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Dicta Editorial Board

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Servicemen's Dependents Allowance Act Amendments

The amendments to the Servicemen's Dependents Allowance Act of 1942 (Public Law 174—78th Cong.), which became law on October 26, 1943, increases many of the family allowance payments provided for the dependents of men in service and broaden the eligibility conditions for receipt of such allowances as contained in the original Act. All of the changes are effective as of November 1, 1943.

The director of the War Department Office of Dependency Benefits, Brig. Gen. Harold N. Gilbert, United States Army, has announced that dependents who were receiving family allowances would continue to receive their checks in the usual amounts without interruption until their accounts can be converted. Such dependents will eventually receive all sums due them after their accounts have been received and changed.

New Rate Structure. Instead of setting forth government contribution to the various classes of dependents, as does the original Act, the total family allowance payable to such dependents is stated. Under the new rate structure the government contribution is the difference between the man's contribution and the family allowance.

Increased Rates. No increase is made in the family allowance payable to a wife without a child; the allowance of \$50 per month remains the same. However, a wife with one child will hereafter receive \$80 instead of \$62, and a wife with two children will receive \$100 instead of \$72. In other words, \$30 is provided for one child and an additional \$20 for each additional child. A child, where there is no wife, will continue to receive \$42, and additional children where there is no wife will receive \$20 additional instead of \$10. No change is made in the allowance provided for a former wife divorced.

Class B Dependents. Class B dependents continue to be those dependent upon the enlisted man for a "substantial portion" of their support. Included in Class B are the parents, brothers, and sisters only—grandchildren having been eliminated by the amendments. These dependents are to receive \$37 as a total, irrespective of number and irrespective of whether there are Class A dependents (wife, child, and former wife divorced).

New Class B-1. To correct certain inequities a new class, Class B-1, is created by the amendments consisting of parents, brothers, and sisters dependent upon the enlisted man for their "chief support" and not merely for a "substantial portion" of their support. The difference between Class B and Class B-1 is in the degree of dependency. One

parent in Class B-1 will receive \$50 per month. Two parents will receive \$68 with an additional \$11 for each brother or sister. A parent with a brother or sister is to receive \$68 with an additional \$11 for each brother or sister. A brother or sister, but no parents, dependent for chief support will receive \$42 per month, with an additional \$11 for each additional brother or sister. Even though there are now two classes of collateral dependents, family allowances can be claimed for either Class B or Class B-1 dependents but may not be paid to both groups.

First Three Grades. The amendments extend the benefits of the Act to dependents of enlisted men in the first three pay grades. Enlisted men in the first three grades who before November 1 had been receiving monetary allowances in lieu of quarters for their dependents may elect either to continue such allowances in conjunction with a voluntary allotment of pay, or to discontinue them in favor of a family allowance. In either case, the money will be sent directly to their dependents. But, their dependents may not receive both monetary allowance in lieu of quarters and family allowance payments. The right of election does not exist in regard to men promoted from the fourth to a higher pay grade after the effective date of the amendments—their dependents are eligible only for family allowance benefits.

Female Enlisted Personnel. Since September 1, 1943, when the Women's Army Corps became an integral part of the Army, the family allowance was available to enlisted women in eligible grades. Husbands of Wacs were ineligible. Husbands of Wacs are now eligible for a family allowance only if they can prove that they are dependent upon the Wac for the chief portion of their support. Children of Wacs are eligible, also, only under these conditions.

Aviation Cadets. All aviation cadets are now eligible for family allowances.

Initial Family Allowance. An initial allowance is to be paid as soon as practicable after the application is filed. The full amount of this initial payment will be paid by the government. It is payable only if the soldier applies within fifteen days after he enters upon active duty in a pay status, and is payable for the entire month in which he enters on such duty. The initial allowance will be paid only in Class A and Class B-1 dependents and not to Class B dependents. Such dependents, who are only substantially dependent upon the soldier, may receive the regular monthly family allowance for the month in which the soldier applies, provided that he has no Class A dependents who are receiving an initial family allowance for that particular month. If there are such initial family allowance payments, the Class B dependent's

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