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PERSONAL AFFAIRS

PART A: INTRODUCTION AND ORGANIZATION

11000 PERSONAL AFFAIRS PROGRAM

1. Purpose. The purpose of the Personal Affairs Program is to assist in developing and maintaining a high state of morale by providing assistance to Marines and their dependents through appropriate counseling and dissemination of pertinent information in matters relative to their personal welfare.

2. Scope. From time to time legislation has been enacted providing certain rights, benefits, and privileges for members of the Armed Forces, persons retired therefrom, veterans, and their dependents and/or beneficiaries. The Marine Corps has a responsibility to assist and counsel Marines regarding these rights, benefits, and privileges accruing as a result of their military service, including the fulfillment of certain obligations to the Government. This chapter has been designed as a guide to assist commanders in satisfying the Marine Corps' responsibility to its member by providing information for use in counseling Marines on personal affairs matters. In this chapter are brief discussions regarding these benefits, including those administered by the Armed Forces and those administered by other governmental agencies (Veterans' Administration, Social Security, etc.).

3. Responsibility

a. It is the responsibility of the commander to ensure that adequate counseling on personal affairs matters is provided to all personnel.

b. The commander may designate a personal affairs officer to assist him in carrying out the functions of the organizational Personal Affairs Program. Such assignments will be made as additional duty unless tables of organization specifically provide for a personal affairs officer, and will be

published to the command by special order or company order, as appropriate. The organizational personal affairs officer will function as a special staff officer, and while in such capacity, will advise the commander regarding the organization, conduct, and effectiveness of the organizational Personal Affairs Program.

4. Sources of Information

a. In order to cope with the many problems affecting the welfare and morale of the members of the organization and their dependents, the commander or his designated organizational personal affairs officer must be a source of accurate and current information on the many rights and benefits accruing to persons as a result of service in the Armed Forces, as provided by the following:

(1) The Servicemen's and Veterans' Survivor Benefits Act;

(a) Dependency and Indemnity Compensation,

(b) Death gratuity,

(c) Social Security,

(d) Government Insurance (USGLI--NSLI).

(2) The Dependents' Medical Care Act;

(3) The Soldiers and Sailors Civil Relief Act of 1940, as amended;

(4) Uniformed Services Contingency Option Act of 1953;

(5) Veterans' Readjustment Assistance Act of 1952;

(6) Servicemen's Readjustment Act of 1944;

(7) The Housing Act of 1954;

(8) The Career Compensation Act of 1949; and

(9) Other pertinent laws and programs.

b. The commander or his designated personal affairs officer must be familiar with current Marine Corps personal affairs and civil readjustment publications, and he must ensure that adequate stocks are available in his organization. In addition, current pamphlets and publications on personal affairs subjects are available from the nearest regional office of the Veterans' Administration, Social Security Administration, and other pertinent agencies. Annually, a current list of available pamphlets is published in the Marine

Corps Directives System (series 1740.10). Other detailed information on benefits is contained in chapter 12 of this manual.

5. Civilian Organizations. Close liaison with the following civil agencies will prove to be of invaluable assistance as well as a source of information pertinent to the program:

- a. American Red Cross.
- b. Navy Relief Society.
- c. Veterans' Administration.
- d. Social Security Administration.
- e. Welfare organizations.

PART B: DEPENDENTS' ASSISTANCE

11050 BASIC ALLOWANCE FOR QUARTERS

1. Authority. Under statutory provisions (37 U.S.C. 403, 50 U.S.C. App. 2201-2216), a member of the Armed Forces is entitled to basic allowance for quarters when the Government does not provide adequate public quarters for the member and his dependents at his duty station. Members in pay grades E-4 (4 years or less service) and below are entitled to this allowance only if they have in effect an allotment of their pay in the amount of the allowance plus \$40, unless in the case of a wife or child a separation agreement or court order specifies a lesser amount, in which case the allotment must be at least equal to the amount of the allowance or the amount so specified, whichever is greater.

2. Eligibility. Certain limitations and restrictions concern the eligibility for this allowance. The Navy Comptroller Manual, volume 4 contains a listing of dependents as well as several categories of ineligible dependents. In addition to those listed as ineligible in the Navy Comptroller Manual, the following are also considered ineligible dependents:

a. A divorced wife regardless of whether she was awarded alimony in the divorce decree.

b. An illegitimate child of the member unless adopted by the service member. However, where the blood parents of an illegitimate child marry, the child is presumed to be legitimate from and including the date of marriage.

c. An illegitimate child of the member's wife when the member is not the blood parent. The child may become an eligible dependent through adoption by the service member.

d. A child not related to the member by blood or marriage, to whom the member has stood in the place of a parent, unless the child is adopted by the service member.

e. A stepchild after divorce of the service member from the blood parent unless the child is adopted by the service member. Death of the blood

parent while married to the service member does not dissolve the stepchild-stepfather relationship.

f. A legitimate stepchild receiving all or almost all of its support from sources other than the Marine's contributions to its welfare, e.g., from its natural father or from veteran's survivor benefits. However, the fact that a stepchild is receiving more than one-half of its support from sources other than the Marine will not necessarily result in a finding that the child is not the Marine's eligible dependent, provided that the Marine contributes to the child's welfare to an extent that it would be deprived of reasonable necessities if such contributions were not made.

g. A service member's child who has been adopted by third parties.

h. The parents of the member's spouse; i.e., mother-in-law, father-in-law.

i. Member's grandparents unless such grandparents stood in a loco parentis relationship for a minimum of 5 years during the minority of the Marine.

j. Brothers and sisters.

k. Stepparent after divorce from blood parent. However, a stepparent separated but not divorced from a blood parent may still be eligible.

l. A dependent currently claimed for purposes of basic allowance for quarters by another service person.

3. Acceptable Forms of Marriage. Not all forms of marriage are acceptable for the purpose of determining a member's eligibility to receive a quarters allowance. For example, proxy marriages and "telephone marriages" in the absence of legislation or court determinations to the contrary, are not recognized. Recognizable marriages include:

a. Indian tribal marriages, if contracted between tribal Indians according to usages and customs of their tribe at the time when the tribal Government relations existed.

b. Ceremonial marriages.

c. Common law marriages if recognized in the State where contracted. In this type of marriage, a couple becomes husband and wife without formal solemnization of marriage by mutually and publically holding themselves out and assuming the obligations of husband and wife. The couple must have had the same capacity to marry prior to common law marriage that would have been required upon entry into a ceremonial marriage. While requirements of a valid common law marriage vary in different states, basically they include the above stipulations. Common law marriages are as binding as ceremonial marriages and can only be terminated by death or divorce.

4. Validity of Marriage and/or Divorce. In order for a person to be determined a lawful wife for whom the Marine is entitled to receive credit of basic allowance for quarters, the Marine's marriage to her must be lawful and valid in accordance with the law of the State or country in which the marriage took place.

a. Many states require that the parties to a divorce go through a waiting or "cooling off" period before divorces become final. Due to a general lack of knowledge regarding the divorce laws of the various states, many service members find that they are not legally married upon applying for basic allowance for quarters because it is discovered that they and/or their purported wives have previous marriages that have not been dissolved by divorce. In this instance competent legal advice must be obtained.

b. Divorce in a foreign country where the parties to a marriage go for a temporary period, and where they do not have a legal residence (residence for a substantial period other than while on leave or vacation, etc.), and where neither of them is a citizen, will not be recognized. This means that unless a court within the United States holds such a divorce valid, it will not

be recognized for the purpose of authorizing basic allowance for quarters to a Marine who marries a person whose earlier marriage is supposed to have been dissolved by a foreign divorce; also if it is the Marine's earlier marriage which was supposed to have been dissolved by such a foreign divorce his remarriage may not be recognized in the absence of a court order holding the divorce, or his present marriage, valid.

5. Special Parent Cases

a. A parent is not necessarily required to exhaust his assets as a condition for establishing dependency.

b. If all conditions of eligibility have been met and the member claims parents as dependents, residence in a charitable institution will not necessarily bar the Marine from receiving a quarters allowance.

c. Contributions received by parents from charitable organizations are not considered a part of their income for dependency purposes.

d. A mother living with her husband in a family unit, in which the husband provides over 50 percent of the expenses of the unit, cannot be considered the member's dependent even if the husband is not providing adequately for her needs.

e. Social security and/or unemployment compensation benefits received by the parents are considered income in determining whether they receive more than one-half of their income from sources other than the member and whether the member is their chief support.

f. A Marine claiming entitlement to basic allowance for quarters in behalf of a parent(s) by virtue of the parent having become dependent upon him due to a change of circumstances, i.e., loss of job, death of breadwinner, etc., is expected to apply for basic allowance for quarters within a reasonable period of time subsequent to such

change. If the Marine does not apply within 1 year following the date the change occurred, normally it will not be considered that the parent became dependent as a result of the change.

6. Application. The individual Marine is primarily responsible for making application for quarters allowance. Each enlisted Marine will submit NavPers 668 Application for Dependents Allowance, listing all his dependents and will submit a new corrected NavPers 668 whenever there is an increase in the number of his dependents. An application on behalf of all dependents is required although no increase in allowances will accrue. The relationship of the member to any dependent applied for, with the exception of parents, must be verified by appropriate documents. In order to eliminate any unnecessary delay in the approval of the application, the service member (applicant) should have certified copies of all supporting documents in his possession at the time of the initial application. Examples of required documents, depending on the circumstances, are certified copies of: marriage certificates; divorce decrees; separation agreements; complaints of annulments and annulment decrees; statement of prior marital status of spouse; death certificates; birth certificates; adoption decrees; etc. If the service member is unable to secure the required documents for any reason, he should consult his commander or legal assistance officer.

7. Separate Maintenance. When a Marine has more than one dependent and his dependents live in separate households and the amount of support to be paid to each dependent results in a dispute, in the absence of a court order or legal agreement to the contrary, the amount of support to each dependent is determined by the Commandant of the Marine Corps (Code DN). In such cases of dispute see subparagraph 7201.4.

8. Changes That May Add to the Rate of Basic Allowance for Quarters:

- a. Birth of child.
- b. Marriage, adding wife as dependent (also stepchildren in many cases).

c. Legal adoption of a child.

d. A change of parents' circumstances whereby they become dependent on the Marine for over one-half of their support.

e. Promotion of the member to a higher grade.

9. Changes That May Decrease the Rate of Basic Allowance for Quarters or Terminate Entitlement:

a. Emancipation of a child by marriage, entry into the Armed Forces, etc.

b. Death of a dependent.

c. Final divorce from wife, whether or not a court awards alimony.

d. A change in circumstances whereby a parent whose eligibility is based on support provided by the Marine is no longer dependent on him for over one-half of his or her support.

e. Demotion, such as from pay grade E-4 to E-3.

f. Entry of wife or husband into the Armed Forces.

g. Under certain circumstances, when all, or a portion of the dependents occupy government quarters.

10. Allotment. The dependents of enlisted personnel in pay grades of E-1 through E-4 (4 years or less of service) receive each month a "Q" allotment check. The amount of the allotment is the sum of the member's basic allowance for quarters plus \$40 deducted from the member's pay, unless in the case of a wife or child a separation agreement or court order specifies a lesser amount, in which case the allotment is in an amount at least equal to the allowance for quarters or the amount so specified, whichever is greater.

a. Allotment checks are drawn and issued by the Allotment Branch of the Disbursing Division, Headquarters Marine Corps, Washington, D.C. Checks are normally mailed on the last day of each month representing payment of the allotment for that month. As a rule authorization to start allotments, Allotment Authorization, NavCompt 545, will be forwarded so as to reach the Commandant of the Marine Corps (Code

CDC) prior to the last day of the month preceding the month of first payment. Due to the time consumed in processing the allotment application both at the local disbursing office and at Headquarters Marine Corps, it is advisable for the Marine to make application for basic allowance for quarters and to register the appropriate allotment as soon as possible after dependency commences in order to avoid unnecessary delay in receipt of allotment checks by the dependent.

b. In the case of members in pay grades E-1 through E-4 (4 years or less of service), the guide given in subparagraph 7201.4 must not be construed to mean that the support to be paid can fall below the minimum allotment requirement.

c. If an enlisted member in pay grade E-1 through E-4 (4 years or less of service) refuses or is unable to make application, the dependent lawful wife or person acting on behalf of the member's legitimate children in his or her custody may request that an allotment be administratively established. Correspondence in such matters will be directed to the Commandant of the Marine Corps (Code DN).

11. Submission of Applications to the Commandant of the Marine Corps for Action. Before forwarding basic allowance for quarters applications to the Commandant of the Marine Corps for action in those cases wherein the commander is not authorized to act, commanders will attach to the original NavPers Form 668 the appropriate supporting documents mentioned in subparagraph 11050.6 above. Submission of NavPers Form 668 to the Commandant of the Marine Corps will not be delayed in cases where the Marine does not have in his possession the necessary supporting documents and cannot obtain them immediately. In such cases, commanders will attach remarks to the NavPers Form 668 indicating the nature of the supporting documents which are temporarily unavailable, the steps being taken by the Marine to obtain them, and the probable date of submission thereof to the Commandant of the Marine Corps.

11051 UNIFORMED SERVICES IDENTIFICATION AND PRIVILEGE CARD, DD FORM 1173 FOR DEPENDENTS OF MARINE CORPS PERSONNEL, AND CERTAIN OTHERS

1. The Uniformed Services Identification and Privilege Card, DD Form 1173, is a means of identification and designates those privileges for which a dependent and/or survivor of an active, retired, or deceased member of the Marine Corps is eligible. Application for the DD Form 1173 is made on a DD Form 1172, Application for Uniformed Services Identification and Privilege Card. DD Form 1173 may be issued by Marine Corps commands in behalf of dependents of members of other branches of the Uniformed Services and likewise, dependents of Marine Corps personnel may be issued DD Form 1173 by a commander of any Army, Navy, Air Force, or Coast Guard activity. This cross-service arrangement is applicable only when the application, DD Form 1172, has been properly executed and certified by the parent service. DD Form 1173 also may be issued to certain civilian personnel as indicated in the Marine Corps Commissary Stores Management Manual, Marine Corps Exchange Manual, and the Special Services Manual, which entitles such persons to commissary, exchange, and theater privileges. Possession of the DD Form 1173 does not, in itself, authorize entry into any classified or security area, nor does it replace any security system now in effect or to be placed into effect. Although DD Form 1172 is designed to provide a means whereby dependents may make application for DD Form 1173 in their own behalf, it is the responsibility of all military members, active duty and retired, to apply for the card in behalf of their lawful dependents.

2. Eligible Persons and Method of Application and Verification. Upon receipt of Application for Uniformed Services Identification and Privilege Card, DD Form 1172, the certifying officer will in all instances verify the information contained therein to ascertain whether or not the applicant is

eligible for medical care, commissary, exchange, and/or theater privileges as prescribed in current Secretary of the Navy Instructions on medical care (series 6320), Marine Corps Commissary Stores Management Manual, Marine Corps Exchange Manual, and the Special Services Manual. The following are guidelines upon which the dependency status and/or eligibility of persons may be predicated:

a. Active duty members will make application for DD Form 1173 in behalf of their dependents by the submission of DD Form 1172 to their commander.

(1) The dependency status of wives and children will be verified with NAVMC 10526-PD, Record of Emergency Data and/or NavPers 668, Application for Dependents Allowance. In the event a child is claimed who has been born subsequent to the execution of NAVMC 10526-PD or there is a discrepancy in the date of birth, the birth certificate of such child should be requested for verification.

(2) If a child claimed is not the legitimate child or stepchild of the service member, a decree of adoption will be required unless the service records disclose that the child has been adopted by the member. An interlocutory decree of adoption is sufficient. If a state does not issue an adoption decree, an amendatory birth certificate will suffice. A child of a service member who has been adopted by a third party is not an eligible dependent.

(3) In cases of children over 21 years of age incapable of self-support, a doctor's statement will be required setting forth that the child is incapable of self-support by reason of mental or physical incapacitation that existed prior to attainment of age 21.

(4) If the children are under the age of 23 and are in school, a statement from the registrar of the school certifying that the child is enrolled in a full-time course of study must be submitted by the applicant.

◆(5) The dependency status of parents will be verified with NavPers 668, Application for Dependents Allowance, or NavCompt Form 2040-1, Dependency Certificate (Mother and/or Father). If the Marine has not previously applied for Basic Allowances for Quarters on behalf of the parent(s), an identification and privilege card will not be issued until an approved application or certificate is received from the Commandant of the Marine Corps (Code DN).

◆(6) Requests for determination of eligibility for parents-in-law for identification and privilege cards will be forwarded to the Commandant of the Marine Corps (Code DN).

◆(7) Commanders of members who are ordered overseas, afloat, or otherwise away from the place of residence of their dependents will have Section IV and items e, k, and l of Section II of the DD Form 1172 in the case of each listed dependent completed and returned to the applicant. The applicant will be instructed to forward the completed DD Form 1172 to his dependents for presentation to the commander or officer in charge of the nearest Armed Forces activity where laminating and photographic facilities are available, for the issuance of a DD Form 1173. Personnel being ordered overseas, afloat, or otherwise away from the place of residence of their dependents, will be instructed to provide their dependents with the appropriate DD Form 1173 prior to departure.

b. Retired members

(1) Retired reservists will submit applications for DD Form 1173 in behalf of their dependents to the Commandant of the Marine Corps (Code DN), Washington, D.C. 20380. After verification of the member's service and certification of the benefits for which the dependents are eligible, the application will be returned to the retired member who may then present it to the commander of any Armed Forces installation which is equipped for issuance of DD Forms 1173.

