

§ 54.03

§ 54.03 Persons authorized to give notices.

For the purpose of instituting an allotment under this part, notice that a Coast Guard member is delinquent in meeting support obligations may be given by:

(a) 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. 651-664), who has the duty or authority to seek recovery of any amounts owed as child or child and spousal support, including any official of a political subdivision when authorized under a State plan.

(b) The court that has authority to issue an order against the member for the support and maintenance of a child, or any agent of that court.

§ 54.05 Form and contents of notice.

(a) The notice required to institute an allotment under this part must be given in the form of a court order, letters, or other document issued by a person specified in § 54.03.

(b) The notice must:

(1) Provide the full name, social security number, and duty station of the member who owes the support obligation;

(2) Specify the amount of support due, and the period in which it has remained owing;

(3) Be accompanied by a certified copy of an order directing the payment of this support issued:

(i) By a court of competent jurisdiction, or;

(ii) In accordance with an administrative procedure which is established by State law, affords substantial due process, and is subject to judicial review;

(4) Provide the full name, social security number, and mailing address of the person to whom the allotment is to be paid;

(5) Identify the period in which the allotment is to remain in effect; and

(6) Identify the name and birth date of all children for whom support is to be provided under the allotment.

(c) Each notice must be accompanied by the following information:

(1) For each administrative order, a copy of all provisions of state law governing its issuance.

33 CFR Ch. I (7-1-03 Edition)

(2) For each court order and for each administrative order, if not stated in the support order:

(i) An explanation as to how personal jurisdiction was obtained over the member; and

(ii) A statement on the age of majority in the state law, with appropriate legal citations.

§ 54.07 Service of notice upon designated Coast Guard official.

The notice and all accompanying documentation must be sent to Commanding Officer, Coast Guard Human Resources Service and Information Center, Federal Building, 444 S.E. Quincy Street, Topeka, KS 66683-3591, telephone 785-339-3595, facsimile 785-339-3788.

[CGD 82-109, 48 FR 4285, Jan. 31, 1983, as amended by CGD 88-052, 53 FR 25119, July 1, 1988; CGD 97-023, 62 FR 33362, June 19, 1997; USCG-2001-9286, 66 FR 33639, June 25, 2001]

PART 55—CHILD DEVELOPMENT SERVICES

Subpart A—General

Sec.

55.1 Purpose.

55.3 Who is covered by this part?

55.5 Who is eligible for child development services?

55.7 Definitions.

55.9 Child development centers.

55.11 How are child development center fees established?

55.13 Family child care providers.

AUTHORITY: 14 U.S.C. 515.

SOURCE: USCG-1998-3821, 64 FR 6528, Feb. 10, 1999, unless otherwise noted.

Subpart A—General

§ 55.1 Purpose.

This subpart implements 46 U.S.C. 515, which provides for Coast Guard Child Development Services.

§ 55.3 Who is covered by this subpart?

This subpart applies to all Coast Guard installations.

§ 55.5 Who is eligible for child development services?

Coast Guard members and civilian Coast Guard employees are eligible for

the child developmental services described in this subpart. As space is available, members of the other Armed Forces and other Federal civilian employees are also eligible.

§ 55.7 Definitions.

As used in this subpart—

Child development center means a facility located on a Coast Guard installation that offers, on a regularly scheduled basis, developmental services designed to foster social, emotional, physical, creative, and intellectual growth to groups of children.

Child development services means developmental services provided at a child development center or by a family child care provider at his or her Coast Guard-owned or -leased home.

Coast Guard family child care provider means a Coast Guard family member, 18 years of age or older, who provides child care for 10 hours or more per week per child to one but no more than six children, including the provider's own children under the age of eight, on a regular basis in his or her Coast Guard-owned or -leased housing.

Coast Guard family child care services means child care provided on a regularly scheduled basis for 10 hours or more a week by an individual certified by the Coast Guard and who resides in Coast Guard-controlled housing.

Command means the Commanding Officer of one or more units of personnel in a limited geographic area with responsibility for a child development center.

Family child care means child care provided in the home of a provider, either a Coast Guard family child care provider or a family home day care provider.

Family home day care provider means an individual 18 years of age or older who is licensed by the state agency that regulates child care. This person provides child care to one but no more than six children, including the provider's own children under the age of eight, on a regular basis in his or her residence.

Geographic cost of living allowance means the adjustment in basic pay related to higher living costs in certain geographic areas.

Total family income means the earned income for adult members of the household including wages, salaries, tips, long-term disability benefits received by a family, incentive and special pay for service or anything else of value, even if not taxable, that was received for providing services. Also included is Basic Allowance for Housing and Basic Allowance for Subsistence authorized for the pay grade of military personnel, whether the allowance is received in cash or in-kind. Total Family Income does not include: the geographic cost of living allowance; alimony and child support; temporary duty allowances or reimbursements for educational expenses; veterans benefits; workers compensation benefits; and, unemployment compensation. These are to be excluded from total family income.

