorized for a NOAA Corps officer assigned in CONUS unless NOAA Corps officer is assigned to a PDS where dependent travel is restricted by the Government per JTR Chapter 5.

(D) NOAA Corps Officers In Transit (see DoD FMR Chapter 26, Section 10.10)

- (1) A transit housing allowance (BAH-Transit) is a temporary housing allowance paid while an officer is in a travel or leave status between PDSs, provided the officer is not assigned Government quarters, including dependents who may be assigned to Government-owned or leased family-type quarters. The BAH-Transit rate continues during proceed time and authorized delays en route, including TDY en route.
- (2) If the officer performs TDY en route:
 - (a) The new PDS, BAH or OHA for the new PDS begins the day of arrival in a TDY status at the new PDS.
 - (b) A location near, but outside the limits of the new PDS or to the homeport of a ship and per diem stops in accordance with JTR 051203, BAH or OHA for the new PDS begins the day per diem stops.
- (3) Previous PDS in 50 States and District of Columbia (BAH Payable Locations) – An officer's previous PDS is the PDS for BAH purposes effective from the day the officer departs the previous PDS through the day before the officer reports to the new PDS per a PCS order. If the officer has a BAH waiver that authorizes BAH based on a previous PDS or dependent location, then that rate continues until the officer reports to the new PDS. If the BAH waiver is for a dependent location in an OHA payable area, the OHA rate continues only if the dependents remain in their residence location. If the dependents terminate residency in the private quarters in an OHA payable area, the BAH-Transit rate starts for the officer's pay grade. If the officer is assigned to Government quarters at the previous PDS, the officer is authorized the BAH rate for the previous PDS effective on the date after Government quarters are officially vacated.

- (4) Previous PDS outside 50 States and District of Columbia (OHA Payable Locations) – When an officer’s previous PDS is outside the United States, and the officer is not assigned Government quarters, the officer is authorized OHA through the day before departing the PDS outside the United States. The day the officer departs, OHA is no longer authorized and the officer is authorized BAH-Transit if the officer is not receiving a with-dependent housing allowance for a dependent residing separately. If the officer is being paid BAH at the with-dependent rate for a dependent residing separately, that Bah rate continues until the officer arrives at the new PDS. If the officer is being paid OHA at the with-dependent rate for a dependent residing separately, that OHA rate continues, provided the dependent remains at the location outside the United States. If the dependent also performs PCS travel, BAH-Transit applies.
- (5) New Accession – A new accession member (i.e., in the accession pipeline) includes officer candidates undergoing the NOAA Basic Officer Training Class without prior uniformed service, or a Service Academy graduate upon graduation, until arrival at the first PDS. The officer or officer candidate remains a new accession member until the officer arrives at a PDS, including a training location of 20 or more weeks.
 - (a) Service Academy Graduate Without Dependents – A Service Academy graduate without dependents is authorized a housing allowance at the without-dependent rate for the graduation or commissioning location through the day before departure en route to the training location if the member remains on active duty at the graduation or commissioning location following graduation and commissioning before proceeding to another duty station and is not assigned Government quarters.
 - (b) Member with a Dependent – The BAH rate for a new accession member with a dependent is based on the dependent’s location if the location is in the United States. If the dependent is located outside the United States, BAH is based on the training site location. If an officer who was previously authorized housing allowance at the without-dependent rate for the graduation or commissioning location specified in paragraph (D)(5)(a) above acquires a dependent, the officer’s housing allowance at the with-dependent rate becomes based on the dependent’s location effective the date the dependent is acquired.
- (6) Retirement or Separation
 - (a) From a PDS in the United States – A NOAA Corps officer’s old PDS is the PDS for BAH purposes from the day the officer departs the old PDS through the separation or retirement date. If the officer had been residing in Government quarters at the old PDS, the officer is authorized BAH

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beginning the date the Government quarters are terminated, provided the officer is still on active duty.

- (b) From a PDS Outside the United States – see DoD FMR Vol. 7A, Chapter 26, Section 10.10.4.2.
- (E) NOAA Corps Officer in a Missing Status – An officer without dependents carried in a missing status is entitled to BAH at the without dependent rate. An officer with a dependent continues to receive the housing allowance authorized upon entering the missing status. If the dependent relocates, the housing allowance at the with-dependent rate is payable based on the dependent's location.
- (F) Housing Allowance Following a NOAA Corps Officer's Death – BAH or OHA continuation or payment to the surviving dependent of a NOAA Corps officer who dies on active duty is authorized for 365 days. It is paid to the dependent when, on the date of the officer's death, the dependent either does not occupy Government quarters, is occupying Government quarters on a rental basis, or vacates Government quarters within 365 days of the officer's death. See DoD FMR Vol. 7A, Chapter 26, Section 10.13.
 - (1) The housing allowance is not payable to a dependent who killed the NOAA Corps officer, unless there is evidence that clearly absolves the dependent of any felonious intent.
 - (2) Payments to a surviving dependent are made first to the current spouse. If there is no current spouse, the housing allowance is divided equally among the dependents on whose behalf the deceased officer was receiving a with-dependent housing allowance.
 - (3) The housing allowance is paid in the same amount and in the same manner as the deceased officer would have been paid. Housing allowance payments to the dependent are not subject to collection of any debts owed by the deceased officer to the United States. (37 USC 403(l); 33 USC 3071a(1))

An allowance under this paragraph may be paid to the spouse of the deceased NOAA Corps officer even though the spouse is also a NOAA Corps officer or member of another uniformed service. The allowance paid under this paragraph is in addition to any other pay and allowances to which the spouse is entitled as a NOAA Corps officer. Such payment terminates 365 days after the date of the NOAA Corps officer's death. See DoD FMR Vol. 7A, Chapter 26, Section 10.13.4 for additional considerations and conditions for surviving uniformed service member spouses.

Table 2.3.1. BAH and OHA – Member Without Dependents, Entitled to Basic Pay

Rule	If a member is	then BAH or OHA accrues	BAH or OHA does not accrue
1	assigned to a PDS	if Government quarters or housing facilities are not assigned (Notes 1 and 2)	if member is assigned or occupies Government quarters suitable and adequate for the member's grade (Note 3).
2		while on short period of emergent duty during which the member is furnished sleeping accommodations at the PDS at which Government quarters are not available for assignment.	
3		while on short training periods during which, due to service necessity, the member is furnished sleeping accommodations at the PDS at which Government quarters are not available for assignment.	
4	ordered to report for TDY in connection with the fitting out or conversion of a ship and permanent duty aboard when the ship is placed in commission	if per diem allowance is not authorized for the period of TDY (Note 4)	if quarters are available or member is entitled to per diem allowance for the period of such duty.
5	on field duty, PCS not involved (see section NCD 020307(D) for transit rules)	if receiving BAH or OHA at the PDS	if assigned to or occupying Government quarters at the permanent duty station.
6	assigned PCS to a unit on field duty	if the commander certifies that the member was required to procure quarters at personal expense at the initial field duty site	for the initial field duty in progress at time of PCS, unless the member is required to procure quarters at personal expense at field duty site.
7	on excess leave		for any period of time.
8	On authorized leave in connection with release from active duty or discharge (PCS not involved)	if receiving BAH or OHA at the PDS or assigned quarters are terminated incident to separation, and the member(s) is/are:	if the member(s) is/are: a. Occupying assigned Government-owned single quarters (e.g. shipboard) during leave period. BAH-Partial continues to last date of active duty.

NOAA CORPS DIRECTIVES

CHAPTER 2

Part 3 – Housing and Subsistence Allowances

		a. Presently in receipt of BAH or OHA without dependents at the permanent duty station. b. A member married to member couple with no dependents.	
9	inpatient or on sick in quarters leave (PCS not involved)	if receiving BAH or OHA at the PDS (Note 1)	if assigned quarters at the PDS.
10	being treated at hospital TDY enroute PCS; or assigned PCS direct to hospital for treatment	if not assigned quarters.	if assigned quarters in the hospital.
11	on TDY (PCS not involved), or TDY, including such duty on transport or under a permissive travel authorization (Note 2)	if receiving BAH or OHA at the PDS	if assigned quarters at the PDS.
12	in travel status on PCS, including non-travel status under excused administrative absence authorization, TDY en route, leave en route and proceed time; or is assigned PCS and is on authorized leave or duty at the old or new PDS	if member is not assigned Government quarters while at the old or new PDS. See NCD 020307(D) to determine which rate is payable.	if member is assigned Government quarters while at the old or new PDS.
13	assigned PCS and is on authorized leave or duty at the old or new PDS	if member is not assigned Government quarters while at the old or new PDS.	for the Government quarters occupancy period not incident to a PCS. OHA cannot be paid if there is no lease or mortgage expense.
14	initially assigned to active duty and is TDY at other than indoctrination or basic training location pending receipt of an order designating a PDS to which the member is to report upon TDY completion	when Government quarters are not available for assignment and per diem is not payable	
15	in the accession pipeline (attending a Military Service Academy or Basic Officer Training Class)	between initial TDY and initial PDS. See NCD 020307(D).	
16	ordered home or to a place other than a military organization awaiting further orders in connection with Physical Evaluation Board proceedings	on and after date of departure from hospital or old station through date of discharge, or date before effective date of retirement.	
17	training for, attending or participating in Pan Am or Olympic games, or other international amateur sports competition	if not furnished quarters by the Government or by an agency sponsoring the member's participation	if furnished quarters by the Government, or by an agency sponsoring participation.

Notes:

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1. When not assigned to Government quarters at the PDS, BAH or OHA accrues while in a duty or authorized leave status not incident to PCS. BAH or OHA is not forfeited if temporary Government quarters are occupied.
2. An officer away from PDS may occupy Government quarters designated for a member without dependents at the member's TDY station without affecting the member's right to receive BAH or OHA or assignment of quarters, if any, at the member's PDS. Under such circumstances, a member may not occupy Government quarters which exceed the minimum standards for a member of that grade without dependents, as prescribed by the Secretary Concerned, unless the only quarters available (a) exceed the minimum standards, and (b) are made available for joint occupancy with other members.
3. Government quarters in fact occupied without payment of rental charges are deemed assigned as appropriate and adequate quarters.
4. BAH or OHA accrues from the reporting date through the date before the date the ship is placed in full commission, reduced commission, or in service not in commission, whichever occurs first.

Table 2.3.2. BAH or OHA – Uniformed Service Member with Dependents, Entitled to Basic Pay

Rule	If a NOAA Corps Officer is	Then BAH or OHA
1	in a duty status or on authorized leave status not due to a PCS (includes accrued, advanced, or convalescent leave),	a. authorization continues when they are authorized BAH or OHA at the PDS. b. is not authorized when they are not authorized BAH or OHA at the PDS.
2	not authorized BAH or OHA at the PDS,	is not authorized
3	in a duty, travel, or leave status due to a PCS, including a TDY en route, and such status is under a permissive travel authorization, *	is authorized unless permanent Government quarters are assigned or occupied.
4	on a TDY not due to a PCS, including when the status is under a permissive travel authorization,*	authorization continues as long as the PDS remains unchanged when they are authorized BAH or OHA at the PDS, except as restricted by NCD 020306 (BAH: Government Quarters)
5	absent due to disease (as distinguished from injury) from alcohol or drugs, causing loss of pay	a. authorization continues when they are authorized BAH or OHA at the PDS. b. is not authorized when they are not authorized BAH or OHA at the PDS. However, if quarters assignment at the PDS ends during an absence, BAH or OHA accrues on and after the end date
6	home on a PCS awaiting further orders in connection with physical evaluation board proceedings,	authorization continues until the uniformed service member's retirement or discharge.

*Includes status under a permissive travel authorization.

020308 – Overseas Housing Allowance (OHA)

- (A) OHA is designed to cover actual rental costs for NOAA Corps officers assigned to OHA locations. NOAA Corps officers are reimbursed actual rental costs, limited to the maximum OHA rate for each locality and grade. OHA is not intended and must not be used for the personal enrichment of a NOAA Corps officer by including costs incurred for procuring or adapting a residence to accommodate renters or for vacation purposes.

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Disciplinary action may apply when housing allowances are used for other than the purpose intended. (DoD FMR Vol. 7A, Chapter 26, Section 6.0)

- (B) There are two housing allowance types paid under OHA for NOAA Corps officers authorized to live in private-sector leased or owned housing: an upfront lump sum Move in Housing Allowance (MIHA) for those who qualify; and a monthly OHA, which includes utilities and recurring maintenance allowances.
- (C) For specifications on eligibility and requirements, refer to DoD FMR Vol. 7A, Chapter 26, Section 6.0.

020309 – Family Separation Allowance (FSA)

- (A) FSA provides compensation for added expenses incurred because of an enforced family separation under one of the conditions described below. FSA is payable to qualified NOAA Corps officers serving inside or outside the United States. It is not authorized when a NOAA Corps officer performs duty at any station under permissive orders (e.g., administrative absence). ([37 USC § 427](#); DoD FMR Vol. 7A, Chapter 27)
- (B) Entitlement Provisions – Under the provisions of [37 U.S.C. § 427](#), FSA is payable to NOAA Corps officers with dependents. FSA provides compensation for added expense incurred because of an enforced family separation under one of the conditions in Paragraph (C) below. FSA is payable to qualified NOAA Corps officer serving inside or outside the United States. FSA is not authorized when a NOAA Corps officer performs duty at any station under administrative absence or humanitarian assignment, etc. FSA is comprised of FSA-R, FSA-S, and FSA-T, and is payable in addition to any other allowance or per diem to which a NOAA Corps officer may be entitled. A NOAA Corps officer, however, may not receive more than one FSA payment for the same period even though the NOAA Corps officer may concurrently qualify for FSA-R and FSA-S or FSA-T. Effective October 1, 2002, FSA is payable in a monthly amount of \$250.
- (C) Conditions of Entitlement of FSA – FSA provides compensation for added expenses incurred because of an enforced family separation due to official orders (except permissive orders). FSA is payable to a NOAA Corps officer serving in any grade as a NOAA Corps officer with dependents, as defined in DoD FMR Vol. 7A, Chapter 27, Section 3.1. A NOAA Corps officer must meet all general requirements and one of the following conditions:
 - (1) FSA-R (Restricted) – FSA-R is authorized when:
 - (a) Transportation of dependents, including dependents acquired after effective date of orders, is not authorized at Government expense and the dependents do not live in the vicinity of the NOAA Corps officer's homeport/permanent duty station; or

- (b) Transportation of dependents is authorized at Government expense, but the NOAA Corps officer elects an unaccompanied tour of duty because a dependent cannot accompany the NOAA Corps officer to, or at that homeport/PDS due to certified medical reasons, regardless of the date on which the NOAA Corps officer first made the election to service an unaccompanied tour. Requests will be submitted in writing to the Director, CPC.
- (2) FSA-S (Ship) – FSA-S is authorized when a NOAA Corps officer is permanently assigned to a ship and the ship is away from its homeport continuously for more than 30 days. (Dependents are not required to reside in the vicinity of the homeport.
- (3) FSA-T (Temporary) – FSA-T is authorized for NOAA Corps officers on temporary duty (TDY) away from the permanent duty station continuously for more than 30 days, so long as the officer's dependents are not residing at or near the TDY station and no social visit(s) occur between the officer and any of their dependent(s) during the initial 30-day qualifying period. This includes officers who are required to perform a period of the TDY before reporting to their initial station of assignment. Dependents are not required to reside in the vicinity of the permanent duty station.
- (D) Upon the 31st day away from homeport, it is the NOAA Corps officer's responsibility to submit the Family Separation Allowance Worksheet, NOAA Form 56-15, to the NOAA Corps Payroll Unit and additional monthly FSA worksheets as appropriate.
- (E) Continuous Period of FSA Eligibility – Continuous FSA is payable to a NOAA Corps officer who performs the same type of FSA duty within 30 days (e.g., a NOAA Corps officer who qualifies for FSA-S, who within 30 days deploys for another qualifying period of FSA-S, is entitled to continuous FSA). The interim period starts the day after the initial deployment and ends the day before redeployment.
- (F) NOAA Corps officer Married to a Uniformed Service Member
 - (1) FSA is payable to a married member-to-member couple regardless of whether the member has any non-active duty dependents, when all other general conditions are met and provided the NOAA Corps officers were residing together immediately before being separated by reason of execution of military orders (except permissive orders).
 - (a) Except as provided in Paragraph (2) below, not more than one monthly allowance may be paid with respect to a married uniformed service couple for any month. Each member may be entitled to FSA within the same month, but both cannot simultaneously be entitled. Payment must

- be made to the 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 NOAA Corps officer 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 Paragraph (C) above. Each member's entitlement is determined individually based on assignment and separation from dependents. The dual allowance continues until one of the members is no longer assigned to one of those duty assignments. The other member continues 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/children that either parent can claim for BAH, one parent may claim the child/children for entitlement to BAH, and the other parent, when otherwise entitled, may claim the child/children for entitlement to FSA. The FSA entitlement may alternate between parents based on the same dependent; however, FSA may not be paid simultaneously to both members on behalf of the same dependent, except as provided in Paragraph (2) above.
- (G) Dependents Residing at or Near the Duty Station – FSA is not authorized if all of the member's dependents reside at or near the duty station. If some (but not all) of the dependents voluntarily reside near the duty station entitlement may accrue for the dependents who do not reside at or near the member's duty station. Consider dependents as residing near a duty station if the member actually commutes daily, regardless of distance. Also consider dependents as residing at or near the duty station if they live within a reasonable commuting distance of the duty station, whether or not the member commutes daily. Using the Defense Table of Official Distances (DTOD) mileage calculation, a distance of 50 miles, one way, is normally considered to be within a reasonable commuting distance of a duty station, but the 50-mile rule is not inflexible. Unusual conditions may permit a determination that dependents do not live

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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 methods of transportation would exceed one and a half hours, the dependents are considered as not residing near the member's duty station, unless the member actually commutes daily. If dependents are authorized concurrent travel with the member to the duty station and are subsequently authorized to reside at a point over 50 miles from 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. These rules also apply to assignment situations regarding the distance between active duty member married-to-member couples who have no dependents.

