



DEFENSE FINANCE AND ACCOUNTING SERVICE

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MAR - 2 2001

DFAS-DFM

MEMORANDUM FOR DIRECTOR, MILITARY PAY OPERATIONS, DEFENSE
FINANCE AND ACCOUNTING SERVICE (PM/CL)

SUBJECT: Interim Change to the Department of Defense
Financial Management Regulation (DoDFMR), Volume 7B,
Regarding Survivor Benefit Plan - Effective Date of
Former Spouse Coverage (DFAS Item H-53)

The attached Interim Change Number R05-01 to Chapter 43
of the DoDFMR, Volume 7B. This change implements Public
Law 105-261, Section 643, October 17, 1998, which requires the
effective date of Former Spouse Survivor Benefit Plan Coverage
to be the first date of the first month after the date of the
court-order or filing. This change is effective immediately.

We have evaluated your comments on the proposed change and
included your comments where appropriate. Assignment of the
interim change number is your authority to initiate procedural
modifications to implement this change. Use the attached to
initiate the formal change to the DoDFMR, Volume 7B.

Jerry S. Hinton
Director for Finance

Attachment:
As stated

cc: DASD (MPP) (COMP)
ODGC (F)
DFAS-GAM/DE
Service Liaisons
USCG/NOAA/PHS Liaisons
DFAS-PRR/CL
DFAS-PRR/DE

1. Add the following new sentence at the end of current paragraph 430503.B:

"For provisions regarding the effective date of former spouse coverage, see paragraph 430503.D, below."

2. Delete paragraphs 430503.C.4 and C.5, and renumber paragraphs C.6 and C.7 as C.4 and C.5 respectively.

3. Add a new paragraph 430503.D as follows:

"D. Effective Date of Elections. For former spouse elections made under the provisions of paragraphs 430503.B and 430503.C, above, the following rules apply:

1. If the member is not required to make a former spouse election by a court order or filing, the member's election of former spouse coverage is effective as of the first day of the first month following the month in which the election is received.

2. If a court order or filing dated on or after October 17, 1998, requires or provides for a member to make a former spouse election, the effective date of former spouse coverage is the first day of the first month which begins after the date of that court order or filing, regardless of whether the coverage is the result of the member's election or of a deemed election request by the former spouse.

3. If a court order or filing dated prior to October 17, 1998, required or provided for a member to make a former spouse election, the effective date of a deemed election is the first day of the first month after the date of that court order or filing. However, if the member made a former spouse election within the required 1-year period, the effective date of the former spouse coverage will be the first day of the first month following the month in which the election is received."

4. Add the following new BIBLIOGRAPHY entry:

"Paragraph

Citation

430503.D

Public Law 105-261
Section 643. Oct 17. 1998"