

Approved DoD FMR, Volume 7A, Chapter 26 Changes

10.1 Service Member Without-Dependent:

10.1.7. *****

*10.1.8. Service Member Assigned to a Unit that Undergoes a Change of Home Port or Permanent Station. A member without dependents who is assigned to a unit that undergoes a home port or permanent station change may be paid a BAH based on the old home port or permanent station; if the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, BAH on the new home port or permanent station.

10.1.8.1. In such cases, the Secretary concerned may:

10.1.8.1.1 waive the requirement to base the member's entitlement to, and amount of, BAH on the new home port or PDS of the member; and

10.1.8.1.2. may treat that member for the purposes of this chapter as if the unit to which the member is assigned did not undergo a home port or permanent station change.

10.1.8.2. The number of waivers the Secretary concerned may grant under this under this paragraph in a calendar year may not exceed 100.

10.1.8.3. This authority may be administered by the Secretary concerned through the Secretarial process.

10.1.8.4. Unless extended by the authority of the Congress, this authority expires on the termination date on the *Duration of Authority* table.

Editor's Note: The current expiration of this authority is 31 December 2027.

10.2 Service Member With-Dependent:

*10.2.2.1. Treatment of Certain Moves as not being Reassignments~~Low or No-Cost Moves~~. A Service member may pay ~~BAH or OHA~~ a housing allowance based on the old PDS rate in situations involving low or no-cost moves and for situations in which the Service member and dependent reside separately if it is determined that to base the housing allowance on the new PDS would be inequitable. The determination of whether it is inequitable to pay BAH or OHA based on the new PDS may be accomplished through the Secretarial process. When a Service member is ordered on a PCS between PDSs located in proximity to each other and continues to commute from the residence occupied while at the old PDS, BAH or OHA continues from the time between the Service member's detachment from the old PDS and reporting to the new PDS, unless otherwise prohibited in this Chapter. A Service member ordered on PCS with TDY, or leave ~~in~~ route is authorized ~~BAH or OHA~~ a housing allowance based on the old PDS during that period. If a Service member is reassigned under the conditions of a low-cost or no-cost PCS and is not authorized an HHG move, ~~BAH or OHA~~ a housing allowance may be based on the rate for the old

Approved DoD FMR, Volume 7A, Chapter 26 Changes

PDS if both the following conditions are met:

10.2.2.1.1. It was requested by the Service member; and

10.2.2.1.2. The decision of whether it would be inequitable or not to base the allowance on the housing cost in the new PDS area to which the Service member is reassigned, is determined through the Secretarial Process.

ACTION MEMO

FOR: DIRECTOR, MILITARY COMPENSATION POLICY

FROM: Summer Britford, Chief, Allowances Division

SUBJECT: Treatment of Certain Moves as not being Reassignments

- **Purpose.** Request you approve by initialing below, language for inclusion in the Department of Defense Financial Management Regulation (DoD FMR), Volume 7A, Chapter 26 to implement section 614 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.
- **Background.**
 - Section 614 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 authorizes the Secretary concerned to waive the requirement to change the housing allowance for a Service member without dependents from the old permanent duty station (PDS) rate to the new PDS rate when undergoing a homeport change or unit relocation.
 - The authority is limited to 100 members in a calendar year and policy dictates that approvals will be made through the Secretarial process, as is typically requested by the Services.
 - The number of personnel and associated costs are unknown.
 - The changes at TAB A update the Department of Defense (DoD) Financial Management Regulation (FMR), Volume 7A, Chapter 26 to authorize continued payment of housing allowances under the circumstances authorized in statute.

RECOMMENDATION: Initial below, approving the proposed language.

Approve:  Disapprove: _____ Other: _____

Attachments:

TAB A – Proposed DoD FMR Changes

TAB B – Coordination

Prepared by: Mr. Tim Haddix, OASD(M&RA)/MPP/COMP, timothy.g.haddix.civ@mail.mil

Proposed DoD FMR, Volume 7A, Chapter 26 Changes

10.1 Service Member Without-Dependent:

10.1.7. *****

*10.1.8. Service Member Assigned to a Unit that Undergoes a Change of Home Port or Permanent Station. A member without dependents who is assigned to a unit that undergoes a home port or permanent station change may be paid a BAH based on the old home port or permanent station if the Secretary concerned determines that it would be inequitable to base the member's entitlement to, and amount of, BAH on the new home port or permanent station.

