

This fact sheet provides information to help you understand the provisions of the Survivor Benefit Plan (SBP), but is not a contract document. The basic statutory provisions of the SBP law are in [Chapter 73, Title 10, United States Code](#).

PL 106-182 (7 Apr 00) (Retroactive to 1 Jan 00)

- Repealed the Social Security earnings test for senior citizens when they reach
- Full Retirement Age (FRA) (currently age 65 for workers and spouses and born prior to 1938 and widows(ers) born prior to 1940.
- Was previously age 70.
- Seniors who reach FRA (currently age 65) and older now entitled to full Social Security benefits regardless of their income.
- Social Security offsets will no longer be reduced or eliminated on annuitants at FRA (currently age 65) or older because of employment.

PL 106-398 (30 Oct 00)

- Requires Reserve and Guard members, who have completed their service obligation and considered entitled for retired pay, but who are not yet age 60, to obtain their spouses concurrence in Reserve Component SBP (RCSBP) elections that do not provide maximum spouse coverage (immediate option).
- Applies to all members receiving notification of service-completion after 1 Jan 01.
- Extended special compensation for severely disabled to retirees who had retired under disability retirement law. Must meet all other requirements of original law (see PL 106-65, 9 Oct 99)
- Effective 1 Jan 01, threshold amount increased to \$509, 3.5 percent COLA effective 1 Dec 00, also effective 1 Dec 00, DIC spouse rate increased to \$911, child to \$229.
- Effective 1 Jul 01, threshold amount increased to \$512, rate of monthly basic pay for some active duty members with certain grades and time in service increased based upon the member's pay grade.

PL 107-107 (28 Dec 01)

- SBP eligibility extended to spouse or eligible children of all active duty deaths classified in the line-of-duty (LOD) since 10 Sep 01. Includes reserve members on active duty for annual training duty, whether or not their orders specify a period of more than 30 days. Reserve members serving periods of inactive duty training are not included. (see PL 108-136, 24 Nov 03)
- Annuity computed as if the member was retired with full disability rating on the date of death.
- No change to the eligibility or the computation of the SBP annuity for retirement-eligible member whose death is determined NOT in the line of duty.

-- Effective 1 Jan 02, threshold amount increased to \$547; 2.6 percent retiree COLA effective 1 Dec 01; DIC rates increased effective 1 Dec 01 (Spouse to \$935; child to \$234).

PL 107-247 (23 Oct 02)

-- Effective 1 Dec 02 DIC rates increased (Basic spouse DIC rate \$948; additional \$204 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse was married to veteran those same 8 years; each dependent child under age 18 \$237 per child.)

-- Effective 1 Jan 03, SBP threshold amount increased to \$572; 1.4 percent retiree COLA effective 1 Dec 02

PL 108-121 (11 Nov 03)

-- Increased Death Gratuity payments from \$6,000 to \$12,000 retroactive to 11 Sep 02 and made payment tax free

PL 108-136 (24 Nov 03)

-- Established the option for an annuity to be payable to eligible children instead of a surviving spouse of an active duty casualty

-- Active duty death SBP expanded to include eligible children when a spouse, younger than age 55, remarries (PL 99-661, 14 Nov 86, previously limited eligibility to children when there was no spouse or the spouse subsequently died)

-- An Insurable Interest annuity may be payable if no other annuity is payable under the SBP for an active duty casualty, provided the person is a dependent who holds a valid dependent ID card.

-- An election for Supplemental SBP (SSBP) is nullified if the member is disability retired, dies within a year of retiring, and the cause of death is related to a disability for which the member was disability retired.

-- SSBP premiums paid prior to the member's death will be refunded

-- An election for Insurable Interest coverage is nullified if the member is disability retired, dies within a year of retiring, and the cause of death is related to a disability for which the member was disability retired.

-- Premiums paid prior to the member's death will be refunded.

-- Exception: An Insurable Interest annuity will be payable if the beneficiary is a dependent who holds a valid dependent ID card.

-- Expanded SBP eligibility for deaths classified in the line-of-duty (LOD) since 10 Sep 01 to include inactive duty training deaths.