- (H) Ship Moves from Homeport (Homeport not Changed) – When a ship moves from its homeport to another port within 50 miles of the homeport (or a two hour round trip travel time), those NOAA Corps officers permanently attached to the ship, whose dependents do not reside at or near the homeport under the criteria in Paragraph (G) above, do not become entitled to FSA-S. However, those NOAA Corps officers permanently attached to the ship whose dependents do reside at or near the homeport and are over 50 miles (or less than 50 miles but over the two-hour round-trip travel time) from the physical location of the ship are entitled to FSA-S, provided they do not commute regularly (three times a week while ship is in port). When a ship moves more than 50 miles or over a two-hour round-trip travel time from the homeport, FSA-S is payable if otherwise entitled.
- (I) Entitlement Incident to Permanent Change of Station (PCS) Reassignments
 - (1) Continental United States (CONUS) Assignments – This applies to FSA entitlement incident to regular PCS reassignments and permissive PCS reassignments.
 - (a) Entitlement to FSA upon regular PCS is authorized only when movement of a NOAA Corps officer's dependents to the new permanent duty station is not authorized at Government expense. Voluntary reassignments for the convenience of the Government do not qualify NOAA Corps officers for FSA.
 - (b) NOAA Corps officers 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 NOAA Corps officer's dependents reside, then payment of the FSA-S is precluded if the NOAA Corps officer resides with the dependents. A NOAA Corps officer is entitled to FSA-S for redeployment if he or she returned to the homeport after the original deployment for a period of 30

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- days or less and redeployed for a period of more than 30 continuous days.
- (c) NOAA Corps officers are entitled to FSA-T for TDY periods of over 30 continuous days if the dependents did not reside at or near the TDY station. A NOAA Corps officer is entitled to FSA-T for redeployment if he or she returned to the PDS after the original TDY for a period of 30 days or less and redeployed for a period of more than 30 continuous days.
- (2) Overseas Assignments – Dependents are permitted in some areas overseas and not permitted in others (dependent-restricted areas). A NOAA Corps officer selected for PCS overseas to an area where their dependents are permitted must elect to service either an unaccompanied or an accompanied tour.
 - (a) A NOAA Corps officer electing to serve an unaccompanied tour, in lieu of an accompanied tour at a PDS where their dependents are permitted, is not entitled to FSA-R for such a tour. A NOAA Corps officer who is in receipt of accompanied tour orders, and subsequently requests to service an unaccompanied tour, to include a dependents-restricted tour, in lieu of an accompanied tour at a PDS where their dependents are permitted, is not entitled to FSA-R for such a tour. The Director may make a determination to authorize FSA-R when unusual family or operational circumstances exist.
 - (b) A NOAA Corps officer who is voluntarily 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 waiver from the Director.
 - (3) Unusual Family or Operational Circumstances. The Director may waive the conditions of Paragraph (C) above when it is in the best interest of the Government to permit payment to NOAA Corps officers who, through no fault of their own, must relocate in an unaccompanied status for reasons of equity in unusual family or operational circumstances. Requests for FSA under this provision will be sent to the Director for review and determination.
- (J) FSA Commencement and Stop Dates
 - (1) For specific FSA commencement dates, see DoD FMR Vol. 7A, Chapter 27 Table 27-1.
 - (2) For specific FSA stop dates, see DoD FMR Vol. 7A, Chapter 27 Table 27-3.

020310 – Uniform Allowance

- (A) In accordance with [37 U.S.C. § 415](#), all officers reporting to their first Permanent Duty Station (PDS) following completion of initial training on or after December 23, 2020, are entitled to an initial uniform allowance of \$400 as a reimbursement for the purchase of uniforms and equipment. ([33 U.S.C. § 3071a \(2\)](#))
- (B) This uniform allowance does not apply to any officer who first reported to active duty before December 23, 2020.
- (C) An officer who has received an initial uniform allowance or reimbursement under any other law is not entitled to an allowance under this section.

020311 – Cost of Living Allowance (COLA)

- (A) COLA in the Continental United States (CONUS COLA) – CONUS COLA is a taxable allowance paid to NOAA Corps officers to partially offset high costs within the continental United States (CONUS). CONUS COLA rates are adjusted annually and effected on January 1. Current CONUS COLA locations and rates are published on the Defense Travel Management Office website. (See [37 U.S.C. § 403b](#); DoD FMR Vol. 7A, Chapter 67)
- (B) COLA Outside the Continental United States (OCONUS COLA) – OCONUS COLA is a nontaxable allowance that offsets the higher prices of goods and services, excluding housing, in foreign countries, U.S. territories, Alaska, and Hawaii, and is calculated on a per diem basis whether or not the officer is in a travel status. OCONUS COLA equalizes purchasing power so that a NOAA Corps officer can purchase the same level of goods and services OCONUS as he or she could if stationed inside the continental United States. OCONUS COLA is adjusted for location, pay grade, years of service, number of dependents, and occupation of government quarters. Current OCONUS COLA rates are published on the Defense Travel Management Office website. (See [37 U.S.C. § 405](#); DoD FMR Vol. 7A, Chapter 68.)

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020401 – General

This Part provides travel policy guidance for all NOAA Corps officers that is governed by the JTR. It includes rules for traveling locally, shipping belongings, and qualifying for the three major types of standard travel and transportation allowances: transportations, per diem, and miscellaneous reimbursable expenses. The JTR should be referenced for more specific information.

020402 – Dislocation Allowance

- (A) The purpose of Dislocation Allowance (DLA) is to partially reimburse a uniformed service member, with or without dependents, for expenses incurred in relocating a household in conjunction with a PCS. (JTR Chapter 5, Part A, Section 0505)
- (B) NOAA Corps officers with dependents are authorized a DLA payment at the with-dependent rate when dependents relocate in connection with a PCS. If a NOAA Corps officer relocates in connection to a PCS, but their dependents do not also relocate, the officer is authorized a DLA payment at the without dependent rate.
- (C) NOAA Corps officers without dependents are authorized a DLA payment at the without dependent rate when they relocate and establish a household in connection with a PCS to a PDS.

020403 – Household Goods Transportation and Storage

- (A) NOAA Corps officers are allowed transportation and storage of household goods (HHG) associated with permanent duty travel according to the authorizations and limitations described in JTR Chapter 5, Part C.
- (B) Storage in Transit (SIT) is authorized up to 90 days for authorized HHG. The 90-day limit may be extended when, because of conditions beyond the NOAA Corps officer's control, the HHG in temporary storage at Government expense cannot be withdrawn during the first 90 days. Requests for authorization/approval of such additional storage must be accompanied by a statement from the NOAA Corps officer of all the facts. The reasons that additional storage may be authorized/approved are:
 - (1) Serious illness of the NOAA Corps officer;
 - (2) Serious illness or death of a dependent;
 - (3) Impending assignment to Government/Government-controlled quarters or privatized housing;
 - (4) Directed TDY after arrival at PDS;
 - (5) Non-availability of suitable civilian housing;

Part 4 – Permanent Duty Travel

- (6) Awaiting completion of residence under construction;
 - (7) Acts of God; and
 - (8) Other deserving cases as determined by the Director, CPC.
- (C) Non-Temporary Storage (NTS) in lieu of transportation may be authorized for NOAA Corps officers ordered on a PCS. NTS must be in a storage facility near the location of the HHG on the date the NOAA Corps officer's PCS order is issued and begins on that date and continues as long as that order is in effect.

020404 – Per Diem Allowance

- (A) NOAA Corps officers and their dependents are allowed per diem while on permanent duty travel in accordance with JTR Chapter 5, Part A, Section 0503 and as a standard travel allowance in accordance with JTR Chapter 2, Section 0203.
- (B) The per diem allowance is a daily rate meant to cover living expenses. It provides the maximum amount a traveler may be reimbursed for lodging, meals, and incidental expenses. The per diem is based on the rate of the authorized stopover point or official duty location. Only one per diem applies to a calendar day. Expenditures defined in the JTR as “incidental expenses” are reimbursed at a defined rate, as part of the per diem allowance. Incidental expenses are a separate category of reimbursement from “miscellaneous reimbursable expenses.” The following list of standard incidental expenses applies to all travelers:
- (1) Fees and tips paid to hotel employees, porters, baggage carriers, and flight attendants for all official domestic and foreign travel.
 - (2) Laundry, dry cleaning, and pressing of clothing only while outside the continental United States (OCONUS).
 - (3) Tax and service charges, other than vendor surcharges for using a credit card, for any of the expenses listed in this section.
 - (4) Expenses related to lodging that are listed in the room account.
 - (5) Transportation tips for courtesy transportation (e.g., an airport shuttle).
- (C) The per diem allowance is determined by the mode of transportation authorized and used, the official distance, the number and age of dependents authorized to travel, and whether a dependent is traveling with the uniformed service member. Use the actual amount, without rounding, when computing per diem allowances. (See JTR Chapter 5, Table 5-7 for details on the effect of the dependent's age on per diem.)
- (D) Per diem for the dependent traveling with uniformed service member:

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- (1) 75 percent of the member's per diem rate for each dependent age 12 or older; and
 - (2) 50 percent of the member's per diem rate for each dependent under age 12.
- (E) Per diem for the dependent traveling separately:
- (1) One Dependent Traveling Separately – The dependent is authorized the same per diem rate the member would have been authorized for travel (100 percent per diem).
 - (2) Two or More Dependents Traveling Separately – When two or more dependents travel together but separate from the member, the member is authorized per diem at a rate of:
 - (a) 100 percent for one dependent, age 12 or older; and
 - (b) 75 percent for each of the other dependents, age 12 or older, traveling with that dependent; and
 - (c) 50 percent for each dependent under age 12, traveling with that dependent.

020405 – Temporary Lodging Expense

- (A) Temporary Lodging Expense (TLE) is an allowance intended to partially cover lodging and meal expenses that a NOAA Corps officer incurs while occupying temporary lodging in the CONUS upon a PCS according to JTR Chapter 5, Part A, Section 0506.
- (B) NOAA Corps officers on a PCS living in temporary lodging in the vicinity of the old or new PDS, home of record, or a designated place may be eligible for a TLE allowance for lodging and meal expenses. The lodging occupied must be a temporary residence, not a permanent one. TLE is authorized:
- (1) Before leaving the old PDS or designated place, and upon arrival at the new PDS, designated place, or first PDS;
 - (2) Before leaving a NOAA Corps officer's home of record if the NOAA Corps officer is reporting to the first PDS;
 - (3) While house hunting after completing PCS travel to the new PDS in the CONUS;
 - (4) When the NOAA Corps officer's PCS order is canceled or revoked after occupying temporary lodging;
 - (5) After initial arrival at the PDS in the CONUS and while waiting to be assigned Government lodging;

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- (6) After initial arrival at the PDS in the CONUS and while finalizing plans for other permanent housing when Government quarters are not available;
 - (7) For a new dependent who was added to the family before the effective date of the next PCS assignment. TLE can also be authorized in the vicinity of the place where the person became a dependent; and
 - (8) For a move to the NOAA Corps officer's first PDS upon entering active duty service.
- (C) TLE is not authorized:
- (1) When leaving active duty;
 - (2) For a house hunting trip before the NOAA Corps officer moves to the new PDS;
 - (3) For any individual that became a dependent after the PCS order's effective date;
 - (4) For any dependent who returned from OCONUS before issuance of a PCS order;
 - (5) For any dependent relocating for personal safety;
 - (6) When ordered to an Indeterminate TDY location (see JTR Chapter 3, Part A, Section 0312); and
 - (7) At any location OCONUS.
- (D) NOAA Corps officers may be authorized TLE for any day that per diem is not paid during authorized travel time between PDSs. For example, if a NOAA Corps officer has eight days elapsed time (including proceed, delay, and travel) between the PDSs, but the allowable travel time is seven days, then the NOAA Corps officer may be paid one day of TLE. Additional TLE days may be authorized under specific conditions described in JTR Chapter 5, Part A, Section 0506.
- (E) TLE may be authorized for either seven or 21 days, depending on whether the new PDS location is in the CONUS, and may be temporarily increased for up to 60 days for a PCS move under specific conditions described in JTR Chapter 5, Part A, Section 0506.

020406 – Temporary Lodging Allowance

- (A) The purpose of Temporary Lodging Allowance (TLA) is to partially reimburse uniformed service members for higher than normal expenses incurred by the member or dependent while occupying temporary lodging OCONUS when it is necessary for the member or dependent to occupy such lodging upon arrival at, or immediately before leaving a PDS OCONUS as authorized by DoD FMR Vol. 7A, Chapter 68, Section 4.