(2) Other retired Marines including members of the Fleet Marine Corps Reserve may submit applications for DD Form 1173 in behalf of their dependents in person to the commander or officer in charge of the nearest Marine Corps activity, or by mail to the Commandant of the Marine Corps (Code DN), Washington, D.C. 20380, for verification and certification of benefits for which their dependents are eligible. An application submitted to the Commandant of the Marine Corps will be returned after verification and certification to the retired member, who may then present it to the commander of any Armed Forces installation equipped to issue DD Form 1173.

(3) Retired members who apply at an activity other than Headquarters Marine Corps will be required to establish their identity and the eligibility of their dependents for DD Form 1173 to the satisfaction of the certifying officer by presenting appropriate documents such as: DD Form 2-MC and/or DD Form 1173, as appropriate; copy of retirement orders; old or superseded DD Form 1173; birth certificates; marriage certificates; divorce decrees; adoption papers; death certificates; and other documents as necessary. After serving their purpose, all documents furnished to establish relationship will be returned to the applicant. Request for determination of eligibility of parents and parents-in-law of a retired member will be forwarded to the Commandant of the Marine Corps (Code DN) and must be supported by a sworn affidavit as prescribed in figure 11-1. An identification and privilege card will not be issued for parents or parents-in-law of a retired member until approval is received from the Commandant of the Marine Corps (Code DN).

c. Applications submitted by or in behalf of the surviving dependents of deceased active duty and retired members will be forwarded to the Commandant of the Marine Corps. Commanders will render all possible assistance in connection with informing such dependents of this provision and

assist them whenever practicable in completing DD Forms 1172 for forwarding to the Commandant of the Marine Corps (Code DN).

d. Armed Services personnel of foreign nations shall apply for DD Form 1173 by submitting DD Form 1172 to the installation commander where privileges are desired. As indicated in the Marine Corps Commissary Stores Management Manual, Marine Corps Exchange Manual, and the Special Services Manual, they must establish their identity and status to the satisfaction of the issuing agency through appropriate identification cards, orders, etc., for commissary, exchange and theater privileges.

e. American Red Cross personnel and other uniformed and nonuniformed personnel of recognized welfare and service organizations, civilian employees, hospitalized veterans, and other categories of civilian personnel as outlined in the Marine Corps Commissary Stores Management Manual, the Marine Corps Exchange Manual, and the Special Services Manual, shall apply for DD Form 1173 by submitting DD Form 1172 to the installation commander where privileges are desired. Upon receipt of such applications, and after reviewing the credentials of the applicant, installation commanders will specify by endorsement under "Remarks" in Item 18 the facilities for which patronage is authorized and special instructions for the use and surrender of the card in all cases where applications are approved. In cases of disapproval, reasons therefor will be indicated on the DD Form 1172.

f. Questionable cases. All questionable cases will be forwarded to the Commandant of the Marine Corps (Code DN) for determination with a brief statement relative to the facts which raised the issue of doubt together with any available supporting documents. In such instances a DD Form 1173 will not be issued until so authorized by the Commandant of the Marine Corps (Code DN).

3. Special Instructions to Issuing Officers. Issuing officers shall be guided by the following special instructions in preparation and issuance of the Uniformed Services Identification and Privilege Card:

a. Application for, and issuance of, DD Form 1173 will be accomplished at the following times for all military dependents 10 years of age and over:

(1) Upon entry of a service member on active duty for a period in excess of 30 days.

(2) Upon reenlistment of a service member.

(3) Upon retirement or death of a service member.

(4) Upon change in dependency status stated on current card.

(5) Upon certification of loss of card.

(6) When administratively appropriate, DD Form 1173 will not normally be issued to minor children under 10 years of age. Certification and identification of such minors for medical care and other benefits to which entitled will be the responsibility of the service member, an adult dependent, accompanying parent or acting guardian. However, under extenuating circumstances, DD Form 1173 may be issued to minor children under 10 years of age for medical care. Example: A service member was divorced and the court awarded custody of the children, ages 3 and 4, to the spouse and further decreed that the service member provide for their support. Under such circumstances the children would be dependent on the service member and entitled to medical care and other benefits.

b. Surrender. DD Forms 1173 shall be surrendered:

(1) Whenever a new card is issued, except to replace cards lost, stolen or destroyed.

(2) Upon expiration date.

(3) Whenever the card holder becomes ineligible.

(4) Upon death, retirement or release of member to inactive duty.

(5) When otherwise required for administrative purposes which are in the best interest of the service.

4. Preparing the DD Form 1173

a. Card issued will bear a 1" by 1-1/4" uncovered, fullface, front view, passport-type photograph of the bearer.

b. Item #1, Card number. Card numbers will be preprinted.

c. Item #2, Issue date. Enter the date of authentication by the issuing officer.

d. Item #3, Expiration date.

(1) Cards issued to adult dependents shall be effective for the contracted period of service of the sponsor upon whom the entitlement is based in the case of members of the Uniformed Services, or 6 years from the date of issue, whichever is the earlier.

▶ (2) Cards issued to the widows of deceased (active or retired) service members shall be effective for a period not to exceed 4 years.

(3) Cards issued to children under 21 years of age shall be effective for the contracted period of service of the sponsor as outlined in subparagraph (1), above, or until the child attains the age of 21, or 6 years from the date of issue, whichever is the earlier.

▶ (4) Cards issued to children over 21 years of age but under 23 years of age who are attending school shall be effective for the contracted period of service of the sponsor as outlined in subparagraph (1), above, or until the

child attains the age of 23 years, or until graduation and/or conclusion of the schooling, whichever is the earliest.

(5) Cards issued to children over 21 years of age who are incompetent due to mental or physical incapacity shall be effective for the contracted period of the sponsor, or 6 years from the date of issue, whichever is the earlier.

(6) Cards issued to personnel other than dependents of members of the Uniformed Services, or to dependents of personnel having no contracted period of service such as retired military personnel, shall be effective for a period not to exceed 6 years from the date of issuance.

(7) Cards shall not be issued when eligibility for or usage of the card is indicated for 30 days or less.

(8) Under no circumstances will cards be issued for an "indefinite" period.

(9) Cards issued to personnel transferred to the temporary disability retired list shall be effective for a period of 5 years from the effective date of such transfer.

(10) Cards issued to dependents of temporary disability retired personnel shall be effective for a period of 5 years from the effective date of temporary disability retirement, except in the case of children. Cards issued to dependent children shall be effective for a period of 5 years from effective date of temporary disability retirement or until the child attains the age of 21, or if attending school, age 23, whichever is earlier.

e. Item #4, Issued to. Type the full name (first name, middle initial and surname) of the person to whom issued and code the relationship to the sponsor as follows:

W Wife
H Husband

S Son
D Daughter
F Father
M Mother
FL Father-in-law
ML Mother-in-law
U Unremarried Widow
UW Unremarried Widower

When issued to a person who is not a dependent, the words "and relationship" will be lined out.

f. Items #5, 6, 7, and 8, Color of eyes, hair, height, and weight. Self-explanatory.

g. Item #9, Date of birth of bearer. When issued to dependent children over 21 years of age, indicate after date of birth "(INC)" for incompetency, or "(SCH)" for attendance of an approved school, as appropriate.

h. Item #10, Grade and name of sponsor. Enter grade appropriately abbreviated followed by the first name, middle initial and surname. Normally, cards will not be reissued solely because of change in grade of the sponsor. However, upon promotion of personnel from sergeant to staff sergeant and advancement of enlisted personnel to officer grade, reissuance may be authorized at the discretion of local commanders.

i. Item #11, Service and status of sponsor. Enter USMC; USMCR; etc., as appropriate, and code the status as follows:

AD Active Duty
RET Retired
D Deceased
CIV Civilian
FM Foreign Military

j. Item #12, Service number of sponsor. Self-explanatory. When issued to persons other than military dependents, enter "(CIV)."

k. Item #13, Authorized patronage. To make determination of eligibility, refer to figure 11-2 and/or the Marine Corps Commissary Stores Management Manual, the Marine Corps Exchange Manual, and the Special Services Manual, as appropriate. Privileges and facilities to which the cardholder is not authorized will be completely obliterated.

l. Item #14, Signature. Cards issued to a person who is incompetent or otherwise cannot sign, enter "(INC)." All others will sign first name, middle initial and surname with blue, blue-black, or black ink.

m. Item #15, Medical care facilities authorized. Refer to figure 11-2 and SecNav Instructions on medical care (series 6320) in making a determination. Medical facilities not authorized for the cardholder will be blocked out. If the bearer is eligible for medical care, items 15a and 15b will be completed as follows:

(1) In block 15a, the positive entry "YES" is required when the bearer is entitled to medical care in Uniformed Services facilities.

(2) In block 15b, the positive entry "YES" is required when the bearer is entitled to civilian medical care. The effective date entered must be the latest of the following:

(a) 7 December 1956 (effective date of the Dependents' Medical Care Act, Public Law 569, 84th Congress): or

(b) Date of marriage to a sponsor; or

(c) Date of sponsor's last entry on active duty after a break in service of more than 24 hours; or

(d) Date of sponsor's initial entry on continuous active duty (no break in service of more than 24 hours); or

(e) In case of children, the date: of birth; of adoption by sponsor; or on which the child became a dependent of the sponsor.

(3) A new card will not be issued to a dependent in possession of DD Form 1173 (1 Jan 57) for the sole purpose of showing an effective date for civilian medical care.

n. Item #16, Place of issue. Enter organizational address.

o. Item #17, Issuing officer. Self-explanatory. Issuing officers will not use facsimile signature stamps.

p. Lamination. All cards will be laminated between two pieces of plastic prior to issue. Commanders and officers in charge who do not have laminating facilities should arrange for such service with any other military activity within the proximity of his command, or headquarters of the appropriate naval district or naval command.

q. Alterations. No DD Form 1173 on which any alterations, erasures, or strikeovers have been made will be issued.

r. Instructions upon delivery. All dependents at the time of issuance of DD Form 1173 will be advised that the card must be in his/her possession when requesting authorized privileges, the conditions under which the holder is entitled to the card, and that any changes in status which would modify or terminate these conditions must be reported immediately to the nearest Armed Forces military installation.

s. Reissue, renewal. Reissue or renewal of DD Form 1173 will be effected by the same procedure as prescribed for initial issuance.

t. Responsibility of sponsors. Sponsors will be directed to notify the appropriate issuing activity immediately upon any change in status that would terminate or modify the right to any of the benefits for which the card may be issued.

5. Figure 11-2 is furnished as a ready reference for issuing officers in ascertaining what privileges certain categories of patrons are entitled. Personnel on active duty or active duty for training for a period of 30 days or less, and their dependents, who are authorized commissary, exchange, and/or theater privileges will be required to present a copy of their orders to active duty, the appropriate Armed Forces identification card, or whatever privilege card is provided or required by the commander of the facility concerned.

6. The loss or theft of DD Form 1173 will be reported promptly by the service member, the dependent concerned, or holder, through the resubmission of DD Form 1172 to the appropriate issuing activity with the following statement completed under the "Remarks" heading (Item #18):

"I certify that DD Form 1173 previously issued to me was lost or stolen under the following circumstances: (Explain in detail) and that such card has not been located after diligent search. If it is subsequently found, it will be surrendered to the appropriate issuing agency. '/s/ _____'."

7. Disposition of Applications. DD Form 1172 completed by or in behalf of:

a. Dependents of active duty Marine Corps personnel will be filed on the document side of the Service Record Book or Officers Qualification Record of the sponsor.

b. Dependents of retired (except retired reserve, see paragraph 11051.2b(1)) or deceased Marine Corps personnel will be forwarded to Commandant of the Marine Corps (Code DGH) for file.

c. Dependents of members of the Uniformed Services of the United States other than the Marine Corps will be forwarded to the appropriate organization or service department for disposition.

d. All other persons including foreign military personnel and civilians will be retained in the appropriate organizational files in accordance with current regulations and destroyed simultaneously with and at the time of surrender of DD Form 1173 upon termination of eligibility therefor.

8. Members of the Marine Corps who decline to sponsor their lawful dependents for appropriate identification media to obtain medical care and other authorized privileges may in certain instances be required to submit a sworn statement to the Commandant of the Marine Corps (Code DN) setting forth the reasons for such refusal. Such statements when received will be made a part of the member's official records. Where such refusal appears unjustified, certification of eligibility will be issued by the Commandant of the Marine Corps (Code DN).

9. Security and Accountability of DD Forms 1173

a. Supply activities will maintain proper security over stocks of DD Form 1173, issue cards in blocks, maintain a record by serial number of all cards issued, and obtain signed receipts for all issues.

b. Commanders shall perform, or designate in writing an officer or officers who shall be responsible for per-

forming, the following security and accountability functions:

(1) Upon receipt of a shipment of DD Forms 1173, immediately make a record of the serial numbers and of the total number received. If the shipment is accompanied by a requisition which lists the serial numbers, verify its accuracy with those received.

(2) Provide adequate storage facilities to ensure security and accountability of DD Forms 1173. They will be allocated only in amounts sufficient for average daily requirements.

(3) Maintain a permanent log of the final disposition of each DD Form 1173 in serial number sequence indicating the name, grade or rate, and file or service number of the service member, or status if a civilian. Recipient shall sign the log, acknowledging receipt of the DD Form 1173. When delivery by mail is necessary, certified or registered mail will be utilized and the certified or registry number shall be entered in the log in lieu of the recipient's signature.

(4) Destroy all DD Forms 1173 not issued because of spoilage and make an appropriate signed entry in the permanent log indicating date and reason for the destruction. Cards surrendered will be destroyed by the designated officer performing the security and accountability functions for the command.

(5) Every 6 months or upon relief of the issuing agent, inventory blank DD Forms 1173, sight those in the process of issuance, and inspect the permanent log to ensure that each one is accounted for. An entry will be placed in the log indicating compliance with this paragraph.

(6) When blank DD Forms 1173 cannot be accounted for, the circumstances shall be investigated immediately and the Commandant of the Marine Corps (Code DN) informed of the serial numbers of those missing, and of the action taken.

AFFIDAVIT

NOTE: Penalty for presenting false claims or making false statements in connection with claim: Fine of not more than \$10,000 or imprisonment for not more than 5 years, or both (18 U. S. C. 287; id 1001).

I hereby (swear) (affirm) that I am the (parent) (parent-in-law) of

_____ and (am) (was) dependent on him
for over one-half of my support and actually (reside) (resided) in his household
(at the time of his death) at _____

(address)

Date _____ Signature _____

NOTARY PUBLIC

Subscribed and duly sworn (or affirmed) to before me according to law by the
above-named affiant(s).

This _____ day of _____ 19__, at city (or town) of _____
_____, county of _____,
and State of _____.

(OFFICIAL SEAL)

NOTARY

OFFICIAL TITLE

MY COMMISSION EXPIRES: _____

AUTHORIZED PATRONS FOR:

CATEGORY OF PATRONS	MEDICARE		COMMISSARY ¹	EXCHANGE ¹ UNLIMITED	THEATER ¹
	CIVILIAN FAC	SERVICE FAC ¹			
1. Active Duty Members of the Uniformed Services ²	EMERGENCY ONLY	YES	YES ³ , ²⁰	YES ³	YES
2. Dependents of Active Duty Members of the Uniformed Services as Follows:					
A - Lawful Wife.....	YES	YES	YES	YES	YES
B - Lawful Husband.....	YES ⁵	YES ⁵	YES ⁴	YES ⁵	YES
C - Unmarried Legitimate Children Including Adopted and Stepchildren--					
(1) Under 21 years of age.....	YES	YES	YES ¹⁸	YES ⁶	YES
(2) Over 21 years of age.....	YES ⁷	YES ⁷	NO	YES ⁷	YES ⁷
D - Parents.....	NO	YES ⁹	YES ⁴	YES ⁶	YES ⁶
E - Parents-in-law.....	NO	YES ⁹	YES ⁴	YES ⁹	YES ⁹
3. Dependents of Deceased Members of the Uniformed Services Who Died in Line of Duty While in an Active Status as Follows:					
A - Unremarried Widow.....	NO	YES ²¹	YES ¹⁹ , ²⁰ , ²⁴	YES ¹⁹ , ²⁴	YES ¹⁹
B - Unremarried Widower.....	NO	YES ¹⁰	NO	NO	NO
C - Unmarried Legitimate Children Including Adopted and Stepchildren--					
(1) Under 21 years of age.....	NO	YES ²³	NO ²⁴	NO ²⁴	YES
(2) Over 21 years of age.....	NO	YES ¹¹	NO ²⁴	NO ²⁴	YES ¹¹
D - Parents.....	NO	YES ¹²	NO	NO	NO
E - Parents-in-law.....	NO	YES ¹²	NO	NO	NO
4. Retired Members of the Uniformed Services.....	NO	YES ¹³	YES ¹⁴ , ²⁰	YES ¹⁴	YES ¹⁴

Figure 11-2

AUTHORIZED PATRONS FOR:

CATEGORY OF PATRONS	MEDICARE		COMMISSARY ¹	EXCHANGE ¹ UNLIMITED	THEATER ¹
	CIVILLIAN FAC	SERVICE FAC ¹			
5. Dependents of Retired Members of the Uniformed Services as Follows:					
A - Lawful Wife.....	NO	YES	YES	YES	YES
B - Lawful Husband.....	NO	YES ⁵	YES ⁴	YES ⁵	YES ⁵
C - Unmarried Legitimate Children Including Adopted and Stepchildren--					
(1) Under 21 years of age.....	NO	YES	YES ¹⁸	YES ⁶	YES
(2) Over 21 years of age.....	NO	YES ⁷	NO	YES ⁷	YES ⁷
D - Parents.....	NO	YES ⁹	YES ^{4, 6}	YES ⁶	YES ⁶
E - Parents-in-law.....	NO	YES ⁹	YES ^{4, 9}	YES ⁹	YES ⁹
6. Dependents of Deceased Retired Members of the Uniformed Services as Follows:					
A - Unremarried Widow.....	NO	YES	YES ^{20, 24}	YES ²⁴	YES
B - Unremarried Widower.....	NO	YES ¹⁵	NO	NO	NO
C - Unmarried Legitimate Children Including Adopted and Stepchildren--					
(1) Under 21 years of age.....	NO	YES	NO ²⁴	NO ²⁴	YES
(2) Over 21 years of age.....	NO	YES ¹⁶	NO ²⁴	NO ²⁴	YES ¹⁶
D - Parents.....	NO	YES ¹⁷	NO	NO	NO
E - Parents-in-law.....	NO	YES ¹⁷	NO	NO	NO
7. Hospitalized and Totally Disabled Veterans.....	NO	NO	YES ^{8, 20}	YES ²²	NO
A - Lawful Wife.....	NO	NO	YES ⁴	YES ²²	NO
B - Other Family Member.....	NO	NO	YES	YES ²²	NO

Figure 11-2. --Continued.

