



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

MCO 1751.3
MFP-1
5 MAY 2015

MARINE CORPS ORDER 1751.3

From: Commandant of the Marine Corps
To: Distribution List

Subj: MARINE CORPS DEPENDENCY DETERMINATION AND SUPPORT PROGRAM FOR BASIC ALLOWANCE FOR HOUSING AND TRAVEL AND TRANSPORTATION ALLOWANCE

Ref: (a) JTR, Chapter 10, Part B
(b) 37 U.S.C., Chapter 7
(c) Marine Corps Total Force System Personnel Reporting Instructions User's Manual (MCTFS PRIUM)
(d) JAGINST 5800.7F
(e) DoD 7000.14-R Financial Management Regulation, Volume 7A, Chapter 50 "Stoppages and Collections other than Courts-Martial Forfeitures," February 2014
(f) MCO 5512.11D
(g) MCO P5800.16A
(h) SECNAV M-5210.1
(i) SECNAVINST 5211.5E

Encl: (1) Marine Corps Dependency Determination and Support Program Procedural Guidance

1. Situation. To publish guidance and standard operational instructions for commanders and administrative personnel regarding Dependency Determination and Support as it relates to Basic Allowance for Housing (BAH) entitlements and Travel and Transportation Allowance per reference (a).

2. Cancellation. MCO P1751.3F.

3. Mission. Per reference (a), CMC (MFP-1) is responsible for Marine Corps Dependency Determinations as they relate to BAH, and travel and transportation entitlements as it pertains to the disposition of all Secondary Dependency Determination applications, doubtful relationships, and any questionable lawful dependents, and support matters. Enclosure (1) provides procedural guidance in determining relationships or dependency for BAH entitlements.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To ensure those personnel involved in the administration and execution of dependency determinations are provided adequate information pertaining to policy, procedures, responsibilities, and technical instruction.

(2) Concept of Operations. This Order should be used in conjunction with references (a) through (g) to ensure compliance with policies and

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procedures established by the Commandant of the Marine Corps, and higher headquarters.

b. Subordinate Element Missions. Commanding officers may approve lawful dependents as referenced in Table U10B-2 of reference (a) with all supporting documentation.

c. Coordinating Instructions. The content of this Order has been extracted and reorganized from a previous Marine Corps Order and contains significant changes.

5. Administration and Logistics. Submit all change recommendations via the appropriate chain of command to DC M&RA.

a. Records created as a result of this Order shall be managed according to National Archives and Records Administration approved dispositions per reference (h) to ensure proper maintenance, use, accessibility and preservation, regardless of format or medium.

b. The generation, collection, or distribution of Personally Identifiable Information (PII), and management of privacy sensitive information shall be in accordance with the Privacy Act of 1974, as amended, per reference (i). Any unauthorized review, use, disclosure, or distribution is prohibited.

c. Department of Defense (DD) forms mentioned in this Order are available at <http://www.dtic.mil/whs/directives/infomgt/forms/index.htm> and Navy/Marine Corps (NAVMC) forms are available at <https://navalforms.documentservices.dla.mil>.

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Total Force.

b. Signal. This Order is effective the date signed.



S. E. MURRAY
Deputy Commandant for
Manpower and Reserve Affairs
Acting

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LOCATOR SHEET

Subj: MARINE CORPS DEPENDENCY DETERMINATION AND SUPPORT PROGRAM FOR BASIC
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Chapter 1

Member's Spouse, Children and Secondary Dependents

1. General Information

a. Under 37 U.S.C. 403, a member of the Armed Forces who is entitled to basic pay is entitled to BAH when the government does not provide adequate family quarters for the member and the member's dependents. If a member does not have a dependent as defined in reference (a), the member may be entitled to BAH at the "without-dependent" rate.