- (B) TLA is authorized for NOAA Corps officers in the following circumstances:
- (1) Upon initial arrival (reporting for duty) at an OCONUS PDS and waiting for Government quarters assignment, or while completing arrangements for other private-sector housing when Government quarters are not available This includes reporting for a TDY at an activity within the limits of the new PDS OCONUS;
 - (2) Immediately preceding PCS departure from an OCONUS PDS and after Government quarters are/private sector housing is vacated in connection with a PCS Order. This includes reporting for a TDY at an activity within the limits of the old PDS OCONUS;
 - (3) While a NOAA Corps officer without a dependent is seeking permanent Government quarters or private-sector housing following a TDY assignment of 90 or more days when they vacated permanent Government quarters or private-sector housing before beginning the TDY;
 - (4) During a NOAA Corps officer's hospitalization when a dependent must use temporary lodging OCONUS because the NOAA Corps officer was hospitalized enroute between PDSs;
 - (5) While house hunting after the NOAA Corps officer arrives at the new PDS and reports for duty in connection with a PCS; or
 - (6) When the Director, CPC determines that TLA is necessary for a NOAA Corps officer, once they are established in, must vacate, or are waiting to reoccupy permanent Government quarters, private-sector housing, or privatized housing for reasons beyond the NOAA Corps officer's control. This does not include a ship entering any type of maintenance availability.
- (C) NOAA Corps officers are advised of the following responsibilities and requirements relating to TLA:
- (1) The NOAA Corps officer must aggressively seek permanent Government quarters or private-sector housing upon arrival. When the NOAA Corps officer will be assigned Government quarters, the provision to seek private-sector housing is not applicable;
 - (2) The NOAA Corps officer must register with their Commanding Officer and CPC upon arrival and keep both informed of progress in obtaining permanent Government quarters or private-sector housing at intervals of 15 or fewer days;
 - (3) The NOAA Corps officer must provide a statement to the official indicating the beginning and end of TLA;

- (4) The limitations on the number of authorized TLA days for arrival or departure and of any requirement for a written justification to extend TLA to the maximum number of days;
 - (5) The requirement to relocate as soon as practical to other permanent Government quarters or private-sector housing, or to reoccupy the Government quarters or private-sector housing formerly occupied;
 - (6) The amount of the TLA payment depends on the expenses incurred at the temporary lodging;
 - (7) The NOAA Corps officer must obtain and keep receipts for lodging expenses to support TLA payment; and
 - (8) Lodging expenses are not allowed while staying with friends or relatives, but the meal and incidental expense rate (M&IE) is payable for the eligible TLA period.
- (D) NOAA Corps officers should consult FMR Vol. 7A, Chapter 68, Part 4 for additional conditions and authorization periods for TLA.

020407 – Spouse Relicensing Cost Reimbursement

- (A) Pursuant to [37 U.S.C. § 453\(g\)](#), A NOAA Corps officer may be reimbursed up to a certain amount prescribed by law in connection with a reassignment when:
- (1) The NOAA Corps officer is reassigned, either as a permanent change of station or a permanent change of assignment, between duty stations located in separate jurisdictions with unique licensing or certification requirements authorities; and
 - (2) The movement of the NOAA Corps officer's dependents is authorized at the expense of the United States.
- (B) A qualified relicensing cost means costs, including exam, continuing education courses, business license, permit, and registration fees incurred by the spouse of a NOAA Corps officer if:
- (1) The spouse was licensed or certified in a profession during the NOAA Corps officer's previous duty assignment and requires a new professional license or certification, or business license or permit, to engage in that profession in a new jurisdiction because of an authorized movement in connection with the NOAA Corps officer's change in duty location; and
 - (2) The costs were incurred or paid to secure or maintain the professional license or certification, or business license or permit, from the new jurisdiction in connection with such reassignment.

- (C) A qualified business cost means costs, including moving services for equipment, equipment removal, new equipment purchases, information technology expenses, and inspection fees, incurred by the spouse of a NOAA Corps officer if:
 - (1) The spouse owned a business during the NOAA Corps officer's previous duty assignment and the costs result from a movement in connection with the officer's change in duty location; and
 - (2) The costs were incurred or paid to move such business to a new location in connection with such reassignment.

020408 – Pet Expenses Due to a PCS

- (A) NOAA Corps officers may be authorized reimbursement for the costs related to the relocation of one household pet that arises from a permanent change of station in accordance with JTR Section 050107. A household pet is a cat or dog, owned for personal companionship.
- (B) CONUS. An officer may be authorized for the reasonable and substantiated cost of mandatory microchipping, boarding fees, hotel service charges, licensing fees at the new PDS, and pet shipping fees if the officer flies rather than drives or the pet is shipped separately. Reimbursement is limited to \$550 per PCS move.
- (C) OCONUS. An officer may be reimbursed for the reasonable and substantiated cost of mandatory microchipping, quarantine fees, boarding fees, hotel service charges, licensing fees at the new PDS, testing titer levels for entry, and pet shipping fees if the member flies rather than drives or the pet is shipped separately. Reimbursement is limited to \$2000 per PCS move.

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020501 – General Bonus Authority

- (A) In accordance with [37 U.S.C. § 332](#), the Director may pay a bonus under this section to a person, including an officer in the uniformed services, who:
- (1) Accepts a commission or appointment as an officer in a uniformed service;
 - (2) Affiliates with a reserve component of a uniformed service;
 - (3) Agrees to remain on active duty or to serve in an active status for a specific period as an officer in a uniformed service;
 - (4) Transfers from a regular component of a uniformed service to a reserve component of that same uniformed service or from a reserve component of a uniformed service to the regular component of that same uniformed service; or
 - (5) Transfers from a regular component or reserve component of a uniformed service to a regular component or reserve component of another uniformed service, subject to the approval of the Secretary with jurisdiction over the uniformed service to which the member is transferring.
- (B) A bonus authorized under this section may be paid to a person or officer only if the person or officer agrees:
- (1) To serve for a specified period in a designated career field, skill, unit, or grade; or
 - (2) To meet some other condition or conditions of service imposed by the Director.
- (C) The bonus paid to a person or officer under this section is in addition to any other pay and allowance to which the NOAA Corps officer is entitled.
- (D) Information on maximum amounts and method of payment; written agreements; and repayment may be found in [37 U.S.C. § 332](#).

020502 – Aviation Bonus Program – Under Development

Section left intentionally blank as it's under development.

020503 – Aviation Incentive Pay (AvIP)

- (A) Purpose and Authority – This section describes Aviation Incentive Pay (AvIP) in accordance with [37 U.S.C. § 334\(a\)](#) to increase the NOAA Corps’ ability to retain officers in aviation careers and to support the recruiting and retention of individuals with aeronautical ratings or designations. Aviation Career Incentive Pay (ACIP) paid in accordance with 37 U.S.C. § 301a was discontinued after October 1, 2017. See DoD FMR Vol. 7A, Chapter 22.
- (B) Eligibility – The NOAA Corps may pay AvIP to an active duty NOAA Corps officer who:
- (1) Is entitled to basic pay under [37 U.S.C. §204](#);
 - (2) Maintains, or is in training to receive, an aeronautical rating or designation that qualifies the officer for flight duty;
 - (3) Engages in, or is in training to receive, frequent and regular performance of flight duty;
 - (4) Engages in or remains in aviation service for a specified period of time; and
 - (5) Maintains aviation medical currency (up-chit) for their primary or secondary platform (Note: AvIP currency requirements may be waived when the Commanding Officer, AOC, certifies that an officer is unable to meet them due to reasons beyond the officer's control).
- (C) For officers with fewer than 25 years of aviation service (YAS), while serving in non-aviation billets (i.e., shore assignments), the officer may continue to receive AvIP by meeting one of the following criteria:
- (1) Are eligible for AvIP continuously through 12 YAS;
 - (2) Have performed at least 96 creditable months of flight duty upon completion of 12 YAS. These officers are eligible for AvIP for up to 18 YAS as long as they are assigned to non-aviation billets;
 - (3) Have performed at least 120 creditable months of flight duty upon completion of 18 YAS. These officers are eligible for AvIP for up to 22 YAS as long as they are assigned to a non-aviation billet; or
 - (4) Have performed at least 144 creditable months of flight duty upon completion of 18 YAS. These officers are eligible for AvIP for up to 25 YAS as long as they are assigned to a non-aviation billet.
- (D) Limitations and Restrictions

Part 5 – Special and Incentive Pays

- (1) Pursuant to [37 U.S.C. § 371\(b\)](#), a NOAA Corps officer may not receive an incentive pay pursuant to 37 U.S.C. Chapter 5, Subchapter I and Subchapter II for the same activity, skill, or period of service.
 - (2) NOAA Corps officers receiving incentive payments for hazardous duty pursuant to [37 U.S.C. § 301](#) are ineligible for AvIP.
 - (3) NOAA Corps aviators temporarily medically incapacitated will be considered qualified for aviation service unless such incapacitation continues for more than 12 months. After 365 days of incapacitation, an officer will be disqualified from aviation service and will not be requalified until the condition resulting in incapacitation is corrected or is subject to a waiver pursuant to NOAA Aviation Medical Manual procedures. A competent medical authority must certify the aviator is medically qualified or has a reasonable expectation to be medically qualified for flight status. This guidance is only for the purposes of aviation incentive pays and does not otherwise restrict the NOAA Corps' ability to place an aviator in an applicable flight status.
 - (4) NOAA Corps aviators permanently disqualified for aviation service or otherwise determined no longer eligible for aviation service are ineligible for AvIP payments.
 - (5) NOAA Corps aviators are not authorized AvIP payments for any periods of unauthorized absence.
- (E) Payments and Amounts
- (1) It is the NOAA Corps' policy to pay AvIP in accordance with U.S. Coast Guard monthly AvIP rates. See COMDTINST 7220.20 for current AvIP rates.
 - (2) AvIP payments for all officers in aviation training will begin effective the date their aviation service entry date (ASED) is established and placed on aviation orders.
 - (3) AvIP payments for all other aviators will begin the day an officer signs into an aviation assignment billet. The initial AvIP payment amount will be prorated based on the number of days remaining in the month.
 - (4) AvIP payments for all NOAA Corps aviators will continue during authorized delays or temporary duty between changes in PDS, so long as AvIP payment is authorized at both the old and new PDS.
 - (5) AvIP payments will cease upon departure from a PDS when the subsequent assignment results in loss of eligibility for AvIP.

- (F) Repayment – An officer who fails to fulfill the eligibility requirements and conditions of this section will be subject to the repayment provisions of [37 U.S.C. § 373](#).

020504 – Hardship Duty Pay

- (A) NOAA Corps officers who are entitled to basic pay may be paid special pay while the NOAA Corps officer is performing duty in or outside the United States that is designated by the Secretary of Defense as hardship duty. ([37 U.S.C. § 305](#))
- (B) Hardship Duty Pay (HDP) is paid to officers for performing specific missions, or when assigned to designated locations. (DoD FMR Vol.7A, Chapter 17)

020505 – Hazardous Duty Pay

- (A) NOAA Corps officers who are entitled to basic pay are also entitled to monthly incentive pay for the performance of hazardous duty as designated by the Billet Description of the officer's assignment. ([37 U.S.C. § 301](#); DoD FMR Vol. 7A, Chapter 24)
- (B) Hazardous Duty Pay may not be paid for a given month for more than three qualifying instances, and may not be paid for the same period of service in the same career field or skill for which the payment is made. ([37 U.S.C. §§ 351\(f\) & 353\(h\)](#); DoD FMR Vol. 7A, Chapter 24)

020506 – Career Sea Pay (CSP)

- (A) A NOAA Corps officer who is entitled to basic pay is also entitled to CSP in accordance with [37 U.S.C § 305a](#). It is the NOAA Corps' policy to pay CSP in accordance with the USCG Career Sea Pay tables, using Level 5 ship classification for NOAA ships. Service on other NOAA program ships may qualify for CSP at lower levels. Current CSP rates are published on the U.S. Coast Guard Pay and Personnel Center website. (See DoD FMR Vol. 7A, Chapter 18)
- (B) CSP is intended to compensate NOAA Corps officers for the additional arduousness of sea duty as compared to normal duties ashore and is payable in addition to any other authorized pay and allowances, if otherwise eligible.
- (C) CSP is authorized for all NOAA Corps officers in pay grades O-1 through O-6. Eligible NOAA Corps officers must be permanently assigned for duty to a ship under orders issued by the Director or under authorized TDY orders, and the ship's primary mission must be accomplished underway. See Tables 2.5.1 and 2.5.2.
- (D) NOAA Corps officers are not entitled to CSP:

- (1) During periods en route to and from ships, or while onboard a ship for transportation, regardless of the length of the period.
 - (2) During periods of sea duty while attending BOTC.
 - (3) When departing a ship before a Permanent Change of Station (PCS) transfer, or release from active duty; CSP will stop on the day of departure.
- (E) When a NOAA Corps officer detaches a ship via TDY orders or approved leave in excess of 30 days, CSP stops on the 31st day. NOAA Corps officers are responsible for submitting TDY orders and Leave Slips to the Payroll Unit. CSP continues if the NOAA Corps officer remains attached to the ship in a leave status up to 30 days.

Table 2.5.1. Career Sea Pay; Conditions of Entitlement – Sea Duty as Permanent Crew Members

Rule	When an eligible member	and	Career Sea Pay
1	reports for permanent duty defined as sea duty		starts on date of reporting.
2	is detached from permanent duty defined as sea duty		accrues through day of departure. (Note 2)
3	is TDY, temporarily based, or hospitalized ashore under orders from permanent duty defined as sea duty		accrues for 30 days past the date of the departure. (Notes 1 & 2)
4	is on authorized absence from permanent duty defined as sea duty		accrues for up to 30 days past the date of the commencement of authorized absence if otherwise entitled. (Notes 1 & 3)
5	is TDY to another CSP-eligible ship		continues at the level applicable to the class of ship to which temporarily assigned.
6	is assigned to a CSP-eligible ship that is undergoing alterations or repairs	is absent from that ship for more than consecutive 30 days	stops after the 30th consecutive day of absence. (Note 2)
7	is assigned to a CSP-eligible ship undergoing inactivation processing		stops when the ship reverts to inactive status.
8	departs ship in conjunction with separation or retirement		accrues through day of departure.

Notes:

- The 30-day rule starts at 0001 of the first full day the officer is TDY away from the CSP-eligible ship. CSP and Career Sea Time (CST) accrual terminates at 2400 on the 30th actual day the officer is TDY away from the CSP-eligible ship.
- Periods of leave taken before, after, or between two periods of TDY by officers permanently assigned to a CSP-eligible ship must be considered when computing the 30-day period. Officers are entitled to CSP and CST accrual for all periods of excused absence and TDY up to 30 days. CSP will not restart until the officer reports back to a CSP-eligible ship.
- Authorized absence includes annual leave, sick in quarters leave, or any kind of excused absence.

Table 2.5.2. Career Sea Pay; Conditions of Entitlement – Permanent Duty Ashore

Rule	When a member whose permanent duty station is ashore and is ordered TDY to a CSP eligible ship, and	and	Career Sea Pay
1	reports aboard	utilizes government messing & government quarters on board NOAA ship	accrues effective the date of reporting.
2	reports aboard	has TDY orders that authorize Per Diem for commercial lodging and commercial meals during same period aboard CSP- eligible ship	Does not accrue.
3	completes the duty and departs the ship		accrues through date of departure.
5	while aboard the ship	is TDY, temporarily based, or hospitalized ashore under orders. (Note 1)	accrues for 30 days past the date of the member's departure. (Notes 2 & 3)
6	is authorized leave while aboard the ship		accrues for the period of leave if otherwise entitled.
7	the ship is undergoing alterations or repairs	ship remains in an active status (in-commission or in-service)	continues to accrue.
8	the ship is undergoing inactivation processing		stops the date the ship reverts to inactive status.

Notes:

1. The officer must spend more than 24 hours embarked aboard a CSP-eligible ship to be credited for CSP and CSP-time. One-day visits to CSP-eligible ships are not creditable for sea duty or CSP purposes.
2. Further TDY ashore from the ship will not interrupt CSP entitlement for the first 30 days the officer is in such a status, provided the officer is otherwise entitled and returns to the ship. If the officer returns to PDS, rule 2 above applies.
3. The 30-day rule starts at 0100 on the first full day the officer is TDY away from the CSP-eligible ship. CSP and CST accrual terminate at 2400 on the 30th actual day the officer is TDY away from the CSP-eligible ship.

020507 – Career Sea Pay Premium

- (A) Career Sea Pay Premium is a special pay authorized by [37 USC § 305a\(c\)](#). NOAA Corps officers who are entitled to CSP and have served 36 consecutive months of sea duty are entitled to CSP Premium for the 37th month and each subsequent consecutive month of sea duty. (See DoD FMR Vol. 7A, Chapter 18)
- (B) It is the NOAA Corps' policy to pay CSP Premium in accordance with the USCG Career Sea Pay Premium rate. The portion of the month in which the Career Sea Pay Premium pay starts or starts is prorated. The 31st day of the month is not countable under any circumstances. CSP Premium is subject to Federal and State income tax. It is not subject to Federal Insurance Contributions Act (FICA) tax.
- (C) Career sea time will be credited CSP Premium during the periods when the NOAA Corps officer is permanently or temporarily assigned to sea duty.

