

23 June 2010

INFORMATION PAPER

SUBJECT: DOD ID Cards for Former Spouses

1. Purpose. To explain the rights of former spouses of service members regarding retention of DOD ID cards following divorce.
2. Federal law (at 10 USC 1062) permits certain un-remarried former spouses of service members to receive military medical, commissary and exchange benefits following a divorce. The law and corresponding DOD regulations establish the following requirements for these entitlements:
 - a) The service member performed at least 20 years of military service credited towards retirement;
 - b) The marriage lasted 20 or more years; and
 - c) The term of service and length of marriage overlapped for at least 20 years.
3. If these conditions are met, and the former spouse has not remarried, the former spouse is entitled to full military medical care, (if not already enrolled in an employer-sponsored health plan). In such cases, the former spouse is also entitled to commissary and exchange privileges.
4. Under the DEERS regulations, other un-remarried spouses can retain DEERS (and Tricare) enrollment for a period of one year from the date of divorce, if they:
 - a) Were married to military members for at least 20 years;
 - b) Have spouses that performed at least 20 years of military service; and
 - c) Have at least 15 years of marriage overlapping military service.
4. Please visit your Fort Belvoir legal assistance office with any questions regarding family law issues.

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