b. Reference (a) contains information relative to eligible dependents and those considered eligible for BAH purposes. Eligible dependents include spouse, parent(s), parent(s)-in-law, step-parent(s), adoptive parent(s), in loco parentis, legitimate child(ren), stepchild(ren), incapacitated child(ren), adopted child(ren), pre-adopted child(ren), child(ren) from the age of 21 to the date of their 23rd birthday who are enrolled in a full-time course of study in an institution of higher education, dependent child(ren), and court appointed wards.

c. Commanding officers are defined by this Order as those officers who are responsible for the input of information into the Marine Corps Total Force System (MCTFS) by the assignment of a reporting unit code.

d. For the purposes of this Order an attesting officer is defined as the certifying official designated by the commanding officer to certify entitlement to BAH within their reporting unit.

e. Marine Corps Members must make an application for any dependent to be added into MCTFS for entitlement to BAH. Officers may certify their entitlement to BAH by signing the Dependency Application, NAVMC 10922, as both the claimant and the attesting officer. Enlisted Members may complete an application and sign their name as the claimant, however an officer or administrative personnel with the authority to sign by direction is required to sign as the attesting officer. Sample formats may be found at: <https://ehqmc.usmc.mil/sites/family/MFP/dependency/default.aspx>. You must have a Common Access Card to access this site.

f. All members are required to submit supporting documents in substantiation of their entitlement when claiming: spouse, parent(s), parent(s)-in-law, step-parent(s), adoptive parent(s), in loco parentis, legitimate child(ren), stepchild(ren), incapacitated child(ren), adopted child(ren), pre-adopted child(ren), child(ren) from the age of 21 to the date of their 23rd birthday who are enrolled in a full-time course of study in an institution of higher education, dependent child(ren), and court appointed wards.

g. All information obtained during the application process is used to determine the relationship and dependency of the claimed dependent(s) for the member's entitlement to BAH per references (a) and (b).

h. Appropriate diary actions will be accomplished by CMC (MFP-1) on those dependents approved at the CMC level and in accordance with reference (c). All other diary actions will be accomplished by the command.

i. Certified True Copies. The entity that created the document or maintains the original document or electronic record as part of its official

responsibilities is the sole body capable of verifying the authenticity of a document. Pursuant to reference (d), personnel acting under military notarial authority of 10 U.S.C. sec. 1044a shall not certify documents as true and accurate copies of original documents that are neither created by the command nor maintained by the command as part of its official responsibilities. Military notaries shall not certify any documents that are public records (i.e. birth certificates, marriage certificates, or court document(s)).

2. Definitions. All definitions pertaining to dependency regarding BAH in this Order are extracted from references (a) and (b).

3. Marriage Status Determination

a. Common-Law Marriages. A common-law marriage is an informal marriage recognized as valid in some states and in some foreign countries. Common law marriages entered in those states are valid if they are contracted in accordance with state law. Common-law marriages can only be dissolved by way of legal divorce. A NAVMC 10922 and certified true copies of the declaration and registration of informal marriage from the contracted state, with supporting documentation, must be forwarded to CMC (MFP-1).

b. Proxy and Telephone Marriages. A proxy marriage is one in which agents or proxies act for one or both parties during the marriage ceremony. Proxy marriages are valid if performed in a jurisdiction which recognizes common law marriages and has no statute or judicial determination prohibiting proxy marriages. A telephone marriage is recognized only if a statute or court decision authorizes or recognizes telephone marriages in the jurisdiction in which the marriage was performed. A NAVMC 10922 and a certified true copy of the license and certificate of marriage from the state the marriage was contracted in, with supporting documentation, must be forwarded to CMC (MFP-1).

c. Voided Marriages. A marriage is not valid if prohibited in the state where it was performed (i.e., a marriage entered into without dissolution of a pre-existing marriage). The member may retain payments already received if they are validated under reference (e), Section 5006. When validity of a marriage is questionable, submit the case to CMC (MFP-1) for a determination.

d. Annulled Marriages. A marriage may be annulled, as determined by the laws of the various states and countries, upon petition of one of the parties. The member may retain payments already received if they are validated under reference (e), Section 5006. Submit all annulment cases, with supporting documentation, i.e., petition and decree of annulment, to CMC (MFP-1) for a determination.