020508 – Responsibility Pay – NOAA Ship Commanding Officers

- (A) Authority – [37 U.S.C. § 352](#) authorizes the NOAA Corps to pay assignment or special duty pay to officers who perform duties in an assignment, location, or unit designated by the Secretary concerned. The Director, under the Secretary's delegation of authority to administer provisions of Title 37, U.S. Code through Department of Commerce Organization Order 10-15 and NOAA Delegation of Authority #86, has identified the position of commanding officer of each NOAA ship as a position of unusual responsibility and of a nature critical to the NOAA Corps.
- (B) Responsibility pay is authorized for NOAA Corps commanding officers of NOAA ships who are entitled to Basic Pay.
- (C) Responsibility pay will be paid at the monthly rate of \$150.00
- (D) Responsibility pay will be paid on a monthly basis only, not subject to lump sum or installment payments. Responsibility Pay will be prorated on a daily basis based on a 30-day month. No responsibility pay accrues for the 31st day of the month.
- (E) Conditions Affecting Entitlement
 - (1) Start date – Pay accrues from the date of actual assumption of command.
 - (2) Stop date – Pay will stop on the day of relief from duty as commanding officer. At no time will responsibility pay be paid concurrently to more than one officer assigned to the same ship, except for the overlapping assumption date and relief date.

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- (3) Taxes – Responsibility pay is subject to Federal and State income tax withholding, but not FICA tax.
- (4) Effect on Other Computations – Responsibility pay is not an item of basic pay or an allowance. Therefore, it is not used to compute lump-sum leave payments, retired pay, separation pay, or disability severance pay.
- (5) Acting Commanding Officer – Notwithstanding the provision of paragraph (E)(2) above that responsibility pay may not be paid concurrently to more than one officer assigned to the same ship, a NOAA Corps officer serving as acting commanding officer for a period of less than 30 days is not entitled to Responsibility Pay. However, when it is known that the commanding officer will be absent for more than 30 days, authorization may be requested from the Director to pay responsibility pay to the acting commanding officer.

020509 – Assignment Pay – NOAA Ship Delivery Team

- (A) Authority – [37 U.S.C. § 352](#) authorizes the NOAA Corps to pay assignment or special duty pay to officers who perform duties in an assignment, location, or unit designated by the Secretary concerned. The Director, under the Secretary's delegation of authority to administer provisions of Title 37, U.S. Code, has identified billets of NOAA ship delivery teams as especially challenging and qualifying of an incentive.
- (B) Assignment Pay – NOAA Ship Delivery Team (Delivery Team Pay) is authorized for officers permanently assigned to ship delivery teams designated by the Director.
- (C) Rates Payable – Delivery Team Pay is paid at the monthly rate of \$200 and prorated on a daily basis, based on a 30-day month. No pay accrues for the 31st day of the month.
- (D) Conditions Affecting Entitlement
 - (1) Start date – pay begins the day an officer reports to the designated unit.
 - (2) Stop date – pay stops the day before the date the NOAA Ship is placed into a commissioned status, or the date prior to the date an officer:
 - (a) Is discharged or released from active duty;
 - (b) Is absent without leave; or
 - (c) Departs on a PCS order to an assignment that does not qualify for this assignment pay, in which case the pay stops the day before the date of departure.
 - (3) Taxes – Delivery Team pay is subject to Federal and State income tax withholding, but not FICA tax.

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- (4) Effect on Other Computations – Delivery Team pay is not an item of basic pay or an allowance. Therefore, it is not used to compute lump-sum leave payments, retired pay, separation pay, or disability severance pay.
- (5) NOAA Corps officers serving on a NOAA Ship Delivery Team assignment on or after November 1, 2023 are entitled to NOAA Ship Delivery Team Assignment Pay.

020510 – Diving Duty Pay

- (A) Special pay for diving duty is authorized for NOAA Corps officers who have been designated as a Working Diver or Dive Master, not to exceed the maximum rate allowed by statute. ([37 U.S.C. § 304](#); see also DoD FMR Vol. 7A, Chapter 11)
- (B) NOAA Corps officers are entitled to Dive Pay for periods during which the officer:
 - (1) Is assigned by orders to diving duty;
 - (2) Is required to maintain proficiency as a diver by frequent and regular dives; and
 - (3) Either:
 - (a) Actually performs diving duty while serving in an assignment for which diving is a primary duty; or
 - (b) Meets the requirements established by the NOAA Diving Program to maintain proficiency as a diver while serving in an assignment that includes diving other than as a primary duty.
- (C) Dive Pay is not authorized during initial dive training. NOAA Corps officers cannot conduct official working dives without dive orders. Dive Pay is not based on the number of dives performed, other than that which is required for minimum proficiency per the NOAA Dive Program, thus, any additional dives conducted will not increase the amount of dive pay authorized for the month.
- (D) NDC verifies that the requirements have been met before certifying to the Chief, OPMD, and the NOAA Corps Payroll Unit that a NOAA Corps officer is eligible to receive Dive Pay for a given month.

020511 – Special Pay – Duty Subject to Hostile Fire or Imminent Danger (HF/IDP)

- (A) Per [37 U.S.C § 351](#) and DoD FMR Vol. 7A, Chapter 10, NOAA Corps officers who meet the conditions of this section are entitled to special pay for duty subject to Hostile Fire or Imminent Danger (HF/ID). This special pay is in addition to any other pay and allowances to which a NOAA Corps may be entitled. This special pay is to be paid to a NOAA Corps no more than once for any month.

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- (B) Hostile Fire Pay (HFP) – This entitlement is paid at the rate of \$225 per month when, as certified by the NOAA Corps’ commanding officer, a NOAA Corps officer is subjected to hostile fire, explosion of a hostile mine, or other hostile action (a hostile fire event) and who:
- (1) Performs duty in a hostile fire area;
 - (2) Is exposed to a hostile fire event;
 - (3) Is on duty during a month in an area in which a hostile event occurred that placed the officer in grave danger of physical injury; or
 - (4) Is killed, injured, or wounded by a hostile fire event.
- (C) Imminent Danger Pay (IDP) – This entitlement is payable to NOAA Corps officers who, as certified by the NOAA Corps officer’s commanding officer, perform duty in a foreign area in which, as designated by the Secretary of Defense (SECDEF), officers are subject to the threat of physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions. IDP is payable on a prorated daily basis not to exceed a monthly rate of \$225.
- (D) Limitations on HFP/IDP – A NOAA Corps officer is not authorized to receive concurrent payments for hostile fire and imminent danger duty.
- (E) Determinations of fact regarding qualification of entitlement for HFP/IDP will be made by commanding officers under the criteria prescribed in this section and in DoD FMR Vol. 7A, Chapter 10. Any determinations of fact made in the administration of this section are conclusive. Such determinations are not subject to review by any officer or agency of the Government, unless there has been fraud or gross negligence. Such determinations may be changed on the basis of new evidence or for other good cause.
- (F) For specific conditions of entitlement, including designated IDP locations, refer to DoD FMR Vol. 7A, Chapter 10.

020512 – Special and Incentive Pay for Temporarily Inactivated Officers

- (A) NOAA Corps officers participating in a career intermission program authorized by [33 U.S.C. 3036](#) are not paid any special or incentive pay or bonus that the officer is otherwise entitled under an agreement under [37 U.S.C. Chapter 5](#) that is in force when the officer commences participation in the program.
- (B) Upon return to active duty after the completion of the career intermission program, any agreement for payment of a special or incentive pay or bonus that was in force at the time the officer commenced participation in the program is revived, provided that the

pay or bonus is still authorized by law and the officer satisfies eligibility criteria for such pay or bonus in effect at that time. ([33 U.S.C. 3036\(f\)](#))

020513 – Relationship to Other Incentives and Pays

- (A) In general, bonuses and incentive pay paid to NOAA Corps officers under [Subchapter II](#) of Chapter 5 of Title 37 are in addition to any other pay and allowance to which the NOAA Corps officer is entitled, except that a NOAA Corps officer may not receive a bonus or incentive pay under both [Subchapter I](#) and [Subchapter II](#) for the same activity, skill or period of service.
- (B) The amount of a bonus or incentive pay to which a NOAA Corps officer is entitled under subchapter II may not be included in computing the amount of any increase in pay authorized by any other provision in Title 37 or any retired pay, retainer pay, separation pay, or disability severance pay. ([37 U.S.C. § 371](#))

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020601 – Adoption Expense

- (A) NOAA Corps officers must be on active duty for at least 180 consecutive days before applying for adoption reimbursement. Qualifying adoption expenses include reasonable and necessary expenses that are directly related to the adoption. ([10 U.S.C. 1052;33 U.S.C. § 3071\(a\)\(11\)](#)); DoD FMR, Volume 7A, Appendix A)
- (B) In the case where a NOAA Corps officer is married to another NOAA Corps officer or other uniformed service member, only one reimbursement will be made for the expenses related to the adoption of the same child.
- (C) Adoptions that qualify for reimbursement include adoptions by a married couple or a single person, adoptions of an infant or older child (under the age of 18), an intercountry adoption, and an adoption of a child with special needs (as defined at [42 U.S.C. § 673\(c\)](#)), and an adoption of stepchildren. Refer to DoD FMR, Vol. 7A, Appendix A for a detailed list of other conditions necessary to qualify for reimbursement.
- (D) Benefits are paid only after the adoption is final. A benefit may not be paid for any expense paid to or for a NOAA Corps officer of the NOAA Corps under any other adoption benefits program administered by the Federal Government or under any such program administered by a State or local government.
 - (1) NOAA Corps officers may request reimbursement up to \$2,000 per child or a maximum of \$5,000 per calendar year for qualifying expenses. ([10 U.S.C. § 1052](#))
 - (2) All NOAA Corps officers applying for reimbursements of adoption expenses must:
 - (a) Submit a reimbursement request not later than 365 days after finalization of the adoption. A separate reimbursement request must be completed for each child whose adoption has been finalized.
 - (b) Complete a NOAA Reimbursement Request for Adoption Expenses Form (NOAA Form 56-64).
 - (c) Send the completed form and all supporting documentation (e.g., final adoption decree, court orders, Certificate of Citizenship and passport if applicable, receipts for payment, medical, etc.) related to the adoption to CPC, Attention - Officer Personnel Management Division (OPMD).
 - (d) Medical coverage for an adopted child begins once the adopted child has been enrolled in the Defense Enrollment Eligibility Report System (DEERS). DEERS enrollment does not automatically enroll the child in TRICARE. NOAA Corps officers must refer to the TRICARE website for enrollment procedures.

020602 – Professional Liability Insurance

- (A) Employees who are serving in supervisory and/or management positions are entitled to Professional Liability Insurance Reimbursement in accordance with Section 636 Division A, Title VI of Public Law 104-208, as amended ([5 U.S.C. prec. § 5941 note](#)). NOAA Corps officers may constitute qualified employees eligible for professional liability insurance cost reimbursement when they are serving as supervisors or management officials (NOAA Corps Eligibility for Professional Liability Insurance Costs Reimbursement, U.S. Department of Justice Office of Legal Counsel Memorandum Opinion for the General Counsel, Department of Commerce, January 19, 20011)
- (B) Professional Liability Insurance means insurance that provides coverage for the following:
- (1) Legal liability for damages due to injuries to other persons, damage to their property, or other damage or loss to such other persons (including the expenses of litigation and settlement) resulting from or arising out of any tortuous act, error, or omission of the covered individual (whether common law, statutory, or constitutional) while in the performance of such individual's official duties as a qualified employee; and
 - (2) The cost of legal representation for the covered individual in connection with any administrative or judicial proceeding (including any investigations or disciplinary proceeding) relating to any act, error, or omission of the covered individual while in the performance of such individual's official duties as a qualified employee, and other legal costs and fees relating to any such administrative or judicial proceeding.
- (C) NOAA Corps officers are eligible for reimbursement up to one-half of the cost of Professional Liability Insurance, not to exceed \$150.00 for premiums incurred. Payment will be made in one lump-sum payment after the entire premium is paid. The Professional Liability Insurance Reimbursement Claim Form, CD-138. ([5 U.S.C. prec. § 5941 note](#))

¹ <https://www.justice.gov/olc/opinion/noaa-corps-eligibility-professional-liability-insurance-costs-reimbursement>

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020701 – Post-9/11 GI Bill

- (A) The Post-9/11 GI Bill provides educational benefits to NOAA Corps officers and their families. Determination of eligibility of benefits is made by the Department of Veterans Affairs (VA). Eligibility requirements for the Post-9/11 GI Bill are set forth in [38 U.S.C 3311](#).
- (B) NOAA Corps officers having at least six years of service are eligible to transfer benefits with a four-year service commitment before becoming eligible for retirement. CPC is responsible for reviewing and approving a transfer of benefits.
- (C) If a NOAA Corps officer fails to fulfill their service obligation as a result of being involuntarily separated or retired, the NOAA Corps officer will retain their eligibility to transfer education benefits even if they haven't served the entirety of their obligated service commitment through no fault of their own.
- (D) It is NOAA Corps' policy to adopt the provisions of DoDI 1341.13 regarding Post-9/11 GI Bill policy and procedures.

020702 – Montgomery GI Bill

- (A) NOAA Corps officers may elect to enroll for the Montgomery GI Bill (MGIB) upon appointment into the NOAA Corps. NOAA Corps officers who elect not to enroll are not eligible for this benefit.
- (B) The MGIB program provides up to 36 months of education benefits. This benefit may be used for degree and certificate programs, flight training, apprenticeship/on-the-job training and correspondence courses.
- (C) The MGIB provides education benefits to NOAA Corps officers who serve at least two years on active duty. Benefits are generally payable for 10 years following release from honorable service.
- (D) It is NOAA Corps' policy to adopt the provisions DoDI 1322.16 regarding the Montgomery GI Bill program policy and procedures.

020703 – Servicemembers' Group Life Insurance (SGLI) – Active Duty Coverage

- (A) This program provides automatic full-time coverage in the maximum amount of \$500,000 for NOAA Corps officers' Group Life Insurance (SGLI) for all NOAA Corps officers serving on active duty for more than 30 days and is administered by the Department of Veterans Affairs (VA). The SGLI Online Enrollment System (SOES) allows NOAA Corps officers to access and or modify elections any time through the DoD Defense Manpower Data Center MilConnect portal.

- (B) Life insurance coverage to spouses and children of NOAA Corps officers insured under the NOAA Corps officers' Group Life Insurance (SGLI) program is available. NOAA Corps officers must refer to the SGLI website for coverage details. See also DoD FMR Vol. 7A, Chapter 47.
- (C) The Traumatic Injury Protection under NOAA Corps officers' Group Life Insurance (TSGLI) program provides coverage to any NOAA Corps officer insured under SGLI who sustains a serious traumatic injury that results in certain prescribed losses. TSGLI provides between \$25,000 and \$100,000 of coverage depending on the loss incurred.

020704 – Servicemembers' Group Life Insurance – Family Coverage (FSGLI)

- (A) Authority – Public Law 107-14, Veterans Survivor Benefits Improvements Act of 2001 ([115 Stat. 25](#)) extends life insurance coverage to spouses and children of members insured under the SGLI program. See also DoD FMR Vol. 7A, Chapter 47, Section 8.
- (B) Spousal and Dependent Coverage (FSGLI) – The maximum spousal level coverage is \$100,000, or the amount of the members SGLI, whichever is less. Any dependent child under age 18 is automatically covered under family insurance regardless of their health. Children between the ages of 18 and 23 who are full-time students are covered, but are not eligible after turning 23. Any child who, before the age of 18, becomes permanently and totally disabled continues to be eligible for family coverage as long as they remain a dependent. Child coverage is \$10,000 for every member enrolled in SGLI. FSGLI is available only to members who are enrolled in SGLI.
- (C) Declining and Reducing Spousal Coverage
 - (1) A member may decline spousal coverage by submitting a completed form SGLV-8286A to CPC for Direct Access processing. A member may also use form SGLV-8286A to reduce spousal coverage in \$10,000 increments. When a member cancels spousal coverage, the coverage remains in effect at no cost to the member for 120 days after the cancellation date. During this 120-day period, the spouse can convert his/her coverage to a policy with a commercial insurance company. Upon request, SGLI will provide members with a list of companies that convert SGLI insurance. Spousal coverage ends 120 days after the date:
 - (a) Member elects in writing to terminate the spousal coverage (form SGLV8286A);
 - (b) Member elects in writing to terminate their own coverage (form SGLV 8286);
 - (c) Member's coverage terminates due to separation or death; or
 - (d) Member and spouse divorce.

