

**NATIVE AMERICAN STATE INCOME TAX WITHHOLDING EXEMPTION CERTIFICATE**

**PRIVACY ACT STATEMENT**

**AUTHORITY:** 5 U.S.C. 5517, Withholding State income taxes.

**PRINCIPAL PURPOSE(S):** To enable a Native American service member to stop State income tax withholding from military compensation.

**ROUTINE USE(S):** The information obtained will become part of the military pay system of the service concerned and may be disclosed as stated in the applicable system of records notices, T7344, Defense Joint Military Pay System – Reserve Component; T7340, Defense Joint Military Pay System – Active Component; and M01040-3, Marine Corps Manpower Management Information System Records, located at <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-Component-Notices/>

**DISCLOSURE:** Voluntary; however, failure to complete this form will result in withholding of State income taxes from your pay.

1. <b>NAME</b> ( <i>Last, First, Middle Initial</i> )		2. <b>DoD ID NUMBER</b>
3. <b>MILITARY ADDRESS</b> ( <i>Unit, Street, City, State, ZIP Code</i> )		
4. <b>CURRENT MAILING ADDRESS</b> ( <i>Street, City, State, ZIP Code</i> )		
5. <b>NAME OF FEDERALLY RECOGNIZED TRIBE THAT YOU ARE A MEMBER OF</b>		
6. <b>NAME OF FEDERALLY RECOGNIZED TRIBAL RESERVATION OR INDIAN COUNTRY THAT YOU CLAIM AS YOUR DOMICILE</b> ( <i>Include the name of the State the reservation is located within</i> )		
7. <b>I CERTIFY THAT I ANTICIPATE MEETING THE TWO CONDITIONS NECESSARY TO BE EXEMPT FROM WITHHOLDING FOR THE CALENDAR YEAR _____ . I ALSO DECLARE THAT I WILL IMMEDIATELY NOTIFY THE FINANCE OFFICER OF ANY CHANGES THAT AFFECT MY WITHHOLDING STATUS.</b>		
8. <b>SIGNATURE OF APPLICANT</b>		9. <b>DATE</b> ( <i>YYYYMMDD</i> )

**INSTRUCTIONS**

Completing this certificate allows you to claim exemption from State income tax withholding on your military compensation if you satisfy the following tests:

- 1. You claim as your State of legal residency/domicile a federally recognized tribal reservation or Indian Country.
- 2. You are an enrolled member of that federally recognized Native American tribe.

If you satisfy these conditions, the Soldiers' and Sailors' Civil Relief Act provides that your tax home remains on the reservation/in Indian country. Consequently, you may stop State income tax withholding on your military compensation.

If you have any doubt with regard to your State of legal residence/domicile, you are advised to see your Legal Assistance Officer (JAG representative) for advice prior to completing this form.

**Effective date of exemption election.** Withholding of State income tax will stop the month after the month in which you file this certificate. DFAS cannot make retroactive adjustments.