e. Indian Tribunal Marriages. In states that recognize Indian tribal law and custom, such marriages and divorces are acceptable provided both were members of Indian tribes. Indian tribes are recognized by the government as distinct political entities. Tribal marriages and divorces are not recognized for persons who do not live as part of the tribe or on a reservation. Even though someone may be of Indian blood, they are otherwise governed by the law of the state of their domicile. Indian Tribal Marriages are considered doubtful thus a NAVMC 10922, and supporting documentation for an Indian Tribal marriage must be forwarded to the CMC (MFP-1) for a determination.

f. United States Ceremonial Marriages. Commanding officers may approve a NAVMC 10922 involving a marriage contracted within the United States, or

its territories by a legal civil or religious ceremony. The marriage certificate must be viewed by the commanding officer. Commanding officers are not authorized to disapprove a NAVMC 10922 for a United States Ceremonial Marriage. Commands should seek assistance through their local legal office for questionable United States Ceremonial Marriages, and if a determination cannot be made locally because the marriage is still questionable, submit the NAVMC 10922 and all supporting documentation to CMC (MFP-1) for a determination.

g. Foreign Marriages. Commanding officers may approve a NAVMC 10922 involving a marriage contracted in a foreign country, after the attesting officer views the original Marriage Certificate and the Certified English Translation of the Marriage. All foreign Marriage Certificates must be translated by a certified translator. Commanding officers cannot disapprove a NAVMC 10922 for a Foreign Marriage. Commands should seek assistance through their local legal office for questionable Foreign Marriages, and if a determination cannot be made locally because the marriage is still questionable, submit the NAVMC 10922, Marriage Certificate and Certified English Translation to CMC (MFP-1) for determination.

h. Marriage Preceded by Foreign Nation Divorce. Commanding officers may not approve any marriage where either the member or their spouse has obtained a Foreign Nation Divorce until CMC (MFP-1) has made a determination on the validity of the divorce. Paragraph 4b of this chapter provides additional information/guidance.

4. Divorce

a. United States Divorce. A divorce obtained in a state that has jurisdiction may be approved by the commanding officer with an original divorce decree, a NAVMC 10922, and any other supporting documentation he/she deems necessary.

b. Foreign Nation Divorce. A foreign nation divorce may or may not be recognized as valid in the U.S. depending on several factors. These factors include place(s) of residence of the parties involved, whether they appeared in person to obtain the divorce, and application of state laws. Any claim involving remarriage of a member following a foreign nation divorce, and any claim by or on behalf of the spouse from whom the member has obtained a foreign nation divorce, are cases of doubtful relationship. A claim based on a member's marriage to a person who has obtained a foreign nation divorce is also a doubtful case. A NAVMC 10922, and certified true copies of the original marriage certificate and original divorce decree, English translation of marriage certificate and original divorce decree, proof of residency and other supporting documents must be forwarded to CMC (MFP-1) for determination.

5. Adopted Child(ren), Child(ren) Born out of Wedlock, and Step-child(ren). These types of dependents are primary dependents, and can be approved at the command level with supporting documentation.

a. Proof of Parentage. A member who claims a housing allowance for an adopted child, step-child, or a child born out of wedlock (parents are not married to each other at the time of the child's birth) must provide proof of parentage as follows:

(1) For an adopted child, document showing the member is the child's legal parent.

(2) For a step-child, a marriage certificate showing the member is married to the child's legal parent and documentation showing that the member's spouse is the child's parent.