- (2) CPC is required to notify the spouse by letter when the member cancels spousal coverage so the spouse may exercise their 120-day conversion benefit.

020705 – Tricare Dental Program (TDP)

- (A) NOAA Corps officers are eligible to receive dental services under the DoD's Active Duty Dental Program (ADDP). NOAA Corps officers may receive dental services from a military dental treatment facility or from an authorized private sector dentist via the ADDP-Remote Program. NOAA Corps officers must refer to the TRICARE website for benefit details. ([10 U.S.C. § 1076a](#); DoD FMR Vol. 7A, Chapter 54)
- (B) Additional Eligibility
 - (1) Family member(s) of active duty NOAA Corps officers with a minimum of one-year obligation remaining.
 - (2) Family members of deceased members enrolled at the time of the member's death have a three-year survivor benefit.
 - (3) Family members of incarcerated members are eligible dependents if directly billed by the contractor for their premium share.
- (C) Enrollment
 - (1) Enrollment must be initiated by the member through the TDP contractor. Visit their website at: <https://www.tricare.mil/Plans/Enroll.aspx>. The member's Servicing Pay Office (SPO) cannot complete enrollments and disenrollments.
 - (2) If choosing a family plan, all family members age one and above must be enrolled. However, in instances where family members residing with the members are not enrolled, family member(s) living apart from the member may be enrolled (e.g., child living with a divorced spouse, child in college).
- (D) Termination – A member must notify the TDP contractor if they want to disenroll after:
 - (1) They complete the original two-year enrollment started under Tricare Family Member Dental Plan TFMDDP (superseded by TDP), or the one-year lock-in under TDP;
 - (2) Separation, discharge, or retirement; or
 - (3) Loss of DEERS eligibility for a family member(s).
- (E) Restrictions – Family members enrolled in the TDP are not eligible for treatment at a military dental facility for any services covered under the TDP. However, active duty family members may receive "space-available" dental care at overseas military dental treatment facilities, whether or not they are enrolled in the TDP.

020706 – Savings Deposit Program (SDP)

- (A) Authority – Under [10 U.S.C. § 1035](#) and [33 U.S.C. § 3071\(a\)\(9\)](#), uniformed services members on permanent or temporary duty assignment in a qualifying area identified by the Secretary are authorized to make deposits into the Savings Deposit Program (SDP). Members making such deposits earn interest on their deposits at a rate of 10 percent per annum, compounded quarterly.
- (B) Qualifying Areas – The Secretary of Defense designates areas eligible for the SDP. Designated areas are listed in DoD FMR, Vol. 7A, Chapter 51.
- (C) Limitations on Amounts of Deposits
 - (1) Unallotted Current Pay and Allowances – Deposits may not be more than the member's unallotted current pay and allowances. Unallotted current pay and allowances is defined as the amount of money a member is entitled to receive on the payday immediately before the date of deposit, less authorized deductions and allotments. Advance pay and travel allowances on a permanent change of station or temporary duty order may not be deposited.
 - (2) Minimum Deposit – The minimum deposit into the SDP is \$5.
 - (3) Advance Pay (Basic Pay) – Money received from Advance Pay is not intended nor authorized be used to in the SDP. If a member currently has Advance Pay being liquidated, they are not authorized to participate until liquidation is complete.
 - (4) Maximum Deposit for Interest Accrual Purposes – The maximum amount on which 10 percent interest is computed is \$10,000 (i.e., principal and accrued interest combined). This \$10,000 limitation does not apply to deposit accounts of members in a missing status.
- (D) Interest on Deposits
 - (1) Interest is computed at a rate of 10 percent per annum, compounded quarterly, according to a calendar quarter. Quarterly interest is computed on the average quarterly balance on deposit. Once \$10,000 is on deposit, simple interest will be computed on the \$10,000. No interest is paid on amounts exceeding \$10,000, except in the case of a member in a missing status. The interest rate will be applied as 2.5 percent for a quarter, 0.833 percent for a month, and 1.667 percent for two months.
 - (2) Deposits made on or before the 10th of the month, accrue interest from the first of the month. Deposits made after the 10th of the month, accrue interest from the first day of the following month.

- (3) Interest paid on amounts deposited into the SDP is taxable income.
- (E) Refer to DoD FMR, Vol. 7A, Chapter 51, Table 51-3 for details on the conditions under which deposits, plus interest, are repaid.

020707 – Uniformed Services Thrift Savings Plan

- (A) Thrift Savings Plan (TSP) is a Federal Government-sponsored retirement savings and investment plan for federal employees and NOAA Corps officers of the uniformed services. TSP is administered by the Federal Retirement Thrift Investment Board (FRTIB).
- (B) Contributions
 - (1) All NOAA Corps officers may make traditional or Roth TSP contributions. The traditional TSP offers tax deferral advantages similar to those offered to employees by private corporations under 401(k) plans. The Roth TSP option offers members the option of making after-tax contributions. An officer's individual contributions to the TSP are treated by default as traditional tax-deferred contributions. An officer may elect to designate all or part of their individual contributions as Roth. Automatic one percent contributions and NOAA-matching contributions are always tax-deferred traditional contributions. See DoD FMR Vol. 7A, Chapter 51 for details on the differences between traditional and Roth plans.
 - (2) All contributions must be made through payroll deduction.
 - (3) An officer may choose to stop contributing to their TSP at any time. Changes are effective at the end of the pay period in which that election is accepted. If basic pay contributions are terminated, TSP deductions for bonuses, incentive pays, or special pays will also be terminated with the same effective date.
 - (4) Officers may choose the percentage of basic pay to contribute, but may be limited by the priority of pay deductions described in DoD FMR Vol. 7A, Chapter 52.
 - (5) In order for an officer to contribute bonuses, incentive pays, or special pays to their TSP, the officer must also be contributing a minimum of one percent of the officer's basic pay.
- (C) Contribution Limits
 - (1) Annual elective deferral contribution limit – Total annual elective deferral contributions for both Roth and traditional TSPs may not exceed the annual

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limits set forth by the IRS in the Internal Revenue Code (IRC). Annual limits are available on the TSP website.

- (2) TSP Contributions in a Combat Zone Tax Exclusion Area – See DoD FMR Vol. 7A, Chapter 51.
- (D) TSP Funds
 - (1) An officer may indicate their choice of TSP funds for the investment of deposits to TSP by making a contribution allocation among the TSP funds at any time. BRS Opt-In officers are ultimately responsible for ensuring TSP contributions are being properly allocated under the BRS.
 - (2) Default Allocations – See DoD FMR Vol. 7A, Chapter 51 for details on default allocations for new accessions, BRS Opt-In members, and TSP for officers not under the BRS.
- (E) TSP Loan Program – NOAA Corps officers may apply for a TSP loan or hardship withdrawal in accordance with TSP regulations. Information on loans and hardship withdrawals is available on the TSP website.
- (F) Catch-Up Contributions – Effective January 1, 2021, the spillover method was implemented for catch-up contributions, applicable to TSP participants who turn age 50 or older in the applicable calendar year. Eligible members will no longer need to make a separate contribution election for catch-up contributions. Once the contribution limit has been reached, the officer's contributions will "spill over" toward the catch-up limit. Spillover method for catch-up contributions information is available on the TSP website. Contributions spilling over toward the catch-up limit are eligible for NOAA-matching contributions, but only up to the five percent of pay to which the participant is already entitled.
- (G) Make-Up Contributions – Make-up contributions are individual contributions that should have been deducted for an officer's basic pay, bonuses, incentive pays, or special pays; or NOAA contributions that should have been charged to NOAA on an earlier date, but were not deducted or charged and, consequently, are being deducted or charged currently.
- (H) Breakage (Lost TSP Earnings) Due to Agency Error – Breakage is the loss incurred or the gain realized on make-up or late contributions. See DoD FMR Vol. 7A, Chapter 51 for details on procedures when breakage occurs.
- (I) Member Transfers – See DoD FMR Vol. 7A, Chapter 51 for information on TSPs when transferring between uniformed services, or when separating and rejoining.

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020801 – General Explanation of Allotments and Rules

- (A) Policy – The allotment system is provided primarily to assist NOAA Corps officers in accommodating their personal and family financial responsibilities, and secondarily as an effective system for regular payroll deductions for approved programs.
- (B) Who Can Make Allotments – NOAA Corps officers may make allotments from their pay. ([37 U.S.C. § 706](#)) NOAA Corps officers who are on active duty for 140 days or more, and NOAA Corps officers receiving retired pay, may make allotments from their pay for any of the purposes and within the limitations in Tables 2.8.1 and 2.8.2 and Paragraphs (C) and (D) below.
- (C) How Much Can Be Allotted – All pay and allowances (less amounts which must be withhold for federal, state, and FICA taxes, Servicemembers' Group Life Insurance (SGLI) premiums, Montgomery GI Bill deductions, Armed Forces Retirement Home, and indebtedness to the United States) may be allotted.
- (D) Restrictions – The registration of all allotments is subject to approval by the PPC. The following restrictions governing allotments of pay apply:
 - (1) Direct Deposit – Public Law 104-134 (the Debt Collection Improvement Act of 1996) requires that all allotment payments be made by electronic funds transfer (EFT).
 - (2) Minors – Allotments (except bonds) may not be registered to children under 16 years of age. Allotments may be made payable to the children's guardian or custodian. NOAA Corps spouses may be named as allottees regardless of age.
 - (3) Mental Incompetence – Allotments may not be registered to mentally incompetent persons. They may be made payable to a guardian or to the facility where the allottee is cared for.
 - (4) Allotments to Same Payee – A member may have multiple allotments to the same payee provided:
 - (a) The allotments are sent by direct deposit; and
 - (b) Each allotment has a unique account number.
 - (5) Number of Allotments – The maximum number of allotments a member may have is 14.
 - (6) Power of Attorney – A special power of attorney may be used to establish, change, or stop an allotment. This special power of attorney must specifically state the authority to establish, change, or stop allotments. A general power of attorney is not acceptable to establish, change, or stop an allotment.

Part 8 – Allotments from Pay

- (7) Fraudulent Enlistment – Pay and allowances may not be allotted when pay is suspended pending final action on determination of fraudulent enlistment.
- (8) Reduced Pay of Allotter – When a reduction-in-grade or stoppage of pay does not leave sufficient funds for allotments in force, allotments must be discontinued as necessary to prevent an overpaid status.
- (E) Effect on Allotment in Case of Death – The right to allotment in case of death of the allotter or allottee:
 - (1) Death of Allotter – All allotments are revoked by death of the allotter. No further allotment payments will be made after receipt of notice of the allotter's death. Deductions made from the allotter's pay, but not paid to the allottee, become part of the allotter's estate. Allotments paid after death may not be collected from the allottee nor charged against the pay of the allotter (DoD FMR Vol. 7A, Chapter 40), except allotments erroneously established after notice of death of the allotter and unearned insurance premiums (insurance premiums paid one month in advance of the day payment is due).
 - (2) 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 death of the allottee. It is not subject to any expense incurred by, or on behalf of, the allottee before or after death. All un-negotiated allotment checks must be returned to PPC for credit to the member's account.
- (F) Command Responsibility – Commanding officers are responsible for informing the NOAA Corps Payroll Unit promptly of any facts which warrant stopping an allotment of a member under their command.
- (G) Authorized Allotments – Voluntary allotments of military pay and allowances of NOAA Corps officers in active service are limited to discretionary and nondiscretionary allotments.
 - (1) Discretionary Allotments – NOAA Corps officers must certify that the allotment is within the limits of the law (e.g., allotments may not be used to repay gambling debts where gambling is not permitted). Examples of discretionary allotments include but are not restricted to the following:
 - (a) Voluntary payment to a dependent and relatives.
 - (b) Payment of home loan, mortgage or rent.
 - (c) Premium payment for commercial insurance (i.e., life, dental, health, vehicle).
 - (d) Repayment to a financial institution for car loan, home improvement loan.

- (e) U.S. Government Life Insurance.
 - (f) Deposits to a financial institution, mutual fund company, or investment firm, for the personal or joint account of the member.
- (2) Nondiscretionary Allotments – Nondiscretionary allotments of pay and allowances of active uniformed service members are limited to the following:
- (a) Purchases of U.S. savings bonds;
 - (b) Repayment of indebtedness to the U.S. Government or a court appointed trustee under Chapter XIII of the Bankruptcy Act;
 - (c) Tricare Dental Program (TDP) premiums; and
 - (d) Federal Long-Term Care Insurance Program (FLTCIP) premiums.

Table 2.8.1. Authorized Non-Discretionary Allotment Purposes and Periods

Non-Discretionary Allotments (listed to the following)	Then the letter is	Allotment Limitation (Note 1)	Required period is		May continue into retirement	
			Indefinite	Definite	Yes	No
Repayment of indebtedness to the United State Government or a Court appointed Trustee under Chapter XIII of the Bankruptcy Act	T	NONE		X		X
Tricare Dental Program Premiums	J	1	X			X
Federal Long-Term Care Insurance Program Premiums	U	1	X		X	
Tricare Prime	V	1	X		X	

Notes:

1. Maximum number of discretionary plus non-discretionary allotments may not exceed 14 (NCD 020801(D)(5)).

Table 2.8.2. Authorized Discretionary Allotment Purposes and Periods

Discretionary Allotments	Then the letter is	Allotment Limitation (Note 1)	Required period is		May continue into retirement	
			Indefinite	Definite	Yes	No
Support of dependents	D	NONE	X		X	
Repayment of home loans, mortgages, or rent (Note 2)	H	NONE	X		X	
Commercial Insurance	I	NONE	X		X	
U.S. Government Life Insurance (USGLI) and/or National Service Life Insurance (NSLI)	N	1	X		X	

Notes:

1. Maximum number of discretionary plus non-discretionary allotments may not exceed 14 (NCD 020801(D)(5)).
2. Following conditions apply:
 - a. Payment of loans for the purchase of a home, mobile home, or house trailer used as a residence by the allotter, spouse, and/or dependent.
 - b. A member's landlord is offered the opportunity to receive rental payments by allotment from the member's pay. In return the landlord agrees to "Set-A-Side" the last month's rent and security deposit. This agreement is strictly between the member and landlord – Coast Guard has no liability. Amount of allotment is normally not more than member's BAH.
 - c. Home Mortgage allotments can continue into retirement. However, rental Set-A-Side allotments cannot.
 - d. "H" Allotments are also used for payment of rent for Public Private Venture (PPV) Housing.

020802 – Child and Spousal Support Allotments**(A) General**

- (1) It is the policy of the Department of Commerce to require Commissioned Officers of the NOAA Corps on active duty to make involuntary allotments from pay and allowances as payment of child, or child and spousal, support payments when the officer has failed to make periodic payments under a support order in a total amount equal to the support payable for two months or longer. Failure to make such payments is established by notice from an authorized person to the designated official. Such notice should specify the name and address of the person to whom the allotment is payable. The amount of the allotment is the amount necessary to comply with the support order. If requested, the allotment may include arrearages as well as amounts for current support, except that the amount of the allotment, together with any other amounts withheld for support from the officer as a percentage of pay, must not exceed the limits prescribed in section 303 (b) and (c) of the Consumer Credit

Protection Act ([15 U.S.C. § 1673](#)). An allotment under this subpart will be adjusted or discontinued upon notice from an authorized person. ([15 C.F.R., Part 15, Subpart C \(§§ 15.21 – 15.25\)](#))

- (2) Notwithstanding the above, no action will be taken to require an allotment from the pay and allowances of any officer until such officer has had a consultation with an attorney from the Department of Commerce, Office of the General Counsel, Employment and Labor Law Division, in person, to discuss the legal and other factors involved with respect to the officer's support obligation and their failure to make payments. Where it has not been possible, despite continuing good faith efforts to arrange such a consultation, the allotment starts the first pay period beginning after 30 days have elapsed since the notice required in [15 C.F.R. § 15.25\(d\)\(1\)](#) is given to the affected officer.

