U.S. Army
Retired Soldier Handbook
2024

Your mission has changed,

but your duty has not!

U.S. ARMY
RETIRED SOLDIER HANDBOOK

"Once a Soldier, Always a Soldier . . . a Soldier for Life"

This handbook was prepared by
the Army Retirement Services Office
Deputy Chief of Staff, G-1
Headquarters, Department of the Army

This handbook is for informational purposes only.
It does not make or change policy or regulation.
Contact your Army Retirement Services Officer (RSO)
for detailed or additional information.

2024 Edition

Front Cover Caption: Chief of Staff of the U.S. Army Gen. James C. McConville, left, and Sgt. Maj. of the Army Michael A. Grinston, center, greet Medal of Honor recipient, retired U.S. Army Col. Paris Davis during the Army Birthday Festival Formal Ceremony at the National Museum of the United States Army, Fort Belvoir, Virginia, June 10, 2023. The event commemorated the 248th Birthday of the U.S. Army. (U.S. Army photo by Henry Villarama)

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CHAPTER 1: GENERAL

1-1. Purpose.

This handbook outlines military status after retirement, discusses retirement benefits and privileges, and provides other information, which may be helpful to Retired Soldiers, surviving spouses and their families.

This handbook should be shared with your family members. It has information about benefits they may be entitled to after your death.

Many of the benefits listed are administered by government agencies other than the Department of the Army. Eligibility for these benefits is determined by law, regulation, or the responsible government agency.

1-2. Soldier for Life.

You didn't stop being a Soldier just because you retired from the Army. ***Your mission has changed, but your duty has not.*** No longer do you train and deploy to fight and win the nation's wars, but the Army and the nation still need you. As a Retired Soldier, your mission is to HIRE and INSPIRE. We need you to help Veterans get jobs and to inspire America's youth to serve in the military as you did. When you talk to your friends, coworkers, and neighbors about your Army career, you dispel the myths they may have about Veterans and inspire them to trust and support the Army.

To influence Americans, you should remain connected to the Army and familiar with ongoing changes, challenges, and improvements. Three good ways to stay connected to the Army are reading *Army Echoes* (see para 1-5 in this guide), familiarizing yourself with the resources available on the Soldier for Life website at https://soldierforlife.army.mil, and the MyArmyBenefits website at https://myarmybenefits.us.army.mil/.

There are so many ways you can continue to serve on or away from post. Please contact your Army Retirement Services Officer or installation volunteer coordinator to become involved in a way that works best for you. See para 1-4 below for contact information.

1-3. Army Retirement Services Program.

In November 1955, General Maxwell Taylor, then the Army Chief of Staff, created the Army's Retirement Services Program to provide an effective channel of communication between the Army and its retired community. The Army maintains that connection to this day. The Army Retirement Services Program will support you and your surviving spouse as long as you both shall live. The Army wants you to continue to serve where you live, promoting the Army and service to the nation, helping Veterans get jobs, and inspiring Americans to trust and support their Army. That's the Soldier for Life mindset.

1-4. Retirement Services Offices.

Retirement Services Offices have been established at most major Army installations, at each National Guard State Headquarters, and at the four United States Army Reserve (USAR) Readiness Divisions (RDs) and one Mission Support Command (MSC). Contact information for Retirement Services Officers (RSOs) is published in each issue of *Army Echoes*, the Army's official newsletter for Retired Soldiers and surviving spouses. It is also at https://soldierforlife.army.mil/Retirement/rso. RSOs exist to assist you and your family members with military retirement-related matters.

1-5. *Army Echoes*.

Army Echoes is the official newsletter for Retired Soldiers, surviving spouses, and families. It is published as a hardcopy and electronic newsletter, plus a blog on the Soldier for Life website. *Army Echoes* is mailed or emailed to over one million Retired Soldiers and surviving spouses. It keeps you informed of significant changes to laws and policies that affect you. Some changes in laws and directives require you to act. Read each *Army Echoes* carefully and file it with this Handbook. Archived copies of *Army Echoes* dating back to 1996 are also available at https://soldierforlife.army.mil/Retirement/army-echoes.

The Army will email *Army Echoes* to Retired Soldiers to include Soldiers in the Retired Reserve (the Gray Area) and annuitants at the email address on file in their myPay account. Those who do not have a myPay account or an email address will receive *Army Echoes* by mail at the correspondence address they have on file at the Defense Finance and Accounting Service-Cleveland Center (DFAS-CL). Surviving spouses who are not receiving a Survivor Benefit Plan (SBP) annuity may request *Army Echoes* by sending an email to the editor at ArmyEchoes@army.mil.

You should ensure that the Defense Finance and Accounting Service (DFAS) has your current mailing and email addresses. To update DFAS, use myPay, call DFAS at 1-800-321-1080 or call your RSO. More information is provided at https://soldierforlife.army.mil/retirement/army-echoes.

The *Army Echoes* Blog is available at https://soldierforlife.army.mil/retirement/blog. Three new articles are posted to the blog each week. Because there are no size limitations on the blog, more content is available to readers there than in the newsletter.

1-6. Chief of Staff, Army (CSA) Retired Soldier Council.

Since 10 November 1971, the Army Chief of Staff's Retired Soldier Council has been providing the Chief of Staff, Army (CSA) with insight into the issues and concerns of Retired Soldiers and family members. The 14-member council is co-chaired by a retired lieutenant general and a retired sergeant major of the army. It is comprised of seven officers and seven enlisted members, who live around the world, and represent all Retired Soldiers and their families. The Council meets annually for one week when they are recalled to active duty at the Pentagon, but their work continues throughout the year. Members of the CSA Retired Soldier Council must be members of and be nominated by their installation/garrison, Army Service Component Command (ASCC), Readiness Division (RD)/Mission Support Command (MSC), or state National Guard retiree councils. For more information, see https://soldierforlife.army.mil/retirement/csa-retired-soldier-council.

1-7. Installation and Area Retiree Councils.

Retiree councils have been established at most Army installations and in some areas away from installations. These councils represent Retired Soldiers in their local areas and address their concerns to the assigned garrison commander. They also extend the Army's communications network down to the individual Retired Soldier and surviving spouse. Concerns raised by these councils are either solved at the local level or submitted to the U.S. Army Materiel Command (AMC)/Installation Management Command (IMCOM), for resolution or forwarding to the CSA Retired Soldier Council for resolution if the issues have Army-wide impact. Please consider representing your fellow Retired Soldiers by serving on an installation or area retiree council.

1-8. U.S. Army Retired Lapel Button.

Retired Soldiers are authorized to wear the U.S. Army Retired Lapel Button, which is the Army logo with the words "Retired" and "Soldier for Life" emblazoned around it. We encourage you to wear the lapel button frequently. It will identify you as a Retired Soldier and open up conversations between you and Americans about the Army and your service. These conversations will help reduce the civil-military divide. The Lapel Button is issued to retiring Soldiers as part of the Army Retiring Soldier Commendation Program (ARSCP) package and may be purchased from the Exchange and other official retailers.

1-9. MyArmyBenefits (MAB) Program.

MyArmyBenefits provides comprehensive military benefits and entitlements information. The site (https://myarmybenefits.us.army.mil/) offers over 180 state and federal fact sheets organized by topic, Soldier's status, and life events. A comprehensive resource locator provides location and contact information for service providers on installations in every state and territory and 11 countries. The MyArmyBenefits Help Desk answers benefits questions Monday through Friday (9:00AM to 5:00PM EST) at 1-888-721-2769 or by webform at https://myarmybenefits.us.army.mil/Help/Contact-Us.

1-10. The Department of Defense Self-Service Logon (DS LOGON).

The Department of Defense Self-Service Logon (DS Logon) is the Department of Defense's (DOD) secure, self-authentication protocol that provides Retired Soldiers and other beneficiaries, who don't have Common Access Cards (CACs), access to their personal records and information on many DOD and Department of Veterans Affairs (VA) websites. You may access the DS Logon site at: https://www.dmdc.osd.mil/identitymanagement/.

1-11. Army Community Service Program.

Army Community Service (ACS) centers are the hub for social service programs on installations. ACS programs promote wholesome communities that foster self-reliance and family resiliency. Retired Soldiers and their families are eligible to use many ACS programs, and are encouraged to become ACS volunteers. For more information, please go to https://myarmybenefits.us.army.mil/Benefit-Library/Federal-Benefits under family services.

1-12. Transition Assistance Program.

The Army Transition Assistance Program (TAP) provides transition and job assistance services to Retired Soldiers at more than 50 world-wide locations and at the Virtual TAP Center (https://www.armytap.army.mil/). Retired Soldiers and their family members with ID cards are eligible for Army TAP services on a space available basis indefinitely. To locate a TAP Center near you go to https://www.armytap.army.mil/locations or call 1-800-325-4715.

1-13. Installation Volunteer Coordinators.

Most Army installations have an office to coordinate their volunteer efforts. Retired Soldiers and their family members, because of their wealth of personal experience and insight into many aspects of the military lifestyle, are in great demand as volunteers. You can provide a vital service in the Army's family support and family readiness programs. To volunteer, contact your installation volunteer coordinator in the ACS office.

1-14. Military Installation Privileges Stateside.

Retired Soldiers, eligible family members, and un-remarried surviving spouses are authorized to use various Family, Morale, Welfare, and Recreation (MWR) facilities on military installations, on a space-available basis. The availability to accommodate Retired Soldiers varies widely at different Army installations. The local installation commander determines whether these facilities may be used by Retired Soldiers. This determination is usually based on whether the facilities can accommodate Retired Soldiers without creating hardships for active-duty Soldiers.

Retired Soldiers and family members are authorized use of commissary and Exchange facilities in the United States regardless of store adequacy. Your military ID card is sufficient proof of eligibility.

1-15. Military Installation Privileges Overseas.

Some Retired Soldiers who travel overseas are disappointed to learn that they are not permitted to use the Service facilities of an overseas U.S. military base which is a privilege they are normally entitled to within the United States. Army regulations regarding commissary and Exchange privileges for Retired Soldiers are applicable overseas only to the extent agreed upon by the foreign governments concerned, better known as a Status of Forces Agreement (SOFA). Sometimes certain facilities are so limited in an overseas area that their use cannot be extended to Retired Soldiers. Medical facilities in some foreign countries are designed and staffed only to care for active-duty Soldiers and their eligible family members, and use by Retired Soldiers and their family members must be severely limited.

Before traveling overseas, it is recommended that you contact officials at the overseas location to determine the privileges available and also visit the IMCOM Europe site at: https://home.army.mil/imcom-europe/index.php. Retirement Services Officers (RSOs) can provide their current address and may be able to provide additional information. See the RSO directory at https://soldierforlife.army.mil/retirement/contact-us.

1-16. Locating Former and Retired Soldiers.

The Privacy Act prevents the Department of the Army from releasing the home addresses of former and Retired Soldiers to private individuals (including other Soldiers and spouses of Soldiers) without the express written consent of the Soldier. Listen for future news about the creation of the Soldier for Life Network, which will create a forum where verified Army Veterans can receive official Army updates and network with other Veterans.

1-17. Legal Assistance.

Most military installations have legal assistance attorneys who are available for consultation and assistance on personal legal problems of a civil nature. This assistance is available to Retired Soldiers and their eligible family members. Assistance is not given in connection to business pursuits or tax preparation. To find the closest legal assistance office, use the Resource Locator on MyArmyBenefits or visit https://legalassistance.law.af.mil/.

1-18. Army Emergency Relief.

Army Emergency Relief (AER) was established in 1942 as a 501c(3) private, nonprofit organization dedicated solely to helping the Army take care of its own. AER provides three types of assistance to Retired Soldiers, their families, and survivors:

- Emergency assistance to Retired Soldiers and their families who are faced with a valid emergency often involving essentials of everyday living.
- Assistance to spouses and orphans of deceased Soldiers based on an emergency, a sustaining need, or for special one-time needs.
- Scholarship assistance to unmarried dependent children and spouses of Retired Soldiers.

Retired Soldiers continue to enjoy the same benefits offered through AER as when they were on active duty. These benefits apply to all Retired Soldiers and includes those placed on the Temporary Disability Retired List (TDRL) or Permanent Disability Retired List (PDRL) for medical reasons. U.S. Army Reserve and Army National Guard Soldiers become eligible upon the commencement of retired pay.

AER provides financial assistance to the survivors of Soldiers who die on active duty or after retirement. Generally, entitlements such as SBP, Dependency and Indemnity Compensation (DIC), social security, or individual insurance will not commence until 30-90 days after the death of a Retired Soldier. AER will provide financial assistance to survivors for “routine or normal” monthly expenses while awaiting the start of their entitlements. This assistance is provided as a grant.

There are currently 73 AER sections located on U.S. Army installations worldwide that Retired Soldiers can contact to obtain financial assistance. AER also maintains a reciprocal agreement with the Air Force Aid Society, Coast Guard Mutual Assistance, and Navy-Marine Corps Relief Society that allows Retired Soldiers and their family members to request AER assistance through any military installation with a military relief society office. Those Retired Soldiers not located near an Army installation may contact the American Red Cross Call Center at 1-877-272-7337, for assistance in processing an application to AER.

The AER Annual Campaign is conducted Army-wide from 1 March to 15 May. The goal of the campaign is to inform Soldiers and their families of the benefits and services Army Emergency Relief provides. Contributions from Retired Soldiers may be sent to the nearest installation AER office or to AER Headquarters, 2530 Crystal Drive, Suite 13161, Arlington, VA 22202. Retired Soldiers may also donate online at https://www.armyemergencyrelief.org/donate/. Retired Soldiers may also contribute by allotment from their retired pay. Contact AER Headquarters at 1-866-878-6378 to obtain the allotment form.

1-19. Submission of Written Material for Review.

Retired Soldiers are not required to submit writings and public statements on military subjects to the Department of the Army for official clearance. However, this does not modify any official regulations issued for safeguarding classified information. Retired Soldiers are personally responsible for ensuring

that the information they release or make available for release to the public is consistent with national security policy. If in doubt as to whether the material prepared for publication may violate security regulations, the Retired Soldier may submit it for review to the Community Relations & Outreach Division, HQDA, Office of the Chief, Public Affairs, 1500 Army Pentagon, Room 1D470, Washington, D.C. 20310-1500.

Retired Army personnel holding civilian positions within DOD or the military services are subject to the same controls on their public writing and/or speaking, whether official or unofficial, as other civilian employees.

1-20. Security Program.

Retired Soldiers have a continuing responsibility to safeguard classified information of which they have knowledge. At the time of retirement, each member having access to classified information is given an oral debriefing and is required to sign a security termination statement. A copy of the signed statement is filed as a permanent record in the individual's military personnel folder. A Retired Soldier who violates the espionage or internal security laws through unauthorized disclosure is subject to prosecution, fine, imprisonment, or in rare cases, death.

In addition, if the individual had access to classified information, they must complete the debriefing portion of the SF 312. The statement that they sign is:

"I reaffirm that the provisions of the espionage laws, other federal criminal laws and executive orders applicable to the safeguarding of classified information have been made available to me; that I have returned all classified information in my custody; that I will not communicate or transmit classified information to any unauthorized person or organization; that I will promptly report to the Federal Bureau of Investigation any attempt by an unauthorized person to solicit classified information, and that I (have) (have not) (strike out inappropriate word or words) received a security debriefing."

CHAPTER 2: RECORDS AND FILES

2-1. Overview.

A good plan is supported by records and files. The first step in planning for tomorrow is knowing what you have today. Therefore, we urge you to develop a list of assets and to list the location of important documents that your survivors will need to claim these assets. Tell your family members where you keep this information and this Handbook. You can use the Casualty Assistance Checklist found at: https://soldierforlife.army.mil/Retirement/post-retirement.

2-2. Lost Records and Files.

To obtain copies of specific documents, including the DD Form 214, please call 1-888-276-9472. To electronically access your Official Military Personnel File online, you'll need a CAC or DS Logon account. Go to https://www.hrcapps.army.mil/portal/.

For more information, visit https://www.hrc.army.mil/TAGD/Accessing%20or%20Requesting%20Your%20Official%20Military%20Personnel%20File%20Documents.

The National Archives' National Personnel Records Center in St. Louis, MO, is the repository for U.S. Army military records stored in paper copy/microfiche format. These records are primarily for personnel who were deceased while in service, discharged, or retired before 1 October 2002. Please go to https://www.archives.gov/veterans/military-service-records.

2-3. Correction of Military Records.

You, your survivors, or legal representatives may request a correction to military records using Department of Defense (DD) Form 149, Application for Correction of Military Record under the provisions of Title 10 (T10) United States Code (USC) §1552. Submit the completed DD Form 149 to: Army Review Boards Agency (ARBA), 251 18th Street South, Suite 385, Arlington VA 22202-3531. You may apply online or obtain a copy of DD Form 149 at: https://arba.army.pentagon.mil/abcmr-app.html.

In order to justify a correction, you must prove to the satisfaction of the Army Board for Correction of Military Records (ABCMR) that the alleged entry or omission in the record was in error or unjust. The ABCMR considers applications and makes recommendations to the Secretary of the Army.

You must file your application for correction within three years after discovering the error or injustice. If filed after three years, you must include the reason(s) the ABCMR should find it in the interest of justice to accept the late application.

Evidence may include affidavits or signed testimony executed under oath, and a brief of arguments supporting the application. All evidence not already included in your record must be submitted. The responsibility for securing new evidence rests with you.

2-4. How to Obtain Copies of Medical/Dental Records.

In 2014, the military services discontinued the practice of retiring medical/dental records to the Department of Veterans Affairs (VA). In order to determine where a medical record is located, please go to: https://www.archives.gov/veterans/military-service-records/medical-records.html.

Veterans who submit a medical claim should contact the VA to determine if their record is already on file. The VA Toll Free number is: 1-800-827-1000 and will connect you to the nearest VA office.

2-5. Change of Address.

a) Who is required to update their address?
Retired Soldiers, Gray Area Retired Soldiers (in the Retired Reserve, not yet in receipt of retired pay), and surviving spouses receiving a Survivor Benefit Plan annuity, are responsible for updating the Defense Finance and Accounting Service (DFAS) when they move or change their email address.

Prompt reporting of a change in your address is essential for receiving *Army Echoes* and special mailings from DFAS.

b) How to update your address.

1) Retired Soldiers, to include Gray Area Retired Soldiers.

- Electronic updates. You can update your address using myPay at https://mypay.dfas.mil/, by calling 1-800-321-1080 or by calling your Retirement Services Officer.

- Paper Form. Complete a Retiree Change of Address/State Tax Withholding Request (DD Form 2866) and mail it to: Defense Finance and Accounting Service, U.S. Military Retired Pay, 8899 E. 56th Street, Indianapolis, IN 46249-1200. For more information, please go to https://www.dfas.mil/retiredmilitary/manage/changeofaddress.html.

2) Those receiving Survivor Benefit Plan (SBP) or Retired Serviceman's Family Protection Plan (RSFPP) annuities. Complete a Retiree Change of Address/State Tax Withholding Request (DD Form 2866) and mail it to: Defense Finance and Accounting Service, U.S. Military Annuitant Pay, 8899 E. 56th Street, Indianapolis, IN 46249-1300. For more information, please go to https://www.dfas.mil/retiredmilitary/manage/changeofaddress.html.

3) Non-annuitant surviving spouses. Surviving spouses who are not in receipt of SBP may notify HQ Army Retirement Services (ATTN: DAPE-MPR), 251 18th Street South, Suite 210, Arlington, VA 22202-3531 or ArmyEchoes@army.mil, if they wish to continue receiving *Army Echoes*. If a surviving spouse has any future address changes or wishes to stop distribution, contact Army RSO using the information provided above. It is also important to note that address changes must still be made in the Defense Enrollment Eligibility Reporting System (DEERS) via any military ID card issuing facility. Locate the nearest ID card facility by going to: https://idco.dmdc.osd.mil/idco/ .

4) Former spouses. Former spouses of Retired Soldiers do not receive *Army Echoes* distribution but may read *Army Echoes* at https://soldierforlife.army.mil/Retirement/echoesissues, and also obtain information from the Former Spouse section of our homepage, https://soldierforlife.army.mil/retirement/former-spouses. Former spouses who are eligible for ID card benefits should, however, keep their addresses current within DEERS via any military ID card issuing facility. Locate the nearest facility by going to: https://idco.dmdc.osd.mil/idco/.

5) Retired Soldiers and survivors receiving benefits from the VA. Retired Soldiers and survivors receiving benefits from the VA should notify the VA of their address change by calling 1-800-827-1000 or by logging into the VA website at https://www.va.gov/change-address/.

2-6. Uniformed Services Identification (USID) cards.

a) General.

Uniformed Services Identification (USID) Cards are issued to Retired Soldiers and eligible family members as a means of identification and as authorization for various benefits and privileges. As of December 2020, the Next Generation (Next Gen) USID Card will be issued to all new retirees and their eligible family members. Currently issued USID cards remain valid through their expiration dates to include the DD Form 2 (Retired) (blue) United States Uniformed Services Identification Card issued to Retired Soldiers who are entitled to retired pay and the DD Form 1173, United States Uniformed Services Identification and Privilege Card, issued to eligible family members of living and deceased Retired Soldiers. The USID identifies the holder as being eligible for commissary, Exchange, and Morale, Welfare and Recreation (MWR) privileges, and medical care. Medical care at military treatment facilities

is provided on a space-available basis. Military and civilian healthcare benefits are coordinated through TRICARE, https://tricare.mil.

A USID will be issued to Gray Area Retired Soldiers at any ID card-issuing facility upon presentation of the Notification of Eligibility (NOE) (commonly referred to as the 20-year letter) and transfer orders to the Retired Reserve. Retired Reserve Soldiers and eligible family members will receive the Next Generation USID Card. Currently issued USID cards remain valid through their expiration date to include the DD Form 2 (Reserve Retired) (Red) ID card, the DD Form 2 (Blue) Retired ID card, the DD Form 1173-1 (family members of Retired Reserve) (Red) ID card and the DD Form 1173 (family members of Retired members receiving pay) (Tan) ID card. Entry into DEERS is essential for proper eligibility verification and future ID card renewal/status changes.

Reserve Component service members who are eligible to receive non-regular (reserve) retired pay but were discharged from the service and maintain no military affiliation are known as Former Members and Prior to age 60 Former Members and their eligible dependents are entitled to be issued USIDs upon presentation of the NOE. The USID the holder as eligible for commissary, Exchange, and MWR privileges, only. Former members and their eligible dependents are not entitled to medical care/coverage until the retired reserve member reaches age 60. Currently issued USID cards remain valid through their expiration date, or until reaching eligibility for retired pay.

Military ID cards for Retired Soldiers and eligible family members contain vital personal information, such as the cardholder's date of birth, as well as a photo. ID cards also contain the DOD ID number and DOD Benefits number. Retired Soldiers with an indefinite expiration date can request a new ID card without their Social Security number.

Retired Soldiers and eligible family members who are enrolled in DEERS may apply to any Military Identification Card Office for issuance of an ID card. Find the nearest facility by visiting: https://idco.dmdc.osd.mil/idco/. If not yet enrolled in DEERS (for example, a new spouse or child), you must present supporting documents such as retirement orders, marriage certificates, birth certificates, etc. Family members may apply for an ID card without the retired sponsor being present. However, if not present, the sponsor's signature must be notarized on the completed application presented to the ID card office.

The Uniformed Services Identification Card is the property of the U.S. Government. It is non-transferable and must be surrendered upon any change in status that affects eligibility; upon expiration of the card; or upon request by military authorities. Cards should be returned to any local Military ID Card Site, or mailed to the Commander, U.S. Army Human Resources Command, Dept. 480, AHRC-PDP-P, 1600 Spearhead Division Ave, Ft. Knox, KY 40122-5408.

b) Eligibility.

Generally, the following individuals are eligible for military ID Cards. The final decision is based on Army regulations and policies. Always call ahead before traveling to an ID card issuing office.

1) Retired Soldiers in receipt of retired pay, or who would be in receipt of retired pay except for the offset of it due to receipt of VA disability compensation.

2) Gray Area Retired Soldiers in the Retired Reserve not yet in receipt of retired pay.

3) Former Members who are eligible to receive non-regular (reserve) retired pay but were discharged from the service prior to age 60, and their eligible dependents.