(3) For a child born out of wedlock, a birth certificate with the member's name cited is required. If the member's name is not stated on the birth certificate, or a court order, obtain a signed statement of parentage from the member. If the child born out of wedlock is not in the custody of the member-parent, the case is treated in accordance with the rules for BAH-DIFF. The same rules apply when applicable to a member-mother not having custody. (See reference (a) paragraph U10008). A commanding officer may approve a child born out of wedlock with the proper documentation as indicated by Figure 1-1. Submit doubtful cases to CMC (MFP-1) for determination. For cases where the sponsor is requesting back pay, submit those claims to CMC (MPO) for determination.

b. Support Requirements. The member-parent may claim a dependent child(ren), adopted child(ren), children born out of wedlock, and step-child(ren) for housing allowance purposes. Proof of dependent support is ordinarily not required. The provisions of reference (a), paragraph U10106-A, are applied. The member is authorized a housing allowance if the member contributes to the dependent(s) support and that support is not less than the applicable BAH-DIFF. This includes a member authorized BAH-DIFF and a member assigned to single type Government Quarters when the child(ren) is/are in the physical custody of another person.

6. Secondary Dependent Children (Ward of a Court, Incapacitated Child Over 21, and Full Time College Student 21-22 Years of Age). Secondary Dependents require an in fact dependency determination. (See attached checklist(s), Figures 1-2 through 1-4).

a. Ward of a court. A ward who is unmarried may be claimed for BAH, travel, and transportation allowances, effective the date of the court order or date of residency as determined by the Dependency Statement-Ward of a Court, DD 137-7. All of the following criteria must be met:

(1) A court of competent jurisdiction, in the United States or Territory of the United States, has placed the ward in the custody of the member either permanently or for a period not less than 12 months from the date of the order.

(2) The ward must be placed in the member's custody or guardianship prior to attaining 21 years of age.

(3) The ward must be dependent upon the member for over 50% of his/her support.

(4) The ward must reside with the member unless separated by either the necessity of military service or to receive institutional care as a result of disability or incapacitation, or under such other circumstances as the Secretary concerned may by regulation prescribe.

(5) The ward may not be a dependent of any other member under any other definition.

b. Incapacitated Children Who Are 21 Years of Age and Older. A member's unmarried child who is incapable of self-support because of a mental or physical

incapacitation may be claimed for BAH, travel and transportation allowances as determined by the Dependency Statement-Incapacitated Child over the age of 21, DD 137-5. The child must meet the following criteria:

(1) The incapacitation must have existed before the age of 21 as a Legitimate Child, Dependent Child, Step-Child, Adopted Child or Ward of a Court **OR** had been approved as a Full-Time College Student 21-22 years of age when the incapacitation occurred, and

(2) The child must be dependent upon the member for over 50% of his/her support.

c. Full-Time Student 21-22 Years of Age. A member's unmarried child 21-22 years of age, enrolled in a full-time course of study at an institution of higher education may be claimed for BAH, travel, and transportation allowances as documented by the Dependency Statement-Full Time Student 21-22 Years of Age, DD 137-6. The child must meet the following criteria:

(1) The child must be enrolled at an institution of higher education as a full-time student in a course of study resulting in a degree.

(2) The child must be dependent upon the sponsor for over 50% of his/her support.

*Note: If a member is only trying to claim the student for Defense Enrollment Eligibility Reporting System enrollment/medical purposes, he/she does not need to submit a Dependency Statement-Full-Time Student 21-22 Years of Age. He/she needs to refer to reference (f) for specific instructions.

**Note: If a member fails to provide the documentation required to certify their entitlement to BAH/Travel and Transportation on behalf of their dependent over the age of 21 within 15 working days after the servicing administrative office has notified the member of the requirement, the dependent will be removed from MCTFS. A new NAVMC 10922 will be issued by the member's servicing administrative office and uploaded to the member's official record (E-Record/OMPF). If the member fails to sign the new NAVMC 10922, the commanding officer will make the following statement in section (7) certification of the form: "Subject Name Marine (SNM) Dependent has reached the age of 21 and SNM failed to validate eligibility."

7. Secondary Dependent Parent (Parents, Parents-in-Law, Parents by Adoption, or In Loco Parentis). Secondary Dependents require an in-fact dependency determination. (See attached checklist(s), Figures 1-5 through 1-6).

a. Parent. A parent's dependency is determined based on an affidavit prepared by the parent, and other evidence as required. A parent may be claimed for BAH, travel and transportation allowances with appropriate supporting documentation, i.e., the Dependency Statement-Parent, DD 137-3. The parent(s) must meet the following criteria:

(1) The parent must be dependent upon the member for over 50% of his/her support.