(B) Definitions

- (1) Authorized Source – Any agent or attorney of any state having in effect a plan approved under part D of title IV of the Social Security Act ([42 U.S.C. §§ 651-665](#)), who has the duty or authority to seek recovery of any amounts owed as child or child and spousal support (including, when authorized under the state plan, any official of a political subdivision), and the court that has authority to issue an order against a member for the support and maintenance of a child, or any agent of such court.
- (2) Child Support – Periodic payments for the support and maintenance of a child or children, subject to and under state or local law. This includes, but is not limited to, payments to provide for health care, education, recreation, and clothing, or to meet other specific needs of the child or children.
- (3) Designated Official – The official who is designated to receive notices of failure to make payments from an authorized person. For the Department of Commerce, this official is the Deputy General Counsel for Administration, Office of the General Counsel.
- (4) Notice – A court order, letter, or similar documentation issued from an authorized person providing official notification that a member has failed to make periodic support payments under a support order.
- (5) Spousal Support – The periodic payments for the support and maintenance of a spouse or former spouse, under state or local law. It includes, but is not limited to, separate maintenance, alimony while litigation continues, and maintenance. Spousal support does not include any payment for transfer of property or its value by an individual to their spouse, or former spouse per any community

property settlement, equitable distribution of property, or other division of property between spouses or former spouses.

- (6) Support Order – Any order for the support of any person issued by a court of competent jurisdiction or by administrative procedures established under state law that affords substantial due process and is subject to judicial review. A court of competent jurisdiction includes Indian tribal courts within any state, territory, or possession of the United States and the District of Columbia and a court in any foreign country with which the United States has entered into an agreement that requires the United States to honor the notice.
- (C) Procedures – See [15 C.F.R. § 15.25](#) for procedures relating to procedures for service of notice, disposable earnings, exclusions, officer notification, absence of funds, and allotment of funds.

020803 – Involuntary Allotments for Creditor Judgments – Under Development

Section is intentionally blank as it's under development.

Part 9 – Taxes

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020901 – Withholding of Federal Tax

- (A) Authority for withholding Federal Tax – The definition of income which is subject to Federal income tax withholding and the requirement that tax be collected at sources of income are contained in [26 U.S.C. §§ 3401](#) and [3402](#). The rate of withholding is in accordance with the current issue of the Treasury Department Circular E ([Publication 15](#)).
- (B) Wages Subject to Federal Income Tax Withholding (FITW) – The taxable pay earned by all uniformed service members (except as stated in paragraph C below) is subject to withholding of Federal income tax.
- (C) Wages Not Subject to FITW
 - (1) All active duty NOAA Corps officers for any month during which they qualify for combat zone exclusion.
 - (2) Residents of Puerto Rico who are stationed outside the U.S. will have Puerto Rico income tax withheld from military wages and will not have Federal income tax withheld upon the same wages, unless the member requests otherwise.
- (D) Legal Residence – NOAA Corps officers must designate a legal residence, and report any changes thereto. NOAA Corps officers' legal residence does not change because of the change of permanent station. The legal residence at the time of entry into the service remains the same until changed by the NOAA Corps officer.
- (E) Basis for Establishment of Monthly Rate of Tax – Each NOAA Corps officer for whom a military pay account is initially opened is required to file an Employee's withholding Allowance Certificate (IRS Form W-4) to establish a marital and exemption status.
- (F) When a New Form W-4 is to be Submitted – Form W-4 is required to be filed whenever there is a change in:
 - (1) Marital status; or
 - (2) The number of exemptions claimed.
- (G) Withholding of Additional Tax – A NOAA Corps officer may authorize an additional amount to be withheld monthly to meet income tax needs. This is accomplished by utilizing the Taxes function in Direct Access. Additional amounts may be withheld by reducing allowances and/or indicating the additional monthly amount (in even dollars) to be withheld.
- (H) Reducing withholding of Tax for Itemized Deductions – A NOAA Corps officer may reduce the monthly withholding tax by claiming additional withholding allowances

based on large itemized deductions. If the total additional withholdings exceed 10, a copy of the W-4 must be filed with the IRS.

- (I) Withholding Not Required – Withholding of income tax will not be made from NOAA Corps officers who certify that they did not incur any tax liability for the previous tax year and anticipate they will not incur any liability for the current year. The NOAA Corps officer may claim this exemption in the tax function in Direct Access. Once filed claiming “EXEMPT,” the NOAA Corps officer must re-certify in Direct Access as follows:
 - (1) If no tax liability is expected for the following year on or before February 15 of that year.
 - (2) If tax liability is expected for the following year, the member must file a new Form W-4 by December 1 of the current year.
- (J) One-Time Deduction – One-time credits (Career Status Bonus, Lump Sum Leave, etc.) are federally taxed at a rate determined by the IRS (see IRS Publication 15, Circular E.)
- (K) Retroactive Withholding Adjustment – Retroactive adjustments are not authorized.
- (L) Reporting Discharge of Indebtedness to the IRS using IRS Form 1099-G – When indebtedness is waived under [10 U.S.C. § 2774](#), it is not normally reported to IRS as taxable income. However, if a taxable item caused the overpayment, and the amount of taxable income reported was reduced upon discovery of the debt, it should be reported to the IRS. If a debt caused by overpayment of nontaxable items such as BAS or BAH, is terminated, it must be reported to IRS on IRS Form 1099-G. Taxable items that have not previously been taxed and reported to the IRS should also be included on IRS Form 1099-G.

020902 – Withholding of State Taxes

- (A) Wages Subject to State Income Tax Withholding (SITW) – The taxable pay earned by NOAA Corps officers is subject to SITW by the state declared by the NOAA Corps officer as their legal residence. Military compensation is not taxable by any state, territory, possession, political subdivision, or district that is not the NOAA Corps officer’s legal residence.
- (B) Withholding Agreements – Before withholding can be effected, the state must have entered into a withholding agreement with the Department of Treasury. The following states do not have state income taxes and as such do not have such agreements: Alaska, Florida, Nevada, New Hampshire, South Dakota, Tennessee, Texas, Washington and Wyoming.

Part 9 – Taxes

- (C) Delinquent Taxes – There is no authority for the involuntary collection of delinquent state tax liabilities from the pay of NOAA Corps officer.

020903 – Federal Insurance Contributions Act (FICA) Tax

- (A) Authority – Effective January 1, 1957, the Servicemen's and Veteran's Survivor Benefits Act of 1956 extended Social Security coverage to members of the uniformed services, and subjected them to tax deductions as prescribed by the Federal Insurance Contribution Act (FICA). These taxes are imposed on members in order to provide funds for old age, survivors, and disability insurance. Effective January 1, 1966, an additional tax was imposed to provide hospital insurance benefits for the aged. The term "FICA Tax," used in this section includes both FICA and health insurance (HI).
- (B) Wages Subject to Tax – Only basic pay is subject to FICA Tax deductions (this includes any one-time credits of basic pay).
- (C) Tax Rates
- (1) The Social Security Administration provides the current year and historical FICA Tax rates on their website at:
<https://www.ssa.gov/oact/ProgData/taxRates.html>
 - (2) The Social Security Administration also lists the maximum amount of wages subject to tax and the maximum amount of tax that can be withheld per year, on their website at: <https://www.ssa.gov/oact/COLA/cbb.html#Series>

020904 – Recovery of Delinquent Federal Taxes

- (A) Authority –The IRS will provide instructions for responding to the Notice of Levy each time a levy is delivered for execution. Each levy will continue in effect until collection is satisfied or until a release order is issued by the IRS. A purpose code “T” allotment may be used to convey payments to IRS if the collection process will remain in effect for three or more months. If a NOAA Corps officer voluntarily arranges with the IRS to pay delinquent taxes via “T” allotment, the NOAA Corps officer must execute an agreement with the IRS on IRS Form 2159. Once a voluntary election is effected, the NOAA Corps officer may not cancel the “T” allotment until the tax indebtedness is completely liquidated.
- (B) Pay Subject to Levy
- (1) The member’s “take home pay”, minus exempt amounts claimed via the member’s certified claim on part 3 of IRS Form 668-W(c), must be attached and sent to the IRS. The NOAA Corps officer’s usual pay deductions will continue while the levy is in effect.

- (2) When the IRS determines that a NOAA Corps officer's delinquent income tax is a "problem case," the IRS may direct that, since the NOAA Corps officer's "take home pay" is not enough to pay the levy, all available accrued pay should be attached. In such "problem cases," all items of pay and allowances, including travel allowances and accrued leave settlement paid upon discharge, less exemptions claimed on IRS form 668-W(c), and less deductions and collections are subject to levy. Voluntary non-discretionary allotments must be discontinued if necessary, with the exception of allotments for support of minor children that are authorized per court orders entered before the date of levy. If the amount of the levy does not require stopping all voluntary allotments, the NOAA Corps officer may select which allotments to be stopped; if they refuse such selection, CPC/OPMD must stop allotments as necessary, with insurance allotments the last to be stopped.

Table 2.9.1. Priority of Deductions and Collections

Rule	When the amounts due a member are not enough to cover authorized deductions or collections, collect applicable amounts shown in the following sequence:	
1	Reduction of pay entitlement	Losses of pay entitlement take precedence over all items for deduction or collection: a. Forfeiture. (Note 1) b. Reduction for education benefit under “Montgomery G.I. Bill” (Note 1)
2	Reimbursement to United States	Amounts collected for deposit to the credit of the United States Treasury in the following order: a. FICA tax b. FITW (this includes any amounts voluntarily authorized by member in excess of the minimum withholding required. c. TRICARE-Premiums d. Deduction for All SGLI Premiums
3	State income tax withholding	
4	Involuntary repayment of indebtedness to United States	a. Routine pay adjustment b. Repayment of advances of pay/allowances or advances of travel. c. Other collections (overpayment of pay or allowances outside the scope of a routine pay adjustment). d. Repayment of public funds entrusted to an accountable member or funds obtained by any member through fraud, larceny, embezzlement, or other unlawful means. e. Transportation charges. f. Subsistence charges. g. Government property lost or damaged. h. Telephone or telegraph charges. i. Damage to assigned housing due to negligence or abuse. j. Indebtedness to a commissary, DoD-contracted military banking facility overseas, or other appropriated fund activity for an un-collectable check or defaulted loan. k. Unpaid hospital bills for medical services furnished a dependent l. Compensation or stipend payments received by a medical officer from state, county, municipal, or privately-owned hospitals for medical services. m. Jury duty fees received by a member. n. Amounts due other Uniformed Services, or departments or agencies outside the Department of Commerce, including court judgments.
5	Garnishment for alimony and child support payments	
6	Statutorily-required child and spousal support allotments	
7	Reimbursement to individuals and agencies	Remittances to an individual or agency by disbursing officer making deductions as follows: a. Deductions for rental of premises occupied by dependents. b. Deduction for payment for damages to private property.
8	Court-ordered bankruptcy payments under Chapter 13 of the revised Bankruptcy Act	In cases where the United States Bankruptcy Court has mandated that a sum be deducted monthly, the court order will be followed as prescribed in NCD 021202(F).

Part 9 – Taxes

9	Indebtedness to a nonappropriated fund activity	The order of precedence in this table will apply unless otherwise specified in the court order in which case the court's order prevails
11	Voluntary repayment of indebtedness to United States	In order specified by the uniformed service member. Upon separation these become involuntary and fall under rule 5.
12	Involuntary allotment for commercial debts	See Note 2.
13	Thrift Savings Plan	Contribution Amounts in the following order: a. TSP loan repayments b. TSP contributions
14	Federal Long-Term Care Insurance Program	Premium deductions.
15	Allotments	Payments made to an allottee by the United States or when a savings bond has been issued before the date amounts due a member are to be disbursed in the following order: a. Emergency support of dependent b. Government insurance (discretionary allotment) c. Repayment of individual indebtedness or for payment to an individual or financial organization for disposition as authorized by the allotter (discretionary allotment) d. Purchase of United States savings bonds e. Donation to charity drives f. Other discretionary allotments. (Note 2)
16	IRS levy for delinquent federal income taxes	See Part 9 – Taxes

Notes:

1. Gross pay to which the uniformed service member would otherwise be entitled must be reduced by the amount of the forfeiture. The forfeiture is subtracted to determine a new, reduced gross pay amount. Deductions based on gross pay will be computed on the reduced gross pay.
2. If the date of a tax levy is earlier than the effective date of a voluntary allotment or an involuntary allotment for commercial debts, the tax levy should be collected before either allotment.

Part 10 – Payment of Uniformed Personnel

Part 10 – Payment of Uniformed Personnel

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Part 10 – Payment of Uniformed Personnel**021001 – Payment of Uniformed Personnel**

- (A) Personnel Covered – This Part prescribes policy governing the payment of pay and allowances to NOAA Corps officers on active duty.
- (B) Method of Payment – Direct deposit to a member’s financial institution to be credited to member’s account. The Debt Collection Improvement Act of 1996 (P.L. 104-134) mandates the use of direct deposit/electronics fund transfer (DD/EFT) for all salary payments made by Federal agencies on or after 1 January 1999.
- (C) Payday Problems – When regular payday problems occur, immediate and direct command contact must be made with the NOAA Corps Payroll. The NOAA Corps Payroll may subsequently contact PPC if the problem remains unsolved.
- (D) Hardship Cases – Emergency pay procedures provided for in Paragraph (E) below must be utilized as appropriate to minimize any financial hardship to NOAA Corps officers.
- (E) Special Payments
 - (1) What is a Special Payment – In addition to making regular semimonthly payments, PPC has the authority and ability to make certain special payments through the Department of Treasury. A special payment is a payment of accrued pay and allowances not paid on a regular semi-monthly payroll. Special payments include payments authorized between regularly scheduled paydays and corrected direct deposit regular payments.
 - (2) Approval of Payment – Special payments must be authorized and approved by PPC.

Part 11 – Separation Payment and Claims

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021101 – Lump Sum Leave (LSL) Payment for Unused Accrued Leave

- (A) Authority – [37 U.S.C. § 501](#) authorizes the payment of LSL. A NOAA Corps officer who is discharged from active service under honorable conditions unless the officer continues on active duty under conditions which require accrued leave to be carried forward. Effective February 10, 1976, NOAA Corps officers may be paid for no more than 60 days. A NOAA Corps officer eligible for a payment of LSL may elect to receive payment for a portion of the accrued leave, not to exceed a career total of 60 days. Tables 2.11.1 and 2.11.2 are rules for determining whether a member may be paid for accrued leave. Payment for leave must be exact; half-days are not rounded. Example: A member entitled to 59-1/2 days must be paid for 59-1/2 days, not 60 days. See DoD FMR Vol. 7A, Chapter 35.
- (B) Who is Entitled to Payment – All NOAA Corps officers with accrued leave are entitled to payment of LSL when discharged.
- (C) Who May Not Be Paid – The following NOAA Corps officers are not entitled to LSL for unused, accrued leave;
- (1) A NOAA Corps officer separated under other than honorable conditions;
 - (2) A NOAA Corps officer on active duty for a period of less than 30 consecutive days; and
 - (3) A NOAA Corps officer who transferred to the retired list but retained on continuous active duty after transfer.
- (D) Determination of Unused Leave Balance – Leave is accrued through the discharge date. Observe the following rules in determining the unused leave balance:
- (1) Awaiting Orders – If the NOAA Corps officer is placed on the retired list for physical disability (including temporary physical disability), compute the unused leave balance and reduce this balance to no less than zero by subtracting the number of days spent in a “Home Awaiting Orders Status.”
 - (2) Travel Time – If the NOAA Corps officer is entitled to travel time to home, compute unused leave balance through:
 - (a) The constructive date of release from active duty based on the travel time authorized by the orders.
 - (b) The period of authorized travel time to a port of embarkation (POE) from which Government transportation is to be furnished, if travel is to a place outside CONUS. CPC will recompute the unused leave balance as of the actual date of release and credit any additional LSL due.