FOOTNOTES

1. All authorized patronage depends upon the availability and adequacy of the facility concerned.
2. Includes a person appointed, enlisted, inducted, called, ordered or conscripted in a Uniformed Service who is serving on active duty or active duty for training pursuant to call or order that does not specify a period of 30 days or less.
3. Includes a person appointed, enlisted, inducted, called, ordered or conscripted in a Uniformed Service (including members of the Reserve components) who is serving on active duty or active duty for training pursuant to a call or order that does not specify a period less than 72 hours.
4. If in fact designated by the authorized patron as the adult member of the family to act as agent for the purpose of making purchases on his behalf.
5. If he is in fact dependent on the member for over one-half of his support.
6. If in fact dependent upon the member for over one-half of their support.
7. If the child is incapable of self-support because of a mental or physical incapacity that existed prior to his reaching the age of 21, and is in fact dependent on the service member for over one-half of his support, or has not passed his 23rd birthday and is enrolled in a full-time course of study in an institution of higher learning as approved by the Secretary of Defense or Secretary of Health, Education, and Welfare, and in fact dependent on the service member for over one-half of his support.
8. Honorably discharged veterans are required to furnish a Veterans' Administration certification every 3 years following initial application, stating that they have a 100% service-connected disability. Identification card privileges will be authorized for a 3-year period.
9. If in fact dependent on the service member for over one-half of their support and actually reside in the household of the member. See Note below.
10. If in fact dependent upon the member at the time of her death for over one-half of his support because of a mental or physical incapacity.
11. If the child is incapable of self-support because of a mental or physical incapacity that existed prior to his reaching the age of 21 and was at the time of the member's death, in fact dependent on him for over one-half of his support, or has not passed his 23rd birthday and is enrolled in a full-time course of study in an institution of higher learning as approved by the Secretary of Defense or Secretary of Health, Education, and Welfare, and was at the time of the member's death, in fact dependent on him for over one-half of his support.

12. If at the time of the member's death, in fact dependent on the said member for over one-half of their support and were at the time of the member's death, actually residing in the household of the said member. See Note below.
13. Includes a member or former member of a uniformed service who is entitled to retired, retirement, or retainer or equivalent pay as a result of service in a uniformed service, other than a member or former member entitled to retired pay under the provisions of 10 USC 1331-1337, who has served less than 8 years on full-time duty in the active military service, other than active duty for training.
14. Includes a member (excluding a former member) of a uniformed service who is entitled to retired, retirement or retainer or equivalent pay as a result of service in a uniformed service.
15. If he was in fact dependent upon the retired member at the time of her death for over one-half of his support because of a mental or physical incapacity.
16. If the child is incapable of self-support because of a mental or physical incapacity that existed prior to his reaching the age of 21 and was at the time of the retired member's death, in fact dependent on him for over one-half of his support, or has not passed his 23rd birthday and is enrolled in a full-time course of study in an institution of higher learning as approved by the Secretary of Defense or Secretary of Health, Education, and Welfare, and was at the time of the retired member's death, in fact dependent on him for over one-half of his support.
17. If the said parent or parent-in-law was at the time of the retired member's death, in fact dependent on the said retired member for over one-half of his support and was at the time of the retired member's death, actually residing in the household of the said retired member. See Note below.
18. If actually residing in the home of the service member. When service member and wife are divorced and children do not reside with service member, commissary privileges are not authorized.
19. Includes unremarried widows of members of Marine Corps Reserve who died in line of duty during performance of active duty for training or drill.
20. Each authorized patron shall be permitted to designate one adult member of his family, who is actually residing in his household, as his agent for the purpose of making purchases in his behalf.
21. Includes the unremarried widow of a member of the Marine Corps or Marine Corps Reserve whose death occurred during a period of active duty or active duty for training, the orders to which do not specify a period of duty of 30 days or less.

22. Each disabled veteran who is authorized these privileges shall be permitted to designate one member of his family as his agent for the purpose of making purchases in his behalf. "Limited" Exchange will no longer be indicated on the DD 1172 for veterans. It has been found that "Limited" Exchange privileges have frequently been misinterpreted to mean health and comfort items only. Instructions concerning the restrictions on purchase of articles of the uniform will be furnished the veteran by Headquarters Marine Corps on the DD 1172 when the application is certified.

▶ 23. Applies only to dependent children of a member of the Marine Corps or Marine Reserve whose death occurred during a period of active duty or active duty for training, the orders to which did not specify a period of 30 days or less.

▶ 24. A widow may designate one of her dependent children to act as an agent in her behalf for commissary and exchange privileges. Admittance of these children to the commissary or exchange will be controlled by regulations promulgated by the local command.

NOTE: For the purposes of implementing 10 USC 1071-1085 (the Dependents Medical Care Act of 1956) the requirement of actually residing in the household shall be fulfilled when the parent or parent-in-law actually resides, or was residing at the time of death of a member or retired member, in a dwelling place provided or maintained by said member or retired member.

PART C: INSURANCE AND PENSIONS

11100 GOVERNMENT LIFE INSURANCE

1. National Service Life Insurance

a. All Marines while in the active service during the period from 8 October 1940 through 25 April 1951 were eligible to apply for National Service Life Insurance (NSLI--maximum \$10,000) on one or more of seven plans as provided by the National Service Life Insurance Act of 1940, as amended. With the enactment of the Servicemen's Indemnity and Insurance Acts of 1951 and the Servicemen's and Veterans' Survivor Benefits Act of 1956, issuance of such insurance after 25 April 1951, as distinguished from reinstatement or replacement, is not authorized except as provided in the following subparagraph:

(1) Any person who is released from active service under other than dishonorable conditions and who is found by the Administrator of Veterans' Affairs to be suffering from a disability or disabilities for which compensation would be payable if 10 percent or more in degree but is otherwise in good health, may apply for insurance within 1 year from the date such service-connected disability was determined by the Veterans' Administration on any of the following plans:

- (a) Five-Year Level Premium Term
- (b) Ordinary Life
- (c) Thirty-Payment Life
- (d) Twenty-Payment Life
- (e) Twenty-Year Endowment
- (f) Endowment at Age 60
- (g) Endowment at Age 65

Totally disabled personnel may apply for any of the above plans except the endowment plans.

b. Those insured under a National Service Life Insurance contract may designate as a beneficiary any person or persons, firm, corporation, or other legal entity, including his estate, either individually or as a trustee. Further, the insured may cancel and change the beneficiary designation at any time without the consent or knowledge of the beneficiary.

c. An insured under a National Service Life Insurance policy may elect any one of the following four settlement options for payment of insurance benefits upon his death, or may elect that a part of the proceeds be paid under one option and the balance under another option:

(1) Option 1 - One lump sum in cash.

(2) Option 2 - Limited Monthly Installments - A specified number of equal monthly installments ranging from 36 to 240 in multiples of 12.

(3) Option 3 - Monthly Installments for Life - With 120 monthly installments guaranteed.

(4) Option 4 - Monthly Installments for Life - With total installments equal to face amount of the policy guaranteed (Refund Life Income). Further information on the above benefits may be obtained in chapter 12.

d. All National Service Life Insurance policies provide for the waiver of premiums in the event of total disability existing for a period of 6 or more consecutive months; further, upon evidence of insurability (good health) and payment of an additional premium, a total disability income provision granting disability income to the insured may be added to existing policies, except nonparticipating policies issued on or after 25 April 1951.

e. Any permanent plan policy which has lapsed and has not been surrendered for cash or paid-up insurance may be reinstated at any time by the payment

of all premiums in arrears with interest and by compliance with the health requirements. Any indebtedness against the policy which existed at the date of lapse must be reinstated or paid with interest. A lapsed policy which is in force under extended insurance may be reinstated without a medical statement or other medical evidence, if application and payment of premiums and interest are made not less than 5 years prior to the date the extended insurance will expire.

f. Policies surrendered for cash. A Marine who formerly had a National Service Life Insurance permanent plan policy which he surrendered for cash after 25 April 1951 and before 1 January 1957 while on active duty, and who has had continuous active duty since that time, may obtain, either while in the active service or within 120 days after separation, a new policy of insurance (replacement) on the same plan and not in excess of the amount surrendered at the premium for his current insurance age; or he may reinstate his surrendered policy by the payment of the required reserve and the premium for the current month. No medical examination is required. (At the same time an application for replacement or reinstatement is submitted, a Marine may submit an application for conversion to a higher or lower premium rate plan.)

g. Five-year level premium insurance

(1) A Marine who had a 5-year level premium term National Service Life Insurance policy, the term of which expired while he was in active service after 25 April 1951 or within 120 days after separation, and in either case the insurance expired prior to 1 January 1957, and who has had continuous active duty since the date of the expiration of the term of his policy may be granted an equivalent amount of government insurance on the 5-year level premium term plan at the premium rate for his then current insurance age. Such application must have been made while in active service, or

within 120 days after separation from active service, accompanied by payment of premiums and evidence of good health satisfactory to the Administrator of Veterans' Affairs.

(2) National Service Life Insurance policy holders whose 5-year level premium term policies lapsed for non-payment of premium not earlier than 2 months prior to the expiration of the term period, and such term period expired on or after 23 July 1953, may renew and reinstate such term insurance prior to the expiration of the next succeeding term period. The policy holder must submit the required premiums and evidence of good health in order to reinstate such insurance.

h. Conversion of term insurance to permanent plan

(1) A National Service Life Insurance policy on the Five-Year Level Premium Term Plan (except Post-Service Term Insurance issued after 25 April 1951 under Section 621 of the National Service Life Insurance Act, as amended) may be converted without physical examination at any time within the term period for National Service Life Insurance in the same or less amount, in multiples of \$500 (minimum \$1000), on the Ordinary Life, 20-Payment Life, 30-Payment Life, 20-Year Endowment, Endowment at Age 60, or Endowment at Age 65 plan. However, conversion to an endowment plan may not be made while the insured is totally disabled. A policy, to be convertible, must be in force either by payment or waiver of premiums.

► (2) Change in plan. Any permanent plan National Service Life Insurance policy which is in force under premium paying conditions may be exchanged wholly or in part, in multiples of \$500 (minimum \$1,000), for a National Service Life Insurance policy on any other permanent plan with the same policy number prefix, bearing the same effective date, and based upon the same age, under the following conditions:

(a) To a higher premium rate or reserve. Upon payment of

the difference between the reserve on the new plan and the reserve on the old plan and the payment of the first premium on the new plan. Physical examination is not required, but the exchange may not be made if the insured is totally disabled.

(b) To a lower premium rate or reserve. Report of physical examination is required. The difference in reserve on the old plan and the reserve on the new plan, less any indebtedness, may be applied to the payment of premiums on the new policy or withdrawn in cash. However, if the old plan has been in force less than 12 months the difference in reserves may be applied only to the payment of premiums on the new policy.

2. United States Government Life Insurance

a. Eligibility. This insurance was granted to any person who served at any time from 6 October 1917 to 8 October 1940. The Servicemen's Indemnity and Insurance Acts of 25 April 1951 terminated the issuance of United States Government Life Insurance. Marines on active duty who formerly had one of these policies of insurance in effect have the same privileges of reinstatement or replacement as outlined in subparagraphs 1f and 1g, above, and have the same rights as holders of policies of National Service Life Insurance with the following exceptions:

(1) No post-service United States Government Life Insurance is issued because of service-connected disability.

(2) The provisions of National Service Life Insurance Five-Year Level Premium Term Insurance as cited in subparagraph 1g (2), above, do not apply to United States Government Life Insurance.

3. Responsibility. It is the responsibility of the commander to ensure that: all Marines within his command are apprised of the Government insurance

provisions of the Servicemen's and Veterans' Survivor Benefits Act; Marines having contractual rights to replace or reinstate United States Government Life Insurance and National Service Life Insurance are made aware of the privileges afforded them under this law; the proper forms are available to the individuals concerned; assistance in completing the forms is rendered; and that the following disposition is made of the forms:

a. Original and one copy will be forwarded to the Veterans' Administration (VA will return the second copy after verification to the individual).

b. One copy to the Marine's Service Record Book.

c. One copy to the Commandant of the Marine Corps (Code DGH).

4. Additional Sources of Information Concerning Insurance

a. Information concerning United States Government Life Insurance and National Service Life Insurance is contained in the Navy Comptroller Manual, volume 4, and various pamphlets issued by the Veterans' Administration on government life insurance as set forth in a current Marine Corps directive in the 1740 series.

b. If a serviceman or veteran dies from a service-connected cause on or after 1 May 1957 with an in-service waiver of premiums on his government life insurance in effect at the time of his death, his survivors are eligible only for the old form death compensation which is ordinarily lower than the Dependency and Indemnity Compensation to which they otherwise would be eligible (38 USC 417).

5. Servicemen's Group Life Insurance (SGLI)

a. Effective 29 September 1965 every Marine then on active duty in excess of 30 days and every Marine who entered on such duty thereafter (unless he elects to be covered by \$5,000 or not to be covered) is automatically covered by \$10,000 life

insurance (SGLI) at a current cost to him of \$2.00 per month, which is deducted from his Marine Corps pay.

b. Coverage. SGLI coverage extends to all eligible personnel less those who voluntarily withdraw from the program and those who are absent without leave for a period of more than 31 days. Further, this coverage is effective for 120 days following separation or release from active duty unless SGLI is converted while on active duty or prior to the expiration of such 120 days. SGLI coverage is in addition to all other government insurance that a Marine may have retained; i.e., National Service Life Insurance and Government Service Life Insurance. A Marine may elect, in writing, to receive only \$5,000 SGLI coverage (at a premium cost to him of \$1.00 per month), or he may elect, also in writing, not to participate in the SGLI Program; i.e., not to be covered in any amount.

c. Settlement. A Marine may choose, in writing, a settlement of either one lump-sum to his beneficiary(ies) or 36 equal monthly installments. If no settlement option is elected by a Marine, at the time of his death his beneficiary(ies) may elect either settlement; if a Marine has a written election of lump-sum payment, his beneficiary(ies) may change this election to the monthly payment method. See subparagraphs e and f, below.

d. Beneficiary(ies)

(1) A Marine may designate any person or persons to receive any amount of his SGLI coverage. He may also designate legal entities such as charities, institutions, schools, etc., to receive any or all of his SGLI coverage. See also subparagraphs e and f, below.

(2) If no beneficiary is designated in writing by a Marine, payment of his SGLI will be made to the eligible person or persons highest in the following order:

widow or widower
child or children
parent or parents
duly appointed executor or administrator of his estate
other next of kin entitled under the laws of his domicile

e. A designation of beneficiary and of a settlement option is automatically canceled:

(1) When coverage ceases;

(2) When the member reenters upon active duty in another Uniformed Service;

(3) When the member reenters upon active duty with the same Uniformed Service after a break in service.

f. If a prior designation of beneficiary is terminated for any reason shown above and the member wants the insurance proceeds paid to a designated beneficiary, he must complete a new designation.

g. Policy provisions. The insurance afforded under this Program resembles term insurance in that it has no loan, cash, or paid-up or extended insurance values. There is no provision for disability or other waiver of premiums.

h. Restoration. All Marines on active duty in excess of 30 days who do not have \$10,000 SGLI coverage for any reason may request to be insured in the amount of \$10,000 or \$5,000 by making written application and by demonstrating proof of good health for insurance purposes. Deduction of premiums from military pay will begin as of the month in which application to have SGLI restored is submitted.

i. Conversion. SGLI coverage for 120 days following release from active duty or discharge is granted without payment of premiums. At any time during this 120-day period (or at any time during his period of active duty)

a Marine may convert his SGLI coverage to a commercial individual policy of insurance with any insurance company in the SGLI Program. A listing of the qualified companies will be made available to a separated Marine or former Marine at his request, normally, after his separation from active service. He may then choose an eligible insurance company which offers the program most suited to his needs. The converted insurance policy will be issued in an amount not in excess of the SGLI coverage being replaced and without the necessity of taking a medical examination. Payment of premiums for converted insurance will not be automatically withheld from any Marine Corps pay but may be deducted from active duty or retired pay upon submission of an appropriate allotment authorization by the Marine. If a Marine converts his SGLI coverage to a commercial policy while he is on active duty he may not obtain new SGLI coverage thereafter until either (1) his converted policy of insurance is no longer in effect, or (2) he has had a break in service; i.e., he is released from active duty or is discharged and returns to active duty after having not been on active duty for at least one full day. The converted policy of insurance that replaces a Marine's or former Marine's SGLI coverage will not contain a war clause.

j. Insurance administration. The administration of the SGLI Program will be handled by commercial insurance companies under the auspices of the Office of the Servicemen's Group Life Insurance (OSGLI), 212 Washington Street, Newark, New Jersey 07102.

k. Commanding officers will advise all personnel under their authority of the general provisions of SGLI, with particular emphasis on the desirable features of this insurance program and the fact that no action is required by the Marine if he desires to continue to have the \$10,000 coverage and is satisfied with the succession of beneficiaries and method of settlement provided by law. All personnel will be strongly encouraged to retain this low-cost

insurance which provides excellent coverage for younger Marines who have not yet obtained dependents and an economical addition to the personal insurance programs of those Marines who have dependents.