(2) The parent's income, not counting the member's contribution, must be less than one-half of their total monthly living expenses.

b. In Loco Parentis. A person who has stood in place of a parent to a member at any time for a continued period of at least five years before the member turned 21 years of age, and meets all other requirements of a parent (See attached checklist, Figure 1-6).

8. Dependency Re-determination. Annual re-determination of dependency is required for a member who claims a housing allowance for any Secondary Dependent. CMC (MFP-1) will initiate the annual recertification for all Secondary Dependents. Failure to re-certify any Secondary Dependent will result in the suspension of benefits received on behalf of that dependent by CMC (MFP-1).

9. Fraudulent Claims. Any member who submits a claim for housing allowance which contains false statements is subject to court-martial or criminal prosecution. Additionally, a civilian recipient that accepts benefits under fraudulent circumstances may be subject to criminal prosecution.

10. Submission and Forwarding of the Dependency Application, NAVMC 10922, for a Secondary Dependent Loss. On the occasion a secondary dependent no longer meets the eligibility as defined, the member must report the loss to his/her administrative office. A NAVMC 10922 must be prepared for a dependent loss by the member's servicing administrative office. The reason for the loss and the effective date of the loss must be indicated in section (7) certification of the form and it must be signed by the member and a commanding officer.

11. Commandant of the Marine Corps Unit Diary Action. Unit diary actions for secondary dependents can only be accomplished by the CMC (MFP-1) per reference (e).

12. Checklist for the Submission of Secondary Dependent Applications. Figures 1-1 through 1-6 are the checklists for adopted children, children born out of wedlock, step-children and Secondary Dependency applications covered in this chapter. The checklist(s) should be used by those responsible for the preparation and review of applications prior to command approval or prior to them being forwarded to CMC (MFP-1).

Adopted Children, Children Born out of Wedlock and Step-Children

YES	NO	Checklist for submission of Adopted Children, Children Born out of Wedlock and Step-Children
		Adopted Children
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. An adoption decree showing the member is the child's legal parent.
		Children Born out of Wedlock
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. Either the birth certificate naming the member as the father of the child, a court order naming the member as the father of the child or a signed statement by the member indicating he is the father of the child.
		3. A properly completed Dependency Statement-Child Born Out of Wedlock Under Age 21 (DD 137-4) completed by the custodial parent (parent that has the child in their physical custody). The custodial parent's signature must be notarized in the presence of a notary, and be signed by the member. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-4.pdf
		4. Attesting officers may request a residential lease or command letter authorizing the member to reside off-base for Marines usually assigned to a barracks room when they claim the child resides with them.
		5. Attesting officers may request proof of the member's monthly contribution in cases where the member is deployed, the child is not residing in his/her household, or he/she deems it necessary to validate payments made.
		Step-Children
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. A marriage license/certificate showing the member is married to the child's legal parent.
		3. Documentation such as a birth certificate of the child, showing the member's spouse is the child's parent.
Figure 1-1.--Checklist for Submission of Adopted Children, Children Born out of Wedlock and Step-Children		

* NOTE: Proof of support can include money order receipts, cancelled checks, bank to bank transfers, wire transfers, dependent support allotments, billing statements with corresponding bank statements. In some cases joint account statements may be accepted. In no case are cash payments acceptable means of proof of support.