4) Spouses of Retired Soldiers and Gray Area Retired Soldiers. At age 65, spouse ID cards will be issued with an "Indefinite" status, never to expire as long as the individual remains eligible. Currently, any eligible dependent, including unremarried and unmarried widows, widowers, and former spouses over the age of 65, can receive an ID card reflecting the "Indefinite" status.

5) Certain former spouses of Retired Soldiers.

6) Children, including stepchildren and adopted children, under age 21, or under age 23 if full-time, unmarried students, or any age if incapacitated before the age of 21 (or 23, if applicable) and dependent upon the retired sponsor above for more than one-half their support.

7) Children, including stepchildren, and adopted children up to age 26 enrolled in TRICARE Young Adult (TYA) will receive a TYA enrollment letter and card which can be used to obtain a dependent military ID card. (Note: The military ID card does not grant MWR, commissary or Exchange privileges.

8) Parents, parents-in-law, and adopted parents, if dependent on the retired sponsor for more than one-half of their support.

Documentation for incapacitated children over 21 and dependent parents must be approved for medical benefits and entitlements by DFAS-Indianapolis Center. If you have an incapacitated child over the age of 21, you can download the DD Form 137-5, Dependency Statement - Incapacitated Child Over Age 21, Incapacitated Child form at https://www.esd.whs.mil/Directives/forms/dd0001_0499/. DFAS is the approving authority for the packet. If you have any questions regarding the packet, please call toll free: 1-888-332-7411. For more information and submission information, go to the DFAS page at https://www.dfas.mil/militarymembers/SecondaryDependency/SDC.html. You must submit the completed packet through AskDFAS (see submission information at link provided).

Note: Even if the incapacitated child has a permanent condition the packet must be resubmitted every four years.

2-7. Defense Enrollment Eligibility Reporting System (DEERS).

DEERS is a computerized database containing information on military sponsors (Active, Reserve, Guard, Retired) and their beneficiaries who may be eligible for medical care and other military privileges. The database is automatically updated when a new ID card is issued. If you acquire new family members after retirement, contact the nearest military ID card issuing facility for information on DEERS enrollment and ID card issuance. Maintaining your current address in DEERS is important to ensure you receive notification of any changes with your TRICARE coverage. You can update your address in DEERS by calling 1-800-538-9552 or by going to https://milconnect.dmdc.osd.mil/milconnect. DEERS/ID Card offices can be located at https://idco.dmdc.osd.mil/idco/.

3-1. Composition of the Retired List.

Soldiers are placed on one of the following lists at retirement:

- U.S. Army (USA) Retired List. All Regular Army (RA) personnel retired for service, age, or physical disability and all personnel on the Army of the United States (AUS) Retired List, including retired warrant officers and enlisted Soldiers of the RA who, by reason of service in temporary commissioned grades, are entitled to receive the retired pay of the commissioned grades.

- Temporary Disability Retired List (TDRL). The TDRL consists of officers, warrant officers, and enlisted Soldiers who are retired and placed on the temporary disability retired list for disabilities that may or may not be permanent and would be qualified for retirement under Title 10 section 1201 but for the fact that the disability was not determined to be of a permanent nature and stable.

- Permanent Disability Retired List (PDRL). The PDRL consists of officers, warrant officers, and enlisted Soldiers who are permanently retired for disabilities that are of a permanent nature and stable. Such disabilities may not be the result of the member's intentional misconduct or willful neglect, and not incurred during a period of unauthorized absence.

- Retired Reserve List. The Retired Reserve list consists of members of the reserve components who are or have been retired under Title 10 USC sections 7311, 8323, or 9311 or Title 14 section 291. Members of the reserve components who have been transferred to the Retired Reserve, retain their status as Reserves, and are otherwise qualified.

3-2. Temporary Disability Retired List (TDRL).

If you are on the TDRL, you must take a physical examination at least once every 18 months at a time and place designated by the Human Resources Command – Fort Knox. After each periodic reevaluation, including review at HQs, Department of the Army, a decision is made that you will –

- continue on the TDRL with the same disability rating, subject to further examinations; or

- be removed from the TDRL and be permanently retired if the disability is permanent and rated at 30 percent or more, or if the disability is permanent and rated at less than 30 percent but the Soldier has completed 20 or more years of creditable service; or

- be discharged from the service with severance pay if the Soldier's disability is determined to be less than 30 percent and the Soldier does not have 20 years of service creditable for retirement; or

- be removed from the TDRL with a finding of physically fit. A Soldier who is found to be physically fit will be re-appointed or re-enlisted, with the Soldier's consent, in the component in which he or she was serving immediately before being placed on the TDRL.

In accordance with the National Defense Authorization Act (NDAA) of 2017, tenure for Soldiers placed on TDRL beginning 1 January 2017 is three years. Soldiers placed on TDRL prior to this date are grandfathered and can remain for up to five years. The law requires that a final determination be made before the third or fifth anniversary of placement on the TDRL. However, you may be removed from the TDRL at an earlier date whenever a periodic examination discloses that your medical condition has stabilized for rating purposes. The law also directs the termination of Army retired pay and all Retired Soldier benefits if a final determination is not made at the end of three or five years. This cannot be waived.

TDRL Soldiers must immediately report any address change to the Commander, U.S. Army Physical Disability Agency, ATTN: AHRC-D, 1835 Army Boulevard, Bldg. 2000, Joint Base San Antonio-Fort Sam Houston, TX 78234, to ensure they receive notification of their next periodic medical examination.

Soldiers traveling or living abroad also are required to undergo a medical examination at least once every 18 months. Failure to report for an examination after receipt of notification is cause for suspension of retired pay. For more information, visit https://www.hrc.army.mil/TAGD/US%20Army%20Physical%20Disability%20Agency.

3-3. Permanent Disability Retired List (PDRL).

The United States Army Physical Disability Agency will remove you from the TDRL as described above on the fifth/third anniversary of the date your name was placed on the list, or sooner on the approved recommendation of a PEB.

You will be removed from the TDRL, permanently retired for physical disability, placed on the Permanent Disability Retired List (PDRL), and entitled to receive disability retired pay if:

- You are unfit.
- Your disability has become permanent.
- Your disability is rated at 30 percent or more under the Veterans Affairs Schedule for Rating Disabilities, or you have at least 20 years of active federal service.

Soldiers who are on the PDRL are entitled to disability retired pay from the DOD. Disability retired pay is based on the larger of two formulas, one that is based on your disability percentage (often referred to as Method A), and the other based on years of active service (often referred to as Method B). Pay is computed based on whichever formula is most beneficial for you.

If you have been transferred from the TDRL to the PDRL, your retired pay will be recalculated using your most current disability rating.

3-4. Advancement on the Retired List.

When active service plus service on the U.S. Army retired list totals 30 years, warrant officers of the Army and enlisted Soldiers of the Army can be advanced on the Army of the United States (AUS) Retired List to the highest grade satisfactorily served on active duty or, in the case of a member of the Army National Guard, in which they served on full-time National Guard duty satisfactorily IAW T10 USC §7344.

The Secretary of the Army decides what criteria constitutes satisfactory service. Human Resources Command applies the most current criteria at the time the Retired Soldier has completed 30 years of service. Additional information regarding the Army Grade Determination Review Board (AGDRB) can be found on the Army Review Board Agency (ARBA) page at https://arba.army.pentagon.mil/agdrb-overview.html or by going to Army Regulation (AR) 15-80, Army Grade Determination Review Board and Grade Determinations, at https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/ARN11826_AR15-80_FINAL.pdf.

3-5. Standards of Conduct.

In accordance with AR 27-10, Military Justice:

a) Retired Soldiers should not engage in personal or professional activities that are incompatible with the standards of conduct expected of active-duty personnel.

b) Retired members of a regular component of the Armed Forces who are entitled to pay are subject to the provisions of the UCMJ. Retired Soldiers are subject to the UCMJ and may be tried by court-martial for violations of the UCMJ that occurred while they were on active duty or while in a retired status. Department of the Army policy provides that Retired Soldiers subject to the UCMJ will not be tried for any offense by any courts-martial unless extraordinary circumstances are present. If necessary to facilitate courts martial action, Retired Soldiers may be ordered to active duty.

c) All Reserve Component (RC) Soldiers remain subject to UCMJ jurisdiction for offenses committed while serving in a Title 10 United States Code duty status notwithstanding termination of a period of such duty, provided they have not been discharged from all further military service. Retired RC Soldiers are

subject to recall to active duty for the investigation of UCMJ offenses they are alleged to have committed while in a Title 10 duty status, for trial by court-martial, or for proceedings under UCMJ, Article 15.

It is not feasible to cover all the provisions of the UCMJ that restrict the activities of Retired Soldiers. If there is any doubt as to whether a Retired Soldier may be in violation of a particular law by accepting employment with the federal government or with a firm doing business with the government, advice on the matter should be obtained from the nearest installation Designated Agency Ethics Official (DAEO) or from the nearest military legal office.

3-6. Obligations for Military Service.

Regular Army Retired Soldiers remain subject to military law. This applies to those advanced to a higher grade on the AUS Retired list, as well as those enlisted Soldiers assigned to the Retired Reserve to complete 30 years of service. They may be ordered to active duty at any time by the President and may be assigned to duties the President considers necessary in the interest of national defense.

3-7. Mobilization.

The Secretary of the Army, with approval of the Secretary of Defense, may order any Retired Soldier of the Army's Reserve Components to active duty, with or without the Soldier's consent, when the Congress declares the existence of a state of war or national emergency.

In the event of full mobilization (war), the Army has developed a program for recalling retired Army officers, warrant officers, and enlisted Soldiers. This program pre-assigns Retired Soldiers, by skill, to CONUS TDA/MOBTDA requirements considered suitable for fill by Retired Soldiers. These positions may be mobilization augmentation positions or spaces encumbered by active Army Soldiers. When recalled, upon reporting for active duty, Retired Soldiers free up active-duty Soldiers for deployment. Retired Soldiers may also be deployed, provided they are qualified and capable of performing duties related to their military occupational specialty. Selected Retired Soldiers may also be recalled to active duty, either voluntarily or involuntarily, to fill specific needs during contingency operations requiring less than full mobilization. In such cases, HRC will issue orders recalling those selected and provide instructions to be followed.

Retired Soldiers may be recalled up to age 64 for general officers, 62 for warrant officers, and 60 for all others.

A Soldier in the Retired Reserve who receives retired pay or disability compensation and is recalled to active duty, active duty for training, or any other duty for which compensation is authorized, may receive only one type of payment; as such retired pay would be suspended for the duration of duty.

3-8. Military Titles and Signatures.

All retired personnel not on active duty are permitted to use their military titles socially and in connection with commercial enterprises. However, such **military titles must never be used in any manner that may bring discredit to the Army**. The use of military titles is prohibited in connection with commercial enterprises when such use, with or without the intent to mislead, gives rise to any appearance of sponsorship or approval by the Department of the Army or Department of Defense. Army Regulation 25-50, *Preparing and Managing Correspondence*, provides guidance to Retired Soldiers about using their rank in writing after retirement.

Retired Soldiers will not use military titles as part of their signature block when signing official correspondence as a civil service employee.

Retired Soldiers not on active duty will not use their military titles in connection with public appearances outside of the United States unless such use is authorized by the appropriate overseas commander.

Retired Soldiers using their military titles to sign their names to personal documents must show that they are in a retired status as follows: A. B. Smith, COL (USA Retired).

Social and business cards must reflect the retired status as prescribed above.

Retired Soldiers serving as DA civilians will not use or refer to their military grade or rank except when referring to their personal retirement actions.

3-9. Saluting While Retired.

Federal law authorizes retired service members to salute the flag in the following situations:

a) The Pledge of Allegiance. Military personnel in uniform should remain silent, face the flag, and render the military salute. Members of the Armed Forces not in uniform and Veterans may render the military salute in the manner provided for persons in uniform. Alternately, military personnel and Veterans not in uniform may stand at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart (Title 4 USC §4).

b) During hoisting, lowering, or passing of the American flag. During the ceremony of hoisting or lowering the American flag or when the flag is passing in a parade or in review, all persons present in uniform should render the military salute. Members of the Armed Forces and Veterans who are present but not in uniform may render the military salute. All such conduct toward the flag in a moving column should be rendered at the moment the flag passes. All other persons present should face the flag and stand at attention with their right hand over the heart, or if applicable, remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. (Title 4 USC §9).

c) National Anthem. During a rendition of the national anthem, when the flag is displayed, individuals in uniform should give the military salute at the first note of the anthem and maintain that position until the last note. Members of the Armed Forces and Veterans who are present but not in uniform may render the military salute in the manner provided for individuals in uniform. All other persons present should face the flag and stand at attention with their right hand over the heart, and men not in uniform, if applicable, should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. When the flag is not displayed, all present should face toward the music and act in the same manner they would if the flag were displayed. (Title 36 USC §301).

3-10. Wearing of the Uniform.

a) Retired Soldiers may wear the Army uniform at occasions essentially of a military character, at which the uniform is more appropriate than civilian clothing. These functions include, but are not limited to: military balls, military parades, inaugurals, weddings, memorial services, and military funerals; memorial services, meetings, conferences, or similar functions of associations formed for military purposes, of which the membership is composed largely or entirely of current or honorably discharged Veterans of the Armed Forces of the United States. Authority to wear the uniform includes wear while traveling to and from the ceremony or function, provided the travel in uniform can be completed on the day of the ceremony or function.

b) In addition to the occasions for wear listed above, retired personnel are authorized to wear the uniform only when attending parades on national or State holidays, or other patriotic parades or ceremonies in which any active or reserve U.S. military unit is taking part. Uniforms for these occasions are restricted to service and dress uniforms; the combat uniform and physical fitness uniforms will not be worn. Wearing the Army uniform at any other time, or for any other purpose than stated above, is prohibited.

c) Retired Soldiers are prohibited from wearing Army uniforms:

1) When furthering any political or commercial interests, or when engaged in civilian employment.
2) When participating in public speeches, interviews, picket lines, marches, rallies, or public demonstrations.
3) When attending any meeting or event that is a function of, or is sponsored by, an extremist organization.
4) When wearing the uniform would bring discredit upon the Army.
5) When specifically prohibited by Army regulations.

6) When not on active duty but acting as an instructor or responsible for military discipline at an educational institution, unless the educational institution is conducting courses of instruction approved by the Armed Forces.

All persons wearing the Army uniform will wear awards, decorations, and insignia in the same manner as prescribed for active- duty Soldiers.

On the blue service and dress uniforms, Retired Soldiers will wear the retired identification badge and may wear the combat service identification badge if they were authorized to wear the Shoulder Sleeve Insignia – Former Wartime Service while on active duty.

On the green service uniform, Retired Soldiers will wear the retired shoulder sleeve insignia (SSI) and may wear the SSI – Military Operations in Hostile Conditions (MOHC) if it was authorized while on active duty.

Retired personnel on active duty will wear their uniform and insignia in the same manner as prescribed for personnel in the Active Army of corresponding grade and branch.

Retired personnel not on active duty may wear either the uniform reflecting their grade and branch on the date of their retirement, or the uniform prescribed for personnel in the Active Army of corresponding grade and branch, when appropriate, but may not mix the two uniforms. Personnel will wear the grade as shown on the retired grade of rank line on their retirement order. Personnel who will be advanced to a higher grade upon retirement have the option of wearing the insignia of that grade thereafter.

Retired Soldiers are authorized to wear military medals on appropriate civilian clothing. This includes clothes designed for Veteran and patriotic organizations on Veterans Day, Memorial Day, and Armed Forces Day, as well as at formal occasions of ceremony and social functions of a military nature. Personnel may wear either full-sized or miniature medals. Personnel who wear medals on civilian clothes should place the medals on the clothing in approximately the same location and in the same manner as for the Army uniform, so they look similar to medals worn on the Army uniform.

Retired Soldiers are authorized to wear the physical fitness uniform with civilian attire off the installation. When wearing the physical fitness uniform as a complete uniform, Retired Soldiers will follow the guidance in AR 670-1.

The guidance above is summarized from AR 670-1, *Wear and Appearance of Army Uniforms and Insignia*, and Department of the Army Pamphlet (DA Pam) 670-1, *Guide to the Wear and Appearance of Army Uniforms and Insignia.*

Retired insignia may be purchased at https://www.shopmyexchange.com/ or any installation military clothing sales store.

3-11. Decorations and Awards.

Retired Soldiers who have not received the medals to which they are entitled, or who desire replacement of medals previously issued which were lost, destroyed, or unfit for use without fault or neglect on their part, may obtain these items by writing to the National Personnel Records Center, 1 Archives Drive, St. Louis, MO 63138, by calling toll-free 1-866-272-6272, or by going online to https://www.archives.gov/veterans/replace-medals.

The original issue of all decorations and service medals is made without cost to the Retired Soldier. Replacements are made at cost. The request for replacement of awards should include an explanation of the circumstances surrounding the loss. No money should be mailed for replacements until instructed to do so. Awards and miniatures may be purchased through the Exchange Military Clothing Sales or on-line shopping at https://www.shopmyexchange.com/browse/military/army-uniforms/_/N-104825.

The Department of Army is not involved in the issuance or replacement of foreign decorations. Retired Soldiers who have earned military decorations from a foreign nation must apply to that country's embassy directly for issue or reissue.

4-1. Employment in DOD.

a) Employment Restrictions. There are several employment restrictions that apply to Soldiers after retirement. These restrictions are covered in DOD 5500.7-R, Joint Ethics Regulation (JER), https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodm/550007r.pdf, and at mandatory retirement planning seminars. You are urged to contact a DAEO before accepting post-retirement employment. After 23 December 2016, retired military members may only be appointed to federal civil service positions in the Department of Defense during the 180 days immediately after retirement if the minimum rate of basic pay for the position has been increased under 5 USC 5305 or a waiver has been approved.

b) Extension of Veterans' Preference. Veterans who are disabled or who served on active duty in the Armed Forces during certain specified time periods or in military campaigns are entitled to preference over others in hiring from competitive lists and also in retention during reductions in force IAW T5 USC §2108. In addition to receiving preference in **competitive** appointments, veterans may be considered for special **noncompetitive** appointments for which only they are eligible. For additional information, refer to the Office of Personnel Management (OPM) Veterans Services Vet Guide at https://www.opm.gov/policy-data-oversight/veterans-services/vet-guide-for-hr-professionals/.

4-2. Prohibited Business Activities.

Generally speaking, there is no provision of Federal law that prevents Retired Soldiers from being employed by a domestic corporation, doing business with, or rendering services to the U.S. Government. There are no restrictions on the amount of compensation received from private employment, nor does the receipt of salary from a private firm have any effect on the amount of retired pay received.

Retired Regular Army officers are prohibited, within two years after retirement, from representing any person in the sale of anything to the Army. The prohibition includes sales to non-appropriated fund activities under the control of the Department of the Army as well as to the Army and Air Force Exchange Service. It extends to any part of the sales process that involves contacts with representatives of the Department of the Army even though the goods or services involved are formally procured or utilized by some other agency of the Government. The statute prohibits only representation of others; it does not bar retired RA officers from selling to the Department of the Army on their own behalf and solely for their own benefit.

Selling, for the purposes of the provisions discussed above, is defined as signing a bid, proposal, or contract. The Comptroller General has adopted the position that contacts between retired officers representing companies selling to the Government and officials of DOD agencies before the award of a contract should be viewed as within the sales prohibition unless clearly shown to be for some other purpose. Further, the fact that the sales contact was unsuccessful in a particular case does not afford any basis for ignoring its purpose.

The Department of the Army considers it the responsibility of the individual officers to avoid violation of Federal law and regulations, and to determine those activities that they may legally pursue without jeopardizing the rights and benefits of their retired status. The Defense Finance and Accounting Service - Cleveland Center (DFAS-CL) will advise retired personnel concerning the propriety of various proposed activities. Questions submitted to DFAS-CL for advisory opinions should involve concrete situations and not hypothetical questions. The facts of each case should be fully disclosed with as much detail as possible.

Furthermore, the field of law with which this handbook deals is subject to frequent change by legislation and administrative decisions by the Comptroller General of the United States. At any time, the restrictions discussed might be narrowed or broadened by congressional action or administrative interpretation.

4-3. Employment by Foreign Governments and Concerns.

The Constitution prohibits retired military (officer and enlisted) from working for foreign governments without Congressional consent. This applies to corporations owned by foreign governments, but not to independent foreign companies. Additionally, Retired Soldiers may work as independent consultants to foreign governments.

Retired Soldiers who want to accept employment with a foreign government are required by law (Title 37 USC §908) to have prior approval of the Secretary of State and the Secretary of their military service. Acceptance of employment without this approval subjects a member's retired pay to reduction or forfeit by the amount received from the foreign government. The following information must be provided in an application to work for a foreign government:

- Name of the company and foreign country.
- Title of position with brief description of duties.
- Statement that you will or will not receive compensation for duties performed, with explanation if applicable.
- Statement that you are unaware of any reason why such employment would be inadvisable or reflect unfavorably on the United States.
- Statement if foreign citizenship is required or planned.
- Extent of foreign government control and a statement you will not be required to execute an oath of allegiance to the foreign government concerned.
- Statement that you understand withholding of retired pay equal to the amount received from the foreign government may occur if you accept employment prior to receiving the required approval.

If a Retired Soldier's approved foreign government employment changes materially, either by a substantial change in duties specified in the approved application or by a change of employer, the Retired Soldier must request further approval, following the same procedures as in the initial request.

Any Retired Soldier who accepts civil employment with a foreign government without the required approval is subject to having retired pay withheld in an amount equal to the amount received from the foreign government. This withholding is in addition to any other penalty that may be imposed under law or regulation.

4-4. Representation of Interests Contrary to the United States.

Retired commissioned and warrant officers of the Regular Army, may not, within two years after retirement, act as agents or attorneys for the prosecution of any claim against the United States involving the Department of the Army, or assist in the prosecution of such a claim. Further, they are permanently prohibited from prosecuting or assisting in the prosecution of any claim against the United States involving any subject matter with which they were directly connected while on active duty.

All retired commissioned and warrant officers are permanently barred from acting as representatives or agents for anyone other than the United States in connection with any claim, contract, or other particular matter in which the United States is a party, or has a direct interest, and in which they participated personally and substantially while on active duty. Further, they are prohibited, within two years after retirement, from appearing personally before any court, department, or agency of the United States as representatives or agents for anyone other than the United States in connection with any particular matter involving a specific party in which the United States is a party or directly interested, and which was under their supervisory or official responsibility, during their last year of active duty.

For one-year after terminating official responsibilities with the government any person who had personally and substantially participated in any ongoing trade or treaty negotiations, may not knowingly represent, aid, or advise any other person concerning such ongoing trade or treaty negotiations.
Those persons who are interested in appearing as representatives before the Department of the Army or any of its agencies in matters involving claims against the United States or matters which lead to the formal presentation of claims, should become familiar with all Army Regulations which deal with filing notices of appearance. Copies of Army regulations are available for examination online at: https://armypubs.army.mil/.

4-5. Political Activities.

a) There are no statutes or regulations which prohibit retired military personnel from supporting political parties or becoming candidates for public office. The use of military titles by retired officers with respect to politics is permissible provided the usage does not bring discredit upon the Department of the Army or the Department of Defense. Retired personnel may accept positions within the organization of political parties. The Hatch Act is not considered applicable to retired officers who hold no other Federal positions, https://osc.gov/Services/Pages/HatchAct-Policies.aspx.

b) DOD policy states that members of the Armed Forces (including retired members) may not wear the military uniform during or in connection with furthering political activities that could give the impression that there was official sponsorship for the activity. For additional information, refer to DODI 1334.01 at https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/133401p.pdf.

c) Retired Regular Army commissioned officers who use contemptuous words in speech or print against the President, the Vice President, members of Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of the Treasury, or the Governor or Legislature of any State are subject to trial by courts martial under the Uniform Code of Military Justice (UCMJ).

These comments should be considered as advisory in nature only. Definitive opinions and determinations in this area may be made only by the Attorney General of the United States and by Federal courts.

4-6. Conversion of Security Clearance.

Retired Soldiers who are considering employment with a cleared defense contractor in a position requiring access to classified defense information may find the following of value: The National Industrial Security Program, DOD Manual 5220.32, contains the provisions for the conversion of security clearances held while on active duty to industrial security clearances. It is important that Retired Soldiers understand that this provision is only for contract employment.