(1) No administrative action is to be taken unless a Marine makes a written or verbal request to designate a beneficiary, to select a method of payment, or to reduce or terminate insurance coverage. He will be individually counseled by his commanding officer before taking such action on SGLI.

(2) Elections

(a) If a Marine, after individual counseling by his commanding officer, desires to designate beneficiary(ies) in writing or to choose the method of settlement, the Servicemen's Group Life Insurance Election (VA Form 29-8286) will be completed in triplicate. The original will be placed in the document side of the service record, the first copy will be given to the Marine concerned, and the second copy will be forwarded to the Commandant of the Marine Corps (Code DGH) for inclusion in the Marine's personnel records.

(b) The Federal law pertaining to SGLI does not contain a definition of the term "parent"; i.e., if a Marine is not survived by a designated beneficiary, widow, widower, or child, the law does not stipulate whether the SGLI payment should be made to natural parent(s), adoptive parent(s), step-parent(s), guardian(s), custodian(s) or foster parent(s). If a Marine does not designate which of the above persons is to receive his SGLI, adjudication by OSGLI or the courts would probably be based on the definition of the term "parent" which is contained in the laws of the State where he was domiciled when he died. Accordingly, in all those cases in which a Marine desires his SGLI to be paid to adoptive or step-parent(s), guardian(s), custodian(s) or foster parent(s) rather than to his natural parent(s), he should be advised to submit an SGLI Insurance Election Form (VA Form 29-8286) to that effect.

(c) Unusual beneficiary designations. Whenever a member is likely to be survived by dependents or parents and he designates some other person or entity as beneficiary, a responsible officer of his parent unit will counsel the member, reminding him that the Servicemen's Group Life Insurance Act was specifically designed to provide some form of security for his dependents or parents; and he should be encouraged to designate such dependents or parents as beneficiaries. If the unusual designation is to be continued an entry will be made on page 11 of the members service record indicating that counseling was provided.

(d) Designation of beneficiaries who are minors. When a member wishes to name minors as beneficiaries such as his own children, nephews, nieces, etc., the member should be advised that the proceeds of the insurance cannot be paid to a minor beneficiary without a court-appointed guardian. The appointment of a guardian is often time consuming and costly and for that reason may delay the payment of the insurance for the benefits of a minor beneficiary.

(e) If a Marine desires to terminate his SGLI coverage or reduce the amount of coverage to \$5,000, he must so elect on VA Form 29-8286. Before taking such action he will be individually counseled by his commanding officer, who will make an entry on page 11 of the service record that the Marine has been counseled but that he does not wish to retain or wishes to reduce SGLI coverage and reason therefor, if given, or that he desires to reduce the coverage. Distribution of the completed form will be the same as noted in subparagraph 5k (2), above.

(f) Additionally, individual counseling by the commanding officer is required for every Marine with an election of reduced or no SGLI coverage prior to arrival of the Marine's organization in any area in which action by hostile forces is expected. An appropriate page 11 entry will then be made as to the counseling and the Marine's

desires regarding coverage. If this administrative action cannot be effected prior to arrival in a hostile area, it must be taken as soon after arrival as practicable.

(3) Restoration of SGLI

(a) If a Marine is not covered by \$10,000 SGLI because he was in an unauthorized absence status (UA) for more than 31 days or because he elected not to be covered in that amount, he may request SGLI restoration (in the case of UA, upon return to duty; in all other cases, at any time) by submitting a Request for Insurance Application (VA Form 29-8285) in triplicate. The original will be forwarded to OSGLI and the detachable portion of the form will be placed in the document side of the service record.

(b) The medical questionnaire portion (Part II) of VA Form 29-8285 should be completed by a medical doctor, if one is available. (A civilian doctor's charge for completing the questionnaire may not be paid by the Government.) If a medical doctor is not available, a Marine's commanding officer may certify to that fact and may indicate in Part III of the VA Form that in his opinion the Marine applying for restoration of SGLI appears to be in good health, if that is the case.

(c) When a Marine returns from unauthorized absence in excess of 31 days, he will be counseled by his commanding officer as to his loss of SGLI coverage and as to procedures for applying for restoration. An entry to this effect will then be made on page 11 of the service record.

(4) Certificate of Coverage. One SGLI Certificate (VA Form 29-8290) will be presented to each Marine insured under SGLI. This certificate corresponds generally to an insurance policy by which the insurance company and the Marine who is insured are informed of the nature of the insurance coverage being provided. This certificate need not and should not be inscribed

with the Marine's name, his organization, the amount of insurance coverage, or any other information.

(5) Conversion. A certificate of SGLI conversion rights; i.e., Certification of Servicemen's Group Life Insurance (VA Form 29-8284) will be prepared in duplicate upon release from active duty, discharge, retirement or other separation from active duty, or upon the request of a Marine on active duty. This certificate, when completed, indicates the amount of coverage held and the eligibility of the Marine or former Marine to convert his SGLI coverage to a commercial policy. The original and the copy will be given to the Marine or former Marine.

(6) Payment of death benefits. The Claim for Death Benefits (VA Form 29-8283) will be forwarded by this Headquarters to the appropriate beneficiary(ies) upon the death of a Marine, with instructions to submit the completed claim form direct to OSGLI.

(7) Military pay. The Military Pay Order (DD Form 114) will be used in conjunction with the above forms in those cases in which:

(a) A Marine elects \$5,000 SGLI coverage

(b) A Marine elects not to be covered by SGLI

(c) A Marine submits an application for restoration of SGLI

(8) Form procurement. All forms referred to in the SGLI Program, less VA Form 29-8283, will be requisitioned through Cognizance Inventory Supply System.

(9) Additional information. Ready reference material pertaining to the SGLI Program may be found in the SGLI Handbook (VA Handbook 29-66-1).

11101 SOCIAL SECURITY BENEFITS

1. Under Title IV, Servicemen's and Veterans' Survivor Benefits Act, military personnel on active duty or active

duty for training on or after 1 January 1957, are covered under the Social Security Program on the same basis as individuals working in social security covered civilian employment. Coverage under this Act provides wage credits for active military service toward Social Security benefits.

2. Even though military or naval service prior to 1 January 1957 was not under the Social Security Law so as to subject base pay to Social Security type taxes, a member or veteran may be entitled to a wage credit of \$160 for each month or part of a month during which he was on active duty after 15 September 1940 and before 1 January 1957, provided his discharge or release was under conditions other than dishonorable. These gratuitous or "free" wage credits, either standing alone or combined with credits from covered employment or self-employment, may give an individual an insured status for the purpose of his own retirement or disability benefits, his dependents' or his survivors' benefits and lump sum death payments. Such credits need not be used if a larger benefit would be payable without them, and, in general, they will not be allowed if the member's or veteran's months of service are counted in whole or in part towards an Armed Forces retirement or other Federal pension. (See subpar. 8, below). However, the credits will not be affected by any benefits or other payments based entirely on a disability. For example: A man retired before 1957 with his retirement based on 20 years active service, generally, could not obtain the \$160 social security wage credits for any month of his active service. But if he were retired before 1957 because of disability and if his retired pay were based entirely on percentage of disability, or if he obtained benefits from the Veterans' Administration because of disability, his months of active duty might make him eligible for Social Security wage credits of \$160 and consequent Social Security benefits.

3. If an individual becomes disabled before age 65, after being on active

duty or working long enough under Social Security, he may qualify for monthly disability benefits at any age, and certain members of his family may also be paid monthly benefits.

4. To qualify for monthly retirement benefits beginning at age 65, or at age 62 at a reduced rate, an individual must have a certain number of quarters of coverage. The number of quarters of coverage is used to determine only whether a person is eligible for benefits. The amount of benefits to an eligible member and/or his dependents or survivors is computed from the eligible member's average monthly earnings up to the date of eligibility for retirement benefits. The exact amount of payments can be determined only after an application has been made to the Social Security Administration.

5. Social Security tax payments are made by payroll deductions. There are no provisions of law which permit the waiver of these payments. Personnel receiving pay in other covered employment in addition to their military pay will be required to contribute the tax on both earnings but the overpayment may be applied to Federal income tax payment or it will be refunded on application to the Internal Revenue Service.

6. It is important to remember that Social Security payments are not made automatically. An application must be made for all Social Security payments (retirement, disability, survivor, and lump sum death payments). The application should be filled out and sent in as soon as the eligibility requirements have been met because retroactive payments are limited by law.

7. In order that wage credits and deductions may be credited to the Marine's account, he must have a Social Security Account Number Card, Form OA-702, and the Social Security number thereon recorded in his individual service and pay records in accordance with the provisions of paragraph 15081.

8. If an individual has active duty after 1956, he may be entitled to benefits under another provision of the Social Security laws. In that situation the free wage credits of \$160 per month may apply for active service after 1950 and before 1957 even though retired pay from the Marine Corps is based in part on that same period of service.

9. Warning. The \$160 wage credits are not automatically added to the veteran's social security earnings record, but must be claimed when an application for benefits is filed. Hence, service and discharge or retirement papers should be kept in a safe place, readily available to the individual or his survivors.

10. Additional information concerning the above benefits may be obtained from chapter 12 and pamphlets published by the Social Security Administration. A Marine Corps order in the 1740 series, which is revised annually contains a list of available booklets and literature on the above benefits.

11102 PENSIONS

1. Under certain provisions of law, the Veterans' Administration is authorized to make payments known as "pensions" to the widow and children of a deceased veteran. Such pensions are payable even though the veteran's death was not the result of a service-connected disability. These pensions may be paid to the widow who has no minor children if her other income does not exceed \$1800 annually, or to a widow who has minor children if her other income does not exceed \$3000 annually.

2. Exceptions. In computing the amount of a widow's "other income" for this purpose, monies received from any source are counted except:

a. Payments of 6-months' death gratuity.

b. Donations from public or private relief or welfare organizations.

c. Payments of Veterans' Administration compensation or pension.

d. Proceeds of U.S. Government Life Insurance, National Service Life Insurance, or Servicemen's Indemnity.

e. Lump sum death payments under the Social Security Act.

f. Payments received from public and private retirement plans which equal the Marine's contributions therein.

g. Proceeds from fire insurance policies.

3. Deductions. In computing annual income, the widow or child may deduct certain expenses such as:

a. The veteran's just debts.

b. Expenses of his last illness.

c. Burial expenses not reimbursed by the Veterans' Administration.

4. There is no deadline by which a widow must apply for this pension. However, if she applies after the expiration of 1 year following the serviceman's death, the pension, if approved, is payable from the date of application.

5. Pensions are not payable to the parents of a deceased veteran.

6. Application for the above benefits may be made at any office of the Veterans' Administration.

7. Additional information concerning the above benefits may be obtained from chapter 12 and pamphlets published by the Veterans' Administration.

11150 WELFARE ORGANIZATIONS

1. Welfare organizations offer the military invaluable assistance in solving the personal problems confronting Marines and their dependents and can do much for the betterment of the morale of the servicemen. In this respect, the Marine Corps works closely with the American National Red Cross, the Navy Relief Society, and their chapters and auxiliaries.

2. The American National Red Cross

a. Mission. The American National Red Cross under its congressional charter, in accordance with Navy regulations, and by tradition, conducts a broad program of assistance to the Armed Forces in matters relating to the health, welfare, recreation, and morale of military personnel and their dependents.

b. Military relationship. The Commandant of the Marine Corps is charged with the responsibility for policy determinations concerning the relationship between the Marine Corps and the American National Red Cross. The Commandant of the Marine Corps maintains liaison with the National Headquarters and area offices of the Red Cross. The Red Cross field director on the naval installation is the medium through which every phase of Red Cross service is made available to Marine Corps personnel.

c. Services offered service personnel. The services of the Red Cross field director are available to all personnel of the Marine Corps. The welfare activities fall into the following general classifications:

(1) Consultation and guidance on personal and family problems.

(2) Assistance with communications on behalf of service personnel and their families.

(3) Financial assistance.

(4) Obtaining reports on home conditions, social histories, and the like.

(5) Providing information on regulations and benefits affecting service personnel.

(6) Referral service.

(7) Assistance with programs of recreation.

d. Services offered the dependents of service personnel

(1) Assistance from field directors and home service in local chapters of the American Red Cross is available to dependents of Marine Corps personnel to help meet personal and family problems that arise in relation to or as a result of military service. Home service is distinguished by its setting in the civilian community and its emphasis on service to families.

(2) Dependents of military personnel who request Red Cross assistance should be referred to the Red Cross Chapter in the community in which the dependent lives for specific information about the services available. In general, these services include:

(a) Counseling in personal and family problems.

(b) Assistance in providing reports and social histories needed by the military authorities.

(c) Guidance concerning direct communication with service personnel.

(d) Information transmitted or requested through Red Cross channels when direct communication will not meet the need.

(e) Assistance in applying for government benefits.

(f) Referral to other resources, and,

(g) Financial assistance on the basis of need during the period pending receipt of allotment and during periods when such payments as may be due are delayed or interrupted.

e. American Red Cross reports

(1) At the request of either a service member of the commander, to allay the fears of the serviceman on a particular problem, the Red Cross field director will obtain reports from home chapters regarding the details of the service person's home situation.

(2) Red Cross field directors also will obtain reports regarding emergencies in the service member's home that may be used as a basis for determining the need for emergency leave. The Red Cross will not make any recommendation that leave be granted or not granted; the function of the Red Cross is to submit factual reports and to transmit recommendations of the family physician, lawyer, or the like.

(3) Red Cross reports will not be requested by commanders from local chapters of the American Red Cross. Commanders desiring reports will present such requests to the Red Cross field director, if one is available, otherwise to the Commandant of the Marine Corps. In urgent cases, such requests may be forwarded by message.

(4) Requests for American Red Cross home reports for use in connection with dependency or hardship discharges will be initiated only by:

(a) The Commandant of the Marine Corps (Code DN) by referring to the appropriate area office of the American Red Cross, or

(b) Commanding generals and the Commandant of Marine Corps Schools through the local Red Cross field director.

1. Commanders except those in subparagraph (b), above, will not request home reports for the purpose of supporting a dependency or hardship discharge application.

(5) All information furnished by American Red Cross concerning home conditions will be treated with strictest confidence, and reports will not be filed in the service records. Reports will not be shown to the service member even though the report may have been requested by him, but portions that would not violate the confidence of the Red Cross chapters, physicians, or others from whom the information was obtained, may be discussed to the extent that the inquiry may be satisfactorily answered.

f. Financial assistance and repayment of loans. Financial assistance is extended by American National Red Cross field directors to service personnel in the form of loans or grants, on the basis of need, to meet emergencies that arise from causes beyond the control of the individual and for which the individual cannot reasonably expect to make provision. No interest or security charge is permitted.

g. Administrative assistance furnished American Red Cross. Upon request, Marine Corps commands may furnish the American Red Cross and area offices thereof with the following when locally available (information not locally available may be requested from the Commandant of the Marine Corps (Code DN)):

(1) Current addresses of Marines.

(2) Casualty status of Marines.

(3) Information concerning status of "Q" allowances and allotments, registration of allotment for repayment of loans or for the benefit of dependents.

(4) Reports on status of claims for the benefit of dependents.

(5) Reports of status of claims for death gratuity.

(6) Reports concerning arrears of pay and information of similar nature which has been requested in the interest of Marines or their dependents.

h. Assignment of American Red Cross personnel to posts and stations. Requests for the initial assignment of American Red Cross workers to Marine Corps posts and stations will be made to the Commandant of the Marine Corps. After initial staffing, requests for replacements of American Red Cross personnel are made through the field director.

i. Classification of American Red Cross personnel. Red Cross personnel assigned to duty with the Marine Corps are classified as follows:

(1) Uniformed, full-time, paid professional staff, consisting of administrative and supervisory officers, field directors and assistant field directors, field office assistants, recreation workers, case aides and recreation aides.

(2) Uniformed, full-time, paid secretarial and clerical workers on duty outside the continental United States.

(3) Nonuniformed, full-time, paid secretarial and clerical workers on duty in Red Cross offices at activities within the continental United States.

(4) Volunteer workers, uniformed and nonuniformed, both within and outside of the continental United States.

j. Privileges afforded Red Cross uniformed personnel. Commanders are authorized to extend to the categories of Red Cross personnel listed in paragraphs 2i(1) and 2i(2), above, the following privileges and courtesies:

(1) Use of messing facilities.

(2) Exchange privileges.

(3) Commissary privileges.

(4) Recreational facilities and similar privileges on the same basis as civilian employees of the Department of Defense.