Uneconomical and inefficient means that the fees collected from parents can not be used in a manner that provides a quality program at an affordable cost to parents using the child care services.

§ 55.9 Child development centers.

(a) The Commandant may make child development services available at child development centers located at Coast Guard installations.

(b) Regular and unannounced inspections of each child development center shall be conducted annually by headquarters program personnel, the commanding officer of the sponsoring command, fire personnel, and health and safety personnel.

(c) Training programs shall be conducted monthly to ensure that all child development center employees complete a minimum of 20 hours of training annually with respect to early childhood development, activities and disciplinary techniques appropriate to children of different ages, child abuse prevention and detection, and appropriate emergency medical procedures.

§ 55.11 How are child development center fees established?

(a) Fees for the provision of services at child development centers shall be

§ 55.13

33 CFR Ch. I (7-1-03 Edition)

set by each Command with responsibility for a center-based program, according to the following total family income chart:

TOTAL FAMILY INCOME
\$0 to \$23,000
\$23,001 to \$34,000
\$34,001 to \$44,000
\$44,001 to \$55,000
Over \$55,000

(b) Fees for the provision of services at Coast Guard child development centers shall be used only for compensation for employees at those centers who are directly involved in providing child care, unless it is uneconomical and inefficient. If uneconomical and inefficient, then the fees may be used for:

(1) The purchase of consumable or disposable items for Coast Guard child development centers; and

(2) If the requirements of such centers for consumable or disposable items for a given fiscal year have been met, for other expenses of those centers.

§ 55.13 Family child care providers.

When appropriated funds are available, funds may be offered to provide assistance to Coast Guard Family Child Care Providers or to family home day care providers so that family child care services can be provided to military members and civilian employees of the Coast Guard, at a cost comparable to the cost of services at Coast Guard child development centers.

INDEX

SUBCHAPTER B— MILITARY PERSONNEL

EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept up-to-date by the Coast Guard, Department of Homeland Security. This index is updated as of July 1, 2003.

Section

A

Access to official records	52.25
Action by the Board	50.5
Affidavits required.....	49.05.10
Allotments from Active Duty Pay for Certain Support Obligations	Part 54
Applicability and scope, Discharge Review Board	51.3
Applicability.....	49.01-1, 53.3
Application, time limit for filing	52.22
Appointment of trustee, requests for	49.01-5, 49.05-1
Assistance.....	52.81
Authority, Board for Correction of Military Records	52.2
Authority, Discharge Review Board.....	51.2
Authority to pay.....	52.71

B

Basis and purpose, Discharge Review Board	51.1
Board for Correction of Military Records.....	Part 52
Bonding of trustee.....	49.05-5

C

Cadets, program for appointing.....	40.1
Cessation of payments.....	49.10-10
Composition of the Board.....	50.2
Conduct of hearing.....	52.51
Consideration of application.....	52.31
Counsel	52.23

D

Decisions.....	51.10
Definitions	51.4, 53.5
Deliberations and decision.....	52.61
Denial of relief.....	52.32
Determination of incompetency.....	49.01-10
Discharge Review Board	Part 51
Discharge review procedures	51.9

E

Enlistment of Personnel.....	45.1
Enlistment records of former service members.....	45.2
Equity standard of review	51.7

Index

Establishment and composition	52.11
Establishment and duties of the Board	50.1
Evidence	52.24
Expenses	52.44

F

Final accounting by trustee	49.10-15
Final action, time limit for	52.64, 52.68
Form and contents of notice.....	54.05
Function	52.12

G

General provision, Hearings.....	52.41
General requirements, Military Records Correction Applications	52.21

I

Implementing instructions	49.15-1
Interpretation.....	52.73

J

Jurisdiction, Board for Correction of Military Records	52.13
--	-------

M

Mentally Incompetent Personnel	Part 49
Minority report.....	52.62

N

Nonappearance.....	52.45
Notice of hearing	52.42
Notification of final action	50.6
Notification	52.66

O

Objective of review.....	51.5
Orders	52.65

P

Payments of money due	49.10-5
Persons authorized to give notice.....	54.03
Presentation of case.....	50.4
Procedures	52.72, 53.11
Proprietary standard of review	51.6
Purpose, Allotments from Active Duty Pay.....	54.01
Purpose, Whistleblower protection	53.1

R

Reconsideration.....	52.67
Record of proceedings	52.63
Relevant considerations.....	51.8
Report of settlement.....	52.74
Reports required	49.10-1
Request for review.....	50.3
Requirements	53.7

Subchapter B

Responsibilities regarding whistleblower protection..... 53.9
Retiring Review Board Part 50

S

Service of notice upon designated Coast Guard official..... 54.07
Stay of proceedings..... 52.33
Submission sent to or received from the Coast Guard..... 52.82

W

Whistleblower Protection..... Part 53
Withdrawal of application 52.26
Witnesses 52.43