

# MANUAL MATERIAL TRANSMISSION WV INCOME MAINTENANCE MANUAL

DATE:	March 1, 2005			CHANGE NUMBER:	352
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS				
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224	10	10/01	183	10	3/05
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			187	10	3/05
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This change is being made for the Food Stamp Program to add the treatment of additional pay received by military personnel as a result of deployment to a combat zone.

On December 8, 2004, the President signed The Consolidated Appropriations Act, 2005, Public Law 108-447. This law contains a provision which excludes from consideration as income in the Food Stamp Program additional pay received by military personnel as a result of deployment to a combat zone.

Section 9.1,A,2,o contains the current policy regarding AG members expected to be absent from the AG for more than a calendar month.

Any portion of a payment received under Chapter 5 of Title 37, United States Code, by a member of the United States Armed forces deployed to a designated combat zone is excluded from household income for the duration of the member's deployment, when the additional pay is the result of deployment to or service in a combat zone, and the payment was not received immediately prior to serving in the combat zone.

Regardless of the arrangement made by the deployed soldier for his or her military pay, only that portion of the pay to which the applicant or participating Food Stamp household has access is counted when determining the AG's income for Food Stamp purposes.

Information regarding documentation of the deployed person's income and location has been added to Chapter 4. Attachment 1 of this DW-17 is a list of designated combat zones. Attachment 2 is a list of Chapter 5 of Title 37 pay items which may or may not be the result of deployment to a designated combat zone. These lists are attached for your convenience and will not be maintained in the Manual. These lists can be found at [www.fns.usda.gov/fsp/government/certification\\_policy.htm](http://www.fns.usda.gov/fsp/government/certification_policy.htm)

Section 10.4,D,18 has been added to provide the steps necessary to determine the amount of income to count for the AG when funds are provided by military service personnel while serving in a designated combat zone. These steps apply to applicant households as well as recipients.

Due to the legislative requirement, this policy is retroactive to October 1, 2004. Any FS AG that had an increase in income, as a result of the deployment of the service member to a designated combat zone, that was counted in their Food Stamp income calculation as of October 1, 2004, is entitled to restoration of lost benefits. See Section 2.2,E. Workers must make such a determination at the AG's next determination, unless the AG requests a review of its case prior to that time. A household that was denied because excludable income was counted is also entitled to restoration of lost benefits. Any income excluded under this policy remains excluded until the AG's next redetermination.

Policy questions should be directed to the DFA Economic Services Policy Unit.

## **IM MANUAL CHANGE # 352**

### **ATTACHMENT 1**

#### **Combat Zone Tax Exclusion Areas**

##### **Executive Order 12744** (Effective January 17, 1991)

Arabian Sea Portion that lies North of 10 degrees North Latitude and West of 68 degrees East Longitude

- Bahrain
- Gulf of Aden
- Gulf of Oman
- Iraq
- Kuwait
- Persian Gulf
- Qatar
- Oman
- Red Sea
- Saudi Arabia
- United Arab Emirates

##### **Direct Support of EO 12744**

- Turkey - Effective January 1, 2003
- Israel - Effective January 1 - July 31, 2003
- Eastern Med - Effective March 19 - July 31, 2003
- Jordan - Effective March 19, 2003
- Egypt - Effective March 19 - April 20, 2003

##### **Executive Order 13239** (Effective September 19, 2001)

- Afghanistan

##### **Direct Support of EO 13239**

- Pakistan - Effective September 19, 2001
- Tajikistan - Effective September 19, 2001
- Jordan - Effective September 19, 2001
- Incirlik AFB Turkey - Effective September 21, 2001
- Kyrgyzstan - Effective October 1, 2001
- Uzbekistan - Effective October 1, 2001
- Philippines (Only troops with orders that reference OEF) - Effective January 9, 2002
- Yemen - Effective April 10, 2002
- Djibouti - Effective July 1, 2002

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**Executive Order 13119** (Effective March 24, 1999)

**Public Law 106-21 Establishing Kosovo as Qualified Hazardous Duty Area**  
(March 24, 1999)

- The Federal Republic of Yugoslavia (Serbia/Montenegro)
- Albania
- The Adriatic Sea
- The Ionian Sea north of the 39th parallel