Ward of a Court

YES	NO	Checklist for submission of Ward of a Court
		Initial Claim
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. Properly completed Dependency Statement-Ward of a Court (DD 137-7). All blocks must be complete as per the instructions on the form and the member must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-7.pdf
		3. A final court order granting custody or guardianship of the ward to the member for a period of 12-months or longer, certified true.
		4. Certified true copy of the ward's birth certificate.
		5. A signed statement by the member indicating the duration the ward will be residing in his/her household.
		6. In some cases a member may have to provide proof of the ward's residency.
		7. A residential lease or command letter authorizing the member to reside off-base for Marines usually assigned to a barracks room may be requested.
		8. Proof of the member's monthly contribution in cases where the member is deployed. Note: Member must show where he/she established a residency and the ward cohabitated with him/her prior to deploying.
		9. Recent verification of any income the ward is in receipt of, to include support payments, wages, state or Federal aid, and Social Security Entitlements, etc.
		Annual Re-determination
		1. Properly completed Dependency Statement-Ward of a Court (DD 137-7). All blocks must be complete as per the instructions on the form and the member must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-7.pdf
		2. Proof of the member's monthly contribution in cases where the member is deployed.
		3. Recent verification of any income the ward is in receipt of, to include support payments, wages, state or Federal aid, and Social Security Entitlements, etc.
Figure 1-2.--Checklist for Submission of Ward of a Court		

* NOTE: All forms have to be current within 6 weeks from the date they are signed to the date submitted to CMC (MFP-1).

** NOTE: Proof of support can include money order receipts, cancelled checks, bank to bank transfers, wire transfers, dependent support allotments, billing statements with corresponding bank statements. In some cases joint account statements may be accepted. In no case are cash payments acceptable means of proof of support.

Incapacitated Child Over Age 21

YES	NO	Checklist for submission of Incapacitated Child Over Age 21
		INITIAL CLAIM
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. Properly completed Dependency Statement-Incapacitated Child Over the Age of 21 (DD 137-5). All blocks must be complete per the instructions and the member must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0137-5.pdf
		3. A recent (4 months or less) medical or psychiatric evaluation and diagnosis, a complete, detailed medical summary of illness, to include the date and child's age at onset of incapacity, current treatment being rendered and prognosis for recovery, as well as the ability to become self-supporting, a DSM-V diagnosis in all cases of Intellectual Disability.
		4. Proof of the member's monthly contribution in cases where the incapacitated child does not reside with the member on a full-time basis.
		5. Recent verification of any income the incapacitated child is in receipt of, to include support payments, wages, State or Federal Aid, and Social Security Entitlements, etc.
		ANNUAL RE-DETERMINATION
		1. Properly completed Dependency Statement-Incapacitated Child Over the Age of 21 (DD 137-5). All blocks must be completed as per the instructions in annual re-determination letter, and the form and the member must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0137-5.pdf
		2. Proof of the member's monthly contribution in cases where the incapacitated child does not reside with the member on a full-time basis.
		3. Recent verification of any income the incapacitated child is in receipt of, to include support payments, wages, state or Federal aid, and Social Security Entitlements, etc.
Figure 1-3.--Checklist for Submission of Incapacitated Child Over Age 21		

* NOTE: All forms have to be current within 6 weeks from the date they are signed to the date submitted to CMC (MFP-1).

** NOTE: Proof of support can include money order receipts, cancelled checks, bank to bank transfers, wire transfers, dependent support allotments, billing statements with corresponding bank statements. In some cases joint account statements may be accepted. In no case are cash payments acceptable means of proof of support.

Full Time Student 21-22 Years of Age

		Checklist for submission of Full Time College Student 21-22 Years of Age
YES	NO	
		INITIAL CLAIM
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. Properly completed Dependency Statement-Full-Time Student 21-22 Years of Age (DD 137-6). All blocks must be completed per the instructions on the form and the member, student, or custodian of student must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-6.pdf
		3. A letter from an institution of higher education stating full-time enrollment with expected date of graduation on official school letterhead or from the National Student Clearinghouse. The letter must be current.
		4. Proof of the member's monthly contribution in cases where the student does not reside with the member on a full-time basis.
		5. Verification of any income the student is in receipt of, to include support payments, wages, State or Federal Aid, grants or scholarships and Social Security entitlements, etc.
		ANNUAL RE-DETERMINATION
		1. Properly completed Dependency Statement-Full-Time Student 21-22 Years of Age (DD 137-6). All blocks must be completed per the instructions on the form and the member, student, or custodian of student must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-6.pdf
		2. A letter from an institution of higher education stating full-time enrollment with expected date of graduation on official school letterhead or from the National Student Clearinghouse. The letter must be current.
		3. Proof of the member's monthly contribution in cases where the student does not reside with the member on a full-time basis.
		4. Verification of any income the student is in receipt of, to include support payments, wages, state or Federal aid, grants or scholarships and Social Security entitlements, etc.
Figure 1-4.--Checklist for Submission of Full Time College Student 21-22 Years of Age		