Part 11 – Separation Payment and Claims

- (E) Leave Not Counted as Service – The number of days unused leave for which LSL is made is never counted as service.
- (F) Computation of Payment – Payment for leave accrued as of 31 August 1976 will include:
 - (1) Basic pay at the rate applicable on the date of discharge.
 - (2) BAS at the rate applicable on the date of discharge.
 - (3) BAH-TR at the with or without dependents rate applicable on the date of discharge. Entitlement accrues even if the officer is not receiving payment of BAH-TR on the date discharged (28 Comp Gen 423).
 - (4) PMA at the rate applicable on the date of discharge.
- (G) Taxability and Withholding Tax on Accrued Leave Payment
 - (1) Lump-sum payments of accrued leave, exclusive of allowances, are normally subject to taxation and withholding tax.
- (H) Payment of LSL – LSL payment normally is paid on date of discharge. Exception: If LSL is paid in connection with first extension, payment will be included in either the mid-month or end of month pay, depending on when the contract is successfully processed in Direct Access (DA). In the case of recalled retired officers who are entitled to travel time, make payment on date of detachment from the separating activity.
- (I) Offsetting Indebtedness – All items of the LSL payment may be used to liquidate debts to the U. S. Government.
- (J) Payment to Survivors – If a NOAA Corps officer dies while on active duty (or if a NOAA Corps officer or former NOAA Corps officer dies after retirement or discharge, but before receiving payment of accrued leave), payment for accrued leave will be based upon the unused accrued leave that was carried forward into the leave year in which deceased plus the unused leave that accrued to the deceased during that leave year.

Table 2.11.1. Payment of Accrued Leave – Separation without Immediate Reentry on Active Duty

Rule	If an officer has been on active duty 30 or more consecutive days and	and	Then accrued leave is
1	Is discharged (including as a result of resignation)	Separation is under honorable conditions (Note 1)	Payable. (See Notes 2 & 4)
2	retires		Payable. (Notes 2, 3, & 4)
3	Dies while on active duty	Officer is not put to death as lawful punishment for a crime (unless executed by an enemy of the United States)	Payable to beneficiary with other unpaid pay and allowances. (Note 4)

Notes:

1. If a NOAA Corps officer is discharged or relieved from active duty because of expiration of a term of service and is under investigation as an alleged security risk, do not pay accrued leave until the investigation is completed and the character of the discharge is determined. If discharge is under honorable conditions, accrued leave may then be paid.
2. The period when a member is home awaiting further orders in connection with physical evaluation board proceeding is charged as leave to the extent that leave is available, beginning with the day after the member arrives home or the day after constructive travel time ends, whichever is earlier. Limit payment to accrued leave remaining at time of retirement or discharge. Authorized absence under these circumstances in excess of accrued leave is not chargeable as leave.
3. A NOAA Corps officer may not take accrued leave in lieu of payment beyond the effective date of retirement.
4. A NOAA Corps officer may only be paid for the maximum amount of accrued leave allowed by law.

Table 2.11.2. Payment of Accrued Leave – Separation with Immediate Reentry on Active Duty

Rule	If an officer has been on active duty 30 or more consecutive days and	and	Then accrued leave is
1	Retired	Immediately reenters on active duty	Not payable
2	Separated on a day other than the end of the specified period of active duty for the purpose of reentering on active duty in any status within any uniformed service		
3	Transferred to a different uniformed service by separation and immediate reappointment	Immediately enters active duty with the other service	

021102 – Unpaid Pay and Allowances Due Deceased Members

- (A) Authority and Order of Payment – [10 U.S.C. § 2771](#) (as applied by [33 U.S.C. § 3071\(a\)\(26\)](#)) provides that unpaid pay and allowances due a deceased NOAA Corps officer will be paid to any person or persons in the following order of precedence.
- (1) Designated beneficiary(ies) on the Record of Emergency Data Form (NF 56-14);
 - (2) Surviving spouse;
 - (3) Children and their descendants, by representation;
 - (4) Father and mother in equal parts or, if either is deceased, the remaining survivor;
 - (5) Legal representative; and
 - (6) Person entitled under the law of the domicile of the deceased member.
- (B) Claim Process – The proper beneficiary must submit “Claim for Unpaid Compensation of Deceased Member of the Uniformed Services, SF-1174” to CPC for settlement. CPC will settle the claim as described in GAO Manual for Guidance of Federal Agencies, Title 4.

021103 – Claims for Uniformed Personnel Pay

- (A) Basis for Claim – Normally, a NOAA Corps officer is paid all pay and allowances on a current basis. Occasionally, a claim will have to be filed for pay believed due to the officer. A claim must be specific and supported by all available pertinent documents (31 U.S.C. § 3702(a)(1)(A); 32 C.F.R. Part 282).
- (1) Officer on Active Duty – Send claims to CPC (see 32 C.F.R. Part 282 Appendix C).
 - (2) Officer not on Active Duty – Separated NOAA Corps officers and NOAA Corps officers who will be separated before the claim can be resolved, submit their claim to CPC on DD Form 827, “Application for Arrears in Pay.” If DD Form 827 is not available, the claim may be submitted by letter. The NOAA Corps officer must sign each claim. In either case, the NOAA Corps officer must attach all documents necessary to support the claim.
- (B) Records Correction – A Records Examination Board (REB) may correct an officer’s records and the correction may result in entitlement to additional pay. See NCD Chapter 10 regarding REB processes.

021104 – Travel Allowance on Separation

See Joint Travel Regulations (JTR), Section 0510.

021105 – Death Gratuity

- (A) Death gratuity will be paid, regardless of whether death occurred in the line of duty or as the result of a NOAA Corps officers' misconduct, to eligible beneficiaries of the following (DoD FMR, Vol. 7A, Chapter 36):
 - (1) A NOAA Corps officer who dies while on active duty or while traveling to or from such duty.
 - (2) A former NOAA Corps officer who dies during the 120-day period beginning on the day following date of discharge or release, under honorable conditions, from active duty (including retirement for either disability or length of service).
 - (3) A NOAA Corps officer who dies while traveling to, from, or while at a place for final acceptance or for entry upon active duty (other than for training) in the NOAA Corps; who has been ordered or directed to go to that place; and who has been provisionally accepted for that duty.
 - (4) An officer whose death is determined by administrative findings under the Missing Persons Act.
- (B) Death gratuity is not payable in the case of a NOAA Corps officer whose death is the result of lawful punishment for a crime or military offense, except when death was inflicted by a hostile force with which the United States Armed Forces had engaged in armed conflict.
- (C) Death gratuity is not payable if the beneficiary or survivor personally killed the NOAA Corps officer unless there is evidence that clearly absolves the person from any felonious intent. However, it may be paid to the next eligible beneficiary(ies) or survivor(s) not responsible for the death of the NOAA Corps officer.
- (D) Death gratuity is not payable in the case of a NOAA Corps officer who has been charged with and convicted of desertion at the time of death. The death gratuity is payable if it is later found the deserter declaration was in error.
- (E) A death gratuity payment may not be used to satisfy an indebtedness (including an overpayment).
- (F) Erroneous Payments – An erroneous payment of death gratuity is one made to a person clearly not entitled to it because of administrative error, rather than because of statement record made by the deceased officer.

- (1) A second payment must be made to the rightful beneficiary or survivor when the error resulted from improper maintenance of records or administrative negligence. This payment should not be delayed pending recovery of the erroneous payment from the ineligible recipient (37 Comp. Gen. 131).
- (2) A second payment must not be made to a different person if the first payment was based on statements of record made by the deceased NOAA Corps officer, and the government has no reason to doubt the beneficiary's or survivor's status was as stated (37 Comp. Gen. 131).

021106 – Survivor Benefit Plan – Under Development

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Part 12 – Debt Collection

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021201 – Debt Collection

- (A) Authority – Statutory authority to collect indebtedness to the United States from a NOAA Corps officer's exists under [31 U.S.C. 3711](#) and [37 U.S.C. § 1007\(c\)](#).
- (B) General - It is NOAA's policy to collect debts of NOAA Corps officers that have been administratively determined to be owed to the United States or any of its instrumentalities, in accordance with 31 U.S.C. 3701, et seq. and [15 C.F.R. Part 19](#). Debts collected per [15 C.F.R. Part 19](#) must be in accordance with statutory requirements under [37 U.S.C. § 1007\(c\)](#).
- (C) In accordance with 37 U.S.C. § 1007(c)(3)(A), if the indebtedness of a NOAA Corps officer is due to the overpayment of pay or allowances to the member through no fault of the officer, the amount of the overpayment shall be recovered in monthly installments. The amount deducted from the pay of the officer for a month to recover the overpayment amount may not exceed 15 percent of the member's pay for that month unless the member requests or consents to collection of the overpayment at an accelerated rate.

021202 – Waiver of Claims for Erroneous Payment

- (A) General – A waiver is a written request from an officer or former officer for the cancellation of indebtedness to the U. S. Government which resulted from erroneous payments of pay and allowances made to or on behalf of the officer or former officer.
- (B) Authority – [10 U.S.C. § 2774](#) authorizes the Secretary to effect waiver of claims for erroneous payments of pay and allowances and travel and transportation allowances when collection of the claim would be against equity and good conscience, and not in the best interest of the United States. Waivers of collection for debts that do not arise from an erroneous payment cannot be considered or granted under this authority.
- (C) Delegated Authority - The Secretary's authority under 10 U.S.C. § 2774 has been delegated to the Director pursuant to Department Organization Order (DOO) 10-5, § 4.01.c, DOO 20-8, § 3.a, Department Administrative Order (DAO) 202-250, § 4.01; DOO 10-15, § 3.d, NOAA Delegation of Authority # 86 (July 30, 2014). The Director hereby delegates this authority to the Director, CPC.
- (D) Limits - The Director, CPC's authority to waive claims related to erroneous payments of any pay or allowances is limited to claims that do not exceed \$10,000 (10 U.S.C. § 2774(a)(2)). The authority to waive claims that exceed \$10,000 has been delegated from OMB to the Secretary of Defense (10 U.S.C. § 2774(b); Memorandum from the Director, OMB, Determination with Respect to Transfer of Functions Pursuant to Public Law 104-316, December 17, 1996).

- (E) Submission of Request for Waiver - All requests for waiver of indebtedness for officers and former officers of the NOAA Corps, regardless of amount, must be submitted to the Director, CPC. The Director, CPC will forward requests for waivers of claims exceeding \$10,000 to the Department of Defense consistent with DoD FMR Vol. 16, Chapter 4, Section 8.2.2.
- (F) Timeliness – In order for a request to be considered timely, a waiver request must be received by the Director, CPC not later than five years following the date the error was discovered. In determining the date of discovery, any doubts should favor the individual officer.
- (G) Contesting Debt – Waiver is not the proper forum to contest the validity or amount of the debt. The officer must request review of a debt in accordance with 15 C.F.R. § 19.4(a)(9).
- (H) Suspension of Debt Collection Pending Waiver Determination - In general, collection action will not be suspended pending a determination of waiver action since any amount collected and subsequently waived may be refunded. However, in cases of extreme hardship, the Director, CPC may consider suspension of collection action if it is in the best interest of the Government and the waiver request is likely to be approved. Requests for refunds may be included in the waiver application or must be received by CPC within two years following the date of waiver approval (31 C.F.R. 903; 15 C.F.R. Part 19).
- (I) Documentation Supporting a Request for Waiver – A waiver of overpayment may not be considered without a report of investigation prepared by CPC. The report of investigation must include:
 - (1) A request from the NOAA Corps officer for waiver of the gross overpayment;
 - (2) A statement of the gross overpayment supported by the bill(s) for the overpayment. If the bill(s) is for the net amount, then computations showing the gross amount less deductions (pay period by pay period) must be included. The information must be presented in a form which will allow the deciding official to see what the employee was actually paid vs. what the officer should have been paid or actual deduction vs. correct deduction, etc., by pay period. The Director, CPC waives the gross overpayment, not the net.
 - (3) A statement of the circumstances under which the overpayment occurred, the duration, the date it was discovered and by whom, the action taken by the officer to get the situation corrected, and whether or not the payment is the subject of an "exception." (If a payment is the subject of an "exception," this means that the propriety of the payment was questioned in an audit of agency accounts).

- (4) Copies of all pay slips that would indicate the officer's knowledge of the overpayment.
 - (5) A statement as to whether or not there is any indication of fraud, misrepresentation, fault, lack of good faith on the part of the officer or any other person having an interest in obtaining a waiver.
 - (6) A statement of the action taken to ensure against the error's occurring again.
 - (7) Any other information that would assist the Director, CPC in determining whether collection would be against equity and good conscience. The report of investigation should not recommend for or against a waiver. It is a statement of fact only.
- (J) Standards for Reviewing Requests for Waiver
- (1) The applicable standards for reviewing a request for waiver is as provided under DODI 1340.23 Enclosure 4.
 - (a) Generally, persons who receive a payment erroneously from the Government acquire no right to the money. They are bound in equity and good conscience to make restitution. If a benefit is bestowed by mistake, no matter how careless the act of the Government may have been, the recipient must make restitution. In theory, restitution results in no loss to the recipient because the recipient received something for nothing. However, References (b) through (d) provide authority to waive, under certain conditions debts individuals owe the Government that are the result of erroneous payments of pay and allowances (including travel and transportation allowances). A waiver is not a matter of right. It is available to provide relief as a matter of equity, if the circumstances warrant.
 - (b) Debts may be waived only when collection would be against equity and good conscience and would not be in the best interests of the United States. There must be no indication the erroneous payment was solely or partially the result of the fraud, misrepresentation, fault, or lack of good faith of the applicant.
 - (c) The fact that an erroneous payment is solely the result of administrative error or mistake on the part of the Government is not sufficient basis in and of itself for granting a waiver.
 - (d) A waiver usually is not appropriate when a recipient knows, or reasonably should know, that a payment is erroneous. The recipient has a duty to notify an appropriate official and to set aside the funds for eventual repayment to the Government, even if the Government fails to act after such notification.

- (e) A waiver generally is not appropriate when a recipient of a significant unexplained increase in pay or allowances, or of any other unexplained payment of pay or allowances, does not attempt to obtain a reasonable explanation from an appropriate official. The recipient has a duty to ascertain the reason for the payment and to set aside the funds in the event that repayment should be necessary.
 - (f) A waiver may be inappropriate in cases where a recipient questions a payment (which ultimately is determined to be erroneous) and is mistakenly advised by an appropriate official that the payment is proper, if under the circumstances the recipient knew or reasonably should have known that the advice was erroneous.
 - (g) Financial hardship is not a factor for consideration in determining whether a waiver is appropriate.
 - (h) Waiver determinations under these standards depend on the facts in each case.
- (K) Determination on Waiver Request – After the Director, CPC makes a determination on the waiver application, or forwards the waiver to the designated waiver authority, the Director, CPC must notify the debtor and the Federal agency collecting the debt per 15 C.F.R. Part 19 in writing of its action. If the Director, CPC denied the request for waiver then the notification to the debtor must state the basis for that decision. The notification must include guidance regarding the debtor's right to submit an appeal in accordance with DoDI 1340.23.
- (L) Final Action of the Federal agency collecting the debt per 15 C.F.R. Part 19 – Upon receipt of notification the request for waiver was denied, the Federal agency responsible for collecting the debt must immediately initiate collection action if collection action was suspended. If the request for waiver is approved, then the Federal agency must refund to the debtor any amount collected prior to the waiver being approved. The waiver application is considered an application for refund for any amount of the debt that was collected prior to the waiver approval. No refund will be paid when the debtor cannot reasonably be located within 2 years after the effective date of the waiver. The refund must be paid from a current applicable appropriation.
- (M) Appeal of Waiver Denial - In accordance with DoD FMR Vol. 16, Chapter 4, Section 8.0 and DoDI 1340.23, an officer may appeal the denial of a waiver request. The appeal must be submitted to the Director, CPC within 30 calendar days of receipt of the written denial of the waiver request. The Director, CPC may extend this period for up to an additional 30 calendar days if the debtor can show good cause. No appeal will be accepted after this time has expired. The Director, CPC must review the appeal and forward it to Department of Defense.