(5) Subsistence, providing the cost of such subsistence and surcharges thereto, as required by existing law, are borne by such personnel or the Red Cross.

(6) Use of clothing and small stores. Permission to purchase for cash those items of clothing normally sold to enlisted personnel under the clothing monetary allowance system at current prices.

(7) Permission to wear, at no expense to the government, such uniforms as are prescribed by the Red Cross.

(8) Issuance, on a temporary basis, of those items of uniform normally issued to military personnel during the performance of a specific duty or required because of climatic conditions.

(9) Public quarters, when available, under the following conditions:

(a) In the United States and its Possessions, American Red Cross personnel or the American Red Cross will pay a rental rate based upon comparability of the quarters furnished with other private rental housing in the adjacent area, in accordance with Bureau of the Budget Circular A-45 (Rev.). In other areas, American Red Cross personnel will be furnished quarters on the same basis as civilian employees of the Department of Defense.

(b) In foreign countries where civilian employees of the Department of Defense are furnished quarters without charge, or an allowance in lieu thereof, Red Cross personnel will also be furnished quarters on the same basis without charge.

(c) When serving afloat or when traveling to or from duty stations abroad, such personnel shall be assigned quarters in accordance with the provisions of articles 1802(5) and (6) of U. S. Navy Regulations, 1948, and shall be permitted to join the ward-room mess.

(10) Such personnel may be extended the privileges of commissioned officers' mess OPEN and CLOSED when facilities permit and subject to

such regulations as the commanding officer may prescribe. Their dependents may be extended the same privileges accorded to dependents of Marine Corps officers.

(11) Medical and dental care may be furnished such personnel in accordance with the provisions of article 21-25 of the Manual of the Medical Department, U. S. Navy.

k. Identification card. The Uniformed Services Identification and Privilege Card is authorized for issuance to Red Cross personnel and will be used to identify such personnel for the privileges and courtesies to which entitled.

1. Office space for Red Cross offices and activities

(1) Where office space is not provided by the Red Cross in Red Cross administration buildings, installation commanders will provide the Red Cross with adequate office space, when available, without charge therefor. Every effort will be made to assign space which will be readily accessible to all military personnel and afford privacy for interview.

(2) Custodial services as determined by the commands concerned will be furnished at Government expense in those buildings owned or leased to the military services which are occupied by representatives of the Red Cross. Utilities and maintenance services will be furnished at Government expense in buildings owned by or leased to the military services which are occupied by representatives of the Red Cross, and in buildings owned by the Red Cross on government-owned land, subject, however, to such limitations as may be prescribed by the commands concerned. No charge will be made for utilities services provided for office space occupied by the American National Red Cross.

m. Warehousing. When facilities therefor are available, Red Cross supplies and property will be afforded

storage and protection similar to that given government property, without cost to the Red Cross.

n. Communication facilities. The Red Cross will be authorized to utilize communication facilities of the Department of Defense for sending and receiving administrative and emergency welfare messages in connection with the activities, functions, and duties necessary to the accomplishment of the Red Cross mission, subject to military expediency. Such communications service, when available, will be provided without charge to the Red Cross except under the following conditions:

(1) Telephone service will be furnished the Red Cross in accordance with policies announced in the Navy Comptroller Manual regarding unofficial telephone service at naval activities.

(2) The cost resulting from the transmission, or partial transmission, of messages through commercial telegraph facilities will be borne by the Red Cross.

3. Navy Relief Society

a. Mission. The Navy Relief Society is organized to aid, in time of need, all naval personnel on active duty (other than for training) or retired (and drawing retired pay) and their dependents, as well as the surviving dependents of deceased naval personnel regardless of rate, grade, or length of service. "Time of need" is defined as a situation which necessitates an unavoidable nonrecurrent expense which cannot be met from individual or family resources. In addition to financial assistance, the Navy Relief Society and its auxiliaries will render assistance with personal problems and secure information for applicants about such problems as allotments, nonreceipt of basic allowance for quarters, and referral service to other welfare agencies. In general, many other services may be rendered that do not involve expenditure of Navy Relief funds.

Further, some auxiliaries employ nurses to provide care for dependents who are unable to provide nursing care from their own resources.

b. Organization

(1) The Navy Relief Society is a private organization operating under the policy guidance of a board of managers. The board of managers is composed of the Chief of Naval Operations who is the President of the Society; the Commandant of the Marine Corps; Chief of Naval Personnel; Chief of the Bureau of Medicine and Surgery; Chief of the Bureau of Supplies and Accounts; Chief of Chaplains; an Executive Vice President; an assistant to the Executive Vice President; a Secretary-Treasurer; and ten elected members at least four of whom are women. Members of the board of managers are elected by the members, presidents of auxiliaries, and commanders of fleets.

(2) The Navy Relief Society provides its services through Auxiliaries established at the larger Naval and Marine Corps installations and Branch offices located on the smaller stations. Each auxiliary serves those living in the immediate vicinity which is defined as the territory reached by local telephone and transportation systems.

c. Policy concerning applicants for assistance. It is the policy of Navy Relief Society to have the service member or his dependent make the original application for assistance in person or by letter to the appropriate Navy Relief Society office, whenever possible.

d. Policy concerning financial assistance. In general, when eligibility is determined, the Navy Relief Society may render assistance to meet real financial need. Under this concept, the policy has been established that the following are not within the purview of the Navy Relief Society:

(1) To assist in maintaining a standard of living incommensurate with the pay and allowances.

(2) To finance business ventures, the purchase of homes, or similar permanent investments.

(3) To purchase automobiles, radios, or similar nonessentials.

(4) To finance vacations, liberty, or leave, except emergency leave in case of critical illness, death, or equivalent urgent situation.

(5) To finance marriage or divorce, except in rare and critical situations.

(6) To pay taxes, interest on mortgages, etc.

(7) To pay court fines, furnish bail, or to assist, except to alleviate temporary dire distress, dependents of men convicted of serious military offenses.

(8) To assist dependents of men who refuse to contribute to the extent of their ability to support their families.

e. Policy regarding medical care

(1) It is the policy of the Society to help active service members secure hospital, medical and surgical care for their dependents provided:

(a) Medical care authorized is not available or, for some good reason, is not used.

(b) The service member and family do all they can to meet their obligations.

(c) Community resources such as Crippled Children's Service, National Foundation for Infantile Paralysis, etc., are used as far as possible.

(d) Care is arranged at minimum rates.

(e) The case is not one of chronic illness involving long-term commitments, though assistance may be granted on a temporary basis pending

arrangements for securing care from a public or specialized agency.

(2) Navy Relief Society funds cannot be used to finance excessive medical or dental bills. If Navy Relief funds are to be used, it is important that arrangements be made to secure needed care at minimum expense. The local Red Cross chapter will be glad to assist with such arrangements. "Pay ward service," where free medical service care is provided by doctors of the staff, should be used whenever possible. Payment of the cost of private or semiprivate room and special nursing services will be considered only if, in the opinion of the doctor, they are necessary.

f. Type of financial assistance rendered

(1) The Navy Relief Society gives financial assistance to naval personnel and their dependents either as a loan to be repaid without interest or as a gratuity or a combination of the two. Gratuities are given if the investigation shows that repayment will cause undue hardship.

(2) When the service member is available, plans for assisting dependents are usually discussed with him by the Navy Relief Auxiliary. If he is not available for an interview, it is the usual procedure of the Society, unless the applicant for some good reason considers it inadvisable, to write to the service member to consult with him about meeting the needs of his dependents. Repayment of loans made with the consent of the service member is usually provided for by allotment.

(3) Financial assistance given by the Navy Relief Society to the dependents of deceased members of the naval service is usually in the form of a gratuity.

g. Eligibility for financial assistance

(1) Eligibility for financial assistance from the Navy Relief Society depends upon two factors:

(a) Established Navy or Marine Corps status, and in the case of dependents, established state of dependency.

(b) Determination that need exists.

(2) Decision regarding eligibility for assistance is made by the Navy Relief Society.

h. Applications for assistance by naval personnel

(1) The service member should apply to his local auxiliary for assistance for himself or his dependents whether or not his dependents are living in the vicinity.

(2) If the service member is transferred to sea or foreign duty before the auxiliary can complete action on his application for assistance to dependents living outside the vicinity, the case becomes the responsibility of the Navy Relief Society Headquarters, Navy Department, Washington 25, D. C. If he is transferred to another station within the United States for permanent duty, the application may be transferred to the auxiliary at his new station.

i. Applications for assistance by dependents

(1) Dependents who live within the vicinity of an auxiliary should apply for assistance in person.

(2) In the Ninth Naval District, when a personal visit is impracticable, applications may be made by letter or telegram to the Great Lakes Navy Relief Auxiliary, U. S. Naval Training Center, Great Lakes, Illinois.

(3) Service members and dependents who do not reside within the jurisdiction of an auxiliary should write or telegraph Navy Relief Society Headquarters, Navy Department, Washington 25, D. C.

(4) A dependent who writes or telegraphs Navy Relief Society Headquarters or the Great Lakes Auxiliary will receive an application form and a covering letter instructing the dependent to take the form to the local Red Cross chapter for completion. If the service member in such a case is permanently assigned to a duty station within the United States, the application may be transferred to the auxiliary at his station.

j. Applications for assistance by dependents of deceased naval personnel. The Navy Relief Society is advised of the death of each member of the naval forces. When the next of kin is a wife, minor child, mother, or unmarried sister, a letter of sympathy is sent the next of kin, either by the Navy Relief Society Headquarters or by an Auxiliary. Application forms are enclosed and instructions are given to take them to the auxiliary from which received or to the local chapter of the American National Red Cross for completion, provided dependency actually exists and financial assistance is needed pending the receipt of government benefits. This letter also suggests that the dependent may request the Red Cross to assist with applications for government benefits.

k. Applications for assistance by relatives. Relatives, other than wives, minor children, mothers and unmarried sisters, who were receiving substantial support from a member of the Marine Corps prior to his death may apply to the appropriate office of the Navy Relief Society for assistance, but they do not receive letters of sympathy and application forms.

l. Applications for assistance by patients in naval hospitals. Patients in naval hospitals having problems which involve hospital, social service and medical after-care will be referred to the local Red Cross staff. Navy Relief Society funds may be available for financial assistance in such cases.

m. Liaison

(1) The Commandant of the Marine Corps maintains liaison with

National Headquarters, Navy Relief Society, and corresponds with the auxiliaries when information is requested regarding Marines or their dependents.

(2) In areas where auxiliaries or branches are accessible, the commander will refer dependents and service members to them for assistance when available facilities of the post or station cannot cope with their problem.

11151 WELFARE REPORTS

1. When the mission of an organization and the communication facilities make such action feasible, it is desirable to obtain reports on the welfare of Marines when requested by the families.

2. Welfare Reports (WELREP) are reports concerning the physical and mental well-being of individuals. They are submitted by overseas units to, and upon request of, the Commandant of the Marine Corps. They may be made by units in the United States in direct answer to inquiries by message or letter, dependent upon the merits of each case. Requests for welfare reports on individuals from either a member of the immediate family or of a recognized welfare organization should be honored. Abbreviations will not be used in reports to the next of kin or welfare organizations.

a. Message requests for welfare reports within and between Marine Corps units and such other units as may be designated will be in the form described below:

(1) The standard form for message request for a welfare report on one or more individuals will consist of the normal heading and a special text.

(2) The special text consists of the word "WELREP," in a request on one individual, followed by numerals, the meanings of which are listed in subparagraph c, below, and the name, grade, and service number of the Marine upon whom the report is desired (see figure 11-3). The text may also include the inquirer (i.e., mother,

wife, etc.) which indicates the addressee is to submit the report to that person (see figure 11-4). When the inquirer is not indicated the report will be submitted to the originator of the message.

(3) In welfare requests on several individuals, the first word in the text will be "WELREP," and will be followed by the numerals to indicate the desired information which is common to all personnel named. Each name, grade and service number will be listed next. After the service number of an individual, the word "ADD" may be inserted and followed by additional numerals to indicate specific information desired in his case only. Example: BROWN JOHN C CPL 1234567 ADD 6 X 7 X 9. (See figure 11-5.)

b. The standardized message reply between military units to a standardized message request for a welfare report consists of a normal heading and a special text. The special text of the reply consists of the authorized form for referencing the requesting message followed by the name, grade, and service number of individuals concerned, then followed by the same numerals listed in the request. Each numeral is then followed by a phrase, modified as appropriate to the case, containing the tenor of the information as shown in the table listed in subparagraph c, below. (See figure 11-5.)

c. The following is a table of numerals and their related meanings:

<u>Numeral</u>	<u>Meaning</u>
1	Advise nature and extent of wound, injury, or illness.
2	Present welfare.
3	Whereabouts (location such as hospital or unit with mailing address).
4	If wounded in action advise nature and extent of wound.
5	Advise write (if to other than primary next of kin, identification of inquirer will be indicated).
6	Diagnosis.
7	Prognosis.
8	Advise number of times wounded in action (give date and nature of each).
9	Periods of hospitalization and reasons.
10	If contemplate evacuation to another hospital overseas and/or return to CONUS (see subpar. 12055.1) advise destination and probable date of departure.
11	Probable date return to duty.

TEXT OF MESSAGE REQUEST (ONE PERSON) FOR WELFARE REPORT

(DTG 012345Z)

UNCLAS. WELREP 2. 3. 8 JONES JOHN J PFC 1234567

REPLY TO ABOVE REQUEST

UNCLAS. YOUR 012345Z. 2. WELL AND CONFINED DIV BRIG SERVSENT
SPEC CM FOR UA. 3. 7TH MAR. 8 THREE 12 SEP WIANE
MISSILE LEFT LEG 8 NOV WIANE MISSILE RIGHT LEG 11 NOV WIANE
MISSILE RIGHT LEG

Figure 11-3

TEXT OF REQUEST WITH WELFARE REPORT TO BE SENT TO MOTHER

FROM: CMC

TO: CO MARBKS NAVB BKLYN

UNCLAS. WELREP 2. 3. 5. JONES JOHN J PFC 1234567 TO MOTHER

REPORT FOR ABOVE REQUEST

FROM: CO MARBKS NAVB BKLYN

TO: (MOTHER)

INFO: CMC

UNCLAS. YOUR SON WELL AND ON DUTY CASUAL COMPANY MARINE
BARRACKS U. S. NAVAL BASE BROOKLYN NEW YORK. ADVISED WRITE
YOU. JOHN BROWN COLONEL USMC COMMANDING OFFICER MARINE
BARRACKS U. S. NAVAL BASE NEW YORK

Figure 11-4

TEXT OF MESSAGE REQUEST (MORE THAN ONE PERSON) FOR WELFARE
REPORT

(DTG 020304Z)

UNCLAS. WELREP 1. 2. 3. BROWN ROBERT O 2NDLT 056789 ADD 10.
SMITH JAMES A PFC 654321 ADD 5

TEXT OF REPLY TO ABOVE REQUEST

UNCLAS. YOUR 020304Z. BROWN ROBERT O 2NDLT 056789. 1 X WIA
16 NOV 57 WOUND MISSILE BACK AND FEET. 2. GOOD X 3 X DIVHOSP.
10. JAN. SMITH JAMES A PFC 654321. 1 WIA 12SEP WOUND SHELL
FRAGMENT FACE AND ARMS. 2. WOD. 3. 7TH MAR. 5. ADVISED

Figure 11-5

PART E: SURVIVOR BENEFITS

11200 DEATH GRATUITY

1. Statutory Authority. The Servicemen's and Veterans' Survivor Benefits Act (Title III, relating to death gratuity, now codified as Title 10, U.S. Code Sections 1475-1480) authorizes the Secretary of the Navy to make determinations of entitlement of the death gratuity provided by that Act. All claims for the death gratuity by survivors of deceased members shall be submitted in accordance with paragraph 044306 of the Navy Comptroller Manual.

2. General

a. Delegation of authority

(1) The Secretary of the Navy delegated to the Commandant of the Marine Corps the authority to make such determinations and payments in the cases of Marine Corps personnel.

(2) The Secretary of the Navy further delegated to commanding generals and to commanders of regiments, battalions, or equivalent units and separate or detached commands the authority to make such determinations and payments, when the survivor of the deceased Marine was residing with the deceased member on or near the duty station at the time of death. This authority is limited to deaths of Marine Corps personnel occurring during the performance of active duty, active duty for training, and inactive duty training, and excludes all cases in which a doubt may exist as to the identity of the legal beneficiary.

b. Amount to be paid. The death gratuity shall be equal to 6 months' basic pay plus special, incentive, and proficiency pays at the rate to which the deceased member was entitled on the date of his death, but shall not be less than \$800 nor more than \$3000.

c. Conduct status. Excluding the exceptions set forth in subparagraphs 4a(3) and (4), below, entitlement to death gratuity is not contingent upon the conduct status of the deceased.

d. Duty and pay status. In addition to members who die on active duty, active duty for training, or inactive duty training, the following categories

of personnel are defined as members of a uniformed service who may be deemed to be in a pay and/or duty status for the purpose of determination of entitlement to death gratuity and other survivor benefits:

(1) Deaths arising while the member is engaged in travel to or from active duty, active duty for training, or inactive duty training

(a) Any person who dies while en route to or from, or at, a place for final acceptance or for entry upon active duty in the military or naval service who has been provisionally accepted for such duty; or who, under the Universal Military Training and Service Act, has been selected for active military or naval service, and has been ordered or directed to proceed to such place.

(b) Any member of a Reserve component of a uniformed service who, when authorized or required by competent authority, assumes an obligation to perform active duty for training or inactive duty training, and who dies from an injury incurred while proceeding directly to or returning directly from such active duty for training or inactive duty training.