10.1.8.1. In such cases, the Secretary concerned may:

10.1.8.1.1 waive the requirement to base the member's entitlement to, and amount of, BAH on the new home port or PDS of the member; and

10.1.8.1.2. may treat that member for the purposes of this chapter as if the unit to which the member is assigned did not undergo a home port or permanent station change.

10.1.8.2. The number of waivers the Secretary concerned may grant under this under this paragraph in a calendar year may not exceed 100.

10.1.8.3. This authority may be administered by the Secretary concerned through the Secretarial process.

10.1.8.4. Unless extended by the authority of the Congress, this authority expires on the termination date on the [Duration of Authority](#) table.

Editor's Note: The current expiration of this authority is 31 December 2027.

10.2 Service Member With-Dependent:

*10.2.2.1. Treatment of Certain Moves as not being Reassignments. A Service member may pay a housing allowance based on the old PDS rate in situations involving low or no-cost moves and for situations in which the Service member and dependent reside separately if it is determined that to base the housing allowance on the new PDS would be inequitable. The determination of whether it is inequitable to pay BAH or OHA based on the new PDS may be accomplished through the Secretarial process. When a Service member is ordered on a PCS between PDSs located in proximity to each other and continues to commute from the residence occupied while at the old PDS, BAH or OHA continues from the time between the Service member's detachment from the old PDS and reporting to the new PDS, unless otherwise prohibited in this Chapter. A Service member ordered on PCS with TDY or leave in route is authorized a housing allowance based on the old PDS during that period. If a Service member is reassigned under the conditions of a low-cost or no-cost PCS and is not authorized an HHG move, a housing allowance may be based on the rate for the old PDS if both the following conditions are met:

Proposed DoD FMR, Volume 7A, Chapter 26 Changes

10.2.2.1.1. It was requested by the Service member; and

10.2.2.1.2. The decision of whether it would be inequitable or not to base the allowance on the housing cost in the new PDS area to which the Service member is reassigned, is determined through the Secretarial Process.

COMBINED COORDINATION SHEET

SUBJECT: UPR001869-23 – Treatment of Certain Moves as not being Reassignments

Office	Name	Date
Special Assistant for Military Compensation, Office of the Deputy Assistant Secretary of the Navy (Military Manpower and Personnel)	Mr. Jeffrey R. Krusling (Certified in CATMS)	20 July 2023
Head, Pay and Military Compensation (OPNAV N130)	Mr. Jeffrey R. Krusling	17 July 2023
Department of the Air Force (SAF-MRM-AO)	Mr. Mark R. Engelbaum	20 July 2023
Deputy Assistant Secretary of the Army (Military Personnel)	Mr. Jeffrey P. Angers	28 July 2023
Headquarters Marine Corps (MPO)	Col. A.L. Jeppe, USMC	18 June 2023
Deputy Assistant Commandant For Human Resources (CG-1) U.S. Coast Guard	Dr. Donna Navarro	24 July 2023
National Oceanic and Atmospheric Administration Director, NOAA Corps	Non-Response	N/A
U.S. Public Health Service Director, Division of Commissioned Corps Personnel and Readiness	LCDR Andrew Okolo	27 July 2023
ASD M&RA Reserve Integration	Concur in CATMS	29 June 2023
Director, Strategy, Policy and Requirements DFAS	Mr. Michael N. Leist	11 July 2023
DoD General Counsel	Ms. Susan Mitchell	21 June 2023
Office of the Under Secretary of Defense Comptroller	Mr. Thomas C. Steffens	18 July 2023

Comments:

Army – Concur
 Navy – Concur
 Air Force – Concur
 DHS – Concur
 Commerce – Non-Response
 HHS – Concur

RI – Concur

DFAS – Concur

GC – I've reviewed this package and have no legal objections. If any of the Services suggest any changes to the language, if you would, please give me the chance to review again.

Comptroller - Concur