A request for conversion of a security clearance is honored within 24 months after separation regardless of retirement or standard separation. All requests for industrial security clearances must be submitted by the employing contractor and not by the individual concerned.

CHAPTER 5: MILITARY RETIRED PAY AND SPECIAL COMPENSATIONS

5-1. Overview.

For purposes of Title 4 USC §111, military retirement benefits are to be considered deferred pay for past services. The Internal Revenue Service considers military retired pay a pension or current income if it is based on length of service. Retired pay for length of service normally ranges from 40 to 100 percent (or more) of basic pay for certain categories of Soldiers. Additional information is available from installation Retirement Services Officers (RSO), from the Army's Retirement Services website, https://soldierforlife.army.mil/retirement, and from the Defense Finance & Accounting Service (DFAS) website, https://www.dfas.mil/. Several noteworthy special compensations have been approved by Congress and are highlighted in this chapter.

5-2. Procedure for Payment.

Retired Soldiers, except those recalled to active duty and entitled to active duty pay and allowances, and those who elect to waive all their pay in favor of VA compensation or a civil service retirement annuity, should have their retired pay electronically transferred to their financial institution. It is payable on the first business day of each month. Retired pay is administered by the Defense Finance & Accounting Service—Cleveland Center (DFAS-CL).

International Direct Deposit (IDD) is available to U.S. military Retired Soldiers living in eligible locations overseas. Nations chosen for IDD eligibility have met the requirements of the Federal Reserve Bank. Simply put, the banks and other financial institutions in those countries provide secure and trustworthy services and have systems compatible with transferring funds from the U. S. to your account. In many ways, IDD is much more secure than receiving your pay by paper check. Mailed checks can be subject to loss, misrouting or theft. Funds transferred through IDD are sent encrypted and arrive safely at your bank. As more countries become eligible, affected Retired Soldiers will be notified. For more information, contact DFAS-CL at 1-800-321-1080, or go online to: https://www.dfas.mil/retiredmilitary/manage/idd.html.

DFAS-CL will email a Retiree Account Statement (RAS) when an account is established and then every month thereafter, https://www.dfas.mil/retiredmilitary/manage/ras.html. An IRS Form 1099-R is provided each January for your use in filing income tax returns. For more information, visit https://www.dfas.mil/retiredmilitary/manage/taxes/getting1099r.html. The most convenient way to view, print and save your latest RAS is on myPay. Using myPay makes your RAS available 24 hours a day as well as tax statements and other pay account information.

To make changes in retired pay, you should advise DFAS-CL before the 10th day of the month prior to the month of payment. Changes received after the 10th may not be made until the following month. All change requests must contain the Retired Soldier's signature and SSN. Requests for changes can be Faxed to DFAS-CL at 1-800-469-6559, or made using the myPay system, https://mypay.dfas.mil/mypay.aspx.

Retired Soldiers who waive all retired pay in favor of receipt of VA disability compensation will be paid by the VA. Retired Soldiers who waive a portion of their retired pay to receive tax-free VA disability compensation will receive monthly payments from both the VA and from DFAS-CL. Additionally, some Retired Soldiers who waive retired pay may receive one of the following special compensation payments from DFAS-CL:

- Combat-Related Special Compensation (CRSC), https://www.dfas.mil/retiredmilitary/disability/crsc.html;

- Concurrent Retirement and Disability Pay (CRDP), https://www.dfas.mil/retiredmilitary/disability/crdp.html.

(CRSC and CRDP are covered in more detail later in this chapter.)

5-3. Method of Payment.

The Department of the Treasury requires all payments from DFAS be made by Electronic Fund Transfer (EFT). If you want to receive paper checks, you must apply for a waiver. You can find further details as

well as a link to the form required to apply for a waiver at https://www.dfas.mil/mandatoryeft/waiverapplications.html.

5-4. Retired Pay Mailing Address.

There are three ways you can update your mailing address:

- myPay - the quickest and easiest way to update your mailing address is to use myPay https://mypay.dfas.mil/mypay.aspx. If you have trouble logging in to myPay, use the troubleshooting instructions on the myPay site or call 1-888-332-7411.

- AskDFAS - Submit a ticket in AskDFAS at https://corpweb1.dfas.mil/askDFAS/ticketInput.action?subCategoryID=13824&pgModId=12

- Paper Form - Complete a Retired Soldier Change of Address/State Tax Withholding Request, DD Form 2866, available at https://www.dfas.mil/RetiredMilitary/manage/changeofaddress/ and mail or fax it to:

For Retired Soldiers:	**For annuitants, beneficiaries, and survivors**
Defense Finance and Accounting Service U.S. Military Retired Pay 8899 E. 56th Street Indianapolis, IN 46249-1200 Fax: 1-800-469-6559	Defense Finance and Accounting Service U.S. Military Annuitant Pay 8899 E. 56th Street Indianapolis, IN 46249-1300 Fax: 1-800-982-8459

Failing to notify DFAS of a change of address or banking information can result in missing payments and a suspension of pay. Your retired pay will be suspended if DFAS has payment returned. By law, when a retired member is missing or there is no information concerning their whereabouts, the Retired Soldier's account must be suspended.

A request for a change of address must be made even when the Retired Soldier is in a non-pay status with DFAS-CL, or even when pay is deposited directly into a bank or financial institution.

5-5. Increases in Retired Pay.

Military retired pay usually receives an annual cost-of-living adjustment (COLA) effective December 1st and payable in the January payment. All COLAs are reported in *Army Echoes* located at: https://soldierforlife.army.mil/retirement/army-echoes.

5-6. Reports of Existence.

For the protection of the government, DFAS requires safeguards for retired paychecks mailed through the international postal system or payable to legal representatives of mentally incompetent members. The requirement to provide Reports of Existence (ROEs) can continue, or expand, if there is doubt as to the existence of an individual and it is deemed to be in the best interest of the Government to do so.

a) Competent Retired Soldier. When retired paychecks are delivered to the member through the international postal system to foreign countries, the Retired Soldier must furnish a ROE semi-annually. Checks mailed to an APO, FPO or a finance/disbursing officer at an overseas address do not require submission of a ROE. Checks will not be addressed to a U.S. Consulate, Embassy, or Military Attaché unless the Retired Soldier is employed by that particular agency.

b) Mentally Incompetent Retired Soldier. Numerous Comptroller General of the United States decisions direct the filing of semi-annual ROE cards with DFAS-CL. The retired paycheck may be mailed

to a legal representative, or a financial institution established by the legal representative for the Retired Soldier (ward).

The ROE card must be signed and submitted by the Retired Soldier or, in the case of incompetence, by a custodian, Trustee, guardian, legal fiduciary, or Power of Attorney. If the ROE is signed by a legal representative, for the first time, a photocopy of the legal document must be attached.

5-7. Allotments from Retired Pay.

Retired Soldiers are authorized a maximum of six discretionary allotments. Examples of “discretionary” allotments include premiums for health, auto, or life insurance; voluntary payments to a family member, former spouse or relative; deposits into a financial institution, mutual fund, or investment firm; payment of an auto or personal loan, mortgage, rent, or consumer debts.

Retired Soldiers are authorized unlimited non-discretionary allotments. Examples of “non-discretionary” allotments include a payment of delinquent federal, state, or local taxes; repayment of Army Emergency Relief (AER) and Red Cross loans; and charitable contributions to the Armed Forces Retirement Home and AER.

5-8. Survivor Benefit Plan Deductions from Retired Pay.

Premium deductions for Survivor Benefit Plan (SBP) participation begin on the first day of the month following the date you are eligible for retired pay. The amount of the premium deduction is increased by the COLA that is applied to retired pay, at the same time and by the same percentage. The same COLA also applies to SBP when received as an annuity by a beneficiary. SBP premium deductions continue throughout the life of the Retired Soldier, except when (as applicable):

- Your Insurable Interest beneficiary predeceases you; or you elect in writing to terminate such coverage (permitted since 5 October 1994).
- There is no eligible beneficiary.
- You hold a service-connected disability rating of 100 percent for at least ten continuous years if such rating occurred after the date of retirement, or for at least five continuous years if awarded immediately upon date of discharge or release from active duty; and you withdraw from SBP with the written consent of your beneficiary. Note: The offset of the SBP annuity by the Veterans Affairs Dependency and Indemnity Compensation has been eliminated effective January 1, 2023. As a result, the primary reason to withdraw from SBP in this manner no longer exists.
- You opt to discontinue SBP participation, with spouse concurrence, during the one-year period between the 25th and 36th month following commencement of retired pay.
- You make 360 monthly premium payments per category and level of coverage, <u>and</u> reach age 70, thereby achieving “paid-up” status -- where SBP premiums cease, and an annuity remains payable. In enacting this law in 1998, Congress set the effective date as 1 October 2008.

5-9. Designation of Beneficiary for Arrears of Pay.

At retirement, you were given an opportunity to designate a beneficiary to receive your Final Pay, or Arrears of Pay (AOP). This is the amount of monthly retired pay payable between the last pay date and your date of death.

You are responsible to keep this beneficiary information updated with DFAS-CL. To change a beneficiary, you can complete DD Form 2894 (available at https://www.dfas.mil/RetiredMilitary/provide/aop/aop-manage/) or submit a signed written request. The request must list the beneficiary's complete name, SSN, address, and relationship to you. You must sign and date the statement, include your SSN, and have it signed by a witness. If more than one beneficiary is designated, you must designate the percentage of final pay each designated beneficiary is to receive.

You may make changes to your AOP beneficiary at any time by writing to DFAS, U.S. Military Retired Pay, 8899 E 56th Street, Indianapolis IN 46249-1200; or by FAX to 1-800-469-6559. Include your SSN in all correspondence with DFAS-CL.

5-10. Garnishment of Pay.

Retired pay may be garnished for enforcement of a Retired Soldier's legal obligations to provide child support or make alimony payments. Upon receipt of a valid court order, DFAS-CL may use retired pay that is available, including any allotments from such pay, to satisfy the amount of the writ. The amount of the writ can include all retroactive amounts for which a Retired Soldier may be delinquent in child support or alimony payments. DFAS-CL will attempt to notify a Retired Soldier of any garnishment against retired pay. Only the Retired Soldier's disposable retired pay is subject to garnishment. “Disposable” Retired pay is defined as the gross retired pay entitlement less:

- Amounts owed to the U.S. Government.
- Federal income taxes required or authorized by law. Additional amounts for tax withholding are considered only when the Soldier submits evidence of the tax obligation.
- State taxes, under certain conditions.
- Compensation deductions under Title 5 (Civil Service) or Title 38 (VA).
- SBP or Retired Serviceman’s Family Protection Plan **(**RSFPP) premium deductions, regardless of the beneficiary.

The garnishment amount is limited to 50 percent of disposable pay if the Retired Soldier is supporting a second family, and 60 percent if the Retired Soldier is not supporting a spouse or dependent child. When a Retired Soldier is more than 12 weeks in arrears for support, the limitation is 55 percent if the Retired Soldier is supporting a second family, and 65 percent if the Retired Soldier is not supporting a second family. IAW DOD Financial Management Regulation (DODFMR) 7000.14-R, Volume 7A, Chapter 41.

When DFAS-CL has been served with more than one legal process, money is available on a first-come, first-served basis.

For information on division of retired pay as property in a divorce, see Chapter 12.

VA compensation can be garnished if the Retired Soldier waived all or part of their retired pay in order to receive such compensation from the VA. All other VA compensation (e.g., pension, payments for service-connected disability, or death) may not be garnished.

5-11. Combat Related Special Compensation (CRSC).

a) Overview. Combat-Related Special Compensation (CRSC) is a Department of Defense (DOD), not a VA, program under T10 USC §1413a. CRSC restores military retired pay that is offset when a Retired Soldier accepts compensation from the VA for a disability or condition that can be directly linked to a combat-related event (as defined by the CRSC DOD program guidance). The CRSC benefit allows eligible Retired Soldiers to concurrently receive an amount equal to or less than their length of service retirement pay and their VA disability compensation. If approved, it is a form of concurrent receipt paid monthly.

b) Eligibility. Eligible categories include 20 or more years of service, medical retirement under Chapter 61, Temporary Early Retirement Authority (TERA), and Temporary Disability Retired List (TDRL).

1) From 1 June 2003 to 31 December 2003 eligible members were Retired Soldiers who completed at least 20 years of service for retired pay computation (or 20 qualifying years in a reserve component) and who had at least a 10 percent disability based on combat-related injuries for which they have been awarded the Purple Heart, or who were rated as at least 60 percent disabled due to armed conflict, hazardous duty, training exercises, or mishaps involving military equipment.

2) From 1 January 2004 to 31 December 2007 eligible members were Retired Soldiers who completed 20 or more qualifying years of service for retired pay computation (or 20 qualifying years in a reserve component) and who were rated as at least 10 percent disabled due to armed conflict, hazardous duty, training exercises, or mishaps involving military equipment.

3) Effective 1 January 2008, the requirement to have 20 years of credible service for retired pay was removed. Retired Soldiers (including chapter 61, Disability Retirees) are qualified to receive CRSC if they have a Combat-Related VA service-connected disability rating of 10 percent or higher and are drawing

retirement pay, which is reduced by a VA waiver. In addition, the 2008 National Defense Authorization Act (NDAA) expanded CRSC eligibility to cover those who were medically retired under Chapter 61, Temporary Early Retirement Authority (TERA), and Temporary Disability Retired List (TDRL) Retired Soldiers with less than 20 years of service. Medical and TERA Retired Soldiers must still provide documentation that shows a causal link between a current VA disability and a combat related event.

4) Retired Soldiers must now first meet all of the following criteria to be eligible to apply for CRSC:

- Be retired and receiving military retired pay before applying for CRSC.
- Be awarded 10 percent or greater service-connected disability percentage by the VA. The VA awarded condition MUST meet the definition of the combat-related (as defined by CRSC DOD program guidance).
- Have a VA waiver (VA waiver Form 21-651, MAR 2005) in place for by-law reduction of military retired pay in amount of VA disability payment. Form available on the VA page at https://www.va.gov/vaforms/form_detail.asp?FormNo=21-651.
- Have accurately completed and signed the CRSC application form (DD Form 2860, July 2011) in accordance with the guidance provided by the Army Human Resources Command (HRC) at https://www.hrc.army.mil/content/Apply%20for%20CRSC. Your claim cannot be processed unless this step is completed.

Some examples of combat-related situations (and corresponding required proof) vs. noncombat-related situations are as follows:

Situation	Possible Combat-Related	CRSC Required Proof	Noncombat-Related
Simulating War *Must be contributed to "training for combat"*	Tactical Road/Ruck Marches	• Medical documentation, 15-6 investigation, etc. AT THE TIME OF EVENT, showing training site evacuation and connected to the claimed disability to the combat-related evacuation. • Documentation generated years after the claimed event (i.e.: Medical Retirement LODs DO NOT qualify.	PT Related Road Marches
	Confidence Obstacle Courses		Physical Fitness Training
	Rappelling Training		Battalion Run
Hazardous Service *Linked to specific incident*	Flight Duty		Military job-related injuries not caused by a specific incident (i.e.: Assigned infantry, artillery, engineers, etc.)
	Demolition Duty		
	Parachute Duty		
	Rappelling from military aircraft		
	Diving Duty		
Instrumentality of War *Instrument must be used in military training*	Military vehicle rollover during a convoy mission		Military sedan in civilian vehicle accident
	Tanks, armored vehicles, etc.		Repairing military vehicle in maintenance setting
	Ammunition and explosive devices		Improper use of pyrotechnics
	Injuries sustained from weapons malfunction		Off-post weapon incidents
Armed Conflict *Occurred in combat zone*	Gunshot wound	• Medical Documentation at the time of event connecting claimed disability to the combat-related evacuation. • Valor Awards • Purple Heart • CAB/CIB/CMB • Deployment Commander Statement	Service-related injuries in combat zone (i.e., aircraft emergency landing due to maintenance, repetitive motion injuries, non-direct combat related PTSD, etc.)
	Shell fragment wounds / shrapnel		
	PTSD directly related to contact (direct or indirect) with the enemy		
	Aircraft shot down due to enemy fire		Sporting events / recreational activities in a hostile area
	Terrorist bomb		

CRSC applicants should note that an uncorroborated statement in a record that a disability is combat-related would not be considered for purposes of meeting combat-related program standards; documentation verifying the cause of the disability is required.

Program reviews will determine which disabilities, if any, are combat-related or are the result of an injury for which the member was awarded a Purple Heart. Combat-related disabilities include those that are the

direct result of armed conflict or from conditions that simulate combat, or that result from the performance of uniquely hazardous military duties or caused by an instrumentality of war.

The program will make a combat-related presumption if VA disability compensation is specifically based on service-connected exposure to hazards, which are clearly combat-related, to include Agent Orange, Gulf War illnesses, radiation exposure, mustard gas, and Lewisite. Post-Traumatic Stress Disorder (PTSD) requires engagement with the enemy (direct or indirect) combat-related documentation.

c) The Army CRSC program only determines eligibility for the program, DFAS determines and administers payment amounts. DFAS bases its payment calculations on the amounts equal-to or less-than the veteran's length of service retirement pay, and their VA disability compensation. For instance, a Specialist (E-4) medically retired with three years' time-in-service would receive $175.00 or less per month in CRSC benefits.

d) Payment considerations.

1) Payments equal the amount of VA disability compensation for combat-related disabilities but are reduced for Retired Soldiers who retired from the Army under Chapter 61 (disability), whose retired pay exceeds what they would have received under a length of service retirement.

2) Payments are limited to the amount of the retired pay offset that results from receipt of VA disability compensation.

3) Payments will be retroactive to the date approved by the Army CRSC program for all approved applications of those retired on or before the date of this law, to the extent otherwise allowed by law, providing the applicant is otherwise qualified. Title 31 USC §3702 Six-Year Statute of Limitations, applies to CRSC retroactive payments.

e) Processing applications. Staffing constraints and volume of applications are the primary hindrance to claims processing; however, incomplete DD 2860 forms and/or failure to submit supporting documentation also contribute to delays in processing of a claim. The program is working several initiatives to shorten this wait time; however, the delay in decision will not penalize a veteran from receiving what (if any) is due. If eligible for compensation, DFAS will pay the veteran ALL tax-free back pay due to them.

Retired Soldiers will be informed if their claim was approved, partially approved, or denied, as well as the reasoning behind the decision. If denied, the veteran may reapply later but must provide the documented proof linking their CRSC claimed disability to a qualifying combat-related event. The program allows a maximum of three reviews of a claimed disability. If still denied after the third attempt, the program's disapproval letter will direct the veteran to file their claim with the Army Board for Correction of Military Records (ABCMR) / Army Review Board Agency (ARBA). The letter will contain the ABCMR/ARBA address and contact information.

The Army's CRSC program office, charged with processing CRSC claims, is under the Special Compensations Branch (SCB), Army Personnel Records Division (APRD), The Adjutant General Directorate, Army Human Resources Command (AHRC). For more information on CRSC, visit the HRC website at https://www.hrc.army.mil/content/CRSC%20(Combat-Related%20Special%20Compensation), call toll free 1-888-276-9472 (Mon - Fri / 0800-1900 hours EST) or email CRSC questions to askhrc.army@us.army.mil.

5-12. Concurrent Retirement and Disability Pay (CRDP).

For over 100 years, Retired Soldiers have been barred from concurrently receiving tax-free VA disability compensation and military retired pay. VA disability compensation used to offset military retired pay dollar-for-dollar.

In 2004, Congress granted payment of full retired pay and full VA disability compensation to certain Retired Soldiers. To be eligible for Concurrent Retirement and Disability Pay (CRDP), veterans must:

- be retired for length of service, or if retired for disability (Chapter 61, USC), completed sufficient service to have retired for length of service; and
- be rated by the VA as at least 50 percent service-connected disabled ("service-connected" is not necessarily "combat-related").

A Retired Soldier who receives Combat-Related Special Compensation (CRSC) cannot simultaneously receive CRDP, if otherwise qualified. DFAS-CL will conduct an annual one-month open season (typically in January) during which time a Retired Soldier who qualifies for both programs can opt to change the program under which they are paid.

No application for CRDP is needed. VA and DFAS-CL databases are used to determine eligible Retired Soldiers, and payment is made automatically to those who are eligible.

6-1. General.

Retired pay, like other income, is subject to federal income taxation unless wholly or partially exempted by statute. DFAS-CL computes the amount to be withheld from retired pay and withholds this amount. Every year, DFAS-CL will send you an Internal Revenue Service (IRS) Form 1099-R that shows all the taxable retired pay paid and the amount of tax withheld during the calendar year. You can also conveniently access and print your own 1099-R using myPay, https://myPay.dfas.mil. It is typically available to you via myPay several weeks before a mailed copy.

If some or all of your military retired pay is tax-free, due to retirement for disability, an IRS Form 1099-R will not be issued. Retired Soldiers are not required to report tax-free income.

Some Retired Soldiers who retired for disability and receive pay based on their disability percentage may have gross retired pay that is not subject to federal tax withholding (see para 6-3 for more information).

If a Retired Soldier is not a citizen of the United States and does not reside in the United States, IRS Form 1099-R will not be furnished. Nonresident alien tax will be withheld from a Retired Soldier's retired pay instead, and they will be informed at the end of each calendar year as to the amount withheld.

Taxable income from retired pay does not include SBP premiums. For example, if a Retired Soldier's non-disability retired pay is $36,000 a year and is reduced by $2,300 a year for SBP premiums, only the reduced retired pay of $33,700 is reported to the IRS as taxable income.

For further details on SBP and tax issues, Retired Soldiers should consult a legal assistance attorney, a tax counsel, an official of the IRS, or State tax authorities.

6-2. Withholding Federal Taxes.

The amount withheld from retired pay for income tax used to be determined from a wage bracket withholding table and was based on whether you were married or single and the number of exemptions claimed. A new federal law changed all that. You still submit an IRS Form W-4, but it’s more complicated, so plan on gathering some personal and family income and tax data before you do this. The IRS tax withholding calculator at https://www.irs.gov/individuals/tax-withholding-estimator will help.

If you or your spouse reach age 65 during the calendar year, or become blind, or if there is an increase in the number of dependents, you may receive credit for the additional exemptions by completing an IRS Form W-4 and mailing it to DFAS, U.S. Military Retirement Pay, 8899 E 56th Street, Indianapolis IN 46249-1200; or by Faxing it to 1-800-469-6559; or by using myPay at https://mypay.dfas.mil/mypay.aspx. For additional information, go to https://www.dfas.mil/retiredmilitary/manage/taxes/fitw.html. An IRS Form W-4 may be obtained from any office of the Director of Internal Revenue and most U.S. Post Offices; as well as from the IRS website, https://www.irs.gov/.

6-3. Disability Retired Pay.

All or a part of your disability retirement pay could be exempt from Federal income tax, depending on when you entered active duty, the cause of the disability, and the method elected to compute retired pay.

The Tax Reform Act of 1976 made significant changes with respect to the tax-exempt status of disability retired pay for persons who first entered a uniformed service on or after 24 September 1975. For these persons, retired pay is tax-exempt only if all of it is based on the percentage of disability and the disability is the direct result of one of the following: armed conflict, hazardous service, simulated war, or an instrumentality of war.

If you entered a uniformed service on or before 25 September 1975, all of your retired pay is tax-exempt if it is all based on a percentage of disability. When retired pay is based on years of service, tax-exempt is the portion of it equal to the amount you would get if retired pay were computed solely on the basis of disability. The balance is taxable.

6-4. Concurrent Retirement and Disability Pay (CRDP).

CRDP is a restoration of retired pay for Retired Soldiers with service-connected disabilities. It is taxed in the same manner as your retired pay, and it is normally considered taxable income. See paragraph 5-12 of this publication for more information regarding CRDP.

6-5. Combat Related Special Compensation (CRSC).

CRSC is a special compensation for combat-related disabilities. It is a tax-free entitlement that you will be paid each month, if qualified, along with any retired pay you may already be receiving. See paragraph 5-11 of this publication for more information regarding CRSC.

6-6. Former Spouse Deductions.

Retired Soldiers are not liable for taxes on payments made to their former spouses. The Uniformed Services Former Spouses' Protection Act (USFSPA) defines community property payments established in accordance with a court order and approved by the DFAS legal department as pre-tax deductions.

6-7. VA Disability Compensation.