(c) Any person who is discharged or relieved from a period of active duty will be deemed to have continued on active duty during the period of time immediately following the date of such discharge or release that the Secretary of the Navy, or his designated representative, may determine is required for him to proceed to his home by the most direct route. In any event, he will be deemed to have continued on active duty until midnight of the date of such discharge or release.

(2) Deaths arising after active service. Any member or former member of a uniformed service who dies during the 120-day period which begins on the day following date of his discharge, retirement, or release from active duty, active duty for training, or

inactive duty training, from disease or injury incurred or aggravated while on such active duty or active duty for training, or from injury incurred or aggravated while on such inactive duty training. In cases of this nature the Servicemen's and Veterans' Survivor Benefits Act requires that the determination as to the service connected death be made by the Veterans' Administration.

e. Eligible beneficiaries. The gratuity shall be paid to or for the living survivor or survivors of the deceased member first listed below:

(1) His spouse, whether designated or undesignated;

(2) His children in equal shares, including those of any previous marriage, if no spouse survives, regardless of their age, marital status, or designation by the deceased member;

(3) The designated relative, if none of the above survives. Such relative must be the parent(s) or the brother(s) or sister(s), including those of the halfblood and those through adoption, or any combination thereof;

(4) Undesignated parents in equal shares, if none of the above survives;

(5) Undesignated brothers and sisters, including those of the halfblood and those through adoption, in equal shares, if none of the above survives.

f. Definitions:

(1) Child. The term "child" (children) includes a legitimate child; a child legally adopted; a stepchild if a member of the service member's household; and an illegitimate child, but only if acknowledged in writing, signed by the service member, or if the service member has been judicially ordered or decreed to contribute to the child's support or has been, prior to his death, judicially decreed to be the father of such child, or if the

service member is otherwise shown by satisfactory evidence to be the father of such child. Any case involving minor beneficiaries will be considered "Doubtful Cases" under the provisions of subparagraph 4c(6), below. In the case of minors, death gratuity may be paid to a natural guardian when the amount of the gratuity involved does not exceed \$1,000, otherwise the gratuity will be paid only to the legally appointed guardian.

(2) Parent. The term "parent" means a father, mother, father and mother through adoption, and persons who have stood in loco parentis for a period of not less than one year to a member of the military or naval forces at any time prior to entry into active service; provided, that not more than one father and one mother, as defined, shall be recognized in any case, and preference shall be given to such father and mother who actually exercised parental relationship at the time of or most nearly prior to the date of entry into active service by the person who served.

g. Death of a survivor. If a survivor dies before he receives the amount of death gratuity to which he is entitled, such amount shall be paid to the then living survivor or survivors first listed under subparagraph 2e, above.

3. Adjudication and Payment Authorities

a. Field determinations and payments. Commanding generals and commanders of regiments, battalions, or equivalent units and of separate or detached commands are authorized to determine the entitlement to the death gratuity and make payment thereof, in cases of death of Marine Corps personnel occurring during the performance of active duty, active duty for training, or inactive duty training, under the following circumstances:

(1) When death occurs on or near the duty station and the spouse or designated beneficiary for death gratuity was residing with the member on

or in the immediate vicinity of the duty station at the time of death; or

(2) When death occurs while the member is on duty with a deployed unit (such as on maneuvers, training exercises, aboard ship, with aviation units, or when engaged in detached duty with Fleet Marine Force or other type units) and when the death gratuity beneficiary is a spouse and only when the spouse was residing on or in the immediate vicinity of the permanent duty station of the deployed unit at time of death.

b. Determinations made at Headquarters Marine Corps. The Commandant of the Marine Corps (Code DN) will make the determination of entitlement to the death gratuity and direct the payment thereof, in all cases of active duty deaths not authorized to be made in the field, as indicated above, and specifically in all cases of nonactive duty deaths which come within the categories set forth in subparagraph 2d(1), above.

c. Determinations made by the Veterans' Administration. In all appropriate cases of death arising after active service, as set forth in subparagraph 2d(2), above, where the law requires the Veterans' Administration to make the determination, the Commandant of the Marine Corps will accomplish the necessary action to obtain the required determination from that agency and make payment of the death gratuity to the beneficiary or make notification of the denial.

4. Procedures to be Followed by Field Commands Authorized to make Field Determinations and Payments. Commanders will make every effort to accomplish the determination and effect the payment promptly, within 24 hours, if possible, in all cases wherein they are authorized to act. In cases where the eligible survivor residing with the member on or near the duty station is other than a spouse, commanders may direct the payment of death gratuity when the case can be properly determined, and an urgent need exists

for immediate payment. Proper determination is imperative.

a. Qualifications

(1) Where any doubt exists as to the legal recipient of the gratuity, the case will be referred to the Commandant of the Marine Corps (Code DN) for determination. See subparagraph 4c(6), below.

(2) Where a member dies while being regularly paid by a service other than his own, under existing cross-servicing procedures, the death gratuity may be paid by the service having custody of the pay record of the deceased member, but only on the basis of verification from the commander having custody of the service record of the deceased. See subparagraph 4c(5), below.

(3) No payment shall be made if the member's death is the result of execution of a sentence by a civil court or for a military or naval offense, except when death was so inflicted by any hostile force with which the Armed Forces of the United States have engaged in armed conflict.

(4) No payment shall be made if the member's death is the result of, or is caused by, any intentional action of the beneficiary.

b. Death gratuity claim form. The Claim Certification and Voucher for Death Gratuity Payment, DD Form 397 (1 Dec 57), will be utilized in effecting all death gratuity payments.

c. Active duty deaths. To effect immediate payment of death gratuity the following actions will be taken:

◆ (1) The commander will ascertain that the deceased member died while on active duty, active duty for training, or inactive duty training, and will obtain the name, relationship, and address of the eligible survivor from the service record of the deceased. The Record of Emergency Data, NAVMC 10526-PD, will normally

contain this information. In addition, in the case of enlisted personnel, the Application for Dependents Allowance (BAQ), NAVPERS Form 668, may serve as a source of corroboration. He will, with the cooperation of the disbursing officer, initiate preparation of a Claim Certification and Voucher for Death Gratuity Payment, DD Form 397, in original and five copies, completing all blocks except 1, 2, 3, 4, 15, 16, 17, and the check payment data in block 18. He will date and sign the administrative statement in block 18.

(2) The disbursing officer will, upon receipt of the DD Form 397, draw a check to the order of the eligible survivor named in block 5, complete blocks 2, 3, 4, and the check payment data portion of block 18.

(3) Under arrangements made by the commander, the check and the original and one copy of the voucher, DD Form 397, will be delivered to the payee. The payee will be required to complete block 15, sign in block 17a, and have two witnesses complete block 17 on the original voucher at the time the check is delivered. Under no circumstances will the check be delivered to the payee until this action has been accomplished. The payee will retain the copy of the voucher, DD Form 397, and the signed original voucher will be returned by hand to the disbursing officer by the person designated to deliver the check.

(4) The disbursing officer will effect distribution of the completed voucher in accordance with the appropriate Navy Comptroller Instructions pertaining to death gratuity payment, insuring the immediate submission of one copy of the voucher to the Commandant of the Marine Corps (Code DN).

(5) Procedures for field payments for personnel separated from service records, officer qualification records, and/or pay records. Where a member dies while being regularly paid by a service other than his own, cross-servicing procedures exist

whereby the death gratuity may be paid by the service having custody of the pay record of the deceased member, or by another command located nearest to the spouse, but only after verification has been obtained by message from the commander having custody of the service records of the deceased. Similarly, when the commander having custody of the service record of a deceased member is not located at the station which holds the pay record of the deceased, and the spouse was residing with the member at the latter station at the time of the member's death, immediate payment of the gratuity may be effected in the following manner:

(a) The command holding the pay record will submit a message request to the commander having custody of the service record for authority to pay death gratuity to the spouse, citing this paragraph as the reference. Sample: "PARAGRAPH 11200.4 MARCORPERSMAN REFERS. REQ AUTH PAY DEATH GRATUITY MRS JANE DOE 2725 RUE DE LA PAIX PARIS FRANCE WIDOW SSGT JOHN DOE 1234567. DATE OF DEATH 10 JAN." However, if the spouse is located at the command holding the service record book, but not the pay record, the following will be used. Sample: "PARAGRAPH 11200.4 MARCORPERSMAN REFERS. ADVISE AMOUNT DEATH GRATUITY TO BE PAID TO WIDOW SSGT JOHN DOE 1234567. VERIFICATION OF ENTITLEMENT WILL BE MADE BY THIS COMD. DATE OF DEATH 10 JAN."

(b) Upon verification of the name and relationship of the spouse from the service record of the deceased member and/or upon receipt of the pay data the commander will make the payment or, by message, direct payment of death gratuity to the spouse. Sample: "YOUR 102234Z. DISBO YOUR STA AUTH PAY DEATH GRATUITY TO JANE DOE WIDOW SSGT JOHN DOE 1234567. ENTITLEMENT VERIFIED SRB. (here enter amount of gratuity to be paid if recipient of message does not hold pay

record) FWD COPY COMPL DD 397
CERTIFIED COPY THIS MSG AND
YOUR MSG TO CMC CODE CDB."

(c) The Commandant of the Marine Corps (Code DN) will be an information addressee on all messages submitted in accordance with the instructions in this paragraph.

(6) Doubtful cases. The commander's determinations of entitlement to the gratuity payment shall be confined largely to those cases wherein the spouse resides with the member on or near the station. However, in those cases where the survivor was residing with the member on or near the station and there is any doubt as to the legal recipient of the gratuity, the commander shall so notify the Commandant of the Marine Corps (Code DN) by message, furnishing the following information:

(a) Name, grade, service number, and component of the deceased member; if Reserve, duty station will be included.

(b) Date, hour, place, and immediate cause of death.

(c) Rate of pay including special, incentive, and proficiency pays.

(d) Name, address, and relationship of survivor and/or designated death gratuity beneficiary.

Action to effect payment of death gratuity in these cases will be instituted by the Commandant of the Marine Corps (Code DN). No notification to the Commandant of the Marine Corps is required in those cases where the spouse or other beneficiary was not residing with the member.

d. Nonactive duty deaths. To enable a determination regarding entitlement to death gratuity and other benefits to be made for the personnel enumerated in subparagraphs 2d(1) and (2), above, commanders will submit the report set forth in paragraph 4c(6), above, and will include the following additional information:

(1) The hour at which the member began to so proceed or to return.

(2) The hour at which he was scheduled to arrive for, or at which he ceased to perform, such duty.

(3) The method of travel employed.

(4) His itinerary.

(5) The manner in which the travel was performed; e.g., passenger, operator.

11201 DEPENDENCY AND INDEMNITY COMPENSATION

1. The Servicemen's and Veterans' Survivor Benefits Act, Public Law 881, 84th Congress (reenacted, 38 USC 401-423) revised and greatly liberalized the Veterans' Administration Death Compensation program. This program of death payments is called Dependency and Indemnity Compensation, hereafter referred to as Indemnity Compensation. Effective 1 October 1963, Public Law 134, 88th Congress, increased the monthly rate of Indemnity Compensation for eligible widows. The Indemnity Compensation payments for children and eligible parents was also increased, effective 1 July 1963, by Public Law 21, 88th Congress. For additional information see paragraph 12305.

**11202 CLAIMS FOR UNPAID PAY
AND ALLOWANCES**

1. Statutory Authority. Title 10, U.S. Code, Section 2771, is the basic law pertaining to the settlement of accounts of deceased members.

2. Beneficiary. As provided by the statutory authority and the Navy Comptroller Manual, upon decease of the service member, payment of any amounts due from the military service of which the decedent was a member is made to the person(s) designated in writing by the member as beneficiary for this purpose, surviving at the date of death regardless of relationship to the deceased. In the event no person is so designated by the service member, then the appropriate undesignated beneficiary in the order of precedence, as outlined below, must be established:

a. To the widow or widower of such member;

b. If there be no surviving spouse, to the child or children of such member, and descendants of deceased children, by representation;

c. If none of the above, to the parents of the member, or the survivor of them; and

d. If there be none of the above, to the duly appointed legal representative of the estate of the deceased member, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased member.

e. The law further provides if a member has failed to designate a person(s) as beneficiary(ies) for his unpaid pay and allowances, that any

designation of beneficiary(ies) made before 1 January 1956 for the purposes of any death gratuity (including any designation of a person whose right to the gratuity would not depend upon such designation) shall be considered as a designation of beneficiary for the purposes of unpaid pay and allowances.

3. Responsibility for Settlement. The Commandant of the Marine Corps has been delegated the responsibility for the settlement of accounts of deceased Marines by the Secretary of the Navy, subject to such rules and regulations as may be prescribed by the Comptroller General of the United States. Further, the Secretary of the Navy has established NAVMC 10526-PD, Record of Emergency Data, as the appropriate form to be used by service personnel for designation in writing of beneficiary(ies) of unpaid pay and allowances. The latest signed and witnessed NAVMC 10526-PD designation executed by the member and on file in the member's service record at his duty station, or in the absence thereof, on file in the Department of the Navy will be used to settle the accounts of the deceased.

4. Entitlement and Procedural Regulations. All claims for unpaid pay and allowances by survivors of deceased members shall be based on, and submitted in accordance with the Navy Comptroller Manual paragraph 044305, as appropriate.

11203 TRANSPORTATION OF DEPENDENTS AND SHIPMENT OF HOUSEHOLD EFFECTS, CASES OF DECEASED MARINES

1. Upon the death of a Marine, authority exists for the transportation of his

dependents and the shipment of their household effects. When a request for such is received from the dependent, a field command, or other interested person, the deceased's records are reviewed to determine if the person for whom the request has been submitted is legally entitled thereto, and to determine if a reasonable relationship exists between the condition and circumstances of the dependents and the destination to which shipment or transportation is desired. The authority for the conditions which must be met for entitlement and the delegation for approval by the Commandant of the Marine Corps (Code DN) are contained in current Secretary of the Navy directives series 4651.

2. Additional information pertaining to this benefit is contained in chapter 12.

11204 RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN

1. General

a. Title 10, U.S. Code, sections 1431 through 1446 as amended provides annuities for the survivors of retired personnel by permitting the retired members of the Armed Forces to participate in the Retired Serviceman's Family Protection Plan, formerly the Uniformed Services Contingency Option Act of 1953 (USCOA) program (hereinafter referred to as the "Plan"). This amended program is operated on a nonprofit basis and is administered by the Armed Forces. Therefore, it offers annuities for the surviving dependents of a retired member at very reasonable rates.

b. For the purpose of this paragraph the term "retirement or retired member(s)" include transfer to the Fleet Marine Corps Reserve, and the term "retired pay" includes retainer pay.

c. Prior to the establishment of this program, a Marine's retired pay stopped upon his death and his widow and/or surviving children received no

monetary assistance from the Marine Corps to provide for their welfare after his death. This program provides a plan by which Marines may provide their families with an income until such time as the widow may remarry or, in the case of children, until they marry or become 18 years of age. An annuity may now be allocated to designated children of a former marriage. Should a child become incapacitated prior to his eighteenth birthday, payments continue as long as he remains incapacitated and unmarried.

d. The program is financed on an actuarial basis by reducing the monthly retired pay of participants. (See subpar. 14, below.) The amount by which his retired pay is reduced is determined by the option(s) elected and the ages of the Marine and his beneficiaries on the date of his retirement.

e. An election made by a Marine on active duty and prior to retirement in no way affects his active duty pay and requires no financial payment or contributions by the Marine prior to his retirement. The election is simply a contract between the Marine and the Government. This contract provides that if he is awarded retired pay, the Marine will receive a reduced amount of retired pay in order to establish a stipulated annuity for his survivors, insuring them an income should he predecease them.

f. Generally, it is not necessary or desirable for a Marine to make an election prior to the completion of 17 years of service. Circumstances may change before he completes 18 years of service for pay purposes which may make the early election unwise and a hardship. Although he may change or revoke his election, such change or revocation will not take effect until 3 years after he submits an official request. Should he retire before the expiration of the 3-year period, his last valid election would remain in force. The foregoing may be subject to exceptions, and no Marine shall be

denied the opportunity to make an election before the above stated period, if he so desires.

g. On and after 4 October 1961 an active member who failed to make an election before completion of 18 years service for pay purposes may also make an original election, change or revocation. Any such action will be effective provided he is not awarded retired pay within 3 years after date of action.

2. Eligible Dependents. Dependents who may be designated as prospective annuitants are the widow or widower and surviving children.

a. The term widow or widower refers only to the lawful spouse at the date of retirement of an active Marine. A spouse acquired after the date of retirement is not an eligible beneficiary.

b. The term child means:

(1) A legitimate child under 18 years of age and unmarried.

(2) A stepchild, under 18 years of age and unmarried, who is in fact dependent on the Marine for support. The term "stepchild" is defined as a child of a spouse by a former marriage. The stepchild relationship terminates upon the divorce, but not upon the death, of the parent spouse.

(3) A legally adopted child under 18 years of age and unmarried.

(4) A child, as defined above, who is over 18 years of age and unmarried, and who is incapable of self-support because of being mentally defective or physically incapacitated provided that condition existed prior to reaching 18.

(5) In all cases, the child, as defined above, must be born prior to and living on the date of the Marine's retirement. Children who are born, adopted, or acquired by a marriage contracted after the date of retirement of the Marine are not eligible.

