

Transitional Compensation Key Points

Federal law authorizes payment of monthly Transitional Compensation (TC) for abused Family members. TC is designed to partially alleviate the financial hardship on the abused dependents for providing the information necessary to take action against the alleged abuser. Department of Defense Instruction 1342.24, TC for Abused Dependents implements this law.

Dependents of members of the Armed Forces are eligible for TC if the military member was on active duty for more than 30 days and who, after November 1993 are:

- Separated from active duty under a court martial sentence resulting from a dependent-abuse offense.
- Administratively separated from active duty if the basis for separation includes a dependent-abuse offense.
- Sentenced to forfeiture of all pay and allowances by a court-martial which has convicted the member of a dependent-abuse offense.

- Transitional Compensation beneficiaries are also entitled to Commissary and Army and Air Force Exchange Service privileges as long as payments are received.
- The maximum duration of the compensation payments is 36 months.
- Payments will be forfeited if the spouse remarries and will not be resumed if the remarriage ends.
- If payments to the spouse are terminated due to remarriage and there is a dependent child not living in the same household as the spouse or service member, payments will be made to the dependent child.
- If the Soldier resides in the same household as the spouse or dependent child to whom compensation is otherwise payable, payment will terminate as of the date the Soldier begins residing in the household.
- Once terminated for this reason, payment will not resume regardless of subsequent living arrangements with the Soldier.
- If the victim was a dependent child and the spouse has been found by the installation/garrison commander to have actively aided or abetted the Soldier in such conduct against that dependent child, the spouse or dependent child living with the spouse will not be paid Transitional Compensation.

- Benefits start the date administrative separation is initiated or a court martial is approved.
- Transitional Compensation beneficiaries may receive medical or dental care in facilities of the Uniformed Services or through TRICARE during the full entitlement period.
- The determination of whether an offense involved abuse of a dependent will be made by the IMCOM G9.
- Federal law also authorizes payments of a portion of retired pay to help alleviate the financial hardship to the abuse dependent for coming forward with the information needed to take action against the military sponsor. The spouse may not receive payments of retired pay for abused dependents AND the Transitional Compensation Program. If the spouse is eligible for both, the spouse must select which payment to receive.
- Monthly payments to a spouse will be at the rate in effect for the payment of dependency and indemnity compensation under Section 1311 (a)(1), Title 38, United States Code.

To learn more about Transitional Compensation, contact the Fort Bragg Army Community Service, Family Advocacy Program.

(910) 396-5521