Disability compensation received from the VA is tax-exempt, but mere entitlement to the payment will not result in any tax savings until a formal waiver of equivalent retired pay, if applicable, is executed.

If you were retired for length of service or age, it may be to your advantage to waive a part of taxable retired pay in favor of tax-free VA compensation. This is true also for those who entered a uniformed service on or after 25 September 1975, and retired for disability, since their disability retired pay is taxed. On the other hand, the disability portion of retired pay for a Retired Soldier who entered a uniformed service on or before 24 September 1975 is untaxed. Therefore, there would be no tax advantage gained by waiving military retired pay unless VA compensation exceeded the portion of the retired pay that is based on disability. For more information, go to: https://www.va.gov.

6-8. State Taxation of Retired Pay.

Some states exempt all or a portion of retired pay from income taxation or have no state income tax. Some states exempt disability retired pay in the same manner as the federal government. In all states, disability payments received from VA and all Social Security payments are exempt from taxation. Few states, if any, permit a retirement income credit of the type granted by the federal government. To learn which states tax retired pay or how much of retired pay is taxed, visit the MyArmyBenefits State fact sheets at https://myarmybenefits.us.army.mil/Benefit-Library/State/Territory-Benefits.

Requests to withhold state income tax from your retired pay must be made in writing. DFAS can only withhold income tax for one state at a time and the designated state must have signed the standard written agreement with the Department of Defense (DOD). If you have a state tax option, and your state taxing authority has an agreement with DOD, you can use ***myPay*** to change your state income tax withholding. Requests must indicate a whole dollar amount greater than $10 and the state for which to withhold this amount. See https://www.dfas.mil/retiredmilitary/manage/taxes/sitw/ for details.

Once retired, state tax is based on your home of residence. The selection of a home of record outside of your state of residence no longer applies.

6-9. Additional Information.

The IRS or tax authorities of the state government concerned make determinations in each individual tax case. Answers to Federal tax questions may be obtained from your local IRS office, information is available at https://www.irs.gov/help/contact-your-local-irs-office. Answers to state tax questions may be obtained from the applicable state website, refer to https://www.taxadmin.org/state-tax-agencies.

7-1. Military Treatment Facilities.

Military hospitals and clinics, also referred to as military treatment facilities (MTFs) are found at military bases and posts around the world. To find the MTF closest to you, refer to https://www.tricare.mil/mtf. Detailed information on Retired Soldier healthcare can be obtained from the TRICARE website at https://tricare.mil.

Subject to the availability of space, facilities, and the capabilities in MTFs, Retired Soldiers and their eligible family members may receive the following:

- Inpatient care
- Outpatient care
- Medication (Pharmacy services)
- Treatment of medical and surgical conditions
- Treatment of nervous, mental, and chronic conditions
- Treatment of contagious diseases
- Physical examinations, including eye examinations
- Immunizations
- Maternity and infant care
- Diagnostic tests and services, including laboratory and x-ray examinations
- Ambulance service and home calls when medically necessary
- Durable equipment, such as wheelchairs and hospital beds may be loaned
- Hearing Aids are available for purchase, at cost, at participating MTFs through the Retiree-At-Cost Hearing Aid Program (RACHAP)/Retiree Hearing Aid Purchase Program (RHAPP). This benefit is available to both Retired Soldiers and their dependents. It is important to note that not every medical facility is able to provide this program. For a list of participating MTFs and more information go to the Hearing Center of Excellence (HCE) website at https://health.mil/Military-Health-Topics/Centers-of-Excellence/HCE. This program is NOT a TRICARE benefit.
- Prescription eyewear for Retired Soldiers only. Retired Soldiers are entitled to order eyewear annually if they have a TRICARE health plan and authorized use of an MTF. This can be done at an MTF, or if over 50 miles from an MTF, through the Naval Ophthalmic Support and Training Activity (NOSTRA) website at https://www.med.navy.mil/Naval-Medical-Readiness-Logistics-Command/Naval-Ophthalmic-Readiness-Activity/Ordering/how-to-order-retiree/.

The following care is not authorized:

- Domiciliary or custodial care
- Prosthetic devices and orthopedic footwear, except that outside the U.S. and at stations inside the U.S. where adequate civilian facilities are unavailable, such items may be sold to eligible family members at cost to the U.S. and artificial limbs and artificial eyes may be provided
- The elective correction of minor dermatological blemishes and marks or minor anatomical anomalies

For purposes of this chapter, an eligible family member is:

- A spouse
- An un-remarried widow(er)
- An unmarried biological child, including an adopted child or a stepchild (if parent and sponsor are married), who either:
  - Has not passed their 21st birthday.
  - Is incapable of self-support because of a mental or physical incapacity that existed before that birthday and is, or was at the time of the Retired Soldier's death, dependent on the Retired Soldier for over one-half of their support; or
  - Has not passed their 23rd birthday, is enrolled in a full-time course of study in an institution of higher learning approved by the Secretary of the Army and is or was at the time of the Retired Soldier's death, dependent upon the Retired Soldier for over one-half of their support.

- A parent or parent-in-law who is or was at the time of the Retired Soldier's death, dependent on the Retired Soldier for over one-half of their support and was residing in the Retired Soldier's household.
- The un-remarried former spouse of a Retired Soldier who:
  - on the date of the final decree of divorce, had been married to the Retired Soldier for a period of at least 20 years during which period the Retired Soldier performed at least 20 years of service creditable in determining the Retired Soldier's eligibility for retired pay, and
  - does not have medical coverage under an employer-sponsored health plan.
- A person who:
  - is the un-remarried former spouse of a Retired Soldier who performed at least 20 years of service creditable in determining the Retired Soldier's eligibility for retired pay, and on the date of the final decree of divorce or dissolution before 1 April 1985, had been married to the Retired Soldier for a period of at least 20 years, at least 15 of which, but less than 20 of which, were during the period the Retired Soldier performed service creditable in determining the Retired Soldier's eligibility for retired pay, and does not have medical coverage under an employer-sponsored health plan.
- A person who would qualify as an eligible family member under the sub-paragraph above, but for the fact that the date of the final decree of divorce or dissolution is on or after 1 April 1985, eligibility is for a one-year period beginning on the date of the final decree.

7-2. TRICARE.

IMPORTANT: Effective for all retirements taking place on or after 1 January 2018, Retired Soldiers, their eligible family members, and qualified survivors must take action and enroll in an available TRICARE plan in order to be covered for care and pharmaceuticals purchased in the civilian sector, otherwise they are eligible for MTF care and pharmacy only.

Visit https://tricare.mil/ for up-to-date information about enrolling in TRICARE, including enrollment fees as applicable.

Registration in DEERS is a prerequisite for enrollment in TRICARE. Sponsors should be sure all of their eligible family members are registered in DEERS and be diligent to keep all of their information up to date in DEERS, particularly each individual's contact information. Visit https://milconnect.dmdc.osd.mil/milconnect for up-to-date information about DEERS registration and updates.

Members of the RC who receive a reduced age non-regular retirement under age 60 may qualify to purchase TRICARE Retired Reserve (TRR) coverage for themselves and their eligible family members. Information regarding costs and accessing care under TRR can be found on the TRR page at https://www.tricare.mil/Plans/HealthPlans/TRR.

Once members of the RC who receive a non-regular retirement reach age 60, and their retirement is finalized and drawing retirement pay, they and their eligible family members become eligible for and may enroll in a regular TRICARE health plan. If no enrollment request is submitted within 90 days of turning 60, retired RC members and their family members are only eligible for Direct Care in an MTF, to include pharmacy, and must wait until the TRICARE Open Season or another qualifying life event (QLE) to enroll. Visit https://www.tricare.mil/LifeEvents for more information on QLEs.

TRICARE health plans that may be available to Retired Soldiers, their eligible family members, and qualified survivors include TRICARE Select, TRICARE Prime, TRICARE Young Adult, the Uniformed Services Family Health Plan (USFHP), and TRICARE for Life (TFL). TRICARE Prime is only available to those living in or within 100 miles of a Prime Service Area (PSA). Visit https://www.tricare.mil/Plans/HealthPlans for up-to-date information about these TRICARE health plans.

Retired Soldiers who are entitled to premium-free Medicare Part A must have Medicare Part B to have continued TRICARE coverage under the program called TRICARE For Life (TFL) as well as continued pharmacy benefits under the TRICARE Pharmacy program. Otherwise, they are only eligible for medical care and pharmacy services in an MTF.
For Retired Soldiers, their eligible family members, and qualified survivors who are enrolled in a TRICARE health plan as described above, TRICARE shares the cost of care purchased from civilian

hospitals/doctors. TRICARE out of-pocket costs are subject to change annually. Visit https://tricare.mil/costs for up-to-date information about TRICARE costs.

Because TRICARE for Retired Soldiers, their eligible family members, and qualified survivors does not pay the total cost of civilian medical care, they might want to consider enrolling in an employer sponsored health insurance program or purchasing a TRICARE Supplement. TRICARE supplements may be obtained from most Military Service Organizations (MSOs). Please note that some of the TRICARE Supplements have a pre-existing period where coverage may be limited for a period of time. Be sure to ask when TRICARE Supplement coverage will start and for a summary of the benefits provided.

While TRICARE coverage is quite comprehensive, it does not cover all healthcare costs. There are special rules or limits on certain care, and some care is not covered at all. To learn more about what is covered by TRICARE, visit https://tricare.mil/coveredservices.

TRICARE pays for medically necessary care and services that are provided at an appropriate setting for the required level of care. Claims for services that do not meet this definition may be denied. TRICARE can pay claims only for dates of service when the individual is enrolled in a TRICARE health plan.

Get to know your Beneficiary Counseling and Assistance Coordinator (BCAC, formerly known as Health Benefits Advisors, or HBAs). Your BCAC's job is to help you, the user of the military healthcare system, to include Retired military family. There is a BCAC at each military hospital and at most clinics. Also, BCACs can provide you a copy of the latest TRICARE handbook which provides more details about the program. The TRICARE handbook, TRICARE Choices, US Family Health Plan Handbook, and TRICARE Pharmacy Handbook are available for download at https://tricare.mil/Publications. The TRICARE for Life handbook is available at https://tricare.mil/tfl. To locate the nearest BCAC, call the information number at the local military base or hospital, or find a Customer Service Community listing at: https://tricare.mil/bcacdcao.

7-3 TRICARE Overseas Program.

TRICARE Prime is not available for Retired Soldiers, their family members and survivors living overseas. More information on TRICARE Select Overseas is available at https://tricare.mil/Plans/HealthPlans/TSO. Retired Soldiers living/traveling overseas may be required to pay for their healthcare at the time of service and then submit a claim for reimbursement. Beneficiaries are required to submit proof of payment for any beneficiary submitted claims for care received overseas.

Aeromedical evacuations from an overseas location to the United States are not cashless/claimless for Retired Soldiers; must be medically necessary; and to the closest location that can provide the needed care. Aeromedical evacuations will not be reimbursed by TRICARE if the aeromedical evacuation was for the convenience of the patient or the patient's family. The nearest location that can provide the needed care may not necessarily be in the U.S. The nearest location may be another overseas location and TRICARE can only reimburse based on those conditions. Transporting to the nearest hospital does not apply when transporting to an MTF, the MTF must be willing to accept the patient. Movement back to the U.S. may be what the family would prefer but would not meet the policy requirements.

When living or traveling overseas, Retired Soldiers should expect to pay for their healthcare up front and then submit a claim for reimbursement. It is recommended that any military Retired Soldier living and/or traveling overseas, should consider purchasing travel insurance.

Getting care when traveling overseas:

- If enrolled in TRICARE Prime, or TRICARE Young Adult-Prime in the U.S., please visit this site and follow these guidelines when traveling: https://tricare.mil/FindDoctor/Traveling/Travel_Prime.aspx.

- If enrolled in TRICARE Select, TRICARE Select Overseas or TRICARE Young Adult-Select, please visit this site and follow these guidelines when traveling: https://tricare.mil/FindDoctor/Traveling/Travel_TSE.aspx.

- If enrolled in TRICARE Reserve Select or TRICARE Retired Reserve, please visit this site and follow these guidelines when traveling: https://tricare.mil/FindDoctor/Traveling/Travel_TRS_TRR.

- If enrolled in TRICARE for Life, please visit this site and follow these guidelines when traveling: https://tricare.mil/FindDoctor/Traveling/Travel_TFL.

7-4. TRICARE for Life.

Military retirees and their eligible dependents who are entitled to premium-free Medicare Part A and who have Medicare Part B regardless of age or place of residence, are automatically covered under TRICARE for Life (TFL), provided they meet all other TRICARE eligibility requirements. TFL acts as a second payer to Medicare. Detailed information on coverage can be found at https://tricare.mil/tfl/. Be sure to read the Under 65 Brochure and the Turning 65 Brochure for important action steps and timing, based on your circumstances. Brochures are listed under "Related Downloads" on the TFL site. The Defense Health Agency awarded this contract to the Wisconsin Physicians Service (WPS) Military and Veterans Health in Madison, Wisconsin. Beneficiaries may call WPS TFL at 1-866-773-0404 Monday–Friday**:** 7:00 a.m.–10:00 p.m. (CST), for assistance. For more information refer to their page at https://www.tricare4u.com/wps/portal/tdb/tricare4u/home.

TRICARE beneficiaries who are entitled to premium-free Medicare Part A and have Medicare Part B may use TFL even if they have other health insurance, such as a Medicare supplement or an employer-sponsored plan. However, by law, TFL will pay only after all other health insurances have paid. Given this relationship between plans, you may find that you no longer need a supplemental plan.

The TFL contract is a single, nationwide contract for health care claims processing and customer service. The Defense Health Agency awarded this contract to the Wisconsin Physicians Service (WPS) Military and Veterans Health in Madison, Wisconsin. Beneficiaries may call WPS TFL at 1-866-773-0404 Monday–Friday: 7:00 a.m.–10:00 p.m. (CST), for assistance. For more information refer to their page at https://www.tricare4u.com/wps/portal/tdb/tricare4u/home.

TFL Overseas:

Medicare does not cover any healthcare costs outside of US states and territories. If you are traveling/living overseas, you will have to pay for your healthcare up front and then submit a claim for reimbursement to the TOP contractor. Your claim will process as if TRICARE Standard was still in existence. Information about how to file a TRICARE Overseas Program (TOP) claim can be found at https://www.tricare-overseas.com/beneficiaries/claims.

7-5. TRICARE Young Adult Program.

The TRICARE Young Adult (TYA) program is a premium-based healthcare plan available for purchase by qualified dependents. Beneficiaries who are adult-age dependents may purchase TYA coverage based on the eligibility established by their uniformed service sponsor and where they live. TYA includes medical and pharmacy benefits but excludes dental coverage. Regular TRICARE coverage ends at age 21 (or 23 if enrolled in college).

Special eligibility conditions may exist. Beneficiaries may purchase TYA coverage if they are all of the following:

- A dependent of an eligible uniformed service sponsor*
- Unmarried
- At least age 21, but not yet 26 years old. (If enrolled in a full course of study at an approved institution of higher learning and sponsor provides more than 50 percent of financial support, eligibility may not begin until age 23 or upon graduation, whichever comes first)
- Not eligible to enroll in an employer-sponsored health plan through their own employment
- Not a member of the Selected Reserve or member on active duty for more than 30 days
- Not otherwise eligible for TRICARE program coverage

** If the beneficiary is an adult child of a non-activated member of the Selected Reserve or of the Retired Reserve, their sponsor must be enrolled in TRICARE Reserve Select or TRICARE Retired Reserve to be eligible to purchase TYA coverage.*

Go to https://tricare.mil/tya or call your regional contractor for more information.

7-6. TRICARE Retired Reserve.

TRICARE Retired Reserve (TRR) is a premium-based healthcare plan available for purchase worldwide for Retired Reserve members, their families and survivors who qualify. TRR includes medical and pharmacy benefits under TRICARE Select retired cost sharing but excludes dental coverage.

Retired Reserve Soldiers may purchase TRR coverage if they are all the following:

- Members of the Retired Reserve of a Reserve Component who are qualified for non-regular (reserve) retirement
- Under age 60
- Not eligible for, or enrolled in, the Federal Employees Health Benefits (FEHB) program

Enrollment can be accomplished over the phone by calling your regional contractor or through the online Beneficiary Web Enrollment (BWE) at https://www.tricare.mil/Plans/Eligibility/DEERS/BWE. If done online, retired Reservists/survivors will need one of the following:

- Common Access Card (CAC)
- DFAS (myPay) Account
- DOD Self-Service Logon (DS Logon)

Monthly premium payments must be made by an automated method of either an Electronic Funds Transfer (EFT) or recurring credit/debit card.

For more information on TRR, visit https://tricare.mil/trr.

7-7. TRICARE Pharmacy.

TRICARE provides a world-class pharmacy benefit to all eligible Uniformed Services members, enrolled in a TRICARE Plan, including TFL. Please note that US Family Health Plan has a separate Prescription Drug plan for its enrollees. Eligible TRICARE Pharmacy beneficiaries may fill prescription medications at military treatment facility (MTF) pharmacies; through the TRICARE Home Delivery program; at TRICARE retail network pharmacies; and at non-network pharmacies. To have a prescription filled; beneficiaries need either a written prescription or an electronic prescription sent by the provider to the pharmacy, and a valid Uniformed Services identification card. TFL beneficiaries who turned age 65 on 1 April 2001, or later, must be enrolled in Medicare Part B to use the pharmacy program.

TFL beneficiaries who turned age 65 before 1 April 2001, are not required to be enrolled in Medicare Part B for the pharmacy program but are required to be enrolled in Medicare Part B for all other benefits available under TFL. TRICARE's mandatory generic drug policy requires that prescriptions be filled with a generic product, if available. In the U.S., all generic drugs must undergo Food and Drug Administration testing/approval and are considered safe alternatives to brand-name drugs. For information on how to save money and make the most of the TRICARE pharmacy benefit, visit https://tricare.mil/CoveredServices/Pharmacy.aspx; or call 1-877-363-1303.

a) TRICARE Pharmacy Home Delivery. Home Delivery or Mail Order is an easy and convenient way to get the medications you take regularly delivered directly to your home. Express Scripts, Inc. (ESI) manages your mail-order pharmacy program and provides customer assistance. Note: If you are covered by other health insurance (OHI) with a pharmacy benefit, you may not use Home Delivery. *Exceptions*: Your OHI does not cover the medication needed or you have exceeded that plan's dollar limit of coverage or you have supplemental pharmacy benefit, which is managed by Express Scripts.

1) Why Use It?

- Savings: Get up to three times the quantity of medications for your money, compared to the same prescriptions at a retail pharmacy. There are no shipping and handling fees.
- Safety: Two pharmacists check your order, and it is verified with the DOD's pharmacy database.
- Convenience: Avoid driving to a retail pharmacy and waiting in line. You can fill prescriptions by mail, phone, FAX, or online 24 hours a day, 7 days a week.
- Flexibility: You can choose which medications to have home delivered. You can get special handling for special medications.

2) How to Use It.

Register; obtain a prescription; mail in your prescription or request that your provider FAX it in. You can find Home Delivery fact sheets and brochures at: https://tricare.mil/CoveredServices/Pharmacy/FillPrescriptions/HomeDelivery.aspx.

Please note that in order to use this overseas, you must have a prescription written by a U.S. licensed provider and have an APO/FPO/DPO address and be in a country that allows the TRICARE Pharmacy Home Delivery to mail drugs into the country. Please note that this is not available for anyone living in Germany regardless of your address due to German law.

b) TRICARE Retail Pharmacy. If you need a prescription filled right away and are unable to use an MTF pharmacy, visit one of the more than 357,000 civilian pharmacies that are part of the TRICARE retail pharmacy network. Using this network, TRICARE beneficiaries can obtain up to a 30-day supply of most immediate/short-term use prescription medications for a cost share. Select long-term medications taken for chronic conditions must be filled at mail order after two fills at a retail pharmacy.

At non-network retail pharmacies, you'll pay full price for your prescription up front. Then you can file a claim for reimbursement. Reimbursements are subject to applicable cost-shares and deductibles.

While TRICARE Pharmacy Home Delivery is more cost effective for long-term medications, we recommend using a retail network pharmacy for new prescriptions your healthcare provider has required you to start taking immediately. Your cost share is based on the type of medicine you and your doctor choose. For general information about cost shares, please see the Pharmacy cost shares page. If you would like information about coverage and cost shares for a specific medication, please use the Formulary Search Tool: https://www.express-scripts.com/frontend/open-enrollment/tricare/fst/#/.

To use a retail network pharmacy, simply present the pharmacist with your written prescription, along with your uniformed services identification card. Find a list of TRICARE network pharmacies online using the pharmacy locator page on the Express-Scripts website at https://www.tricare.mil/networkpharmacy. To check if you are eligible to use a retail network pharmacy, please see the Pharmacy Eligibility page. If you have any difficulties having your prescriptions filled at your local retail network pharmacy, contact Express-Scripts toll free at 1-877-363-1303, or visit the https://www.express-scripts.com/TRICARE/.

c) Medicare Part D -- Prescription Drug Benefit. Medicare prescription drug coverage became available to purchase to everyone with Medicare Part A and/or Part B. *Exception:* Beneficiaries that live overseas or are in prison are not eligible for the Medicare pharmacy program. For nearly all TFL Medicare-eligible beneficiaries, under most circumstances, there is no added value in purchasing Medicare prescription drug coverage if you have TRICARE. The exception to this general rule may be for those with limited incomes and assets who qualify for Medicare's extra help with prescription drug plan costs. TFL Medicare-eligible beneficiaries, entitled to the TRICARE pharmacy benefit, should consider a number of factors when deciding whether or not to enroll in a Medicare drug plan. They should consider monthly premiums, deductibles, co-pays, and drug coverage (also known as a formulary), under the different Medicare prescription drug plan options offered and compare them to the TRICARE Pharmacy Program costs and coverage. Medicare Part D drug plan options will vary by location. If you experience difficulty using your TRICARE pharmacy benefit because you were automatically enrolled in Medicare Part D, you may make changes by contacting the TRICARE pharmacy program contractor, Express-Scripts, Inc. (ESI), at 1-877-363-1303. With your permission, ESI will check your enrollment status with Medicare, and they will assist you in making any changes you request.

7-8. Federal Employees Dental and Vision Insurance Program (FEDVIP).

a) FEDVIP Basics. The Federal Employees Dental and Vision Insurance Program (FEDVIP) is a voluntary, enrollee-pay-all dental and vision program available to federal employees and annuitants, certain retired uniformed service members, survivors, and active-duty family members. It is sponsored by the U.S. Office of Personnel Management (OPM). FEDVIP also offers vision coverage to those enrolled in a TRICARE health plan. In most cases, FEDVIP vision plans offer more coverage than what your health plan may offer.

b) Who Is Eligible for FEDVIP?

1) Most Retired Soldiers and survivors are eligible for dental coverage.
2) Most Retired Soldiers, survivors, and active-duty family members are eligible for vision coverage, if enrolled in a TRICARE health plan.
3) Unmarried children and dependents are covered until age 21 (non-students) or 23 (full-time students).
4) Unmarried children and dependents incapable of self-support due to a mental or physical incapacity that began before age 21 (non-student) or before age 23 (full-time student), who are financially dependent on the sponsor for more than 50% of their support. The child's or dependent's status as being incapable of self-support status must be registered in DEERS prior to enrolling in FEDVIP.
5) Active-duty uniformed service members are not eligible for FEDVIP dental and vision coverage.

c) How to Enroll in FEDVIP

The Federal Benefits Open Season is your annual opportunity to enroll in, change, or cancel your FEDVIP coverage. Per regulation, open season runs from the Monday of the second full week in November through the Monday of the second full week in December, unless OPM changes the dates.

You can only enroll in FEDVIP coverage outside of open season if you are newly eligible or experience a qualifying life event (QLE). Some QLE examples include getting married, losing other dental or vision coverage, and acquiring an eligible family member (*e.g.*, birth or adoption of a child). The enrollment actions you or your dependents may take depend on what type of QLE you have experienced.

Enrollment can be completed through BENEFEDS.com, the government-authorized online portal for FEDVIP. Featuring 24/7 access across computers and smart devices, BENEFEDS.com provides online tools and education to help you research, enroll in, and manage your FEDVIP coverage. BENEFEDS also administers the billing systems and customer service functions necessary for the collection of FEDVIP premiums.

