



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

MANPOWER AND
RESERVE AFFAIRS

Allowances File #20021

5 January 2020

MEMORANDUM FOR THE SERVICES

SUBJECT: AB 021-20 - Title 37 Reference Updates

1. Purpose: Updates references to dependent travel authority in 37 U.S.C. §476 to the proper authority contained in the Joint Travel Regulations.
2. This revision is forwarded for information purposes. No coordination is required.
3. Staff initiated this revision.
4. This change affects par. 260702 of the DoD FMR, Volume 7A.
5. This revision is effective immediately and will be included in the next publication of Chapter 26 of the DoD FMR, Volume 7A.
6. Action Officer: Tim Haddix (timothy.g.haddix.civ@mail.mil)

//Approved//
Summer R. Britford
Chief, Allowances Branch

Attachment:
Approved DoD FMR Revision

cc:
DFAS/ZPF

260702:

*260702. Administration of FSH Allowance

A. Eligibility. For FSH to be payable, all of the following conditions must be met:

*1. Dependent transportation to the PDS is not authorized at Government expense under ~~37 U.S.C. § 476~~; the JTR, par. 0504.

2. *****

B. Allowances

1. *****

2. A Service member may not be paid FSH-B or FSH-O in any of the following situations:

a. *****

*b. The Service member has no dependents other than a dependent for whom he or she is paying child support, but the Service member does not have legal custody and control of that child. This situation is fundamentally different from a Service member who has a spouse or children. A Service member with a spouse or any children is authorized transportation of any dependents, but the nature of the tour or the PDS location prevents dependent transportation to the PDS. A Service member who has a dependent solely due to child support is not eligible for transportation of that dependent under ~~37 U.S.C. § 476~~the JTR, par. 050405, because the Service member does not have custody and control. The ineligibility for transportation, as opposed to a tour or location denial, prevents payment of FSH;

c. *****

REFERENCES:

*2607 – FAMILY SEPARATION HOUSING (FSH) ALLOWANCE

~~37 U.S.C. § 476~~JTR, par. 0504
JTR, par. 050405