

3 February 2010

INFORMATION PAPER

SUBJECT: Military Retirement Pay and SBP Designation for Former Spouses

1. Purpose: To provide information to former military spouses regarding interest in military retirement pay and designation as a beneficiary under the Survivor Benefit Plan (SPB).
2. Former military spouses often receive portions of military retirement plans following divorce. Such interests may be present in marriages of any duration. However, for those marriages in excess of 10 years overlapping 10 years of military service, the former spouse is entitled to receive direct payment from DFAS of interest in the retirement pay. The former spouse should complete and mail the DD Form 2293, "Application For Former Spouse Payments From Retired Pay", with the required enclosures, to DFAS as soon as possible after the divorce is final. The final decree (or incorporated separation agreement needs to meet certain requirements for DFAS to make direct payments to the spouse, and such documents should also reflect the duration of the marriage.
3. SPB coverage is an important benefit to military families. It ensures payment of retirement benefits after the military member dies. Former spouses must notify the respective service of their right to receive such benefits. Critically, such notice **MUST** be provided within one year of the order providing for SBP coverage, which is usually the date of the final divorce. DD Form 2656-10 is used for this purpose.
4. Please visit your Fort Belvoir legal assistance office with any questions regarding this important issue.

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