If you were an active uniformed service member and you retire, you are now eligible to enroll in FEDVIP dental coverage and, if enrolled in a TRICARE health plan, FEDVIP vision coverage. You are considered newly eligible for the program and may enroll 31 days prior to your military retirement date, up to 60 days from the date you became eligible to enroll in FEDVIP, or you can enroll in FEDVIP during an annual open season. Enrolling prior to your retirement date will prevent a gap in dental coverage between your active duty or reserve dental plan and your new FEDVIP plan.

d) What FEDVIP Plans Are Available?

With 12 dental and five vision carriers to choose from, and most plans offering both high and standard options, FEDVIP offers great flexibility when selecting the right coverage for you and your family.

1) National/international dental plans
   - Aetna® Dental
   - Delta® Dental
   - Blue Cross Blue Shield® FEP Dental℠
   - GEHA® Connection Dental Federal
   - Metlife® Federal Dental Plan
   - United Concordia® Dental
   - United Healthcare® Dental

2) Regional dental plans

- Dominion® National
- EmblemHealth® Dental
- Humana® Dental
- Triple-S Salud®
- HealthPartners® Dental

3) National/international vision plans
- Aetna Vision℠ Preferred
- Blue Cross Blue Shield® FEP Vision℠
- MetLife® Federal Vision Plan
- UnitedHealthcare® Vision
- VSP® Vision Care

To familiarize yourself with the program and its current offerings, or more information or questions, please visit https://www.benefeds.com/ or call 1-877-888-FEDS (3337) or TTY 1-877-889-5680. Use the plan comparison tool to view current FEDVIP plans and premiums based on your residential zip code and compare up to three dental and vision plans side-by-side.

7-9. Minimum Essential Coverage Under the Affordable Care Act.

Under the Patient Protection and Affordable Care Act of 2010 (ACA), healthcare coverage that meets a minimum standard is called minimum essential coverage (MEC). Most TRICARE plans meet the minimum essential coverage requirement under the Affordable Care Act. For more information, go to https://tricare.mil/aca. Effective 1 January 2019, there is no federal tax penalty for failure to have MEC. However, at the end of each tax year, the Defense Finance and Accounting Service will provide you with IRS tax forms that will help you document the months you had MEC through the TRICARE program on your federal tax returns. For more information, go to https://tricare.mil/aca.

7-10. Uniformed Services Family Health Plan (USFHP).

The Uniformed Services Family Health Plan (USFHP) is one option of the Military Health System known as TRICARE. The USFHP program was selected by the Department of Defense to be a provider of TRICARE Prime under a statutory requirement. As a USFHP member you receive all the benefits offered by the TRICARE Prime program. The USFHP has served the healthcare needs of military beneficiaries since 1993. The six USFHP providers began as US Public Health Service hospitals. The Department of Defense has contracted with these former US Public Health Service hospitals and their successors since 1982, and the current TRICARE contracts under which the USFHP is now operated are a continuation of this long-standing partnership under which eligible beneficiaries receive healthcare. Any beneficiary under the age of 65 with the exception of active-duty service members, who relies on the Military Health System for their healthcare and who is eligible in DEERS is eligible to enroll in the USFHP if they live in one of the six geographical areas that the USFHP serves. This includes anyone who is eligible to receive military health benefits, including active-duty family members, Retired Soldiers, family members, and activated members of the National Guard and Reserve. Additional information can be obtained at www.usfhp.com/.

7-11. Department of Veterans Affairs (VA) Medical Care.

a) Medical Care. Retired Soldiers may have dual eligibility for VA medical benefits as a VA beneficiary and as a DOD beneficiary. When applying for care at a VA medical facility, a determination is first made on eligibility for care as a VA beneficiary. Following is a description of eligibility categories for both inpatient and outpatient medical care, nursing home care, and outpatient dental care.

1) Discretionary. If in the discretionary eligibility category, Retired Soldiers are eligible for VA medical care as a VA beneficiary only after they agree to make a co-payment or have their insurance carrier billed. If they do not agree to this, VA healthcare may be offered as a beneficiary of DOD at DOD expense on a space-available, resource-available basis as determined by the VA facility director.

2) Hospitalization. Eligibility for VA hospitalization and nursing home care is divided into two categories: mandatory and discretionary. Within these two categories, eligibility assessment procedures based on

income levels are used to determine whether non-service-connected veterans are eligible for cost-free VA medical care. These income levels are adjusted on January 1st each year.

3) Hospital and Nursing Home Care.

- Hospital Care: Hospital care in VA facilities may or may not be provided to veterans in the discretionary category, depending on whether space and resources are available. However, you must agree to pay a deductible of what you would pay under Medicare.

- Nursing Home Care: The VA may or may not provide nursing home care, depending on whether space and resources are available, however, you must pay a co-payment. Contact your local VA healthcare office for details at 1-877-222-8387 or go to https://www.va.gov/health/.

- Mandatory Care. For veterans in this category, the law requires VA to provide hospital care at the nearest VA facility capable of furnishing the care in a timely fashion. If no VA facility is available, care must be furnished in a DOD facility or another facility with which VA has a sharing or contractual relationship. If space and resources are available after caring for mandatory category veterans, VA may furnish care to those in the discretionary category.

4) Payment. Veterans in the discretionary category must agree to pay VA for their care. Veterans in the mandatory category not subject to the eligibility assessment are service-connected veterans; veterans who were exposed to herbicides while serving in Vietnam or to ionizing radiation during atmospheric testing and in the occupation of Hiroshima and Nagasaki, and need treatment for a condition that might be related to the exposure; former prisoners of war; veterans receiving VA pension; veterans of the Spanish American War, the Mexican Border period or World War I; and veterans eligible for Medicaid.

5) Eligibility Assessment. The following eligibility assessment applies to all other non-service-connected veterans, regardless of age:

- Mandatory: Hospital care is considered mandatory if the patient is among the groups just listed or if the patient's income is below the amount set by VA annually. Hospital care in VA facilities must be provided to veterans in the mandatory category. Nursing home care may be provided in VA facilities, if space and resources are available.

- Discretionary: Hospital care is considered discretionary if the patient is a non-service-connected veteran and income is above the limit set annually by VA. The patient must agree to pay an amount for care equal to what would have been paid under Medicare. The Medicare deductible is adjusted annually. VA may provide hospital, outpatient, and nursing home care in VA facilities to Veterans in the discretionary category, if space and resources are available. If the patient's medical care is considered discretionary, VA holds the patient responsible for the cost of care or for a specific amount for the first 90 days of care during any 365-day period. For each additional 90 days of hospital care, the patient is charged half the Medicare deductible. For each 90 days of nursing home care, an amount equal to the Medicare deductible is charged. In addition to the charges enumerated, the patient will be charged a small fee daily for inpatient hospital care and for nursing home care. The fee is based on the Medicare deductible and is adjusted annually.

- VA Outpatient Care Eligibility. The number of veterans who can be enrolled in the healthcare program is determined by the amount of money Congress gives VA each year. Since funds are limited, VA set up Priority Groups to make sure that certain groups of veterans are able to be enrolled before others.

  Once you apply for enrollment, your eligibility will be verified. Based on your specific eligibility status, you will be assigned a Priority Group. The Priority Groups range from 1-8 with 1 being the highest priority for enrollment. Some veterans may have to agree to pay copays to be placed in certain Priority Groups.

  You may be eligible for more than one Enrollment Priority Group. In that case, VA will always place you in the highest Priority Group that you are eligible for. Under the Medical Benefits Package, the same services are generally available to all enrolled veterans.VA determines your eligibility for VA's

comprehensive medical benefits package through our patient enrollment system, which is based on Priority Groups from 1 through 8.

The priority groups are:

Priority group 1

- You have a service-connected disability that we've rated as 50% or more disabling, **or**
- You have a service-connected disability that we've concluded makes you unable to work (also called unemployable), **or**
- You received the Medal of Honor (MOH)

Priority group 2

The VA may assign you to priority group 2 if you have a service-connected disability that was rated as 30% or 40% disabling.

Priority group 3

- You're a former prisoner of war (POW), **or**
- You received the Purple Heart medal, **or**
- You were discharged for a disability that was caused by—or got worse because of—your active-duty service, **or**
- You have a service-connected disability that we've rated as 10% or 20% disabling, **or**
- You were awarded special eligibility classification under Title 38, U.S.C § 1151, "benefits for individuals disabled by treatment or vocational rehabilitation"

Priority group 4

- You're receiving VA aid and attendance or housebound benefits, **or**
- You have received a VA determination of being catastrophically disabled

Priority group 5

- You don't have a service-connected disability, or you have a non-compensable service-connected disability that we've rated as 0% disabling, **and** you have an annual income level that's below our adjusted income limits (based on your resident zip code), **or**
- You're receiving VA pension benefits, **or**
- You're eligible for Medicaid programs

Priority group 6

- You have a compensable service-connected disability that we've rated as 0% disabling, **or**
- You were exposed to ionizing radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki, **or**
- You participated in Project 112/SHAD, **or**
- You served in the Republic of Vietnam between January 9, 1962, and May 7, 1975, **or**
- You served in the Persian Gulf War between August 2, 1990, and November 11, 1998, **or**

- You served on active duty at Camp Lejeune for at least 30 days between August 1, 1953, and December 31, 1987

The VA may also assign you to priority group 6 if you meet all of these requirements:

- You're currently or newly enrolled in VA healthcare, **and**
- You served in a theater of combat operations after November 11, 1998, **and**
- You were discharged less than 10 years ago

Note: As a returning combat veteran, you're eligible for these enhanced benefits for 10 years after discharge. At the end of this enhanced enrollment period, we'll assign you to the highest priority group you qualify for at that time.

Priority group 7

- Your gross household income is below the geographically adjusted income limits (GMT) for where you live, **and**
- You agree to pay copays
  Review current copay rates

Priority group 8

- Your gross household income is above VA income limits and geographically adjusted income limits for where you live, **and**
- You agree to pay copays
  Review current copay rates

If you're assigned to priority group 8, your eligibility for VA healthcare benefits will depend on which subpriority group the VA placed you in.

b) Prescription Medication. Veterans receiving medications on an outpatient basis from VA facilities, for the treatment of a non-service-connected disability or condition, are required to make a co-payment for each 30-day or less supply of medication provided. Veterans receiving medications for treatment of a service-connected condition and veterans rated 50 percent or more service-connected are exempt from the co-payment requirement for medications.

c) Dental Care. Dental benefits are provided by the Department of Veterans Affairs (VA) according to law. In some instances, VA is authorized to provide extensive dental care, while in other cases treatment may be limited. The eligibility for outpatient dental care is not the same as for most other VA medical benefits and is categorized into classes. If you are eligible for VA dental care under Class I, IIA, IIC, or IV you are eligible for any necessary dental care to maintain or restore oral health and masticatory function, including repeat care. Other classes have time and/or service limitations.

1) Outpatient Dental Program. The eligibility for outpatient dental care is not the same as for most other VA medical benefits and is categorized into classes. If you are eligible for VA dental care under Class I, IIA, IIC, or IV you are eligible for any necessary dental care to maintain or restore oral health and masticatory function, including repeat care. Other classes have time and/or service limitations.

2) Inpatient Dental Program. Veterans receiving hospital, nursing home, or domiciliary care will be provided dental services that are professionally determined by a VA dentist, in consultation with the referring physician, to be essential to the management of the patient's medical condition under active treatment.

d) Additional Information. For more information about eligibility for VA medical and dental benefits, contact VA at 1-877-222-VETS (8387) or https://www.va.gov/health-care/.

For the purposes of VA compensation benefits, veterans who served anywhere in Vietnam between 9 January 1962 and 7 May 1975 are presumed to have been exposed to herbicides, as specified in the Agent Orange Act of 1991. These veterans do not need to show that they were exposed to Agent Orange or other herbicides in order to get disability compensation for diseases related to Agent Orange exposure. VA has recognized certain cancers and other health problems as presumptive diseases associated with exposure to Agent Orange or other herbicides during military service. Veterans and their survivors may be eligible for disability compensation or survivors' benefits for many diseases.

e) How Income Is Assessed. The patient's total income under the eligibility assessment includes: Social Security, U.S. Civil Service retirement, U.S. Railroad retirement, military retirement, unemployment insurance, any other retirement income, total wages from all employers, interest and dividends, workers' compensation, black lung benefits, and any other gross income for the calendar year prior to application for care. The incomes of a spouse or dependents as well as the market value of stocks, bonds, notes, individual retirement accounts, bank deposits, savings accounts, and cash are also considered. Debts are subtracted from the patient's assets to determine net worth. The patient's primary residence and personal property, however, are excluded. The patient is not required to provide proof of income or net worth at the time care is requested.

VA is required by law to verify veterans' self-reported household income (including spouse/partner and dependents, if any) with the Internal Revenue Service (IRS) and Social Security Administration (SSA): https://www.va.gov/healthbenefits/cost/financial_assessment.asp.

f) Medical Care Cost Recovery. All veterans applying for medical care at a VA facility will be asked if they have medical insurance. VA is authorized by law to bill insurance companies for the cost of medical care furnished to veterans, including service-connected veterans, for non-service-connected conditions covered by health insurance policies. VA is required to determine if the cost of the medical care can be recovered from companies providing group or individual health insurance. A veteran may be covered by such a policy or be covered as an eligible dependent on a spouse's policy. VA is no different from other health-care providers who need insurance information. To collect benefits covered by health insurance, VA must obtain the information that appears on the health insurance identification card. Veterans are not responsible and will not be charged by VA for any charge required by their health insurance policies. For additional information, please refer to the VA website: https://www.va.gov/health-care/about-va-health-benefits/va-health-care-and-other-insurance/.

7-12. My HealtheVet.

My Health***e***Vet is VA's online personal health record. It was designed for veterans, active duty servicemembers, their dependents and caregivers. My Health***e***Vet helps you partner with your healthcare team. It provides you opportunities and tools to make informed decisions and manage your healthcare.

Specific features in My Health***e***Vet are available to you based on your account type. All users who have a Basic account can view their self-entered information. If you are a VA patient, you can upgrade your account to Advanced or Premium. For more information about account types and what you can view, visit https://www.myhealth.va.gov/mhv-portal-web/register.

Among the newest features available to veterans with a Premium Account include VA Notes. These are clinical notes that your healthcare team records during your appointments or hospital stays. Also available are your VA Immunization records, more detailed lab reports and a list of your current medical issues. These features are in addition to prescription refills, VA Appointments and Secure Messaging. More information can be found at https://www.myhealth.va.gov/mhv-portal-web/home.

7-13. Medicare.

a) General. Medicare is the federal government program that provides healthcare coverage (health insurance) if you are 65+, or under 65 and receiving Social Security Disability Insurance (SSDI) for a certain amount of time, or have End-Stage Renal Disease (ESRD), Lou Gehrig's Disease or Mesothelioma. The Centers for Medicare & Medicaid Services (CMS) is the federal agency that runs Medicare. Medicare Part A is funded through payroll taxes and Medicare Part B has an income related monthly premium.

When covered by both Medicare and TRICARE, TFL acts as a second payer. https://tricare.mil/tfl. Please note that Medicare does not cover healthcare overseas. However, to use TFL overseas, you must be entitled to Medicare Part A and have Medicare Part B.

b) Medicare's Four Parts.

1) **Part A**: To be eligible for premium-free Part A, an individual must be entitled to receive Medicare based on their own earnings or those of a spouse or parent. Part A helps cover inpatient hospital stays, care in a skilled nursing facility, hospice care, and some home healthcare.

2) **Part B**: Part B covers certain doctors' services, outpatient care, medical supplies, and preventive services. In order to remain eligible for TRICARE, if you are entitled to Medicare Part A, you must have Medicare Part B, with limited exceptions (Active duty, active-duty family members and some U.S. Family Health Plan enrollees).

3) **Part C**: Medicare Part C is another name for a Medicare Advantage (MA) Plan. MA plans are Medicare HMOs or PPOs. MA Plans provide Medicare Part A and Part B services and many also provide Medicare Part D prescription drug coverage. MA plans generally require you to obtain healthcare services from their network of providers and facilities. Some MA plans offer additional benefits such as vision or gym membership. You may enroll in an MA plan during the annual enrollment period, or if you qualify based on one of the following: due to moving, being placed in a long-term care facility, you're eligible for Medicaid, or you want to change to a 5-star Advantage Plan, you may enroll during a Special Enrollment Period (SEP). Medicare Advantage plans are generally not advantageous to those entitled to TRICARE For Life. If you sign up a later change your mind, you can disenroll from a Medicare Advantage at any time because you are eligible for TRICARE For Life.

4) **Part D**: Medicare Part D is the Medicare Prescription Drug Program. You may sign up for Part D during the annual enrollment period or if you qualify during an SEP. Medicare Part D is not required to be eligible for TRICARE Pharmacy benefits.

c) Medicaid. Medicaid provides health coverage to millions of Americans, including eligible low-income adults, children, pregnant women, elderly adults, and people with disabilities. Medicaid is administered by states, according to federal requirements. The program is funded jointly by states and the federal government. Some people qualify for both Medicare and Medicaid. For more information about the Medicaid program, contact your local medical assistance agency or social services office.

Additional information on Social Security and Medicare can be obtained online at: https://www.ssa.gov/medicare/ and https://www.medicare.gov/.

8-1. Overview.

The Executive Director, Army National Military Cemeteries has oversight of policy for all Department of the Army cemeteries. This includes open and closed Army national cemeteries, Army post cemeteries, Army-controlled plots in private cemeteries used to re-inter persons originally interred in an Army Cemetery, cemeteries and burial plots located on Army property that were originally established to inter enemy prisoners of war, Army cemeteries originally established to inter persons who died while criminally incarcerated, private cemeteries and plots on Army property, private cemeteries on private land, and not otherwise defined cemeteries.

8-2. VA Burial Benefits.

Burial benefits available include a gravesite in any of 136 national cemeteries with available space, opening and closing of the grave, perpetual care, a government headstone or marker, a burial flag, and a Presidential Memorial Certificate, at no cost to the family. Some veterans may also be eligible for Burial Allowances. Cremated remains are buried or inurned in national cemeteries in the same manner and with the same honors as casketed remains.

Burial benefits available for spouses and dependents buried in a national cemetery include burial with the veteran, perpetual care, and the spouse and/or dependent's name and dates of birth and death will be inscribed on the veteran's headstone, at no cost to the family. Eligible spouses and dependents may be buried, even if they predecease the veteran. The veteran's family should make funeral or cremation arrangements with a funeral provider or cremation office. Any item or service obtained from a funeral home or cremation office will be at the family's expense. https://www.cem.va.gov/cem/burial_benefits/

a) Service-Related Death.

1) If the veteran died on or after 11 September 2001, the VA will pay up to $2,000 toward burial expenses.
2) If the veteran died before 11 September 2001, the VA will pay up to $1,500 toward burial expenses.
3) If the veteran is buried in a VA national cemetery or was in receipt of VA compensation or pension benefits at the time of death, some, or all of the cost of transporting the deceased may be reimbursed.

b) Non-Service-Related Death.

1) VA will pay up to $893 toward burial and funeral expenses for deaths on or after 5 January 2023, and an $893 plot-interment allowance (if not buried in a national or state Veterans cemetery).
2) For deaths on or after 1 December 2001, but before 5 January 2023, VA will pay up to $300 toward burial and funeral expenses and a plot-interment allowance. The plot-internment allowance varies from year-to-year as it is adjusted for cost of living.
3) For deaths on or after 1 April 1988 but before 1 October 2011, VA will pay $300 toward burial and funeral expenses (for veterans hospitalized by VA at the time of death).
4) If the Veteran is buried in a VA national cemetery or was in receipt of VA compensation or pension benefits at the time of death, some, or all of the cost of transporting the deceased may be reimbursed.

An annual increase in plot allowances for deaths occurring after 1 October 2011 began in fiscal year 2013 based on the Consumer Price Index for the preceding 12-month period. On 5 January 2023, burial allowance was changed to mirror the plot allowance.

If the death occurred while the veteran was hospitalized by VA, or under VA contracted nursing home care, some, or all of the costs for transporting the veteran's remains may be reimbursed. If the veteran died while traveling under proper authorization and at VA expense for the purpose of examination, treatment or care, VA will pay burial, funeral, plot or interment allowances, and transportation expenses.

In addition to VA burial benefits, the surviving spouse or eligible child of a Retired Soldier may be eligible for a $255 lump-sum death benefit from Social Security. Local Social Security Offices have details.

For more information on VA burial benefits, contact any VA office 1-800-827-1000 or national cemetery; or visit the following website: https://www.cem.va.gov/.

8-3. Burial in Arlington National Cemetery.

Arlington National Cemetery's eligibility requirements for burial and inurnment are different from other national cemeteries that are maintained by the Department of Veterans Affairs (VA). Eligibility for in-ground burial at Arlington National Cemetery is the most stringent of all U.S. national cemeteries. However, most Veterans who have at least one day of active service (other than for training) and an honorable discharge are eligible for above-ground inurnment. Eligibility is determined at the time of need. Please note, however that changes have been proposed regarding eligibility for in ground burial that were not approved at the time of printing. Please check the Arlington National Cemetery website for up-to-date eligibility criteria.

a) Eligibility.

Service Member with Honorable Discharge	Eligibility*	
	Inurnment in Columbarium Court or Niche Wall	In-Ground Burial (Casket)
Dies on Title 10 federal active duty (other than for training)	Yes	Yes
Dies on active duty for training only under Title 10	Yes	No
Veteran – retired from active duty and receiving retirement pay	Yes	Yes
Veteran – at least one day of active duty other than for training	Yes	No
Veteran – received Medal of Honor, Distinguished Service Cross (Air Force or Navy), Distinguished Service Medal, Silver Star or Purple Heart	Yes	Yes
Any member of a Reserve component of the Armed Forces, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while on active duty for training or performing full-time service	Yes	No
Any former prisoner of war who, while a prisoner of war, served honorably in the active military, naval or air service; whose last period of service terminated honorably; and who died on or after 30 November 1993	Yes	Yes

*Reflects current eligibility criteria in accordance with the Code of Federal Regulations, Title 32, Part 553, Sections 12 and 13.

Approval authority for the burial of non-eligible adult children in Arlington National Cemetery (ANC) and Army post cemeteries is the Secretary of the Army. Requests for exception to policy for burial in ANC should be submitted to:

Executive Director
Attn: Exception to Policy Request
Arlington National Cemetery
Arlington, VA 22211

Requests for exception to policy for burial in Army post cemeteries should be submitted through your Casualty Assistance Officer (CAO).

b) Assignment of space. One grave is authorized for the interment of a Retired Soldier and their eligible family members. A gravesite will be assigned at the time a request for interment is received. Gravesites may not be reserved in advance of the initial interment.

c) Arrangements for interment. As soon as possible after a Retired Soldier's death, the person making arrangements for the interment (usually the funeral director) should contact the Arlington National Cemetery's Call Center or the superintendent of the post cemetery where interment is desired. When a request for interment is received and eligibility is determined, a cemetery representative will contact the funeral director to schedule the service. Arlington National Cemetery's Call Center is open Monday through Friday, 8:00 a.m. to 4:30 p.m. EST, and on Saturday, from 9:00 a.m. to 2:30 p.m. EST and can be reached at 1-877-907-8585.

d) Cremated remains. Arlington National Cemetery requires certification of 100% of cremated remains and a cremated remains certificate. **Arlington does not accept cremated remains by mail.** For cremated remains, the urn can be hand carried or shipped to a local funeral home for delivery to Arlington on the day of the service or up to three working days prior to the service. The size of the urn cannot be larger than 9 x 9 x 9.

e) Cost. There is no charge for a niche in the Columbarium or for the inscribed marble plaque with which each niche is sealed. Also, there is no charge for a grave in Arlington National Cemetery or Army post cemeteries, for opening and closing the grave, or for a government headstone or marker, or installation of the marker. Other disposition of remains expenses, including preparation of the remains, a casket or urn, an outer shipping container, and/or burial vault, services of a funeral director, and transportation of remains to the cemetery are the responsibility of the family or other party that secured funeral services.

Additional information concerning burial at Arlington National Cemetery, may be obtained from Superintendent, Arlington National Cemetery, Arlington, VA 22211; or by calling toll free 1-877-907-8585; or visit the following website: https://www.arlingtoncemetery.mil.

8-4. Burial in Other National Cemeteries.

