



Mobilization & Deployment

Entitlement and Benefits for Temporary Service in Iraq & Afghanistan

The following is a summary of the entitlements and benefits offered to DoD civilian employees who are on temporary duty assignments to Iraq and Afghanistan. This summary is not intended to be a substitute for the appropriate policy documents associated with any of these benefits and entitlements. Questions may be submitted to the Army Civilian Human Resources Activity at the following email address: ArmyPRT@conus.army.mil.

MONETARY BENEFITS

Allowances and Differentials

Danger Pay: Employees are eligible to receive danger pay beginning on arrival in Iraq or Afghanistan. Danger pay is designed to provide additional compensation to employees who serve in hostile or dangerous areas. The amount is determined by the Department of State, and is currently 35 percent of base pay for a basic 40-hour week. It is not earned for overtime or weekends, and is subject to change without notice. This is a taxable benefit.

Authority: *Department of State Standardized Regulations (DSSR) Chapter 650*

Post Differential (Hardship Duty Pay): Post Differential is designed to provide additional compensation to employees for service at places in foreign areas where conditions of environment differ substantially from conditions in the continental United States. The amount is determined by the Department of State, and is presently 35 percent of base pay for a basic 40-hour workweek, separate from the danger pay mentioned above. It is not earned for overtime or weekends. Employees in a TDY status assigned to Iraq for 42 consecutive calendar days or more will receive post differential for the number of days served, beginning with the first day of detail. This is a taxable benefit.

Authority: *DSSR Chapter 510*

Premium Pay: Employees receive additional compensation for time worked outside of their regular shift (overtime) and for time worked at night, on holidays, and on Sundays. Premium pay is a taxable benefit. The same rules for premium pay apply in Iraq and Afghanistan as in the United States. Employees paid under the General Schedule, the National Security Personnel System, or the Federal Wage System will receive premium pay under the rules of those respective systems.

Authority: *5 U.S.C. 5547; DoD 1400.25-M, SC1930; 5 CFR Part 532, Subpart E*

Elevation of the "Pay Cap": The National Defense Authorization Act (Public Law 109-364), signed by President Bush on October 17, 2006, authorized an increase to the annual limitation on basic pay and premium pay to \$212,100 in calendar year 2007. An employee who performs work while in an overseas location that is in the area of responsibility of the commander of the United States Central Command, in direct support of or directly related to a military operation, may receive premium pay in calendar year 2007 to the extent that such premium pay would not cause the employee's aggregate amount of basic pay and premium pay payable in calendar year 2007 to exceed \$212,100. The FY 2008 National Defense Authorization Act authorizes an extension of the above increase to the annual pay limitation in calendar year 2008. This provision will be implemented within the Department of the Army when the necessary delegations of authority have been accomplished.

Authority: *FY 2007 NDAA; DUSD(P&R) memorandum dated February 12, 2007; DepSecDef memorandum dated March 5, 2007.*

Death Benefits

Death Gratuity: There are several death benefits provided for eligible family members of DoD employees who die in the line of duty in Iraq. These benefits are payable to eligible beneficiaries as designated, and as applicable to their employment situation. Each is described below:

New Foreign Service Death Gratuity: Provides a death gratuity in the amount of one year's salary. The salary is that which the employee was earning immediately before his/her death in Iraq and includes basic pay, locality pay, and local market supplements as appropriate. This gratuity is paid only for deaths occurring in Iraq during the period June 15, 2006, and September 30, 2008. This is a non-taxable benefit. The gratuity must be paid to eligible family members in the following order:

- First, to the widow or widower
- Second, to the child, or children in equal shares, if there is no widow or widower
- Third, to the dependent parent, or dependent parents in equal shares, if there is no widow, widower, or child
- If there is no survivor as indicated above, this death gratuity cannot be paid

Authority: *P.L. 109-234, and consistent with provisions of 22 U.S.C. 3973, DoD Implementing Policy dated April 3, 2007*

Maximum \$10,000 Death Gratuity: Provides a death gratuity not to exceed \$10,000, less burial and administrative expenses of up to \$1,000 paid by Office of Workers Compensation Program (OWCP) when the death is the result of injuries sustained in the performance of duty. While not subject to Federal income tax withholding, the death gratuity is full subject to federal income tax. If an employee dies away from his or her area of residence, the cost of transporting the body to the place of burial or cremation will be paid in full.