* NOTE: All forms have to be current within 6 weeks from the date they are signed to the date submitted to CMC (MFP-1).

** NOTE: Proof of support can include money order receipts, cancelled checks, bank to bank transfers, wire transfers, dependent support allotments, billing statements with corresponding bank statements. In some cases joint account statements may be accepted. In no case are cash payments acceptable means of proof of support.

Parent, Parent-in-law, Step-Parent, or Parent by Adoption

YES	NO	Checklist for submission of Parent, Parent-in-Law, Step-Parent or Parent by Adoption
		INITIAL CLAIM
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. Properly completed Dependency Statement-Parent (DD 137-3). All blocks must be completed as per the instructions on the form, and the parent must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-3.pdf
		3. Proof of the member's monthly contribution is required.
		4. Recent verification of any income the parent is in receipt of, to include wages, retirement or disability payments, State or Federal Aid, alimony and Social Security entitlements, etc.
		ANNUAL RE-DETERMINATION
		1. Properly completed Dependency Statement-Parent (DD 137-3). All blocks must be completed as per the instructions on the form, and the parent must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-3.pdf
		2. Proof of the member's monthly contribution for the past 12-months is required.
		3. Recent verification of any income the parent is in receipt of, to include wages, retirement or disability payments, state or Federal aid, alimony and social security entitlements, etc.
Figure 1-5.--Checklist for Submission of Parent, Parent-in-Law, Step-Parent, or Parent by Adoption		

* NOTE: All forms have to be current within 6 weeks from the date they are signed to the date submitted to CMC (MFP-1).

** NOTE: Proof of support can include money order receipts, cancelled checks, bank to bank transfers, wire transfers, dependent support allotments, billing statements with corresponding bank statements. In some cases joint account statements may be accepted. In no case are cash payments acceptable means of proof of support.

In-Loco Parentis

Checklist for submission of In-Loco Parentis		
YES	NO	INITIAL CLAIM
		1. Properly completed Dependency Application (NAVMC 10922) signed by the applicant (member) and an attesting officer.
		2. Properly completed Dependency Statement-Parent (DD 137-3). All blocks must be completed as per the instructions on the form, and the parent must have his/her signature notarized in the presence of a notary.
		3. An In-Loco Parentis Affidavit completed by the person that stood in-loco parentis of the member.
		4. Proof of the member's monthly contribution is required.
		5. Recent verification of any income the in loco parentis is in receipt of, to include wages, retirement or disability payments, State or Federal Aid, alimony and Social Security entitlements, etc.
ANNUAL RE-DETERMINATION		
		1. Properly completed Dependency Statement-Parent (DD 137-3). All blocks must be completed as per the instructions on the form, and the parent must have his/her signature notarized in the presence of a notary. http://www.dtic.mil/whs/directives/forms/eforms/dd0137-3.pdf
		2. Proof of the member's monthly contribution for the past 12-months is required.
		3. Recent verification of any income the parent is in receipt of, to include wages, retirement or disability payments, state or Federal aid, alimony and Social Security entitlements, etc.
Figure 1-6.-Checklist for submission of In-Loco Parentis		

* NOTE: All forms have to be current within 6 weeks from the date they are signed to the date submitted to CMC (MFP-1).

** NOTE: Proof of support can include money order receipts, cancelled checks, bank to bank transfers, wire transfers, dependent support allotments, billing Statements with corresponding bank statements. In some cases joint account statements may be accepted. In no case are cash payments acceptable means of proof of support.