Department of Veterans Affairs - National Cemetery Administration (NCA) has responsibility for national cemeteries, except Arlington and the Armed Forces Retirement Home. Contact the VA at 1-800-827-1000 for more information; or go online to: https://www.cem.va.gov/cem/cems/.

8-5. Military Funeral Honors.

The Department of Defense (DOD) is responsible for providing military funeral honors. "Honoring Those Who Served" is the title of the DOD program for providing dignified military funeral honors to veterans who have defended our nation.

Upon the family's request, Public Law 106-65 requires that every eligible veteran receive a military funeral honors ceremony, to include folding and presenting the United States burial flag and the playing of Taps. The law defines a military funeral honors detail as consisting of two or more uniformed military persons, with at least one being a member of the veteran's parent service of the armed forces. The DOD program calls for funeral home directors to request military funeral honors on behalf of the veterans' family. However, the Department of Veterans Affairs (VA) National Cemetery Administration cemetery staff can also assist with arranging military funeral honors at VA national cemeteries. Veteran's organizations may assist in providing military funeral honors. When military funeral honors at a national cemetery are desired, they are arranged prior to the committal service by the funeral home.

The Funeral Directors are a key to the success of the Department's initiatives to improve the delivery of Military Funeral Honors for veterans. The Funeral Director's understanding of how to obtain the honors, use of the toll-free phone system to obtain honors and awareness that only the Funeral Director should request honors, will significantly support the entire effort. DOD maintains a toll-free number (1-877-MIL-HONR) for use by funeral directors only to request honors, or they can contact the Casualty Assistance Center (CAC) for the area in which the interment will be conducted.

8-6. Additional Information.

Funeral Honors Navigation Page:
https://www.hrc.army.mil/content/Funeral%20Honors%20Navigation%20Page

CAC Locator: https://www.hrc.army.mil/TAGD/Casualty%20Assistance%20Centers%20Locator

How to report the death of a Retired Soldier: https://www.hrc.army.mil/content/Reporting%20A%20Death

Survivor assistance: https://soldierforlife.army.mil/retirement/surviving-spouses

CHAPTER 9: PREPARING SURVIVORS

9-1. Overview.

This section will suggest some of the things you can do now to help your family prepare for the future. It will also summarize the major benefits to which your surviving spouses and, in some cases, children or parents may be entitled.

In planning for the future, it is important to remember that retired pay stops when you die unless you elected to participate in the Survivor Benefit Plan (SBP). Participation in the Retired Serviceman's Family Protection Plan (RSFPP) is also possible if your retirement date was prior to 21 September 1972. Retired Soldiers were permitted to participate in both plans.

You are responsible for ensuring your family understands that they must apply to the appropriate government agencies before survivor benefits can be paid. It is also your responsibility to advise your family to file applications for all benefits for which they might be eligible.

9-2. Preparing a Will.

First, you should prepare a will, which expresses your desires for the distribution of your estate. A private attorney or a military legal assistance attorney should prepare your will. It is wise to use witnesses who live in the community and whose addresses are fairly permanent. Choose an executor who will be available to administer your estate and who qualifies under applicable State laws. Keep your will in a safe, known, and easily accessible place. The Department of the Army does not maintain a repository for wills. Estates can be settled faster if the will is retained locally.

9-3. Personal Affairs.

Your family's lack of knowledge of your personal affairs may result in considerable inconvenience and even a loss of benefits to your survivors. To minimize difficulties, keep a list of assets and the location of documents that will be needed to apply for them. A checklist is provided for your use at: https://soldierforlife.army.mil/Retirement/post-retirement listed under Information for Retired Soldiers and Family Members.

Various papers and documents should be readily accessible to your next of kin at the time of your death. These include your will, life insurance policies, bank books, stocks and bonds, deeds to property, Social Security card, birth certificate, most recent retired pay statement, and final DD Form 214-Certificate of Release or Discharge from Active Duty, (and DD Form 215-Correction to DD Form 214, if applicable), and if you are a Gray Area Retired Soldier, the "Notification of Eligibility for Retired Pay" letter (aka "20-Year Letter").

It is important for your surviving spouse to possess proof of marriage when applying for survivor benefits from the VA or the Social Security Administration. Equally important is proof of termination of any other marriages by you or your spouse.

9-4. Army Financial Assistance to Survivors.

AER is the Army's own emergency financial assistance organization - dedicated to "Helping the Army Take Care of Its Own." AER is a private nonprofit organization incorporated in 1942 by the Secretary of War and the Chief of Staff of the Army.

a) Eligibility. The following individuals are eligible for assistance from Army Emergency Relief:

1) Soldiers retired from active duty because of longevity, or retired upon reaching age 60 (Reserve Component) and their eligible family members.
2) Widows(ers) and orphans of Soldiers who died while on active duty or while retired.
3) Medically retired Soldiers and their eligible family members.

b) Where to get assistance.

1) If you are on an Army installation or have one within a 50-mile radius of your location, click here https://www.aerhq.org/.
2) For Navy Marine Corps Relief Society locations, https://www.nmcrs.org
   For Air Force Aid Society locations, https://afas.org/
   For Coast Guard Mutual Assistance locations, https://www.cgmahq.org
3) In the absence of a military base within a 50-mile radius of your location, AER has a reciprocal support agreement with the American Red Cross to assist Soldiers and their eligible families. AER assistance is available by calling the American Red Cross at 1-877-272-7337, and selecting option 3 for financial assistance.

If your surviving spouse has an immediate (or later) need for financial assistance, he/she may apply at the nearest installation's Army Emergency Relief (AER) office; at a local American Red Cross (ARC) chapter; or directly to AER Headquarters, 2530 Crystal Drive, Suite 13161, Arlington, VA 22202; or for more information https://www.armyemergencyrelief.org/assistance/.

9-5. Reporting a Retired Soldier's Death to Non-Army Agencies.

Your family must report your death to the following agencies–

- If in receipt of compensation or a pension from the VA, call VA at 1-800-827-1000.
- If a VA life insurance policyholder, call Veterans Group Life Insurance (VGLI) at 1-800-669-8477.
- Social Security Administration (SSA) at 1-800-772-1213.
- If a Civil Service Retiree, call the Office of Personnel Management (OPM): 1-888-767-6738, or 1-202-606-1800. Please provide OPM the deceased Retired Soldier's full name and date of death, as well as the retirement claim number, if known, and SSN.

9-6. Arrears of Pay.

The person you designate as the beneficiary for your Arrears of Pay (AOP) is eligible for a one-time payment which represents the retired pay due from the last pay date to (and including) your date of death.

The Defense Finance & Accounting Service – Cleveland Center (DFAS-CL) will request that the financial institution where your retired pay was sent return the full amount of retired pay deposited through Electronic Funds Transfer (EFT) after your death. To ensure that the final retired paycheck is returned if already sent by DFAS-CL, your surviving family members should also notify the bank, instructing them to return the final retired pay. The AOP beneficiary should then apply for your AOP, using DD Form 1174, which is sent by DFAS-CL to the beneficiary on record. Proof of your death must accompany the completed application when it is mailed to: DFAS- U.S. Military Retired Pay, 8899 E 56th Street, Indianapolis, IN 46246-1200; or faxed to 1-800-469-6559. For additional information, refer to https://www.dfas.mil/retiredmilitary/survivors/Retiree-death/aop.html.

Retired paychecks which were sent by mail to a financial institution or directly to you, and which were not cashed by you before your death, must be returned to DFAS-CL. Upon receipt of a completed application DD Form 1174, DFAS-CL will send the portion of the final month's pay rightfully owed to you to your designated beneficiary.

9-7. Survivor Benefit Plan (SBP).

a) General. Your entitlement to retired pay ceases on the day you die. Eligibility to receive any portion of your retired pay passes to your survivor(s) only if you elected to participate in the Survivor Benefit Plan (SBP) when you retired.

It's important to know that, if you did elect SBP, you are still responsible for updating your SBP election during retirement when certain life events occur.

Every issue of *Army Echoes* reminds Retired Soldiers to update their SBP election within one year of a change in dependent status such as gaining a child, marriage, divorce, or death. Ignoring this reminder

can result in a Retired Soldier or surviving spouse accumulating a substantial debt or, in some cases, losing SBP coverage for a dependent. To change an SBP election, unless otherwise noted, submit a DD Form 2656-6 (SBP Election Change Certificate), available at https://www.esd.whs.mil/Portals/54/Documents/DD/forms/dd/dd2656-6.pdf, to DFAS with supporting documentation (for example, divorce decree, marriage certificate, death certificate, birth certificate, adoption decree, or guardianship decree). The mailing address is on the DD Form 2656-6 or you can submit it through askDFAS - A DFAS Customer Service Tool at https://corpweb1.dfas.mil/askDFAS/welcome.action. For more detailed information, go to the DFAS website, https://www.dfas.mil/RetiredMilitary/provide/sbp/maintain/.

SBP premiums are suspended when DFAS is properly notified there is no eligible SBP beneficiary for an SBP category. However, a retired Reserve Soldier will continue to pay child RCSBP costs for the RCSBP coverage previously received even when there is no eligible child. Following are the SBP beneficiary categories and information on the individual categories.

b) SBP Beneficiary Categories.

1) Spouse. A surviving spouse is the spouse married to the Soldier at the Retired Soldier's death. If they marry after retirement and the Retired Soldier elected spouse coverage, the marriage must last at least one year or there must have been a child born of that marriage. If the Soldier remarried the former spouse that he/she was married to at retirement and elected spouse SBP for at retirement, that spouse is an eligible SBP beneficiary immediately on remarriage.

Benefits are paid until the spouse dies but will stop if the spouse remarries before age 55 (and can resume if that remarriage ends by death or divorce). Since 26 June 2013, the spouse SBP category has applied to same sex spouses. A surviving spouse authorized both SBP and DIC will receive both if remarried after age 55. On 23 December 2019, Congress passed a law that phased out the offset of SBP by DIC. On 1 January 2021, the amount of SBP offset by DIC decreased to two-thirds the DIC amount. Starting 1 January 2022, the amount of SBP offset by DIC decreased further to one-third the DIC amount. Effective 1 January 2023, the offset of SBP by DIC was eliminated. S

If your spouse dies first or you get divorced, SBP costs will stop (if you notify DFAS). In divorce cases, spouse coverage may be converted to former spouse coverage (see the Former Spouse Coverage). In some instances of divorce, a court may require the conversion to provide for the former spouse. Your spouse SBP and premiums will be suspended if your spouse dies, or you divorce without a former spouse election.

2) Spouse and Children. The spouse is the primary beneficiary, with eligible children receiving the annuity only if the spouse dies, remarries before age 55, or was involved in the Retired Soldier's wrongful death. The 55 percent annuity is divided equally among the eligible children. In the case where a spouse remarried prior to age 55 and the remarriage ends, the SBP benefit goes back to the spouse. The spouse must reapply for the SBP annuity with DFAS when the remarriage ends. If your spouse dies or you divorce and do not elect former spouse SBP, your premiums are recalculated as child coverage. The child portion of the coverage is based on the age of your youngest child, your spouse and you. Child SBP eligibility criteria is listed below in Child Only coverage.

3) Children Only. Eligible children are the primary beneficiaries. Eligibility ends for a child at age 18, or at age 22 if a full-time, unmarried student. Coverage does not end for a child who is incapacitated while eligible to receive SBP. Marriage by a child at any age ends the child's SBP eligibility. If you die while a child is eligible, the 55 percent annuity continues until the child exceeds the age of eligibility. "Eligible children" include adopted children, stepchildren, foster children and recognized natural children who live with the Retired Soldier in a regular parent-child relationship." Children of all marriages and/or relationships are eligible beneficiaries. All eligible children are covered by spouse and children or children only elections. All eligible children are covered at one cost and the cost is based on the age of the youngest child and the Retired Soldier. When there are no longer eligible children, the SBP cost is suspended but RCSBP premiums will continue. A child election offers excellent protection for incapacitated children since the 55 percent annuity is payable to them for life if they do not marry. The mental or physical incapacity must have been incurred while in the age of eligibility. Note: Soldiers should research the impact that SBP for a fully disabled child may have on other benefits the child receives or will receive. Federal law allows payment of child SBP to a Special Needs Trust (SNT) for an unmarried child who is incapable of self-support because

of a mental or physical incapacity existing from an age the child would otherwise have been eligible for SBP or RCSBP.

4) Former Spouse. This option may be elected voluntarily, by a written agreement, or be required by a court order. Former spouse costs and benefits are identical to those for spouses. The same remarriage limitations also apply. Former spouse coverage precludes spouse coverage at the same time. When court ordered former spouse SBP is elected, the only way to stop the former spouse SBP or change it to spouse SBP is with the death of the former spouse or to have all court orders that apply amended to show former spouse SBP is no longer court ordered.

5) Former Spouse and Children. This is identical to the "spouse and children" option in costs and benefits, except that only children of the marriage with the former spouse are eligible beneficiaries.

6) Natural Person with an Insurable Interest. Insurable interest SBP can only be elected at your initial RCSBP or SBP election if there is no eligible spouse or child.

c) Managing Your SBP Election After Retirement

1) Marriage after Retirement Spouse Eligibility. If you marry after retirement, your new spouse is not an eligible SBP beneficiary until the first anniversary of your marriage. There are two exceptions that make a spouse eligible for SBP coverage earlier: (1) the marriage is to your former spouse who was your spouse whom you elected spouse coverage for at retirement or during the 21 September 1972 - 20 March 1974 SBP open enrollment (SBP coverage and costs are effective immediately); (2) you marry and have a child born of that marriage before the first anniversary. Your new spouse is an eligible SBP beneficiary and premiums start effective at the birth of the child or at the one-year anniversary of the marriage.

2) Remarriage after Retirement. If you had spouse coverage and lost your spouse through death, divorce, or annulment. Within one-year of remarrying, you must choose one of three options: (1) decline coverage for your new spouse and any future spouse; (2) increase coverage (if your previous SBP election was for reduced spouse coverage); or (3) resume your previous spouse coverage. You must inform DFAS of your remarriage and choice for spouse SBP coverage using the DD Form 2656-6 (Survivor Benefit Plan Election Change Certificate) by the first anniversary or, by law, your new spouse will be automatically enrolled with the previous level of SBP coverage. Your new spouse will be the SBP beneficiary, and you will owe SBP premiums starting on your first anniversary or the birth of a child of that marriage, whichever is earlier. If you remarry a spouse that you once had SBP coverage for at retirement, the coverage and SBP premiums starts immediately.

3) No Spouse at Retirement. If you were not married at retirement, you may elect spouse SBP coverage during your retirement. However, you must provide DFAS an SBP election form (DD Form 2656-6) for your new spouse within one year of your marriage or the spouse SBP category will be closed for that spouse and any future spouse. SBP Premiums and coverage for your new spouse will start on the first anniversary of your marriage or the birth of a child of that marriage, whichever is earlier.

4) Divorce. If you have spouse SBP coverage, you have one year from the date of your divorce to request that DFAS change your SBP election to former spouse SBP coverage either voluntarily, as a result of a court order, or based on a separate written agreement with your spouse. The court may award your spouse former spouse SBP coverage. Former spouse SBP requests must be submitted to DFAS using the DD Form 2656-6 (Survivor Benefit Plan Election Change Certificate), the DD Form 2656-1 (Survivor Benefit Plan (SBP) Election Statement for Former Spouse Coverage) with the divorce decree and any subsequent court orders or any separate written agreement. Former spouse SBP premiums are retroactive to the date of divorce.

If you take no action within one year of the divorce, you are precluded by law from changing your SBP election to former spouse. In the case of court ordered SBP, if you fail to change the SBP election to former spouse within one year of your divorce, you may be held in contempt of court.

If you are not ordered to provide former spouse SBP coverage, and choose not to do so voluntarily, you must submit a DD Form 2656-6 (Survivor Benefit Plan Election Change Certificate) to DFAS with a copy of the divorce decree to change your spouse SBP to suspended spouse coverage and stop the spouse

SBP premiums retroactive to the date of divorce. You could then resume spouse coverage in the future for a new spouse.

5) Former Spouse "Deemed" SBP Election. A former spouse has one year from the date of the first court order awarding former spouse SBP to "deem" the SBP election. If SBP is awarded to a former spouse and the member does not change the election to former spouse, the election will be changed as if the Retired Soldier had done it. The Retired Soldier can only change the SBP election within one-year of the divorce. If the court order awarding former spouse SBP is one year or more after the date of the divorce, only the former spouse can change the SBP election by deeming former spouse coverage.

If a court awarded former spouse SBP, the former spouse has one-year from the date of the first court order that awarded it to submit a DD Form 2656-10 (Survivor Benefit Plan (SBP) Former Spouse Request for Deemed Election) to DFAS with a copy of the divorce and the court order. If former spouse SBP was the result of a written agreement, the former spouse will provide the written agreement awarding former spouse SBP and any court order incorporating, ratifying, or approving the written agreement.

6) Changing Former Spouse SBP to Spouse SBP when the Former Spouse dies. Federal law allows you to change SBP elections from former spouse to spouse after a former spouse's death if either the former spouse's death or the member's marriage is after 24 November 2015. Submit a DD Form 2656-6 (Survivor Benefit Plan Election Change Certificate) to DFAS with a copy of the supporting documents (death certificate of the former spouse and marriage certificate with the current spouse) within the timeframes outlined below:

- If you were married when your former spouse died and the death was after 24 November 2015, you have one year from the former spouse's death to change your SBP election to spouse. The effective date of your spouse SBP coverage will be your former spouse's date of death or the first anniversary of the remarriage, whichever is later.
- If your former spouse died after 24 November 2015 and you remarry after your former spouse's death, you have one year from your first remarriage to change your SBP election to spouse. The effective date of your spouse SBP coverage will be the first anniversary of the remarriage.
- If your spouse died prior to 25 November 2015 and you remarried after 24 November 2015, you will have one year from your first remarriage to change your SBP election to spouse. The effective date will be the first anniversary of the remarriage.
- If your former spouse's death and your remarriage were both prior to 25 November 2015, the law provided you a one-year open enrollment period that ended on 24 November 2016, to change your SBP election to spouse coverage.

7) Child SBP Coverage Changes.

- If you have no eligible children when you retire, you may elect child SBP within one year of gaining your first eligible child after retirement. Failure to request SBP for the first dependent child following retirement closes the child SBP category. Submit a DD Form 2656-6 (Survivor Benefit Plan Election Change Certificate) to DFAS with a copy of the documents establishing the child's legal dependency and parent child relationship within one year. Child SBP coverage is effective immediately.

- If you already have child SBP coverage, you should notify DFAS-CL that you have an additional dependent child and provide the documentation to verify the child's legal dependency. Coverage for this child will be immediate.

- Election to pay SBP to an irrevocable Special Needs Trust (SNT) for a totally incapacitated child.
  - To elect to pay an SBP or RCSBP annuity to an SNT for an eligible incapacitated dependent child, SBP or RCSBP coverage must exist for that child.
  - When the incapacitated-dependent child's SBP or RCSBP annuity is paid to an SNT, the annuity does not count as income for the child. If the annuity is not paid to an SNT, the annuity will count as income for the child, which could adversely affect the child's other disability-related benefits.
  - The election of payment of the SBP to an SNT set up for the benefit of the child may be made at the time of retirement, after retirement, and even after death of the Retired Soldier.

- You will be required to provide a separate statement from an actively licensed attorney certifying that the trust is an SNT created for the benefit of the child and is in compliance with all applicable federal and state laws.
- An SNT is a legal instrument specifically designed to benefit a person with a disability by providing a set of instructions for managing money set aside to help the disabled person. Unlike many other types of trusts, the special needs trust is governed by both state and federal statute and for SBP or RCSBP must be irrevocable.
- The retiring Soldier, Retired Soldier, surviving parent, and/or legal guardians of the incapacitated dependent child can make the decision that paying the SBP or RCSBP to an irrevocable SNT for the sole benefit of the child is in the child's best interest.
- When there is more than one child eligible for SBP or RCSBP, the SNT for an incapacitated - dependent child will be considered as a child for calculating and dividing the annuity among eligible children.
- The RSO can explain and assist you with the process to request payment of SBP to an SNT for an incapacitated child.

8) Changing Insurable Interest Beneficiary. Within 180 days of the death of your insurable interest beneficiary, you may elect a new insurable interest beneficiary in writing. For this election to be valid, you must live two years past the effective date of the election. If you die before the end of the two years, the election is invalid, and any premiums paid for the new insurable interest election will be paid to your SBP beneficiary. The premium for the new insurable interest beneficiary will be based on the age of the new beneficiary. Any premium increases due to the age difference between you and your new beneficiary will be applied retroactively to the entire period of the insurable interest. If you remarry or have a child, you will have one year to cancel your insurable interest and elect SBP for your spouse and/or child or you close the election category for that beneficiary and any future beneficiary in that category.

d) SBP Withdrawal.

1) If you elected SBP when you retired, you are permitted to terminate or withdraw from the SBP (with spouse or former spouse concurrence) between the 25th and 36th month following the date you began to receive retired pay if your spouse or former spouse concurs in writing. Submit your request for termination between the 25th and 36th month following your retirement date to DFAS on a DD Form 2656-2 (Survivor Benefit Plan (SBP) Termination Request). **You cannot sign it prior to the start of the 25th month.**

- No SBP premiums paid will be refunded, no annuity will be payable upon death, and you cannot resume SBP participation under any circumstance.
- Retired Reserve Component Soldiers who terminate SBP under this provision will continue to pay RCSBP premiums for RCSBP coverage previously received.
- To terminate court ordered former spouse SBP, you must provide a copy of a court order which modifies all previous court orders pertaining to the former spouse election and permits the change of election.
- To terminate former spouse SBP based on a written agreement not incorporated into a court order only requires the former spouse's concurrence on the DD form 2656-2.

2) Retired Soldiers may withdraw if they have been rated by the VA as totally service-connected disabled for ten or more continuous years (if your rating was effective after your last date on active duty) or not less than five continuous years (if your total disability rating was from your last date of active duty).

- Withdrawal is allowed because the VA will presume your death is service connected and your surviving spouse will receive VA Dependency and Indemnity Compensation (DIC) and offset the spouse SBP annuity dollar for dollar before 1 January 2021. However, this offset was phased out and completely eliminated effective 1 January 2023. This means an eligible surviving spouse will receive both the DIC and SBP, so the reason withdrawal by this means is allowed will no longer exist. See note below for more details. A request for withdrawal requires the written consent of your beneficiary.
- When you die, your surviving spouse will be entitled to a refund of all spouse SBP premiums paid. No SBP, to include the amount of SBP that exceeds DIC, will be paid to the surviving spouse.

Note: The National Defense Authorization Act of Fiscal Year 2020 enacted the phasing out of the SBP offset by DIC. On 1 January 2023 the SBP offset by DIC was completely eliminated meaning that the surviving spouses eligible for both SBP and DIC now receive both annuities.

3) Retired Soldiers that combine their military and federal civilian retirement may do one of the following:

- drop military SBP in favor of the Civil Service Survivor Annuity;
- keep military SBP, decline the Civil Service Survivor Annuity, and pay SBP costs directly to DFAS.

4) A Retired Soldier with insurable interest coverage may voluntarily terminate coverage at any time without the beneficiary's concurrence except for an insurable interest election for former spouse prior to 8 November 1985.

9-8. Annuities for Certain Military Surviving Spouses.

To compensate surviving spouses of Retired Soldiers who died before having the opportunity to enroll in the Survivor Benefit Plan (SBP) or the Reserve Component SBP (RCSBP), Congress created the Annuity for Certain Military Surviving Spouses (ACMSS).

a) Qualifications.

1) 18 November 1997 law.
   - A surviving spouse of a Retired Soldier who was retired prior to 21 September 1972, was receiving retired pay at the time of death, and died before 21 March 1974 (the end date of the initial, 18-month SBP Open Enrollment Season), or

   - A surviving spouse of a Reserve Component Soldier who had completed 20 qualifying years of service and but was not yet age 60 and in receipt of retired pay, and who died between 21 September 1972 and 1 October 1978 (date RCSBP was created).