**Public Law 104-117 Establishing a Qualified Hazardous Duty Area**  
(November 1, 1995)

- Bosnia
- Herzegovina
- Croatia
- Macedonia

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**ATTACHMENT 2**

**CHAPTER 5—SPECIAL AND INCENTIVE PAYS**

**Release Date: May 29, 2003**

§ 301.	Incentive pay: Hazardous duty
§ 301a.	Incentive pay: Aviation career
§ 301b.	Special pay: Aviation career officers extending period of active duty
§ 301c.	Incentive pay: Submarine duty
§ 301d.	Multiyear retention bonus: Medical officers of the armed forces
§ 301e.	Multiyear retention bonus: Dental officers of the armed forces
§ 302.	Special pay: Medical officers of the armed forces
§ 302a.	Special pay: Optometrists
§ 302b.	Special pay: Dental officers of the armed forces
§ 302c.	Special pay: Psychologists and non-physician health care providers
§ 302d.	Special pay: Accession bonus for registered nurses
§ 302e.	Special pay: Nurse anesthetists
§ 302f.	Special pay: Reserve, recalled, or retained health care officers
§ 302g.	Special pay: Selected Reserve health care professionals in critically short wartime specialties
§ 302h.	Special pay: Accession bonus for dental officers
§ 302i.	Special pay: Pharmacy officers
§ 302j.	Special pay: Accession bonus for pharmacy officers
§ 303.	Special pay: Veterinarians
§ 303a.	Special pay: Health professionals; general provisions
§ 303b.	Waiver of board certification requirements
§ 304	Special pay: Diving duty
§ 305.	Special pay: Hardship duty pay
§ 305a.	Special pay: Career sea pay
§ 306.	Special pay: Officers holding positions of unusual responsibility and of critical nature
§ 306a.	Special pay: Members assigned to international military headquarters
§ 307.	Special pay: Special duty assignment pay for enlisted members
§ 308.	Special pay: Reenlistment bonus
§ 308a.	Repealed.

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§ 308b.	Special pay: Reenlistment bonus for members of the Selected Reserve
§ 308c.	Special pay: Bonus for enlistment in the Selected Reserve
§ 308d.	Special pay: Enlisted members of the Selected Reserve assigned to certain high priority units
§ 308e.	Special pay: Bonus for reserve affiliation agreement
§ 308f.	Repealed.
§ 308g.	Special pay: Bonus for enlistment in elements of the Ready Reserve other than the Selected Reserve
§ 308h.	Special pay: Bonus for reenlistment, enlistment, or voluntary extension of enlistment in elements of the Ready Reserve other than the Selected Reserve
§ 308i.	Special pay: Prior service enlistment bonus
§ 309.	Special pay: Enlistment bonus
§ 310.	Special pay: Duty subject to hostile fire or imminent danger
§ 311.	Repealed.
§ 312.	Special pay: Nuclear-qualified officers extending period of active service
§ 312a.	Special pay: Nuclear-trained and qualified enlisted members
§ 312b.	Special pay: Nuclear career accession bonus
§ 312c.	Special pay: Nuclear career annual incentive bonus
§ 313.	Repealed.
§ 314.	Special pay or bonus: Qualified enlisted members extending duty at designated locations overseas
§ 315.	Special pay: Engineering and scientific career continuation pay
§ 316.	Special pay: Foreign language proficiency pay
§ 316a.	Waiver of certification requirement
§ 317.	Special pay: Officers in critical acquisition positions extending period of active duty
§ 318.	Special pay: Special warfare officers extending period of active duty
§ 319.	Special pay: Surface warfare officer continuation pay
§ 320.	Incentive pay: Career enlisted flyers
§ 321.	Special pay: Judge advocate continuation pay
§ 322.	Special pay: 15-year career status bonus for members entering service on or after August 1, 1986
§ 323.	Special pay: Retention incentives for members qualified in a critical military skill
§ 324.	Special pay: Accession bonus for new officers in critical skills
§ 325.	Incentive bonus: Savings plan for education expenses and other contingencies