-- Includes traveling directly to or from the place at which such duty is performed; or remaining overnight, immediately before the commencement of inactive duty training; or remaining overnight between successive periods of inactive duty training at or in the vicinity of the site of the inactive duty training, if the site of the inactive duty training is outside reasonable commuting distance of the member's residence; serving on funeral honors duty to include traveling to or from the place

at which the member was to so serve or remaining overnight at or in the vicinity of that place immediately before so serving if the place is outside reasonable commuting distance from the member's residence.

- An immediate RCSBP annuity may be payable provided the death is determined to be in LOD.
- A reserve component member who is not retirement eligible and whose death is determined to have occurred not in LOD does not qualify under this provision.
- An annuity becomes payable to the surviving spouse or, to surviving eligible dependent children if there is no surviving spouse or if the surviving spouse subsequently dies.
- Dependent child(ren) do not qualify for the annuity if the survivor spouse loses entitlement for a reason other than death.
- Effective 1 Dec 03 DIC rates increased (Basic spouse DIC rate \$967; additional \$208 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse was married to veteran those same 8 years; each dependent child under age 18 \$241 per child)

PL 108-183 (16 Dec 03)

- Surviving spouses, in receipt of DIC, retain eligibility for DIC if they remarry at age 57 or later
- Surviving spouses who remarried after their 57th birthday prior to the enactment of this law have until 15 Dec 04 to apply for restoration of benefits DIC will not be payable for any period prior to 1 Jan 04
- Effective 1 Jan 04, SBP threshold amount increased to \$595; 2.1 percent retiree COLA effective 1 Dec 03

PL 108-375 (28 Oct 04)

- Terminated the reduction in retired pay for SSBP effective 1 Nov 04, but SSBP coverage in effect continues; however total annuity cannot exceed 55% of the base amount
- Maximum SSBP coverage is presumed for any valid election for spouse or former spouse SBP coverage based on full retired pay for a member retiring on 1 Nov 04 or thereafter
- Beginning 1 Oct 05 and ending 31 Mar 08, the age 62 reduction to a spouse's or former spouse's annuitant will be eliminated in the following stages:
- For months between Oct 05 through Mar 06 - annuity will be at least 40% of the base amount
- For months between Apr 06 through Mar 07 - annuity will be at least 45% of the base amount
- For months between Apr 07 through Mar 08 - annuity will be at least 50% of the base amount
- For all annuities Apr 08 and after - annuity will be 55% of the base amount

- A spouse or former spouse who is entitled to have the annuity computed using the SSO reduction method will receive the greater of the above computations or the SSO reduction method
- The surviving spouse or former spouse of a member who either elected a percentage of SSBP coverage (5, 10, 15 or 20%), or has presumed SSBP coverage, will receive the SSBP; however, the total annuity payable cannot exceed 55% of the base amount
- Established an SBP open enrollment period (1 Oct 05 - 30 Sep 06) for members not participating to the fullest possible extent.
- May add children to spouse coverage, increase existing coverage, or elect coverage if none was in effect
- One-time buy-in premium required
- Amount determined by date retiree was first eligible to enroll
- Debt may be paid in one lump-sum, or 24 monthly premiums from net retired pay, or a combination of lump-sum amount and balance in 24 monthly deductions
- Effective date is the first day of the month following the month DFAS receives the election form.
- Two-year survival clause; if retiree dies within two years of the effective date, premiums refunded to person who would have been the beneficiary
- Prohibited members who withdrew under PL 105-85 from submitting elections during this open enrollment
- Successful payment of the buy-in will be considered applicable to the 30 year/age 70 paid up provision (reference PL 105-261)
- Effective 1 Dec 04 DIC rates increased (Basic spouse DIC rate \$993; additional \$213 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse was married to veteran those same 8 years; each dependent child under age 18 \$247 per child).
- Effective 1 Jan 05, SBP threshold increased to \$616; 2.5 percent retiree COLA effective 1 Dec 04.