3. Election Deadlines

a. Generally, all Marine Corps personnel who wish to participate in the Plan are advised to make an election prior to the completion of 18 years of service which are creditable in the computation of basic pay. For example, a Marine with a pay entry base date of 16 July 1943 completes 18 years of service for basic pay purposes at midnight on 15 July 1961. If he desires to participate in the annuity plan, his election must be completed and submitted prior to midnight of 15 July 1961. It is suggested that a Marine not wait until the last day, but that he submit his election sometime during the period between completion of 17 and 18 years of service creditable for pay purposes. An election, to be valid, must be signed, witnessed, and pass irretrievably out of the control of the Marine into official channels before midnight of the pertinent deadline date. If the election is to be mailed, it must be signed, witnessed, and postmarked before midnight of the deadline date. The amended program now permits members to make election after the completion of 18 years of service for pay purposes. Those who had lost their eligibility to participate in the past now have a new opportunity to make elections under the program. However, an election made after the completion of 18 years of service for pay purposes is not effective until the member has service 3 years from the date of election. Consequently, if an individual retired during that 3-year waiting period, his election is not in effect and he is not a participant in the Plan. A reservist expecting to receive retired pay at age 60 after 20 years of satisfactory federal service may elect, change his election, or revoke it at any time prior to age 57.

b. A Marine on active duty, who, as a result of or in connection with military or naval operation, is in a status of missing, missing in action, on duty at an isolated station, interned in a neutral country, captured by a hostile force, or beleaguered or besieged and who for that reason is unable to make an election prior to the completion of 18 years

of service, may make an election within 1 year of his return to the control of the Marine Corps and such election shall become effective immediately.

c. A Marine on active duty who is retired for physical disability prior to completing 18 years of service may submit an election at the time of retirement, if not made earlier. ("At the time of retirement" means not later than 30 days after the Marine elects the method of computation of retired pay, or he receives official notification that he has been determined entitled to receive retired pay, whichever is earlier.)

d. Retroactive retirements. A person to whom retired pay is granted retroactively as a result of a review of his case by authorized boards or by other legal action and who desires to participate in the Plan, must make his election not later than 90 days after receiving notice that such pay has been granted to him.

e. Mental incompetents

(1) Whenever a Marine on active duty is determined to be mentally incompetent by medical officers of the Navy Department or of the Veterans' Administration or has been adjudged mentally incompetent by a court of competent jurisdiction, and because of such mental incompetency is incapable of making an election within the time limitations prescribed by the Plan, the Secretary of the Navy may make the appropriate election on behalf of the Marine upon request of the Marine's spouse or, if not married, by or on behalf of his children.

(2) If a Marine has been declared to be mentally incompetent it is the responsibility of his commander to inform the wife and/or children or their legal guardian of their rights in this respect.

f. Unmarried Marines. An unmarried Marine who desires coverage may submit an election before completion of 18 years of service for pay purposes or at least 3 years before the first day

for which he will be entitled to retired pay. If he fails to submit an election before such deadlines and subsequently acquires dependents, he will no longer be eligible to be covered by the Plan. On the other hand, if he elects an option and later is retired without dependents, no deduction is made from his retired pay.

g. Prior declinations. A Marine who declines to make an election may thereafter make an election but only if the election is made within the time limit applicable in his case.

h. Corrected elections. If an election is found to be void for any reason except fraud or willful intent of the member making the election or his failure to submit the election within the time limit applicable in his case, he may make a corrected election at any time within 90 days after he is notified in writing that the election is void. A corrected election is effective as of the date of the voided election it replaces.

4. Types of Annuities. Annuities may be provided by three types of options each of which may be coupled with a fourth option. A Marine may elect to receive a reduced amount of retired pay by selecting an option or options to provide an annuity equal to one-half, one-fourth or one-eighth of the reduced amount of his retired pay.

a. Option 1. This annuity is payable to a widow and terminates upon her death or remarriage, whichever occurs first.

b. Option 2. This annuity is payable to or on behalf of an eligible dependent child or children, stepchildren and adopted children. The monthly payments are made in equal shares to the surviving children until they reach age 18 or marry. The annuity is continued after age 18 for mentally or physically handicapped children as long as they remain incapacitated and are unmarried, provided the incapacity existed prior to the eighteenth birthday.

c. Option 3. This option provides annuity for both the surviving widow,

child or children including designated children of a former marriage. That is, upon the remarriage or death of the widow, her annuity payments are stopped and annuity is paid to the eligible child or divided equally among the eligible children. To be eligible, the surviving child or children must meet the requirements stated under Option 2. A Marine may provide for allocating during the period of the surviving spouse's eligibility a part of the annuity under the option for payment to those surviving children who are not children of that spouse.

d. Option 4. This option does not provide an annuity as such. Rather, it is a "rider" which provides for discontinuing reduction in the Marine's retired pay in the event his wife or children named as beneficiaries die or cease to be eligible while the retired Marine is still alive. Option 4 can be elected only in conjunction with one or more of the three survivor annuity options. The additional reduction for Option 4 is relatively small in comparison with the other options. Should his need for the survivor's annuity coverage end in the early years of the Marine's retirement, Option 4 may save him a substantial sum of money during the remaining years of his life.

5. Multiple Options. More than one annuity may be provided by combining Options 1 and 2, with or without the provisions of Option 4. However, each option must be designated in an amount no larger than one-fourth of his reduced retired pay and will be computed separately. A member may not elect a combination of Options 1 and 3 or Options 2 and 3 for any amount with or without Option 4. In those cases where the dependent widow and dependent children will be living in separate household, a combination of Options 1 and 2 may prove desirable.

6. Submission of Election Forms

a. Marines electing to participate in the annuity plan are required to complete and sign the election form

(NAVMC 10236-PD) in triplicate and forward them to the Commandant of the Marine Corps (Code DNC). Instructions for completing these forms are contained on their reverse side. When an option(s) is elected, the Marine's signature on all copies of the election forms must be witnessed by an officer, a notary public, or any other official authorized to administer oaths.

b. A Marine who does not desire to make an election will submit one copy of the election form to the Commandant of the Marine Corps (Code DNC), completing the following items only: name, grade, service number, check the block reading "I do not desire to receive reduced retired pay in order to provide annuity for my dependents", and sign the form. His signature need not be witnessed.

7. Change or Revocation

a. A change of election is a change in the percentage of the reduced amount of retired pay under any option or a change in any option or options selected.

b. A revocation is a cancellation of a previous election and constitutes a withdrawal from coverage under the Plan.

c. To avoid confusion and the possibility of error, a change or revocation will be submitted on an election with the word "change" or "revocation", as appropriate, typed or printed on the top and bottom margins.

d. A Marine who is not retired may change the terms of his election as often as he may desire prior to his retirement. A change becomes effective only if the Marine does not become entitled to retired pay 3 years after the date of execution and submission of the change, otherwise the last change executed 3 years or more before retirement will be controlling.

e. A Marine prior to becoming entitled to retired pay may revoke an election at any time; however, if the

member becomes entitled to retired pay within 3 years after a revocation, such revocation shall have no effect. A Marine is not permitted to withdraw or change his revocation. Such revocation, however, may be superseded by a new election made at any time after the revocation and the new election will be effective provided there is no entitlement to retired pay within 3 years after the new election. If the Marine retired prior to the expiration of such 3-year period, his new election is of no effect and his last valid election, if any, remains in force.

f. Once retired, a Marine may not change or revoke his election, even though he may be ordered to active duty. There is one exception to this: a Marine on the Temporary Disability Retired List who is removed from such list because he has been determined fit for duty may continue an earlier election or change or revoke the election as provided in subparagraphs d, and e, above. In this connection, service creditable for the purpose of the 3-year interval required to make a change, revocation or new election valid includes service before, during and after temporary disability retirement.

g. When an election has been made by the Secretary of the Navy on behalf of an incompetent Marine who is subsequently determined to be mentally competent, he may, within 180 days of such determination, modify or terminate the election made in his behalf.

h. A change of dependents within an elected option is not a change of an election as the election remains in effect for the same class of dependents selected.

i. Special provisions for members retired under "Hump Law." Regular officers retired under Public Law 86-155 as amended (see note following 10 USC 5701), or who have been considered but not recommended for continuation and retire voluntarily before the date specified for retirement under

that law, may make a change to or revocation of an election prior to their retirement which may be effective even though submitted within 3 years of their actual retirement. Such a change or revocation is effective if made at such a time that it would have been effective had the officer been retired after a normal career which would occur on the earliest date prescribed for an officer of his grade by 10 USC 6376, 6377 or 6379, as appropriate. This usually is 26 years for lieutenant colonels and 30 years for colonels after 30 June of the year group listed behind their name in the register. It should be noted that this special provision does not apply to officers who have been considered by, but not recommended for continuation under Public Law 86-155 and who thereafter are retired for disability.

8. Declinations. A declination is not an election and therefore is not subject to the regulations governing changes of election. Thus, a Marine who had previously declined coverage is still eligible to make an election provided he does so within the time limit specified for personnel in his category.

9. Responsibility of Commanders

a. It is the responsibility of commanders to provide all active duty personnel who have over 17 years but less than 18 years of service computable for basic pay purposes with appropriate instructions and option election forms. It is also the responsibility of commanders to provide Marines retiring for physical disability prior to the completion of 18 years of service with an individual letter of instruction and option election forms for submission prior to retirement. All Marines in these categories are required to make a positive statement electing or declining coverage under the Plan.

► b. It is the responsibility of Directors, Marine Corps Districts and the Commanding General, Marine Air Reserve Training Command, as

appropriate, to provide members of the Reserve components on inactive duty who have completed 17 years of service for basic pay purposes, an individual letter of instructions and an option election form. All Marines in this category are required to make a positive statement electing or declining coverage under the Plan.

10. Designation of Dependents

a. If a Marine has eligible dependents, they will be named at the time of election. The named dependents within an elected option may be changed until the date of retirement, provided such changes are limited to the same option.

b. A Marine need not be married to select an option to provide an annuity for his prospective widow and/or surviving children. However, it is emphasized that if a Marine without dependents does not make an election within the time limit specified for his category, he may not thereafter be covered by the Plan regardless of whether he subsequently acquires dependents. If he retired without having acquired dependents, an option elected does not become effective and deductions are not made from his retired pay.

c. On the date of retirement the names of the eligible dependents under the elected option(s) and the date of birth of each must be recorded on the form at Headquarters Marine Corps. If the wife, child, or children named are no longer eligible dependents, it is the responsibility of the Marine concerned to establish the eligibility of the named dependents under the elected option(s) prior to retirement.

11. Substantiating Evidence Regarding Dependency and Age of Dependents

a. At the time of submitting an election, the Marine must furnish the date and place of his marriage and the full maiden name of his wife. If requested by the Commandant of the Marine Corps, he must submit proof of dissolution of prior marriages, if

any, of either spouse. The age of each dependent named in an election must be substantiated by a birth certificate or other corroborative evidence. Additional documents required for named beneficiaries in certain dependency categories are as follows:

(1) Adopted child--decree of adoption. If the law of the state in which the adoption was granted does not authorize the issuance of a copy of the decree of adoption, an amended birth certificate may be sufficient.

(2) Stepchild--Marine's signed statement that the stepchild is in fact dependent upon the Marine for his support.

(3) Incompetent child--signed statement of a doctor or an appropriate official of a hospital or institution certifying that the child is incapable of self-support because of a mental defect or physical incapacity, that the condition existed prior to the child's reaching the age of 18 or the date the disability began, and a statement of the facts concerning the degree of disability on which the conclusion of incompetency is based.

b. If a birth certificate or a certified copy of a birth certificate for a named dependent is not available, evidence such as a certified copy of baptismal or other church record or hospital record made at the time of birth or shortly thereafter, showing the age or date of birth.

c. When none of the above evidence of birth is available, instructions will be requested from the Commandant of the Marine Corps (Code DNC).

12. Computation of Reduction

a. The reduction to be made in the retired pay of participating Marines is computed in each individual case from tables showing the percentage reduction factor in retired pay as illustrated in the percentage cost tables. The amount of the reduction in retired pay is obtained by multiplying the percentage reduction

factor from the appropriate cost table by the rate of such pay. There are three basic cost tables by which the cost of the Plan is computed. In each table the cost is based on length of service for pay purposes in the following manner: over 20 years of service; over 18 but less than 20 years of service; and less than 18 years of service. The reduction for a member retiring with 20 or more years of service for pay purposes is not affected by the type of his retirement.

b. If a Marine makes an annuity election and is retired with a physical disability prior to the completion of 18 years of service and subsequently dies of a service connected disability, his widow and/or eligible children will not be eligible to receive an annuity under the Plan, if entitled to the benefits of the Servicemen's and Veterans's Benefit Act (reenacted, 38 USC 401-423); i.e., Dependency and Indemnity Compensation. This benefit is described in paragraph 11201. In such cases the amounts by which a member's retired pay was reduced will be restored in full and paid to his lawful survivors. If the retired member's death was not service connected, his widow and surviving children would not be eligible for Dependency and Indemnity Compensation benefits, and would receive the annuity payments he had elected under the Plan.

c. An adjustment may be made in the reduction of retired pay upon the finding of an administrative error or a mistake of fact.

d. Subsequent increases or decreases in retired pay occurring after the date the original computation for reduction in retired pay has been made will in no way affect the original computation and therefore will not result in a change in the amount of the reductions made nor the amount of the ultimate annuity that may be payable.

e. Marines retiring for disability, especially those who are severely disabled and eligible to elect, should carefully weigh the advantages of the Plan

because their disability may prevent them from obtaining commercial life insurance. In many cases, because of income tax benefits, the take-home pay of a Marine retiring for disability and whose retired pay is reduced to provide an annuity under this Plan for his survivors will be as much or more than that of his counterpart who is retiring solely on years of service. (For members retiring with 20 or more years of service, percentage cost tables effective 1 January 1961 provide the same amount of reduction of retired pay whether or not the member is retired for disability.)

f. If a Marine on active duty has no dependents on the effective date of retirement, no reduction in his retired pay is made.

13. Effective Date of Reduction. In the case of an active duty Marine retiring for years of service or disability, the reduction in his retired pay will be effective on the date he is retired.

14. Reduction in Retired Pay and Direct Remittances. Retired Marines who are receiving retired pay in sufficient amount to cover the reduction for their participation in the Plan will have their retired pay reduced accordingly before their retired pay is sent to them. If a retired Marine is entitled to retired pay but is not receiving retired pay for any reason, or if he is not receiving enough retired pay to cover the reduction for his election; e.g., because he has waived a part or all of his Marine Corps retired pay in favor of receiving VA disability payments, he must remit the amount necessary to cover his participation in the Plan to the Commandant of the Marine Corps (Code CDH). Check remittances will be made payable to the Retired Pay Branch, Headquarters Marine Corps.

15. Refund of Reduction. When a Marine on the Temporary Disability Retired List who has elected an option is removed from the list due to any reason other than permanent retirement, he shall have refunded to him a sum which represents the difference

between the amount by which his retired pay has been reduced in accordance with his election and the cost of an amount of term insurance which is equal to the protection provided his dependents during the period he was on the Temporary Disability Retired List. When a Marine is transferred from the Temporary Disability Retired List to the Permanent Disability Retired List, the elected options remain in effect and the deductions in retired pay will continue.

16. Termination of Reductions

a. The reductions in retired pay cease when the Marine is no longer entitled to retired pay.

b. When Option 4 is elected, reductions in retired pay shall cease effective on the first day of the month following the month in which there is no longer a beneficiary eligible to receive this annuity.

c. It is important to note that unless Option 4 is elected in combination with Options 1 and/or 2 or Option 3, reductions will continue to be made as long as retired pay continues. These reductions continue regardless of the death or ineligibility of the wife and/or children.

d. In rare instances the Secretary of the Navy may permit members retired with pay to withdraw from the program for severe financial hardship when participation would violate equity and good conscience. The absence of an eligible beneficiary shall not in itself be sufficient basis. No amounts by which retired pay is, or has been reduced, may be refunded. Application forms for withdrawal may be requested from the Commandant of the Marine Corps (Code DNC).

17. Annuities

a. Annuities payable under the Plan are not assignable, either in law or

equity, nor are they subject to execution, levy or attachment, garnishment or other legal process.

b. All annuities payable under the Plan shall accrue from the first day of the month in which the retired Marine dies and shall be due and payable not later than the fifteenth day of the following month and in equal monthly installments thereafter. However, no annuity shall accrue or be paid for the month in which entitlement to that annuity terminates.

c. Annuities for a child or children will be paid to the child's guardian or the person(s) who has care, custody, and control of the child or children.

d. No annuity is payable to the beneficiaries unless the Marine has been awarded retired pay. If the Marine dies before being awarded retired pay, no reductions have been made and therefore no annuity can be paid.

18. Effect on Income Tax Withholding. Reductions of retired pay under the Plan are not allowable as deductions for Federal income tax purposes. Consequently, an election under the Plan will not affect the amount of retired pay withheld for income tax or the amount of tax the retired Marine may be required to pay.

19. Retrospection. Coverage is similar to that of any employer-employee annuity program, except with respect to the taxation thereof, and the needs for participation will vary in each individual case. Unlike insurance, a member may not discontinue participation or change beneficiaries, under normal circumstances, once an election has become irrevocable. Similar coverage by commercial enterprises would be considerably higher in cost since the Plan is a nonprofit program administered by the Armed Forces.

