



Former Spouse Fact Sheet As Per The Uniformed Services Former Spouses' Protection Act

Authority: Public law 97-252, amended by Public laws 98-525 & 100-456

Category: 20/20/20. Qualification for issue of a 4-year renewal, DD Form 1173, Uniformed Services Identification and Privilege Card, reflecting All benefits & privileges [medical, commissary, exchange, and Morale, Welfare, & Recreation (MWR)] under the Uniformed Services Former Spouses' Protection Act (USFPA). At the time of the final decree (signed by a judge) for a divorce, dissolution, or annulment of marriage the following three eligibility requirements must have been met:

- An unremarried former spouse must have been married to a military member for at least 20 years;
- The military member must have performed at least 20 years of service that is creditable in determining eligibility for retired pay;
- There must have been a 20-year overlap of marriage and military service. The amount of overlap (of marriage) and final date of divorce, determines the benefits the former spouse is entitled (refer to 15-year overlap of marriage and military service).

Category: 20/20/15. Qualification for issue of a 4-year renewal, DD Form 1173, Uniformed Services Identification and Privilege Card, reflecting Medical benefits only under the Uniformed Services Former Spouses' Protection Act (USFPA). At the time of the final decree (signed by a judge) for a divorce, dissolution, or annulment of marriage the following three eligibility requirements must have been met:

- An unremarried former spouse must have been married to a military member for at least 20 years;
- The military member must have performed at least 20 years of service that is creditable in determining eligibility for retired pay;
- There must have been a 15-year overlap of marriage and military service, and the divorce must have occurred prior to 1 April 1985.

Category: 20/20/15. Qualification for issue of a 1-year, DD Form 1173, Uniformed Services Identification and Privilege Card, reflecting Medical benefits only under the Uniformed Services Former Spouses' Protection Act (USFPA). At the time of the final decree (signed by a judge) for a divorce, dissolution, or annulment of marriage the following three eligibility requirements must have been met:

- An unremarried former spouse must have been married to a military member for at least 20 years;
- The military member must have performed at least 20 years of service that is creditable in determining eligibility for retired pay;
- There must have been a 15-year overlap of marriage and military service, and the divorce must have occurred on or after 29 September 1988.
- Note: Former spouses with 15 years overlap whose divorce occurred on or after 1 April 1985 but prior to 29 September 1988 are no longer eligible for a DD Form 1173.
- The following information applies to all categories of former spouses:
- If a former spouse is enrolled in an employer-sponsor health plan, medical care benefits are not authorized. When the former spouse is no longer enrolled in an employer-sponsor health plan, then, medical care benefits may be reinstated. Exception: Former spouses, who qualify for a 1-year DD Form 1173, medical benefits will not exceed the 1-year period of coverage from final date of divorce.

- Former spouses of military sponsors, who are on active duty, and have 20-years or more creditable service in determining eligibility to retire pay are eligible to apply for a DD Form 1173; the military sponsor does not have to be in a retired status.
- An unmarried former spouse of a member who retired under the Early Retirement Program with less than 20 service years which is creditable in determining eligibility to retired pay is not entitled to an ID card.
- An unremarried former spouse of a member who was placed on the Permanent Disability Retire List (PDRL) with less than 20 years which is creditable in determining eligibility to retired pay is not entitled to an ID card.
- Former spouses, who initially qualified under the Category 20/20/20, but lose their eligibility for a DD Form 1173, because of remarriage, and who subsequently become unmarried through divorce or death of a spouse is entitled to reinstatement of privileges (commissary, exchange, and MWR). Medical care benefits are not authorized.
- Former spouses, who initially qualified under the Category 20/20/15, but lose their eligibility for a DD Form 1173, because of remarriage, and who are subsequently become unmarried through divorce or death of a spouse are not eligible for reinstatement of a DD Form 1173, reflecting medical care benefits.
- To apply for an ID card, the former spouse should provide a copy of the marriage certificate and divorce decree to the nearest Air Force military personnel office. If unable to apply in person, contact the nearest Air Force military personnel office for mail-in procedures.
- When Verifying Officials (VOs) at an Air Force ID card issuing facility initially determine the former spouse qualifies for a DD Form 1173, a temporary provisional ID card may be issued until the military sponsor's service dates can be verified by a Statement of Service or a complete set of DD Form 214s, Certificate of Release or Discharge From Active Duty.
- Former spouses of Reserve members who are entitled to retired pay at age 60 will not be issued a DD Form 1173 until HQ ARPC/DPAR has verified their eligibility. Questions or additional information may be directed to HQ ARPC/DPAR, 6760 E. Irvington Place, Denver CO 80279-3000, and the telephone number (303) 676-6369.
- Spouses who do not qualify for a DD Form 1173 for medical care benefits under the USFSPA, may be eligible for the Continued Health Care Benefit Program (CHCBP), by writing or calling the CHCBP Administrator: Humana Military Healthcare Services, Inc., Attn CHCBP, PO Box 740072, Louisville, KY 40201, telephone 1-800-444-5445, option 4.

References: DODI 1000.13, 5 Dec 97, Identification (ID) Cards for Members of the Uniformed Services, Their Dependents, and Other Eligible Individuals, and AFI 36-3026(I), 20 Dec 02, Identification Cards for Members of the Uniformed Services, Their Family Members, and Other Eligible Personnel.

OPR:

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