

III Armored Corps & Fort Hood Client Legal Services



Uniformed Services Former Spouses' Protection Act



Contact Us

Building 13, 52nd Street
Fort Hood, TX 76544

Front Desk Phone Numbers

(254) 287-7901
(254) 287-2509

Walk-In Hours

Mon — Thurs: 1300-1600
Powers of Attorney & Notaries

All other assistance by
appointment only

Schedule an appointment
in 2 easy steps:



Step 1

Download intake form and
open in Adobe or other PDF
app to access fillable fields



Step 2

Email form with a front and
back copy of your military ID
using the QR code or directly:
usarmy.hood.iii-corps.mbx.sja-legal-asst@army.mil

This Info Paper is provided for
general education purposes
only and does not constitute
legal advice. For legal advice,
please consult an attorney by
scheduling an appointment
with our office.

Purpose of the Uniformed Former Spouses' Protection Act (USFSPA):

10 U.S.C. § 1408 is a federal law that provides a method for a spouse or a former spouse to receive a portion of a Soldier's retired pay. The USFSPA does not automatically entitle a former spouse to a portion of a Soldier's retired pay; the former spouse must have been awarded a portion of the retired pay through a court order. The USFSPA also provides a method of enforcing child support and alimony awarded in a court order.

Limitations: Court can grant up to 50% of retired pay to former spouse.

10/10: (10-year marriage overlapping 10-year Military Career) –

Former spouse's portion of retirement (awarded by court order) can be distributed directly from DFAS.

20/20/20: (20 years of service, 20 marriage, 20 years of marriage/service overlap)

- Commissary and exchange access along with direct deposit of retirement pay.
- Full Healthcare if spouse is not enrolled on employer's health care.

20/20/15: (20 years of service, 20 marriage, 15 years of marriage/service overlap)

Transitional Healthcare (1 year of coverage)

Will I lose my benefits if I remarry?

Yes, but if the subsequent marriage ends in divorce or death, Commissary and Exchange privileges are revived.

Application Checklist:

- DD2293 Wizard application form completed and signed
- Certified copy of Decree of Divorce, Dissolution, Annulment or Legal Separation
- Marriage Certificate, if marriage date is not included in order
- Birth dates of children included, or copy(s) of birth certificates (if applying for child support).
- If order does not include entitlement award, include document that has it.
- Completed Direct Deposit form & IRS W4-P.