Authority: *Public Law 104-208, 5 U.S.C. 8133, 5 U.S.C. 8134, DoD CPM, Subchapter 810, and Internal Revenue Code, Section 101(b)*

Public Safety Officer's Benefits Program: Provides a one-time financial payment to eligible survivors of Public Safety Officers who die as a result of traumatic injury in the line of duty. The benefit amount is adjusted annually based on the change in the Consumer Price Index. The benefit amount for Fiscal Year 2007 was \$295,194. This death benefit is in addition to that provided by the New Foreign Service Death Gratuity and Maximum \$10,000 Death Gratuity above. Public Safety Officers are law enforcement officers, firefighters or members of a rescue squad or crew. This is a non-taxable benefit.

Authority: *42 U.S.C. 3796, et seq.*

Intelligence Duties Death Gratuity: Provides payment of a death gratuity to survivors of certain DoD personnel assigned to intelligence duties. Applies to DoD civilians engaged in clandestine intelligence activities outside the United States and whose death resulted from hostile or terrorist activities or occurred in connection with an intelligence activity having a substantial element of risk. This benefit shall substitute as payment of any lesser death gratuity authorized by law when such payment shall be in addition to pension, health insurance or

other death related benefit. This benefit is paid instead of the Maximum \$10,000 Death Benefit described above. However, it is paid in addition to the New Foreign Service Death Gratuity described above. This is a non-taxable benefit.

Authority: DoD Instruction 1341.08

Life Insurance: Federal Employee's Group Life Insurance (FEGLI) coverage applies in the event of the death of a covered employee. There is no combat zone exclusion provision, and employees covered by FEGLI are entitled to full death benefits commensurate with the life insurance options they elect.

Unless an employee is newly designated as Emergency Essential (EE), there is no provision to enroll in FEGLI at the time of deployment. If an employee is newly designated as EE and has previously waived FEGLI, an employee may elect Basic coverage within 60 days of the EE designation. FEGLI optional insurance provisions do not apply. This benefit is non-taxable.

Authority: 5 U.S.C. 87; 5 CFR 870 and 5 U.S.C. 8702(c)

Other Benefits Incident to a Death

New Foreign Service Travel Benefits: Provides transportation of household goods and personal effects to any location in the United States, and territories or possessions, as selected by the next of kin of the deceased employee. Travel expenses of family members are only provided if the employee and family members had been moved at government expense to the permanent duty station (i.e., the location to which the employee would have returned upon completion of the temporary assignment to Iraq or Afghanistan). This provision applies for those employees who die in Iraq or Afghanistan during the period June 15, 2006, and September 30, 2008.

Authority: P.L. 109-234, and consistent with provisions of 22 U.S.C. 4081, DoD Implementing Policy dated April 3, 2007

Preparation of Deceased Employee Remains: Provides payment for all of the following services in connection with preparation of the remains of a deceased employee:

- Embalming or cremation
- Necessary clothing
- Casket or container suitable for shipment to burial place
- Expenses necessary to comply with local laws at the port of entry in the U.S.
- Similar expenses

Authority: JTR, Volume II, Chapter 6

Transportation of Deceased Employee Remains: Provides transportation of remains by common carrier (that is ordinarily used for transportation of remains), hearse, or other means, or a combination thereof, from the temporary duty station to the permanent residence, permanent duty station, or burial place, including the following services:

- Movement from place of death to a mortuary and/or cemetery
- Shipping permits
- Outside case for shipment and sealing of the case if necessary
- Removal to and from the common carrier
- Ferry fares, bridge tolls
- Similar expenses

Costs for an outside case are not authorized when transportation is by hearse. Cost for transportation by hearse or other means cannot exceed the cost of common carrier (that is ordinarily used for transportation of remains). Transportation costs to burial place cannot exceed the actual cost of transportation to the actual residence.

Authority: JTR, Volume II, Chapter 6

Escorts for Employee Remains: Provides round trip transportation and per diem for up to 2 escorts to accompany the deceased employee's remains. Round-trip travel expenses for up to 2 escorts of the employee remains may be authorized from/to the actual residence/permanent duty station of the deceased; or any other place appropriate for burial as determined by the authorizing official.

Authority: JTR, Volume II, Chapter 6

Presentation of the U.S. Flag: Provides for the presentation of a U.S. Flag to the next of kin of the deceased employee. Unless the deceased parents are the next of kin, a U.S. flag of the same size may also be presented to parents of the deceased employee.

Authority: JTR, Volume II, Chapter 6

INJURY BENEFITS

Federal Employee's Compensation Act (FECA): The FECA authorizes medical services at no charge to the employee for treatment of any condition which results incident to Federal employment, including in Iraq and Afghanistan. No limit is imposed on the amount of medical expenses or the length of time for which they are paid, as long as the charges represent the reasonable and customary fees for the service.

Authority: 20 CFR 10; CPM 810

Treatment in Iraq or Afghanistan: Injured DoD employees are entitled to emergency and routine medical care in military treatment facilities (MTFs) while in Iraq or Afghanistan.