2) 5 October 1999 law. Dates of death for Reserve Component members were expanded to include deaths that occurred any time before 1 October 1978. Under the Barring Act, the government will not pay an amount otherwise owed beyond six years. If the ACMSS entitlement is more than six years, an applicant applying now is limited to receiving payments retroactive from the date of the ACMSS application.

b) Disqualifiers. The following conditions make an applicant ineligible for ACMSS:
- Remarriage ever; or
- Receipt of Retired Serviceman's Family Protection Plan (RSFPP) from DOD; or
- Receipt of Minimum Income Widow (MIW) payments from DOD.
- Receipt of Dependency & Indemnity Compensation (DIC) from the VA is not a disqualifier but results in a dollar for dollar offset of the ACMSS annuity.

c) Application Process. The application form, DD Form 2769, is available online at: https://www.esd.whs.mil/Directives/forms/dd2500_2999/ or from an Army Retirement Services Officer (RSO).

d) Approval Authority. The Director, Army Retirement Services is the Secretarial Designee to approve ACMSS applications from qualified surviving spouses. If the application is approved, it is forwarded for payment to DFAS-CL. Whether approved or disapproved, the applicant is notified of the disposition, and documents that accompanied the application are returned.

e) Annuity Amount. ACMSS annuities are increased annually by the same Cost-of-Living Adjustment (COLA) that is applied to military retired pay and SBP annuities.

9-9. Death Gratuity.

A tax-free, lump-sum death gratuity payment (currently $100,000) is made to survivors of Retired Soldiers when death occurs during the 120-day period immediately following retirement. DFAS-CL issues

this payment only if the VA determines the death was caused by an illness or injury incurred while the Retired Soldier was on active duty.

The claim form required to apply for this benefit is DD Form 397, Claim Certification and Voucher for Death Gratuity Payment. Find it online at: https://www.esd.whs.mil/Directives/forms/dd0001_0499/.

Additional information on this topic is at:
https://www.hrc.army.mil/content/CMAOD%20Survivor%20Resources%20Frequently%20Asked%20Questions

9-10. Government Life Insurance.

If you have National Service Life Insurance (NSLI) or U.S. Government Life Insurance (USGLI) at the time of your death, the VA will provide your beneficiary with the necessary forms and instructions for applying for insurance payments. Survivors who believe they are insurance beneficiaries but who do not receive application forms and instructions should request them from the nearest VA Regional Office or from the VA Regional Office and Insurance Center, P.O. Box 7208, Philadelphia, PA 19101. Identification of government insurance policies by number will expedite payment of claims.

9-11. Dependency and Indemnity Compensation.

a) General. Dependency and Indemnity Compensation (DIC) is an annuity payable by the VA to certain survivors of veterans whose death is determined to be the result of a service-connected disability. For DIC to be payable, the veteran's death must result from:

1) Disease or injury incurred or aggravated in the line of duty while on active duty or active duty for training; or
2) Injury incurred or aggravated in the line of duty while on Inactive Duty for Training (IDT) status.

DIC is tax-free and not subject to seizure by creditors. DIC has no impact on receiving Social Security benefits. A surviving spouse's SBP annuity will be reduced by one-third of the DIC payment until 31 December 2022. The offset was eliminated on 1 January 2023 for benefits paid on or after this date.

b) Authorized Beneficiaries. Surviving spouses and unmarried children under age 18 (as well as those between 18 and 23 if attending a VA-approved school) of certain veterans who were totally disabled at the time of their death and their death was not necessarily the result of a service-connected disability, IF:

1) The veteran was so rated for a period of at least 5 years immediately following their last discharge from military service; or
2) The veteran was continuously rated totally disabled for a period of 10 or more years, if not awarded immediately upon retirement; or in the case of a surviving spouse of a veteran, the marriage to the veteran must have been in effect for at least one year immediately preceding the death of the veteran. (Note: There is no length-of-marriage requirement in active-duty deaths.)

c) Surviving Spouse Remarriage. DIC payments terminate if the surviving spouse remarries before age 55. DIC eligibility can be restored if the subsequent marriage is dissolved by death or divorce.

d) Child Eligibility. If there is no surviving spouse entitled to DIC it may be paid to the children of a veteran meeting the conditions outlined above. To be eligible for DIC payments, a child must be:

1) unmarried;
2) under the age of 18 (unless permanently incapable of self-support before age 18 or 23);
3) pursuing a full-time course of instruction at an approved educational institution. A child who qualifies in this category may continue to receive compensation payments until he or she reaches age 23, terminates education, or marries, whichever occurs first.

Adopted and Stepchildren. A legally adopted child or a stepchild also may qualify for DIC.

e) Parent or Parent-in-Law. DIC may be paid to a parent or parents of an active Soldier or veteran whose death is the result of a service-connected disability regardless of whether a surviving spouse or child is also being compensated. The term "parent" includes father, mother, father by adoption, mother

by adoption, or the person who last stood in loco parentis to the deceased member before their entry into the service. This payment is based on their annual income.

Additional DIC information is available at
https://www.va.gov/disability/dependency-indemnity-compensation/

9-12. VA Survivors Pension (Formerly Death Pension).

VA will pay a survivors pension to a surviving spouse whose income falls below a level of support related to a national standard of need. Pensioners will generally receive benefits equal to the difference between their annual income from all sources, as offset by allowable unreimbursed medical expenses paid by the claimant, and the income limit as assigned by law. In determining eligibility and the amount of benefits payable, all net worth and outside income is considered with exclusions for certain unusual one-time payments or expenditures.

Benefits are increased annually at the same time and by the same percentage as Social Security benefits (effective each December 1st; payable in the January 1st check).

Please note: Most surviving spouses entitled to SBP will receive too much income to qualify for the needs-based death pension.

Application for survivors pension is made on the same form as the application for dependency and indemnity compensation DIC payment and should be submitted in the same manner.

It is important that a surviving spouse who is receiving survivors pension payments report promptly to VA any change in income during the calendar year. Early notification to VA will save the inconvenience of being called upon to refund pension payments that have been received.

For additional information, go to https://www.va.gov/pension/survivors-pension/.

Aid and Attendance. Surviving spouses who qualify for survivors pension may be granted a large income threshold for entitlement purposes if they are patients in a nursing home, helpless or blind, or so nearly helpless or blind as to require the regular aid and attendance of another person.

Housebound Allowance. Surviving spouses who qualify for survivors pension who are not so disabled as to require the regular aid and attendance of another person but who, due to disability, are permanently housebound, may be granted a higher income threshold for survivors pension entitlement.

9-13. Loan Guarantee.

Some spouses of veterans may have home loan eligibility. If they are the unmarried surviving spouse of a veteran who died as a result of service or service-connected causes; the surviving spouse of a veteran who dies on active duty or from service-connected causes, who remarries on or after attaining age 57 (since 16 December 2003); the spouse of an active duty member who is listed as missing in action (MIA) or a prisoner of war (POW) for at least 90 days.

For additional information, go to https://www.va.gov/housing-assistance/home-loans/surviving-spouse/.

9-14. Survivors and Dependents' Educational Assistance Program.

Educational assistance is available to surviving spouses and children of veterans who are rated by VA as totally disabled by reason of service-connected disability or who die of injury or disease incurred or aggravated during wartime or in the performance of military duties during peacetime. Education benefits are normally paid for 10 years from the veteran's death. However, the surviving spouse of a member who dies while serving on active duty may receive 20 years in which to use these benefits. Children are eligible until age 26, although benefits may be extended in some circumstances. Find additional information on the Dependents' Educational Assistance (DEA) program at:
https://www.va.gov/education/survivor-dependent-benefits/dependents-education-assistance/.

9-15. Social Security.

Survivors may apply for Social Security benefits at the same time they apply for DIC or VA death pension. The substantiating evidence they submit to VA may also be used by the Social Security Administration (SSA). However, survivors must still submit an application for Social Security benefits to a SSA office. Submission of separate applications with required substantiating evidence to VA and the SSA will expedite the processing of claims for compensation or pension and Social Security benefits.

9-16. Civil Service Survivor Annuities.

If a veteran dies while employed by the federal government after at least 18 months of creditable federal civilian service, the surviving spouse and children will automatically get an annuity equal to 55 percent of what is called the "earned annuity", provided they were married for at least 9 months (or there is a child born of the marriage). This annuity is payable immediately upon the death of the employee.

Dependent children of a veteran who dies while employed by the federal government after at least 18 months of creditable civilian service are also entitled to an annuity. Their annuities will continue until the earliest date that they marry, reach 18 (age 22 if in school full time), or die.

Inquiry may be made to the U.S. Office of Personnel Management, 1900 E Street NW, Washington, DC 20415; phone 1-202-606-1800; or TTY 1-202-606-2532.

Additional information can be found online at: https://www.opm.gov/.

9-17. Civil Service Preference.

10 points are added to the exam scores of unmarried surviving spouses of deceased Retired Soldiers who served on active duty during any war, or in any campaign or expedition for which a campaign badge or service medal was authorized.

The (natural) mother of a Retired Soldier, who became permanently and totally disabled because of a service-connected disability, is entitled to 10-point preference provided:

- that she was married to the father of the Retired Solder and the father is permanently and totally disabled.
- is now widowed, divorced, or separated from the Retired Soldier's father and has not remarried
- or is widowed or divorced from the Retired Soldier's father and have remarried, but are now widowed, divorced, or separated from the husband of her remarriage.

Most civil service positions are filled through competitive examinations. Persons entitled to 10-point preference for federal civil service employment must attain an eligibility rating in a civil service examination before the 10 points can be added.

Information concerning available federal employment and civil service examinations may be obtained from the official job site USA Jobs, online at https://www.usajobs.gov. Examination announcements and application forms also may be obtained from most post offices throughout the U.S.

9-18. State Benefits.

MyArmyBenefits (MAB) provides fact sheets for every state and territory covering the benefits they provide Soldiers, veterans, Retired Soldiers, and survivors. Each state is different in their approach to the military and veterans and should be reviewed by Soldiers considering retirement. For example, MAB state fact sheets can be reviewed to ascertain whether military, active duty and retired military or disability pay are exempted from state taxes, or whether individuals and disabled veterans are exempted from property or sales taxes or granted special education assistance and benefits. In some instances, benefits similar to federal tax cancellation exist with respect to income, estate, or inheritance taxes. Many states have passed laws providing certain rights, benefits, and privileges to surviving spouses and children of deceased Soldiers. These include bonuses, educational assistance, employment preference, tax exemptions, and others. Further information is also provided in the MyArmyBenefits state fact sheets

about other laws of a particular state and points of contact for local government, and State Agencies for Veterans Affairs. https://myarmybenefits.us.army.mil/Benefit-Library/State/Territory-Benefits

9-19. TRICARE Survivor Benefits.

If a sponsor dies after retiring from active duty (either regular or a medical retirement) or a reserve component, surviving family members remain eligible for TRICARE with the same health plan options and costs they had before their sponsor passed away. Those surviving, eligible family members under TRR, remain covered by TRR until the sponsor would have turned age 60, which then may enroll in TRICARE Prime (if in a PSA), or TRICARE Select.

Surviving spouses remain eligible for TRICARE unless they remarry, and children remain eligible until they age out or lose TRICARE eligibility for other reasons.

For more information on TRICARE Survivor Benefits, visit https://tricare.mil/Plans/Eligibility/Survivors.

10-1. The Armed Forces Retirement Home.

In 1990, Congress consolidated the United States Soldiers' and Airmen's Home (USSAH) in Washington, DC, and the U.S. Naval Home (USNH) in Gulfport, Mississippi, into the Armed Forces Retirement Home (AFRH). The two AFRH facilities are referred to as AFRH-Washington and AFRH-Gulfport.

Veterans are eligible to become a resident of the AFRH if their Regular Army, United States Army Reserve, or Army National Guard service in the military was at least 50 percent enlisted, warrant officer or limited duty officer and who:

- were discharged from service in the Armed Forces after 20 or more years of active service; **or**
- Are determined under rules prescribed by the Chief Operating Officer to have a service-connected disability (50% or greater) incurred in the line of duty in the Armed Forces; **or**
- Served in a war theater during a time of war declared by Congress or were eligible for hostile-fire pay and who are determined under rules prescribed by the Chief Operating Officer to be suffering from injuries, disease, or disability; **or**
- Served in a women's component of the armed forces before 12 June 1948; and are determined under rules prescribed by the Chief Operating Officer to be eligible for admission due to compelling personal circumstances; **or**
- served in the Armed Forces (Regular, Reserve, or National Guard) and are eligible for retired pay according to Ch. 1223 of Title 10, USC, including those individuals who have either completed sufficient service in a non-regular component or qualify for an early retirement (TERA/DISABILITY) and are now receiving retired pay and benefits from the Department of Defense.

Married couples are welcome, if qualified. Both individuals must meet medical and legal requirements in order to be eligible to become residents of AFRH. Accommodations for couples are subject to availability and other requirements.

- Dual-Eligible veteran Couples: qualify if the primary applicant/resident and the co-applicant are both eligible veterans (enlisted personnel, limited duty officers, or warrant officers) who meet the eligibility requirements in their own right.

- Retired veteran plus a qualified spouse: spouses of retired veterans qualify for residency if the spouse is enrolled as beneficiary in DEERS and they were married before the veteran became eligible for retirement from the Armed Forces. The veteran and non-military beneficiary spouse are required to share an apartment (double occupancy).

Applicants must be free of drug, alcohol, and psychiatric problems, and never have been convicted of a felony. At the time of admission, applicants must be able to live independently. As an example of this, they must be able to take care of their own personal needs, attend a central dining facility for meals and keep all medical appointments. If increased healthcare is needed after being admitted, assisted living and long-term care are available at both campuses.

10-2. AFRH—Washington.

When prospective residents enter the Washington campus for the first time, they are stunned by its majestic views, rolling hills, tranquil lakes, and historic landmarks. Nestled on 272 acres in the heart of our nation’s capital, just minutes from the White House, U.S. Capitol and other national landmarks, the Home once housed four U.S. Presidents, including Abraham Lincoln. Considered a city within a city, the campus features everything our residents need for daily living: 400 plus private rooms for independent living equipped for cable television and telephones, banks, chapels, convenience store, post office, laundry, barber shop and beauty salon, dining room, and 24-hour security and staff. More information can be obtained online at https://www.afrh.gov/washington.

10-3. AFRH—Gulfport.

The Gulfport facility is located on 40 acres of prime waterfront land on the Mississippi Sound. The Gulfport facility has been home to former enlisted and warrant officer service members since 1976. It features a multi-tower complex for Independent Living, Assisted Living, Long term Care and Memory Support. Full amenities include dining, social, recreational, and therapeutic activities, a swimming pool, hobby shops, a wellness center with basic dental and eye care, a bank, a barber, and a beauty shop, bowling areas, movie theater, a computer room and library, plus a private walkway to the beach. More information can be obtained online at https://www.afrh.gov/gulfport.

10-4. Additional Information.

Details on AFRH can be obtained online at: https://www.afrh.gov/, or by writing to AFRH-Washington, 3700 N. Capitol St. NW, Washington, DC 2011-8400; and AFRH-Gulfport, 1800 Beach Drive, Gulfport, MS 39507, or by calling 1-800-422-9988.

If you have general questions about the AFRH, please send an email to admissions@afrh.gov. Please specify a particular campus in your subject line.

10-5. State Veterans Homes.

State Veterans Homes are facilities that provide nursing home, domiciliary or adult day care. They are owned, operated, and managed by state governments. To participate in the State Veterans Home program, VA must formally recognize and certify a facility as a State Veterans Home. VA then surveys all facilities each year to make sure they continue to meet VA standards. VA does not manage State Veterans Homes. For more information, please go to:
https://www.va.gov/GERIATRICS/Guide/LongTermCare/State_Veterans_Homes.asp.

Your eligibility for State Veterans Homes is based on clinical need and setting availability. Each State establishes eligibility and admission criteria for its homes. Some State Veterans Homes may admit non-veteran spouses and gold star parents while others may admit only veterans.

A recognized State Veterans Home may receive payments from the VA to help defray the cost of care provided to veterans. The cost to you varies by state. VA does not pay for care for non-veterans.
For more specific information, a listing of states' points of contact is found online at:
https://www.va.gov/statedva.htm.

11-1. Overview.

The legal ramifications associated with the dissolution of a marriage should not be taken lightly. Competent legal advice should always be sought. Each person must seek legal advice to feel satisfied, not confused, by the proceedings. Title 10, USC, is a public document, available to all lawyers. In addition, because state laws differ and because it is state law that governs divorce proceedings and decrees, it is important that your legal advisor have complete knowledge of the divorce laws applicable to the state under which the divorce will be granted, and be well-versed in military divorce procedures.

11-2. Effective Date.

Public law 97-252 enacted on 8 September 1982 contained the provisions commonly known as the Uniformed Services Former Spouses' Protection Act (USFSPA). USFSPA prevents the division of retired pay when the divorce was finalized prior to 26 June 1981.

11-3. Disposable Retired Pay.

Only "disposable" retired pay can be divided between the Retired Soldier and the former spouse. The term disposable retired pay means the total monthly retired pay to which a member is entitled:

- *less* amounts owed by that member to the United States for previous overpayments of retired pay and for recoupment required by law resulting from entitlement to retired pay;
- *less* amounts deducted from the retired pay of such member as a result of forfeiture of retired pay ordered by a court-martial or as a result of a waiver of retired pay required by law in order to receive compensation under Title 5 and/or Title 38, USC;
- (In the case of a member entitled to retired pay under chapter 61 of Title 10 USC) *equal to* the amount of retired pay of the member under that chapter of law computed using the percentage of the member's disability on the date when the member was retired, or the date on which the member's name was placed on the temporary disability TDRL; or
- *less* amounts deducted because of an election under chapter 73, Title 10, USC to provide an annuity to a spouse or former spouse to whom payment of a portion of such member's retired pay is being made pursuant to a court order under this section.

11-4. Authority for a Court to Treat Retired Pay as Property of the Member and Spouse.

Subject to the limitations of Title 10, USC, a state court may treat disposable retired pay payable to a member for pay periods beginning after 25 June 1981, either as property solely of the member, or as property of the member and his spouse in accordance with the law of the jurisdiction of such court. A court may not treat retired pay as property in any proceedings to divide or partition any amount of retired pay of a member as the property of the member and the member's spouse or former spouse if a final decree of divorce, dissolution, annulment, or legal separation (including a court ordered, ratified, or approved property settlement incident to such decree) affecting the member and the member's spouse or former spouse (A) was issued before 26 June 1981, and (B) did not treat (or reserve jurisdiction to treat) any amount of retired pay of the member as property of the member and the member's spouse or former spouse.

Notwithstanding any other provision of law, this section does not create any right, title, or interest which can be sold, assigned, transferred, or otherwise disposed of (including by inheritance) by a spouse or former spouse. Payments by the Secretary concerned under subsection (d) T10 USC §1408 - Payment of Retired or Retainer Pay in Compliance with Court Orders to a spouse or former spouse with respect to a division of retired pay as the property of a member and the member's spouse under this subsection may not be treated as amounts received as retired pay for service in the uniformed services IAW T10 USC §1408.

This section does not authorize any court to order a member to apply for retirement or retire at a particular time to effectuate any payment under this section.

A court may not treat the disposable retired pay of a member in the manner described above unless the court has jurisdiction over the member by reason of: (A) their residence, other than because of military assignment, in the territorial jurisdiction of the court; (B) their domicile in the territorial jurisdiction of the court; or (C) their consent to the jurisdiction of the court.

11-5. Court-Ordered SBP.

Since 14 November 1986, state courts have been permitted to order a member to participate in SBP for the member's former spouse. This pertains both to active-duty members who can be ordered to elect SBP coverage for a former spouse at retirement, and to Retired Soldiers with spouse coverage, who must convert the category to "former spouse." Note that courts cannot order a Retired Soldier to provide former spouse coverage unless the member previously had spouse coverage for the now-former spouse.

When divorce occurs after retirement, former spouse SBP coverage will be in the same amount as spouse coverage. In active-duty divorces, the specific level of coverage to be elected can be directed by the court order.

If the former spouse remarries before age 55, SBP eligibility is lost and SBP participation by the Retired Soldier is suspended, with no costs owed during the period of ineligibility. The SBP remains the Former Spouse's property if court ordered, by written agreement, or voluntary. Therefore, if that remarriage ends, eligibility is restored; participation is resumed, as are SBP costs. Marital status changes must be documented and reported to DFAS-CL immediately.

A former spouse has one-year from the date of the first court order awarding former spouse SBP to make a written request to DFAS-CL for a deemed former spouse election. Providing DFAS-CL a copy of the divorce decree does not constitute a request for a deemed election. By law, a specific written request must be made. The form to request a deemed former spouse election is DD Form 2656-10, Survivor Benefit Plan (SBP) Request for Deemed Election. If a Retired Soldier or retiring Soldier fails to make the former spouse election, based on a timely correct DD Form 2656-10, DFAS will change the election to former spouse or former spouse and child as if the election was made by the Retired Soldier. A member, if retired, has one-year from the date of the divorce to change their election from spouse to former spouse.

11-6. Additional Information.

More complete information may be obtained by contacting a Retirement Services Officer; an installation Judge Advocate General (JAG) officer; or on the Army Retirement Services website at https://soldierforlife.army.mil/retirement/former-spouses.

12-1. Overview.

Retirement is considered the same as discharge or relief from active duty for purposes of eligibility for Department of Veterans Affairs (VA) benefits.

VA has regional offices and centers throughout the United States, the Commonwealth of Puerto Rico, and the Republic of the Philippines. For information or assistance concerning VA benefits, contact the nearest VA office. Residents of foreign countries should contact the nearest American Embassy or Consulate. Toll-free telephone service at 1-800-827-1000 is available in all 50 States.

Publications describing benefits administered by VA may be obtained at no cost from the nearest VA office or online at https://www.va.gov.

Many of these benefits will come from the Department of Veterans Affairs (VA) based on the following timetable.

12-2. VA Benefits Timetable.

Many VA benefits have time limits on how long a veteran is eligible to take advantage of them. A listing of VA benefits and the time frame for application follows:

a) Dental treatment. VA provides necessary dental care, but you must apply within 180 days of discharge (under conditions other than dishonorable) from a period of active duty of 90 days or more. The time limit does not apply to veterans with dental disabilities resulting from combat wounds or service injuries. One-time dental care is also authorized if your DD 214 certificate of discharge does not indicate that a complete dental examination and all appropriate dental treatment had been rendered prior to discharge.

b) Education. You may be eligible for educational assistance while you pursue approved training. It is important to remember that both the training facility and the individual program must be approved. You may have eligibility for the following Education benefits:

- Post 9/11 GI Bill (Chapter 33): Tuition and fees benefits are paid to the training provider. Books and supplies, and Monthly Housing Allowance (MHA) are paid to you.
- Montgomery GI Bill Active Duty (MGIB-AD) (Chapter 30): You will be paid a monthly lump sum based on the amount of service you have, the amount courses being taken, and the type of training you're taking.
- Montgomery GI Bill Active Duty (MGIB-SR) (Chapter 1606): You will be paid a monthly lump sum based on the amount of service you have, the amount courses being taken, and the type of training you're taking.
- Survivors' and Dependents' Educational Assistance (DEA) (Chapter 35): the beneficiary will be paid a monthly lump sum based on the amount courses being taken and the type of training being taken.

Individual benefit eligibility can be found at the links provided below. If you want to apply for education benefits, you can do so at the GI Bill website: https://www.va.gov/education/how-to-apply/.

Additional information on education benefits can be found on the GI Bill website at https://benefits.va.gov/gibill/. For access to the GI Bill comparison tool go to https://www.va.gov/gi-bill-comparison-tool. VA also has a three-part guide, "Building Your Future with the GI Bill" which includes information pertaining to the following:

- Part One: A Guide to Choosing Your Education Pathway
- Part Two: A Guide to Understanding Your Benefits
- Part Three: A Guide to Furthering Your Career

c) Life insurance.

1) Veterans Group Life Insurance (VGLI). Servicemembers' Group Life Insurance (SGLI) may be converted to VGLI, which is a five-year, renewable, term policy. It is available in an amount between $10,000 and $500,000 in term life insurance benefits. When you leave the military, you can sign up through VGLI for coverage up to the amount you had through SGLI. You can also increase your coverage by $25,000 every 5 years—up to $500,000—until you're 60 years old. To learn more about the difference between term and whole life coverage, refer to the Comparing Veterans' Group Life Insurance (VGLI) to Whole Life Insurance Coverage information sheet from the VA Insurance page at https://www.benefits.va.gov/INSURANCE/docs/VGLI_Flyer.pdf. Premiums are age-based. At any time, VGLI may be converted to an individual commercial policy with a participating insurance company (VA will provide you a list of participating companies). No physical is required if the conversion from SGLI to VGLI occurs within 120 days following retirement, but application must include proof of good health if made within one-year and 120 days after retirement. Go to https://www.va.gov/life-insurance/options-eligibility/vgli/ for more information.