PL 108-454 (10 Dec 04)

- Additional transitional DIC benefit payable to a surviving spouse who is entitled to DIC and who has children under age 18
- The transitional DIC benefit is \$250 a month per family
- Paid for two years after entitlement to DIC is established. Terminates the earlier of
 - End of the two-year entitlement period, or
 - When the last child attains age 18, or
 - When the last child is removed from the surviving spouse's DIC
- Benefit is retroactive to 1 Jan 05 if surviving spouse is entitled to DIC on that date
- SBP annuity payable to the spouse is not offset by this additional transitional benefit

- Effective 1 Dec 05 DIC rates increased (Basic spouse DIC rate \$1,033; additional \$221 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse was married to veteran those same 8 years; each dependent child under age 18 \$257 per child).
- Effective 1 Jan 06, SBP threshold increased to \$635; 4.1 percent retiree COLA effective 1 Dec 05.

PL 109-364 (17 Oct 06)

- Insurable Interest participants can name another beneficiary following the death of the beneficiary elected at retirement.
- A written request must be submitted within 180 days from the original beneficiary's death
- Effective date is the first day of the month following the month DFAS receives the written request.
- Two-year survival clause; if the retiree dies within two years of the effective date, premiums refunded to the person who would have been the beneficiary
- Effective 1 Dec 06 DIC rates increased (Basic spouse DIC rate \$1,067; additional \$228 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse was married to veteran those same 8 years; each dependent child under age 18 \$265 per child).
- Effective 1 Jan 07, SBP threshold increased to \$649; 3.3 percent retiree COLA effective 1 Dec 06.
- Effective 1 Apr 07, SBP threshold increased to \$652; rate of monthly basic pay for some active duty members with certain grades and time in service increased based upon the member's pay grade.
- Effective 1 Dec 07 DIC rates increased (Basic spouse DIC rate \$1,091; additional \$233 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse was married to veteran those same 8 years; each dependent child under age 18 \$271 per child)
- Effective 1 Jan 08, SBP threshold increased to \$675; 2.3 percent retiree COLA effective 1 Dec 07.

PL 110-181 (18 Apr 08)

- Surviving spouses whose SBP payments have been offset (partially or totally) as a result of receiving DIC, including surviving spouses of members who died while serving on active duty, are eligible for the Special Survivor Indemnity Allowance (SSIA).
- SSIA will not be payable for any period prior to 1 Oct 08.
- Monthly SSIA payments will be paid as follows:
 - 1 Oct 08 thru 30 Sep 09 - \$50
 - 1 Oct 09 thru 30 Sep 10 - \$60
 - 1 Oct 10 thru 30 Sep 11 - \$70
 - 1 Oct 11 thru 30 Sep 12 - \$80
 - 1 Oct 12 thru 30 Sep 13 - \$90

- 1 Oct 13 and thereafter - \$100
- SSIA payments terminate in Feb 2016
- Effective 1 Dec 08 DIC rates increased (Basic spouse DIC rate \$1,154; additional \$246 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse was married to veteran those same 8 years; each dependent child under age 18 \$286 per child)

- Effective 1 Jan 09, SBP threshold increased to \$701; 5.8 percent retiree COLA effective 1 Dec 08.

PL 111-31 (22 Jun 09)

- Expanded the Special Survivor Indemnity Allowance (SSIA) benefit awarded to surviving spouses whose SBP payments have been offset (partially or totally) as a result of receiving DIC, including surviving spouses of members who died while serving on active duty.
- Expanded monthly SSIA payments will be paid as follows:
 - 1 Oct 11 thru 30 Sep 12 - \$80
 - 1 Oct 12 thru 30 Sep 13 - \$90
 - 1 Oct 13 thru 30 Sep 14 - \$150
 - 1 Oct 14 thru 30 Sep 15 - \$200
 - 1 Oct 15 thru 30 Sep 16 - \$275
 - 1 Oct 16 thru 30 Sep 17 - \$310
- SSIA payments terminate 1 Oct 2017

- Effective 1 Jan 10, SBP threshold increased to \$725; zero percent retiree COLA effective 1 Dec 09.

- Effective 1 Jan 11, SBP threshold increased to \$735; zero percent retiree COLA effective 1 Dec 10.

- Effective 1 Jan 12, SBP threshold increased to \$747; 3.6 percent retiree COLA effective 1 Dec 11.
- Effective 1 Dec 11 DIC rates increased (Basic spouse DIC rate \$1,195; additional \$254 if veteran rated totally disabled 8 continuous years prior to death and surviving spouse married to veteran those same 8 years; each dependent child under age 18 \$296 per child)