Medical Evacuation: Injured DoD employees are entitled to medical evacuation at no charge if it is determined to be medically necessary. Transport will be provided to the identified MTF in either the United States or overseas area. Once stabilized, injured DoD civilians may elect to leave the MTF and receive care, at no charge, at an accredited medical facility of their choosing in accordance with the FECA provisions.

Authority: 20 CFR 10; CPM 810; DoD Instruction 6490.03 (Deployment Health); DoD 1415.13-R (Air Transportation Eligibility); and DoD 6010.15-M (Medical Treatment Facility Uniform Business Office Manual)

Medical Care for DoD Civilians: The DoD has updated its policy guidance for provision of medical care to DoD Civilian employees injured or wounded while forward deployed in support of hostilities. The September 24, 2007 memorandum updated the DoD policy to provide all DoD civilian employees who become ill, contract diseases or are injured or wounded while forward deployed in support of U.S. military forces engaged in hostilities are eligible for medical evacuation and health care treatment and services in military treatment facilities (MTF) at the same level and scope provided to military personnel. The same system used to track Active Duty patients through the Military Health System shall be used to track DoD civilian employees injured in theater while forward deployed. DoD employees complete health assessments prior to and following deployment.

Authority: *DepSecDef memorandum dated September 24, 2007*

NON-MONETARY BENEFITS

Rest and Recuperation Travel (R&R): Employees serving on temporary duty for 180 consecutive days or more are entitled to one R&R trip. The R&R trip may be taken after 60 consecutive days are completed. R&R travel destinations are specified in Appendix U of the Joint Travel Regulations Vol II.

Authority: *JTR Vol.II, Chapter 6 Part Q*

New Foreign Service Benefits: Under authority granted in P.L. 109-234, and consistent with provisions of 22 U.S.C. 4081 (Travel and Related Expenses) and 4083 (Required Leave), DoD employees assigned to Iraq or Afghanistan between the period June 15, 2006 and September 30, 2008, are eligible for Home Leave and Rest and Recuperation (R&R) benefits as follows:

Home Leave: Provides, for DoD employees officially assigned to Iraq or Afghanistan for a tour of at least 12 months by means of Temporary Duty (TDY), Temporary Change of Station (TCS) or Permanent Change of Station (PCS) entitlement to earn home leave at the rate of 15 days per 12 months. Under this new authority, DoD employees are not required to complete the basic one-time service requirement of 24 months continued service abroad specified in title 5, Code of Federal Regulations (CFR), 5 CFR 630.606 in order to earn the home leave, nor are they required to be eligible to accumulate a maximum of 45 days of annual leave under 5 U.S.C. 6304 in order to earn the home leave. Earned home leave can be granted only after completion of the 12 month service period, and only if the employee is expected to return to service abroad to Iraq or Afghanistan, or to another overseas location upon completion of the home leave period. Home leave granted under this authority is not granted unless it is expected that the employee will return to service abroad.

Travel for Home Leave: Provides, for DoD employees who are granted home leave, round-trip transportation to the employee's actual residence within the United States or its territories or possessions.

Travel for Rest and Recuperation:

- **Assignments of 12 months (or longer):** Provides, for DoD employees officially assigned to Iraq or Afghanistan for a tour of at least 12 months by means of Temporary Duty (TDY), Temporary Change of Station (TCS) or Permanent Change of Station (PCS), round-trip transportation for 3 R&R trips to designated locations as provided in the DoD Joint Travel Regulations, Volume II, Appendix U during the 12 month tour. Employees must serve a minimum of 60 days in Iraq or Afghanistan in order to be eligible for the first R&R trip. Employees must be in an approved leave status during R&R breaks.
- **Assignments of 6 months but less than 12 months:** Provides, for DoD employees officially assigned to Iraq or Afghanistan for a tour of at least 12 months by means of Temporary Duty (TDY), Temporary Change of Station (TCS) or Permanent Change of Station (PCS), round-trip transportation for 1 R&R trip to designated locations as provided in the DoD Joint Travel Regulations, Volume II, Appendix U during the tour. Employees must serve a minimum of 60 days in Iraq or Afghanistan in order to be eligible for the R&R trip. Employees must be in an approved leave status during R&R breaks.

Authority: *P.L. 109-234, and consistent with provisions of 22 U.S.C. 4081 and 4083. DoD Implementing Policy dated May 4, 2007*

Other Benefits: DoD provides housing and meals. Employees receive Postal, Commissary and Post Exchange privileges; Morale, Welfare, and Recreation services; and limited legal services. Unused annual leave is restored.