- Service-Disabled Veterans Insurance (S-DVI). VA life insurance is available for veterans with service-connected disabilities. Veterans who are totally disabled may apply for a waiver of premiums, and for additional insurance after six months. In conjunction with the implementation of VALife insurance on 1 January 2023 (see below), the S-DVI program stopped taking new applications after December 31, 2022. But if you already have S-DVI, you can keep it. For more information, go to https://www.va.gov/life-insurance/options-eligibility/s-dvi/.

- Veterans' Mortgage Life Insurance (VMLI). VMLI provides up to $200,000 mortgage life insurance. This is mortgage protection insurance issued to those severely disabled veterans who have received grants for Specially Adapted Housing from VA. Veterans must apply for VMLI before their 70th birthday. Information is available at https://www.va.gov/life-insurance/options-eligibility/vmli/.

- Veterans Affairs Life Insurance (VALife). In January 2023, VA launched a new life insurance program called Veterans Affairs Life Insurance (VALife), which provides guaranteed acceptance whole life insurance coverage to veterans aged 80 and under, with any level of service-connected disability. Some veterans aged 81 and older may also be eligible. Guaranteed acceptance is a whole life policy that does not require a medical exam or ask health questions. It also does not have a limited two-year window to sign up. Whole life insurance provides coverage for the entire life of the individual policyholder if premiums are always paid. Premium rates are locked in for the life of the policy, and unlike term policies will not increase as the policyholder ages. The application is available online at https://insurance.va.gov/VALIFE/Fiduciary. To learn more about VALife and whether it's the right choice for you and your family, please visit the website at https://www.benefits.va.gov/insurance/valife.asp.

d) Vocational rehabilitation. For certain disabled veterans, you may be entitled to services with Veteran Readiness and Employment (VR&E) (Formerly known as Vocational Rehabilitation and Employment) to help with job training, education, employment accommodations, resume development, and job seeking skills coaching. Other services may be provided to assist veterans in starting their own businesses or independent living services for those who are severely disabled and unable to work in traditional employment. For additional information on how to apply, visit the following website: https://www.benefits.va.gov/vocrehab/index.asp.

e) Disability compensation. VA pays compensation for disabilities incurred in or aggravated by military service. Compensation is tax-free. If you are an eligible Retired Soldier, you might be entitled, based on qualifications, for full concurrent receipt without monetary offset. In order to better understand concurrent receipt entitlements, you can access the following website for additional information: https://www.dfas.mil/retiredmilitary/disability/crdp.html.

f) Medical care. VA provides a wide range of care benefits to veterans with service-connected disabilities and to non-service-connected veterans who qualify. Readjustment counseling is available at VA vet centers for veterans with readjustment concerns.

g) VA home loan guarantee. VA helps service members, veterans, and eligible surviving spouses to become homeowners. VA provides a home loan guaranty benefit and other housing-related programs to help you buy, build, repair, retain, or adapt a home for your own personal occupancy. VA Home Loans

are provided by private lenders, such as banks and mortgage companies. VA guarantees a portion of the loan, enabling the lender to provide you with more favorable interest rate and purchase terms. You can find more information at https://www.benefits.va.gov/homeloans/index.asp.

h) Employment assistance. VA assistance is available in finding employment in private industry or government (federal, state, and local). Note: The Unemployment Compensation program is administered by the states as agents of the federal government. The Department of Labor (DOL) website, https://www.dol.gov/general/location, contains links for each state's/territory's benefits, including Washington D.C., Guam, Puerto Rico, and the Virgin Islands. The amount of the benefit and the payment period varies. Apply as soon as possible after retirement. Normally, retired pay will reduce unemployment benefits dollar for dollar.

i) Veterans Pension. The Veterans Pension program provides monthly payments to wartime Veterans who meet certain age or disability requirements, and who have income and net worth within certain limits. You can find more information about this program, to include eligibility requirements at https://www.va.gov/pension/.

12-3. Veterans Crisis Line.

To reach the Veterans Crisis Line, dial 988 then press 1. The Veterans Crisis Line provides confidential crisis support for Veterans and their loved ones, and is available anytime 24/7. You don't have to be enrolled in VA benefits or health care to connect. more information can be found at https://www.veteranscrisisline.net/.

12-4. Additional Information.

Details on all VA programs and benefits are available online at https://www.va.gov; or by calling 1-800-827-1000; or contacting your state or county VA official (government pages of phone book). You can also register for a VA account at https://www.va.gov/. The VA account is a joint VA/DOD web portal that provides resources and self-service capabilities to veterans, Service members, and their families to research, access and manage their VA and military benefits and personal information. The VA uses secure credentials to allow access to personal information and gives users the ability to perform numerous self-service functions. It also provides a list of links to other sites that provide information about military and veteran benefits. It is an essential way for veterans, Service members, and their families to receive access to and service from VA and DOD.

13-1. Overview.

Most Retired Soldiers and their families, or their survivors will be eligible to receive monthly Social Security payments when they reach Social Security retirement age.

Social Security benefits are administered by the Department of Health and Human Services (DHHS). Only that agency can make the final determination as to whether Social Security benefits are payable. More detailed information on retirement and survivor benefits, and many other aspects of Social Security are provided in the booklet, "Retirement Benefits", SSA Publication No. 05-10035, available online at: https://www.ssa.gov/pubs/EN-05-10035.pdf, published by the Department of Health and Human Services. A copy of this and other informative publications may be obtained at any Social Security office in the U.S., or by calling 1-800-772-1213; or online at https://www.ssa.gov.

13-2. Eligibility Requirements for Social Security Benefits.

On 1 January 1957 military members began participating in the Social Security system while performing active duty. Social Security tax, or FICA, is not deducted from retired pay as that is considered "deferred" income, not "earned" income.

A person becomes insured for Social Security benefits through the quarters of coverage earned in employment covered by the Social Security law. Generally, a quarter of coverage is a 3-month period beginning January 1st, April 1st, July 1st, or October 1st in which the worker (in most occupations, including military service) had the minimum required earnings.

A Retired Soldier has earned one quarter of coverage for every calendar quarter or part of a calendar quarter served on active duty during a period in which he or she was eligible for Social Security wage credits. The number of quarters of coverage a Retired Soldier has earned before reaching retirement age determines eligibility for Social Security benefits.

To be eligible for retirement benefits, the Retired Soldier must be fully insured. Once a Retired Soldier has earned 40 quarters of coverage, he or she is fully insured for life. Soldiers who were on active duty for at least 10 years have earned 40 quarters of coverage and are, therefore, fully insured.

While the number of quarters of coverage earned determines whether benefits are payable, a Retired Soldier can increase their future Social Security benefit amount by continuing to work in Social Security covered employment after retirement.

Military retired pay and Social Security benefits are concurrently payable -- without offset!

13-3. Types of Social Security Payments.

a) Retirement.

1) Worker. Workers who are fully insured may receive a full monthly Social Security benefit at age 65, or at a higher age as determined by their date of birth (age 67 for anyone born on or after 1 January 1960). Workers whose "full" entitlement age is 65, and who choose to begin to receive Social Security payments at age 62, maximum benefits are payable at age 70. The closer the worker is to full retirement age when electing to receive the benefit, the larger the percentage of the full benefit is, for life. When a worker elects to receive an early Social Security benefit at a reduced rate, the reduced rate will continue even after the worker's full-retirement-age birthday. It will, however, increase with annual cost of living adjustments, or if additional wages are earned. Refer to the following website to determine exact full retirement ages, and associated reductions of benefits if taken at an earlier age: https://www.ssa.gov/OACT/ProgData/types.html.

2) Spouse/Former Spouse. If a worker is receiving a Social Security retirement benefit, the worker's spouse (and/or former spouse) may receive a spouse benefit based on the worker's record. The spouse benefit is one-half of the worker's benefit, and if the worker elects to receive an early, reduced benefit, it impacts the spouse's "half". Just as with a worker, once a reduced benefit is elected, the reduced

percentage rate is never increased. A spouse (former spouse) may receive a benefit as a parent who is caring for the worker's child, who is under age 16 or disabled, and who is entitled to a child's benefit based on the worker's record.

3) Child. Each unmarried, dependent child under age 18 (up to 19 if still in secondary school--high school and below), or any age if disabled before age 22, of a worker who is receiving a Social Security retirement benefit is eligible for a child's benefit based on the earnings of the worker parent.

b) Survivor.

1) Surviving spouse or former spouse. A surviving spouse married at least nine months at time of the worker's death (note: there's no marriage length requirement in the case of military active-duty deaths), or a former spouse who was married for at least 10 years to a worker may be entitled to receive 100 percent of the worker's benefit at age 65. (Note: receipt by a surviving spouse does not preclude receipt by a qualified former spouse). A reduced benefit may be drawn as early as the surviving spouse or former spouse's 60th birthday. A surviving spouse who remarries after age 60 continues to receive the surviving spouse benefit.

2) Caring for a Child. If the surviving spouse/former spouse is under 62 and caring for a worker's child (under age 16 or disabled) entitled to a child's benefit, the surviving spouse/former spouse's benefit will be three-fourths of the worker's benefit subject to a maximum family benefit limit. The benefit to the surviving spouse or former spouse will terminate when the child reaches age 16 unless the child is disabled. If a disabled child continues to receive benefits, the surviving spouse/former spouse may continue to receive benefits.

3) Dependent children. Each unmarried dependent child under 18 may be entitled to a child's benefit based on the Social Security account of a deceased worker. An unmarried dependent child aged 18 or older may be entitled to benefits if the child was disabled before age 22 or is a full-time student under age 19. Each child receives a monthly benefit that is 75 percent of the worker's benefit subject to a maximum family benefit limit.

4) Dependent parent. A parent who was supported by more than 50 percent by the deceased worker at the time of the deceased worker's death, or the beginning of the deceased worker's period of disability, may receive a benefit at age 62. This benefit would be in addition to the benefit received by a surviving spouse/former spouse or child. The parent must file proof of support within two years after the worker's death or application for a period of disability. One parent will receive 82-1/2 percent of the worker's benefit. If there are two parents, each will receive 75 percent of the worker's benefit subject to a maximum family benefit limit.

c) Disability. An eligible worker can become entitled to disability payments at any time before age 65. A surviving spouse/former spouse who becomes disabled before age 65 may receive Social Security disability payments as early as age 50. The disability benefit is paid in addition to retired pay or VA service-connected disability compensation. The eligibility criteria for Social Security disability compensation are much stricter than for other government disabilities (e.g., military retirement or VA service-connected). Contact Social Security for more details.

13-4. Eligibility for More Than One Type of Benefit.

Each married person who has earned sufficient quarters of Social Security coverage in their own right has the option of drawing a worker benefit on their own work record or a spouse or surviving spouse benefit based on their spouse's work record. Further, a person entitled to a benefit based on their own work, and a surviving spouse/former spouse benefit, may switch from one type of benefit to another if it is financially advantageous. An individual entitled to benefits based on their own work record, and a higher spouse benefit on their spouse's work record, is required to file for both benefits, if eligible to receive both benefits at the time their application is filed.

13-5. Eligibility for a Pension from Work Not Covered by Social Security.

In most cases, a person who first qualified on or after 1 July 1983, for a local, state, or federal pension from work not covered by Social Security, will have the Social Security spouse or surviving spouse benefit reduced by an amount equal to two-thirds of their government-contributed pension. This is called

the Government Pension Offset (GPO). An SSA publication on the GPO is available online at https://www.ssa.gov/pubs/EN-05-10007.pdf, or by calling your local Social Security office.

13-6. Benefits Reduced for Those with Little Social Security Covered Employment.

The Social Security Windfall Elimination Provision (WEP) requires that a reduced formula be used to calculate Social Security benefits for those with very little Social Security covered employment who are also eligible for a pension based upon their own work, which was not covered by Social Security. This would apply to those with few active-duty years after 31 December 1956. It would also affect a civil service retiree who perhaps had only part-time Social Security covered employment. For more information, please go to https://www.ssa.gov/planners/retire/wep-chart.html; or call your local Social Security office.

13-7. Lump-Sum Death Payment.

A surviving spouse or child may receive a special lump-sum death payment of $255 if they meet certain requirements.

Generally, the lump-sum is paid to the surviving spouse who was living in the same household with the worker when they died. If they were living apart, the surviving spouse can still receive the lump-sum if, during the month the worker died, they:

- were already receiving benefits on the worker's record; **or**
- became eligible for benefits upon the worker's death (see https://www.ssa.gov/planners/survivors/ifyou2.html).

If there's no eligible surviving spouse, the lump-sum can be paid to the worker's child (or children) if, during the month the worker died, the child:

- was already receiving benefits on the worker's record; **or**
- became eligible for benefits upon the worker's death. (see https://www.ssa.gov/planners/survivors/ifyou4.html)

If the eligible surviving spouse or child is not currently receiving benefits, they must apply for this payment within two years of the date of death.

For more information about this lump-sum payment, contact your local Social Security office or call 1-800-772-1213 (TTY 1-800-325-0778) or visit https://secure.ssa.gov/ICON/main.jsp.

13-8. Additional Information.

To obtain more information about Social Security benefits, call toll-free 1-800-772-1213; or go to their website at https://www.ssa.gov.

CHAPTER 14: REFERENCES AND TERMS

14-1. References.

Related publications and forms that can be used as sources for additional information are listed below, and can be found online as follows:

Soldier for Life: https://soldierforlife.army.mil/retirement/
MyArmyBenefits: https://myarmybenefits.us.army.mil/
Army Publishing Directorate: https://armypubs.army.mil/
DOD Directives: https://www.esd.whs.mil/dd/
IRS: https://www.irs.gov/
Social Security: https://www.ssa.gov
VA: https://www.va.gov
DFAS: https://www.dfas.mil/
Official Guide to Government Services: https://www.usa.gov
TRICARE: https://www.tricare.mil/
MyHealtheVet: https://www.myhealth.va.gov/mhv-portal-web/home
myPay: https://mypay.dfas.mil/#/

Army Regulations:
AR 25-50, Preparing and Managing Correspondence
AR 290-5, Army National Cemeteries
AR 600-8-7, Retirement Services Program
AR 600-8-22, Military Awards
AR 600-8-24, Officer Transfers and Discharges
AR 635-8, Separation Processing and Documents
AR 635-40, Physical Evaluation for Retention, Retirement, or Separation
AR 635-200, Active Duty Enlisted Personnel Separations
AR 638-8, Army Casualty Program
AR 670-1, Wear and Appearance of Army Uniform

DD Forms:
DD Form 2 (Retired Reserve) (red), United States Uniformed Services Identification Card
DD Form 2 (Retired) (blue), United States Uniformed Services Identification Card
DD Form 48-3, Security Questionnaire (Updating), Personnel
DD Form 149, Application for Correction of Military Record under the Provisions of Title 10, USC, §552
DD Form 214, Certificate of Release or Discharge from Active Duty
DD Form 215, Correction to DD Form 214, Certificate of Release or Discharge from Active Duty
DD Form 397, Claim Certification and Voucher for Death Gratuity Payment
DD Form 1172, Application for Uniformed Services Identification Card – DEERS Enrollment
DD Form 1173, United States Uniformed Services Identification and Privilege Card (Dependent of Retired Soldier in receipt of retired pay)
DD Form 1173-1, United States Uniformed Services Identification and Privilege Card (Dependent of Gray Area Retired Soldier not in receipt of retired pay)
DD Form 1357, Statement of Employment.
DD Form 1787, Report of DOD and Defense-Related Employment.
DD Form 1884 (replaced by DD Form 2656-7)
DD Form 2656, Data for Payment of Retired Personnel
DD Form 2656-1, Survivor Benefit Plan (SBP) Election Statement for Former Spouse Coverage
DD Form 2656-2, Survivor Benefit Plan (SBP) Termination Request
DD Form 2656-5, Reserve Component SBP (RCSBP) Election Certificate
DD Form 2656-6, Survivor Benefit Plan Election Change Certificate
DD Form 2656-7, Verification for Survivor Annuity
DD Form 2656-8, SBP—Automatic Coverage Fact Sheet
DD Form 2656-10, Survivor Benefit Plan (SBP) Former Spouse Request for Deemed Election
DD Form 2769, Application for Annuity--Certain Military Surviving Spouses
DD Form 2860, Claim for Combat-Related Special Compensation (CRSC)

DFAS Retired Pay Manual:
DOD Financial Management Regulation (FMR) 7000.14-R, Volume 7B, Military Pay Policy and Procedures—Retired Pay

IRS Forms:
IRS Form 1095-C, Employer-Provided Health Insurance Offer and Coverage
IRS Form 1099-R, Distributions from Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
IRS Form W-4, Employee's Withholding Allowance Certificate
IRS Form W-4P, Withholding Certificate for Pension or Annuity Payments

Standard Forms:
SF 180, Request Pertaining to Military Records
SF 1174, Claim for Unpaid Compensation of Deceased Member of the Uniformed Services
SF 1199A, Direct Deposit Sign-up Form

***VA Forms*:**
VA Form 21-526, Veteran's Application for Compensation and/or Pension
VA Form 21-686c, Declaration of Status of Dependents

14-2. Terms.

Annuities for Certain Military Surviving Spouses (ACMSS) (aka "Forgotten Widows") – Monthly annuity payable to qualified surviving spouses of Retired members who died before 20 March 1974--the end of the initial open season associated with the creation of the Survivor Benefit Plan (SBP) on 21 September 1972; OR the creation of the Reserve Component SBP (RCSBP), 1 October 1978.

Army Emergency Relief (AER) – A private organization that provides financial assistance to active and Retired Soldiers and their families. An AER office is located on most major installations.

Arrears of Pay (AOP) – Also known as "Final Pay". The amount of monthly retired pay which was due to the Retired Soldier before their death, and which is then payable to the named beneficiary. Application must be made on a DD Form 1174.

***Army Echoes* –** An official mailed and emailed periodical published for Retired Soldiers, and their surviving spouses four times per year. *Army Echoes* is also an official Army Blog with articles published three to five times per week.

Base amount – Amount of retired pay upon which participation in the Survivor Benefit Plan (SBP) is "based." It can be any dollar amount between a minimum of $300 and a maximum of the Retired Soldier's gross retired pay entitlement.

Combat-Related Special Compensation (CRSC) – CRSC is a special compensation for combat-related disabilities. It is a tax-free entitlement that you will be paid each month along with any retired pay you may already be receiving.

Concurrent Retirement & Disability Pay (CRDP) – CRDP is a restoration of retired pay for Retired Soldiers with service-connected disabilities. It is taxed in the same manner as your retired pay, and it is normally considered taxable income.

Deemed SBP Election – An SBP election that was court-ordered and then established by a former spouse's written request received by DFAS-CL within one-year of the date of divorce. It implements the Court's order regardless of any inaction on the part of the Retired Soldier to comply with the Court's order regarding establishing "former spouse" SBP.

Defense Enrollment Eligibility Reporting System (DEERS) – A computerized database containing information on beneficiaries eligible for military benefits.

Dependency & Indemnity Compensation (DIC) – A tax-free, monthly compensation paid by the VA to survivors when an active or Retired Soldier's death is attributed to an injury or illness incurred while on or aggravated by active duty.

Disposable Retired Pay – Retired pay which may be divided with a former spouse as property when a court so orders. Certain pays are not considered “disposable” and cannot be divided.

Electronic Fund Transfer (EFT) – method of electronically sending retired pay to a financial institution (aka “direct deposit”). (IEFT is International Electronic Funds Transfer; it is sometimes referred to as IDD – International Direct Deposit.)

Government Pension Offset (GPO) – The provision of law that results in an offset of the normal Social Security benefit amount payable to a spouse (and surviving spouse), due to their receipt of a government-contributed pension (i.e., a non-Social Security based pension).

Gray Area Retired Soldier – A Reserve Component Soldier who has completed 20 years of creditable service, qualifying for retirement, and has transferred to the Retired Reserve or been discharged. At the age of eligibility (usually age 60 unless eligible for a reduced age retirement), this Soldier will be entitled to receive retired pay. The ID card authorizes limited benefits/entitlements during gray area.

Gross Retired Pay Entitlement (GRPE) – The full amount of retired pay to which a Retired Soldier is entitled before deductions.

Non-Annuitant Spouse – A surviving spouse of a military member who is not eligible for a Survivor Benefit Plan (SBP) annuity.

Reserve Component Survivor Benefit Plan (RCSBP) – The companion plan to SBP, created 1 October 1978, that gives Reserve Component members the opportunity, upon completion of 20 years of qualifying service, to continue payment of a portion of their future retired pay should they die before pay begins at age 60 or earlier if eligible for a reduced age retirement. There are no RCSBP costs paid by the RC member until retired pay commences at age 60 or earlier if eligible for a reduced age retirement, and then it is in addition to SBP costs.

Retirement Services Officer (RSO) – On Army installations, typically aligned within the Human Resources Directorate of the garrison, the RSO provides information, counseling, and assistance to retiring and Retired Soldiers, families and survivors, on a myriad of topics. Also found at Army Reserve Readiness Division Headquarters and Army National Guard Joint Forces State Headquarters.

Retired Soldier – A Soldier who has been retired from the Army. The word retired is a part of the Soldier's title and is capitalized. In concert with the Soldier for Life Program, a Retired Soldier is not referred to as a retiree (who may have never served in the military).

Servicemembers’ Group Life Insurance (SGLI) – SGLI is a program that provides low-cost term life insurance coverage to eligible service members. If eligible, you are automatically issued the maximum SGLI coverage. If you qualify for SGLI, you are automatically enrolled and do not need to apply for coverage. It will remain in effect for 120 days following retirement (at no cost to the member). As of FY 23, the SGLI maximum is now $500,000. SGLI can be converted to VGLI.

Soldier for Life (SFL) – The SFL mission is to connect Army, governmental, and community efforts to build relationships that facilitate successful reintegration of our Soldiers, Retired Soldiers, veterans, and their families to keep them Army Strong and instill their values, ethos, and leadership within their communities. “Once a Soldier, Always a Soldier, a Soldier for Life.”

Survivor Benefit Plan (SBP) – A plan created by Congress on 21 September 1972, which allows retiring Soldiers to elect to receive reduced retired pay during their lifetime to continue 55 percent of that pay to their survivor(s). SBP coverage is in place automatically, at no cost, for all active-duty members and members while on inactive duty for training.

Transition Assistance Program (TAP) – Transition job assistance for retiring Soldiers, civilians, and their family members; and for Retired Soldiers and their family members (on a space-available basis).

TRICARE – A nationwide healthcare program which shares with Retired Soldiers and their families the cost of medical care received through civilian sources.

TRICARE for Life (TFL) – A nationwide healthcare program that authorizes Retired Soldiers and eligible family members to receive medical care through civilian sources after age 65, as a second payer (in most cases) to Medicare.

TRICARE Pharmacy Home Delivery (TPHD) – An easy, convenient way to get regularly needed medications delivered directly to your home.

TRICARE Retail Pharmacy (TRRx) – A pharmacy program under which a prescription can be filled right away for those unable to obtain it at an MTF pharmacy. 54,000 civilian pharmacies participate in TRRx. Using this network, TRICARE beneficiaries can obtain up to a 30-day supply of most prescription medications for a small cost share.

Unpaid Retired Pay – See Arrears of Pay (AOP).

Uniformed Services Former Spouses' Protection Act (USFSPA) – A 1982 federal law (P.L. 97-252) that prescribes for the division of benefits among former spouses and certain active and Retired Soldiers.

Veterans' Group Life Insurance (VGLI) – A renewable, 5-year term VA insurance program available to Retired Soldiers. The cost is age-based. It may be converted to a private policy held by a participating company at any time.

This publication may be downloaded from the Army Retirement Services website at https://soldierforlife.army.mil/Retirement/post-retirement

Retirees attend the Retiree Appreciation Day (RAD) retiree expo at the Solomon Center, Fort Jackson, South Carolina, where they gathered information about programs that can help them. (U.S. Army photo by Thomas Byrd)