Part 13 – Retired Pay

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021301 – Blended Retirement System (BRS)

- (A) NOAA Corps officers with an entry date on or after January 1, 2018 and NOAA Corps officers who elected to enter into it between January 1, 2018 and December 31, 2018, are covered by the Blended Retirement System (BRS). The BRS contains an adaptation of the legacy retirement system (High -3) along with agency matching contributions to an officer's Thrift Savings Plan (TSP) and a mid-career continuation pay bonus. (DoD FMR Vol. 7A, Chapter 66, Section 6; and Vol. 7B).
- (B) Defined Benefit
- (1) Officers enrolled in the BRS who retire with fewer than 30 years of creditable service and are under the age of 62 at the time of retirement receive an annuity equal to the product of the highest 36 months of base pay and 2 percent and the officer's years of creditable service. For example, an officer who retires at 21 years of service receives 42 percent of the average of their highest 36 months of base pay ($2\% \times 21 \text{ years} = 42\%$).
- (C) For officers enrolled in the BRS who retire with more than 30 years of service, the percentage used is the sum of:
- (1) 60 percent; and
- (2) The product of:
- (a) 2 percent; and
- (b) The officer's years of creditable service in excess of 30 years of creditable service. ([10 U.S.C. § 1409](#))
- (D) Lump Sum Option – NOAA Corps officers may elect to receive a taxable lump sum payment of the discounted present value at the time of retirement of the amount of retired pay that they are otherwise entitled to receive for the period beginning on the date of retirement and ending on the date they attain retirement age as defined by the Social Security Act (generally age 67). An officer may elect to receive a lump sum equal to:
- (1) 50 percent of the amount of such covered retired pay in exchange for a reduced monthly payment equal to 50 percent of the amount of monthly covered retired pay until reaching retirement age, at which point monthly retired pay will revert to the full monthly amount; or
- (2) 25 percent of the amount of such covered retired pay during such period in exchange for a reduced monthly payment equal to 75 percent of the amount of monthly covered retired pay until reaching retirement age, at which point monthly retired pay will revert to the full monthly amount. ([10 U.S.C. § 1415](#))

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- (E) Defined Contribution – NOAA Corps officers enrolled in the BRS receive an automatic one percent contribution to their Thrift Savings Plan and may receive up to 4 percent in service matching contributions beginning on the 25th month of service. NOAA Corps officers must complete two years of active service to be fully vested. ([5 U.S.C. § 8440e\(e\)](#))
- (F) Continuation Pay for Officers Enrolled in BRS:
 - (1) NOAA Corps officers enrolled in the BRS who have between 8 and 12 years of service are eligible for a one-time continuation payout in exchange for an active duty service obligation not fewer than three years.
- (G) Pay multiplier – Between 2.5 and 13 times monthly basic pay, as determined by the Director.
- (H) Lump sum or installment election – A NOAA Corps officer receiving continuation pay may elect to receive continuation pay in a lump sum or annual equal payments for up to four years.
- (I) Repayment – A NOAA Corps officer receiving continuation pay who fails to complete the obligated service required is subject to the repayment provisions of [37 U.S.C. § 373](#).
- (J) Continuation Pay is payable after the completion of 8 years of service, but before completion of 12 years of service. ([37 U.S.C. § 356](#))

021302 – Legacy Retirement System (High-3)

- (A) NOAA Corps officers with an entry date after September 8, 1980, but before January 1, 2018 and NOAA Corps officers who elected not to enter into the Blended Retirement System are covered by the High-3 legacy retirement system. (DoD FMR Vol. 7B)
- (B) Defined Benefit
 - (1) For NOAA Corps officers in the High-3 retirement system, the retired pay base is generally the average of the highest three years (36 months) of monthly basic pay to which the officer received for any 36 months of active service, whether those months are consecutive or not.
- (C) The retired pay multiplier is 2.5 percent times the years of service creditable for computing retired pay. Monthly retired pay is equal to the retired base pay times 2.5 percent times years of service. For example, an officer who retires at 21 years of service receives 52.5 percent of the average of their highest 36 months of base pay ($2.5\% \times 21 \text{ years} = 52.5\%$).

021303 – Disability Retirement Pay

- (A) Authority: [10 U.S.C., Chapters 61 and 71](#) as applicable to the NOAA Corps by [33 U.S.C. § 3071\(a\)\(16\) and \(a\)\(18\)](#).
- (D) Disability Retirement Base Pay – NOAA Corps officers determined medically unfit for continued service with a disability rating of at least 30 percent and placed on permanent disability retirement according to NCD Chapter 8, Part 6 receive retired base pay determined under NCD 021301 (BRS) or 021302 (High-3) as applicable.
- (C) The disability retirement multiplier will be the higher of:
 - (1) The officer's percentage of disability, not to exceed 75 percent on the date retired; or
 - (2) Years of creditable service times 2.5% (if participating in the High-3 system) or 2.0% (if participating in the BRS). ([10 U.S.C. § 1401\(a\), Formula 1](#))
- (D) For an officer on the temporary disability retirement list (TDRL), the multiplier will be the higher of:
 - (1) The officer's percentage of disability, not to exceed 75 percent on the date the officer was placed on the TDRL; or
 - (2) Years of creditable service times 2.5% (if participating in the High-3 system) or 2.0% (if participating in the BRS). ([10 U.S.C. § 1401\(a\), Formula 2](#))
- (E) Before applying the percentage factor, credit is applied for each full month of service that is in addition to the number of full years of service creditable to the officer as one-twelfth of a year, with any remaining fractional part of a month discarded.
- (F) If an individual would otherwise be entitled to retired pay computed under more than one formula described in this section or any other provision of law, the individual is entitled to be paid under the applicable formula that is most favorable to the individual. ([10 U.S.C. § 1401\(b\)](#))

021304 – Concurrent Retirement and Disability Pay (CRDP)

- (A) Authority – Under [10 U.S.C. § 1414](#), CRDP applies to retired members receiving VA disability compensation for a qualifying service-connected disability. Subject to certain limitations, 10 U.S.C. 1414 provides concurrent payment of military retired pay and VA disability compensation (VADC) without regard to the reduction otherwise prescribed by [38 U.S.C. §§ 5304 and 5305](#).
 - (1) The principal limitations are:
 - (a) Retiree's combined VA disability ratings must be 50 percent or greater.

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- (b) Retiree must be eligible to receive military retired pay.
 - (2) A member retired based on unfitness for duty because of disability (under [Chapter 61 of 10 U.S.C.](#)) is eligible for CRDP, but CRDP only applies to the portion of retired pay that is not solely due to the disability retirement.
 - (3) A phase-in of benefits for retirees VA-rated 50 percent to 90 percent.
 - (4) CRDP can be paid only for a whole month in which the retiree was eligible to receive retired pay.
- (B) Qualified Retirees – Retirees are qualified to receive CRDP for a given month if, for that whole month, they are entitled to both VADC for a qualifying service-connected disability and military retired pay, whether or not any amount of such retired pay remains payable after the reductions specified under [38 U.S.C. §§ 5304](#) and [5305](#). For active duty retirees, the minimum requirement is 20 or more years otherwise creditable under [10 U.S.C. § 1405](#). Chapter 61 retirees are entitled to receive retired pay, whether they are on the Temporary Disability Retired List (TDRL) or the Permanent Disability Retired List (PDRL), but must also satisfy the 20 year minimum as creditable under [10 U.S.C. § 1405](#).
- (C) Ineligible Retirees – Retirees in the following circumstances do not meet the requirements of [10 U.S.C. § 1414](#) and are not eligible for CRDP:
- (1) Disabled retirees who had less than 20 years of service creditable for regular retirement under [10 U.S.C. § 1405](#) at the time they were required to retire under the provisions of 10 U.S.C. Chapter 61.
 - (2) Retirees who waived entitlement to military retired pay for any reason other than to receive disability compensation from the VA are not eligible for CRDP since they waived the entitlement to military retired pay. This includes retirees who waived their military retired pay in order to credit military service for purposes of a civil service retirement.
- (D) Qualifying Service-Connected Disability – A “qualifying service-connected disability” means a disability, or combination of disabilities, rated as not less than 50 percent disabling by the Secretary of Veterans Affairs
- (E) Disability Rated as Total – The term “disability rated as total” means a disability, or combination of disabilities, that is rated as total (100 percent) under the VA Schedule of Rated Disability (VASRD) ([38 CFR Part 4](#)) per 10 U.S.C. § 1414(e)(3)(A); or a disability, or combination of disabilities, for which the scheduled rating is less than total but for which a rating of total is assigned by reason of inability of the disabled person concerned to secure or follow a substantially gainful occupation as a result of disabilities for which veterans' disability compensation may be paid, per [10 U.S.C. § 1414\(e\)\(3\)\(B\)](#).

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- (1) Effective 1 January 2005, retirees with a VA disability rated as 100 percent are entitled to receive full restoration of any VADC deducted from their retired pay (up to the member's Applicable retired pay (ARP)).
 - (2) Effective for CRDP payments payable on or after 1 October 2008, retirees with a VA disability rating of less than 100 percent, who are being compensated at the 100 percent level due to unemployability, are entitled to receive full restoration of any VADC deducted from their retired pay (up to the member's ARP).
- (F) Effective Date – Under [10 U.S.C. § 1414](#), CRDP was effective 1 January 2004. Payments of CRDP represent restored retired pay, and are normally paid on the first business day of the first month following the month in which the compensation accrues (e.g., the first payments would have been made to qualified members on 2 February 2004 for the previous full month of January 2004). No CRDP is payable for any month before January 2004.
- (G) Entitlement – CRDP is a restoration of retired pay that would otherwise be off-set under [38 U.S.C. §§ 5304](#) or [5305](#). Thus, CRDP may not exceed the amount of the reduction imposed under these sections of law. Such limitation is explicitly prescribed by [10 U.S.C. § 1414\(c\)\(11\)](#) during the phase-in period. Effective 1 January 2014, qualified retirees received full concurrent payments of both retired pay and VADC. However, those members retired for disability under 10 U.S.C. Chapter 61 will remain subject to the off-set required under [38 U.S.C. §§ 5304](#) and [5305](#) on any retired pay they receive that is in excess of the amount of retired pay they would be entitled to under any other provision of law based upon the member's service in the uniformed services if the member had not retired under 10 U.S.C. Chapter 61. This additional retired pay is referred to as Excess Disability Retired Pay (EDRP).
- (H) Full Month – CRDP will only be paid for a month in which the retiree earned retired pay for the whole month. Note that VADC is only paid when the retiree was alive for the entire month. If the retiree died before the end of the month, no VADC is paid. If no VADC is paid, there is no off-set to military retired pay. Thus, if no off-set is made, no CRDP entitlement applies.
- (I) Automatic Payments
- (a) No application by the retiree is required nor permitted. Specifically, retirees should not contact CPC to advise of changes in VADC until at least two pay cycles after notification from VA.
 - (b) Officers who believe they are entitled to CRDP but are not receiving it should inquire with CPC to learn the reason. If an officer's records have been improperly coded in data systems, the office responsible for that record and or data will correct erroneous information in the appropriate systems and follow-

up to ascertain whether the entitlement is properly triggered, and if not, identify and resolve any remaining system errors. If records are properly coded, CPC will advise the inquiring retiree of the reason he or she does not qualify for CRDP. An officer may apply for a correction of records under the procedures described in NCD Chapter 10.

- (J) Tax Considerations – CRDP payments are taxable according to the taxability of the retired pay such payment represents; i.e., the restored reduction of Retired pay otherwise prescribed under [38 U.S.C. §§ 5304](#) and [5305](#).
- (K) Relationship to Other Provisions – As a restoration of retired pay, CRDP remains subject to the provisions of [10 U.S.C. § 1408](#), relating to payment of retired or retainer pay per court orders. CRDP does not alter or affect any coverage under the SBP, but is available for deduction of any SBP premiums otherwise due under 10 U.S.C. Chapter 73. If a member has sufficient CRDP to cover SBP premiums, such premiums will be deducted from the CRDP. CRDP is also subject to a Treasury offset to recover a debt owed to the United States, as well as garnishment for child support or alimony. CRDP is subject to any other action or process, such as allotments, that applies to retired pay generally.

021305 – Administration of Retired Pay

- (A) Disbursements – The PPC must calculate, make, and record all disbursements of pay to retired NOAA Corps officers and annuitants.
- (B) Deductions – The PPC must make appropriate deductions from retired or annuitant pay, including:
 - (1) Department of Veterans Affairs off-sets;
 - (2) Federal and state tax withholdings;
 - (3) Deductions for indebtedness to the United States, its instrumentalities, and for court-ordered garnishments of pay;
 - (4) Divisions under the Former Spouses' Protection Act (FSPA);
 - (5) RSFPP and SBP coverage costs;
 - (6) Voluntary allotment deductions; and
 - (7) Other deductions require by statute or regulation.
- (C) Suspension of Retired Pay
 - (1) A retired NOAA Corps officer's retired pay is suspended if the retiree:
 - (a) Is recalled to active duty;

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- (b) Requests a waiver of retired pay because of:
 - (i) Award of a VA disability compensation or pension payments ([38 U.S.C. § 5305](#)); or
 - (ii) Service being used for purposes of qualifying for a United States civil service retirement annuity. ([5 U.S.C. § 8332](#))
 - (c) Completes three years on the Temporary Disability Retired List (TDRL), subject to placement on the Permanent Disability Retired List; ([10 U.S.C. § 1210\(h\)](#) as applied by [33 U.S.C. § 3071\(a\)\(16\)](#));
 - (d) Fails to report for a required physical examination while on the TDRL; ([10 U.S.C. § 1210\(a\)](#) as applied by [33 U.S.C. § 3071\(a\)\(16\)](#));
 - (e) Is employed by a foreign government (to include local government units within a foreign country, as well as the national government itself) without applicable congressional or secretarial approvals ([37 U.S.C. § 908](#)); or
 - (f) Is found to be mentally incapable of managing their personal affairs, and no guardian, trustee, or other legal representative has been appointed. ([37 U.S.C. Chapter 11](#)).
- (D) The Director may order a retiree's pay suspended after determining that:
- (1) A felony warrant has been issued against the absent officer by the United States under the authority of [18 U.S.C. § 1073](#), "Flight to avoid prosecution or giving testimony," and the Department of Justice has sought extradition;
 - (2) A felony warrant has been issued against the absent officer by the United States for violation of the International Parental Kidnapping Act ([18 U.S.C. § 1204](#)) or for a crime stated in [5 U.S.C. § 8312](#), "Conviction of certain offenses;" or
 - (3) The officer is outside the United States and has willfully remained outside the United States to avoid criminal prosecution for 30 or more consecutive days subsequent to the date of issue of the felony warrant. ([5 U.S.C. § 8313](#))
- (E) Policy Guidance – In carrying out its functions of administering retired pay, PPC will comply with the provisions applicable to the NOAA Corps set forth in:
- (1) United States Code and Code of Federal Regulations; and
 - (2) Department of Defense Financial Management Regulation, Vol.7B.

021306 – Inquiries

Direct general inquiries from retirees or annuitants pertaining to retired affairs, retired pay or annuities, to:

USCG Pay and Personnel Center
444 SE Quincy Street
Topeka KS 66683-3591
Customer Care: <https://www.dcms.uscg.mil/ppc/ras/>