Chapter 2

Dependent Support

1. General Information. The provisions of this chapter apply to the support of dependents of members, including complaints of nonsupport or inadequate support. The statutory purpose of a housing allowance is to at least partially reimburse a member for the expense of providing a private sector residence for their dependent when government quarters are not available per reference (a).

2. Requirement to Provide Support to Dependents. All members are expected to provide adequate and continuous support for their lawful dependents and comply with the terms of separation/property settlement agreements and court orders. The policy of the Marine Corps regarding financial support of family members is set forth in reference (g). Failure to do so may be punishable under the Uniform Code of Military Justice and/or subject the member to adverse administrative actions.

3. Proof of Support. Generally proof of support for lawful dependents is not required. However, when there is evidence to support a member is not providing support on behalf of their dependent(s), either by special investigation reports, record reviews, fraud, waste and abuse complaints; sworn testimony of individuals, statement by member, or complaint of non-support or inadequate support by a dependent, then proof of the member's monthly contribution is required.

4. Nonsupport. A member who fails to provide support to a dependent, on whose behalf a housing allowance is received is not authorized a housing allowance on that dependent's behalf. Recoupment of housing allowances is authorized when there is nonsupport or inadequate support periods.

5. Legal Separation Agreement or Court Decree, Judgment or Order Silent on Support, Not Stating Support Amount, or Absolving Member of Support Responsibility. A legal separation agreement, court decree, judgment, or order that is silent on dependent support, does not state the dependent support amount, or absolves the member of dependent support responsibility does not of itself affect a member's housing allowance. This is true regardless of the jurisdiction in which the decree, agreement or order was issued or of the dependent's domicile. The member is authorized a housing allowance on behalf of a dependent if the member contributes to the dependent's support in an amount that is not less than the applicable BAH-DIFF rate.

6. Legal Separation Agreement or Court Order Stating Support Amount. If there is a court order or legal separation agreement stating the support amount, a member must contribute to the dependent's support the amount specified therein, but in no case may the support payments be less than the applicable BAH-DIFF rate.

7. Adequate Support. If the support requirements are not established by court order or legal separation agreement, a member must provide a support amount that is not less than the BAH-DIFF rate applicable to the member's grade. The support amount required to retain or receive a housing allowance for a dependent does not necessarily mean that such amount is adequate to meet the Service Concerned policy as to what constitutes adequate support in the absence of a legal separation agreement or court order.

8. Increase in Support Required by Increase in BAH-DIFF Rates. Whenever there is an increase in BAH-DIFF rates, the minimum required support for housing allowance purposes increases to the new rate. A member receiving a housing allowance on behalf of a dependent must increase the amount of support, when applicable, within 60 days of the increase to continue receiving the housing allowance on the dependent's behalf.

9. Settlement Agreement

a. Property settlements made under a court order or written agreement are not support for housing allowance purposes.

b. Payments made under a settlement in place of support are support for the period expressly provided in the written agreement or court order.

c. A lump-sum settlement in place of support made under written agreement or court order is support for the period the lump sum would reasonably cover the dependent's support.

10. Interlocutory Decree of Divorce. If an interlocutory decree of divorce does not provide for support to the spouse, the member is not authorized a housing allowance for the spouse after the date of the decree unless proof of support is furnished.

11. Complaints of Nonsupport or Inadequate Support of Dependents.

a. All complaints alleging nonsupport or inadequate support of dependents will be promptly acknowledged and the complainant shall be informed of the action taken in accordance with chapter 15 of reference (g).

b. Upon receipt by the CMC (MFP-1) of a complaint alleging that a Marine is not adequately supporting lawful dependents, the Marine's command will be notified of the complaint and will be directed to interview and counsel the Marine regarding support obligations. The command will be directed to respond to the alleged complaint and provide all supporting documentation to the CMC (MFP-1). If the member has previously been the subject of a similar allegation, the member's command will be notified by CMC (MFP-1). Service members should be advised by their command of the complaint, and appropriate action should be taken within the time period required by reference (g).