11250 DEATH AND DISABILITY OF
RESERVISTS1. Entitlement to Benefits under 10
U.S.C. 6148

a. A reservist or his beneficiaries in the event of his death, under specified conditions, is entitled to the benefits provided by 10 U.S. Code 6148 as amended, if he suffers disability in line of duty while employed on active duty, active duty for training, or inactive duty training. These benefits include the same pension, compensation, hospitalization, and pay and allowances as for a member of the Regular Marine Corps of corresponding grade and length of service. For retired pay and related benefits in case of physical disability 10 U.S.C. 1201-1221 refer; for death gratuity, 10 U.S.C. 1475-1480; for benefits under laws administered by the Veterans' Administration see Title 38 U.S.C. A reservist is considered disabled when he is unable, because of a temporary or permanent physical or mental impairment, to perform the duties of his office, rank or grade in such a manner as to reasonably fulfill the purpose of his employment in a duty status. To be entitled under Section 6148, the reservist must have been called or ordered to perform duty of the nature indicated below and must have been disabled in line of duty from injury or disease while so employed or have died from such injury or disease:

(1) Extended active duty for a period of time in excess of 30 days, or while in an authorized travel status going to or from such duty (see subparagraph. 7, below); or

(2) Active duty or active duty for training for any period of time, or while in an authorized travel status going to or from such duty, in case of death or disability resulting from injury. However, in case of disability resulting from sickness or disease, the reservist must have been performing active duty or active duty for training under orders specifying a period in excess of 30 days but see subpara-

graphs 7c(1) and 7c(2), below, for exceptions if performing compulsory training duty up to 45 days to which a reservist may be ordered without his consent because of failure to maintain satisfactory drill attendance record under 10 U.S. Code 270(b); or

(3) Inactive duty training for any period of time in case of death or disability resulting from injury, but not while in a travel status going to or from such duty--see subparagraph 3, below, nor for disability resulting from sickness or disease--see subparagraph 7c(2), below.

b. If a reservist eligible for benefits under 10 U.S. Code 6148, is also eligible for retired pay under 10 U.S. Code 6327, or pension or disability compensation from the Veterans' Administration, he shall elect the provision of law that is to be applied to him.

◆ c. In those rare cases in which a reservist who is determined to be entitled to disability benefits under 10 U.S. Code 6148, by reason of issuance of a notice of eligibility, thereafter becomes entitled to disability benefits under some other provisions of federal law, or an increased amount of such benefit, commanding officers will submit a report of the facts to the Secretary of the Navy (Judge Advocate General) via official channels, including Commandant of the Marine Corps (Code DN), with a copy to the reservist's disbursing officer. See second paragraph of figure 11-6 and paragraph 044778, Navy Comptroller Manual.

2. Determinations by Field Commands

a. Authorized determinations. Determinations of entitlement to disability benefits provided by 10 U.S. Code 6148 and the issuance of Notices of Eligibility for Disability Benefits in the cases of Marine Corps reservists who suffer disability as a result of injury, sickness, or disease sustained subsequent to their reporting for active

duty for training and prior to their detachment therefrom, shall be accomplished by the commanding generals of the following Marine Corps activities:

Marine Corps Base, Camp Pendleton, California
 Marine Corps Base, Camp Lejeune, North Carolina
 Marine Corps Base, Twentynine Palms, California
 Marine Corps Recruit Depot, San Diego, California
 Marine Corps Recruit Depot, Parris Island, South Carolina
 Force Troops, FMF, Atlantic, Camp Lejeune, North Carolina
 Force Troops, FMF, Pacific, Twentynine Palms, California
 1st Marine Division (Reinf), FMF, Camp Pendleton, California
 2d Marine Division, FMF, Camp Lejeune, North Carolina

b. Determinations not authorized.

Field determinations are not authorized in the following type cases which will be referred to the Commandant of the Marine Corps for action:

(1) All cases involving disability occurring to reservists in connection with the performance of active duty or inactive duty training as differentiated from active duty for training.

(2) All cases of sickness or disease where it cannot be readily determined by the attending medical authority that the sickness or disease involved originated during the period of active duty for training being performed.

(3) All cases where there is indication that the disability may have existed prior to the reservist's entry into active service.

(4) All cases of reservists who suffer disability from injury or disease sustained or incurred while traveling to or from active duty for training.

(5) All cases where, in the opinion of the commanding general, there

is any question or doubt as to the reservist's eligibility, and also cases wherein he does not have administrative jurisdiction.

3. A Notice of Eligibility for Disability Benefits (see Navy Comptroller Manual, paragraph 044776) entitles a disabled reservist to disability benefits, including pay and allowances beyond the terminal date of his active duty or training period as long as he is hospitalized. The Commandant of the Marine Corps, or those commanding generals designated in subparagraph 2a, above, will issue the Notice of Eligibility if the circumstances which caused the reservist to be disabled are determined to meet the criteria established by law. If disability extends beyond the period of hospitalization, an affirmative determination by the Bureau of Medicine and Surgery is required for the continuance of disability benefits. It is imperative that the speedletter reports required on the occasions mentioned in subparagraph 7, below, be submitted promptly and accurately as these reports are primarily used as one of the bases for these determinations. It should be noted that a speedletter report is required for all reservists who suffer disability while traveling to and from active duty for training, inactive duty training and those infrequent instances of extended active duty personnel mentioned in subparagraph 7a, below; however, those traveling to and from inactive duty training are not normally eligible for Navy Department disability benefits. In these cases, the report is required for other purposes, and, in the event of subsequent death from such disability, the report is an immediate source of accurate information for determination for any benefits from other government agencies.

4. Medical Examination. Whenever the disability of a reservist on active duty, active duty for training, or on inactive duty training is reported in accordance with the provisions stated herein, the commander will have an immediate examination made by a medical officer of the U. S. Navy or U. S. Naval Reserve

when practicable; otherwise it may be performed by any federal medical officer, or if none of the foregoing are available, by a civilian physician. See Chapter 20, Manual of the Medical Department.

- **5. Investigation.** An investigation by a factfinding body of injury, disease or death of a reservist on active duty, active duty for training (including 6-month trainees) or inactive duty training or while performing travel directly to or from such duty must be ordered in all cases indicated in JAG Manual secs. 0801-0803 and 0911.

6. Report of Death. A report of death of a reservist on extended active duty, active duty for training or inactive duty training, or engaged in travel to or from such duty, will be submitted by message in accordance with paragraph 12154.

7. Required Reports of Disabilities. Commanders having cognizance of Marine Corps reservists performing active duty, active duty for training and inactive duty training shall have established procedures for the timely gathering of information concerning disabilities suffered by reservists while performing such duties, and in accordance with this paragraph, will submit prompt speedletter reports as follows:

► **a. Reports of disability suffered by reservists on extended active duty.** When a reservist performing extended active duty, or while in an authorized travel status going to such duty, suffers a disability from injury or disease, he will be administered under the same provision of this Manual and other directives applicable to Regular Marine Corps personnel. However, in instances in which a disability results from an injury or disease incurred by a reservist while in an authorized travel status proceeding from extended active duty, or in which the separation physical examination fails to reveal an

injury or disease incurred during extended active duty which results in a disability after release, the commander of the Marine Corps activity first receiving information of such a disability will immediately submit a report by speedletter to the Commandant of the Marine Corps (Code DN), furnishing a copy to the Bureau of Medicine and Surgery (Code 333). See figure 11-7 or 11-8 for sample speedletter report which contains items of information which must be furnished.

► **b. Reports of injury suffered by reservists employed on active duty for training or inactive duty training.** When a reservist on active duty for training or on inactive duty training (drills) suffers disability from injury in line of duty while performing such duty, or while engaged in travel to or from such duty, the commander will submit immediately a report by speedletter to the Commandant of the Marine Corps (Code DN) for those reservists injured while performing inactive duty training, and for those injured while engaged in travel to or from active duty for training or inactive duty training, and to the appropriate commanding general designated in subparagraph 2, above, in the cases of reservists injured while engaged in active duty for training. In all cases, copies will be furnished to the Commandant of the Marine Corps (Code DN), the Bureau of Medicine and Surgery (Code 333), and the Marine Corps disbursing officer concerned. See figure 11-7 for sample speedletter report which contains items of information which must be furnished.

c. Reports of sickness or disease suffered by reservists employed on active duty for training

► (1) When a reservist on active duty for training for a period in excess of 30 days, except under 10 U.S. Code 270(b), see subparagraph 7c(2), below, suffers disability from sickness or disease in the line of duty while performing such duty, the commander will immediately submit a report by speedletter to the appropriate commanding

general designated in subparagraph 2, above. In those cases where the disability is incurred while engaged in travel to or from such duty, the speedletter report will be forwarded to the Commandant of the Marine Corps (Code DN). In all cases copies will be provided the Commandant of the Marine Corps (Code DN), the Bureau of Medicine and Surgery (Code 333), and the Marine Corps disbursing officer concerned. See figure 11-8 for sample speedletter report which contains items of information which must be furnished.

(2) A reservist on active duty or active duty for training for a period of 30 days or less, or on inactive duty training, or a reservist on active duty for training under 10 U.S. Code 270(b), who suffers disability from sickness or disease in line of duty is not entitled to pay and allowances during the period of disability beyond the terminal date of his duty orders. He is entitled to necessary hospitalization as defined in 10 U.S. Code 6148(d), medical treatment, subsistence during hospitalization and transportation and subsistence to the place from which ordered to training duty, but only if his sickness or disease results in a disability which renders him unfit to perform active duty for training or inactive duty training. No speedletter report is required in these cases. Should such sickness or disease terminate in death, a report of death will be submitted in accordance with paragraph 12154. The reservist's beneficiary(ies) may be entitled to death gratuity under 10 U.S. Code 1475-1480 or compensation or pension under the laws administered by the Veterans' Administration.

8. **Procedures.** Upon receipt of the reports required by paragraph 7, above, the following action will be taken by the commanding generals specified in paragraph 2:

a. Review all available information in order to ascertain:

(1) That he is authorized to act on the specific type case involved;

(2) That the individual reported on is in fact disabled; is a member of the Marine Corps Reserve; and was, at the time of the onset of disability performing active duty for training under the administrative jurisdiction of his command;

(3) That the disability resulted from an injury or disease and was incurred in line of duty; and

(4) Whether or not the hospitalization or disability may be expected to extend beyond the terminal date of the training duty orders.

b. If in his opinion, the reservist concerned is eligible to receive the benefits authorized by 10 U.S. Code 6148, prepare and forward to the reservist via his immediate commander a Notice of Eligibility for Disability Benefits in the form prescribed by figure 11-9.

c. If in his opinion, the reservist concerned is not eligible for, or there is no requirement for the issuance of a Notice of Eligibility, inform the individual concerned via his immediate commander in writing, indicating the basis for the nonissuance or denial, and furnish a copy to the Commandant of the Marine Corps (Code DN) and the Bureau of Medicine and Surgery (Code 333).

d. If in his opinion, there is any doubt as to eligibility or entitlement or if the case is of the type upon which he has no authority to act, as outlined in subparagraph 2b, above, forward the report together with all pertinent facts and circumstances to the Commandant of the Marine Corps (Code DN) for a determination.

9. **Issuance of the Notice.** When entitled thereto, an original and seven copies of the Notice of Eligibility with endorsement sheet attached will be furnished the reservist. Specific instructions for the use of the original and seven copies by the reservist are contained in the sample Notice of Eligibility (see figure 11-9). A copy

of the notice will also be furnished the Commandant of the Marine Corps (Code DN), the Bureau of Medicine and Surgery (Code 333), and the appropriate disbursing officer handling the reservist's pay record. The reservist will also be furnished two copies of the compensation certificate shown in figure 11-6. If a notice has been issued and the reservist concerned is released from the hospital as fit for full duty prior to the expiration of his active duty for training orders, the Notice of Eligibility and all copies will be returned to the issuing authority for cancellation.

10. Actions by the Recipient of the Notice. Upon receipt of the Notice of Eligibility and accompanying papers, the reservist shall forward to the disbursing officer carrying his account two certified copies of the notice, completed to include the required endorsements and compensation certificate appropriately executed and signed. In the event the reservist is informed by his commanding general that he is not eligible for disability benefits under 10 U.S. Code 6148, the reservist may request review of his case by addressing correspondence to the Commandant of the Marine Corps (Code DN), via official channels to include the officer who made the denial, setting forth any additional facts or circumstances upon which he bases his claim to benefits and enclosing all pertinent correspondence. In order to expedite consideration of the case, such communications should be submitted at the earliest date practicable.

11. Applicable Provisions

- a. Active duty for training terminates automatically on the date speci-

fied in the reservist's orders. Training duty orders may not be extended after their terminal date, nor may a reservist be ordered to active duty or active duty for training for the express purposes of hospitalization and/or medical evaluation.

- b. Reservists may not continue to receive pay and allowances specifically because of disability after the terminal date of their training duty period unless a Notice of Eligibility for Disability Benefits under this paragraph is issued. Even though a Notice of Eligibility has been issued, in cases where the disability extends beyond the period of hospitalization and training duty, an affirmative determination by the Bureau of Medicine and Surgery that the disability continues to exist is required before pay and allowances may be continued. All requests for such an affirmative determination will be forwarded to the Bureau of Medicine and Surgery (Code 333) via channels including the Commandant of the Marine Corps (Code DN), and will include all pertinent information concerning the case. See subparagraph 6 of the sample notice, figure 11-9.

- c. A reservist hospitalized in an Armed Forces medical facility will not be transferred to a nonmilitary medical facility unless such transfer can be fully justified on a medical basis or prior approval is obtained from the Chief of the Bureau of Medicine and Surgery.

- d. Personnel who are receiving benefits under the authority of such a notice will not be considered in a "duty status." Accordingly, their dependents will not be entitled to dependent medical care, nor will the members be entitled to accrue leave credit.

CERTIFICATE CONCERNING RECEIPT OF PENSION,
DISABILITY ALLOWANCE OR DISABILITY COMPENSATION
FROM THE GOVERNMENT OF THE UNITED STATES

Place:

Date:

I certify that I (am) (am not) in receipt of pension, disability allowance or disability compensation by virtue of prior military service.

In the event I later become entitled to a pension, disability allowance or disability compensation, or become entitled to any such benefit in an increased amount, I understand that I must immediately notify my commander and disbursing officer of such fact.

Signature, Grade and Service Number

INSTRUCTIONS

This certificate must be completed and furnished to the disbursing officer with the Notice of Eligibility for Disability Benefits. See paragraph 044772, Navy Comptroller Manual.

Figure 11-6

NAVEXOS-4181

USE FOR URGENT LETTERS ONLY		<h1>NAVAL SPEEDLETTER</h1>		DO NOT CLEAR THROUGH COMMUNICATION OFFICE	
(One box must be checked) <input checked="" type="checkbox"/> REGULAR MAIL <input type="checkbox"/> SPECIAL DELIVERY <input type="checkbox"/> AIR MAIL <input type="checkbox"/> REGISTERED MAIL		CLASSIFICATION		IN REPLY REFER TO	
TO: Commandant of the Marine Corps (Code DN) Washington, D.C. 20380				DATE 12 February 1964	
(Fold)				NAVAL SPEEDLETTER-- Permits dispatch or informal language. May be sent (1) with enclosures, (2) in a window envelope (size 8 7/8" x 3 7/8"), if contents are not classified as confidential or higher, (3) to both naval and nonnaval activities. Is packaged 500 sheets of white or of one color: yellow, pink, or green.	
In compliance with MARCORPERSMAN, par. 11250, the following report of <u>injury</u> (10 USC 6148 (a)) is submitted:					
A. Sgt David M. MASON, 153244, USMCR B. Employed on Active Duty for Training for the period 0800 - 28Jan64 to 2400 - 13Feb64 (Copy of orders attached). C. Suffered a fracture left tibia at 0821 on 12Feb64 at CamLej D. Result accidental fall from truck. E. Admitted NavHosp CamLej at 0830 on 12Feb64. F. Estimated period of hospitalization 3 weeks from this date. (Medical abstract attached.) G. Estimated period of disability 2 months. H. Injury was incurred in line of duty. I. Home address: 1215 46th St., S.E., Washington, D.C.					
JOHN C. JONES					
Encl: (1) Copy of orders to Active Duty for Training					
Note: *See reverse side of Figure 11-7 for special instructions for preparing Report of Injury					
COPY TO BUMED (Code 333) CG MARCORB CAMLEJ CO RTBN MARCORB CAMLEJ		DISBO MARCORB CAMLEJ COMART			
ADDRESS: Commanding Officer, VMF 321 MARTD MARTC 4th MAW FMF USMCR NAF, Andrews Air Force Base Washington, D.C. 20390				← SENDER'S MAILING ADDRESS Address reply as shown at left; or reply hereon and return in window envelope (size 8 7/8" x 3 7/8"), if not classified as confidential or higher.	
CLASSIFICATION				CLASSIFICATION	

Figure 11-7

*** SPECIAL INSTRUCTIONS FOR INJURY REPORT**

All of the information enumerated below for each item of the report is the minimum required. To preclude delay in submission words "unknown," "being investigated" or other appropriate remarks may be used in the initial report but will be supplemented with complete information as soon as it becomes available.

Item A. Show Name, Grade, Service Number, and Component.

- B. Show status to include type reserve duty being performed, and time and dates of duty period. In cases where orders were issued, attach a copy of the orders. In others, explain, such as: "While performing regularly scheduled drill from 2000 to 2200 on 25Jan60."
- C. The nature of injury must be shown and the date and time of occurrence. Also the location where injury occurred, such as: "At the USN Station armory."
- D. In this item include a brief statement of the manner in which the injury occurred.
- E. Show date, time and identity of hospital where hospitalized. If hospitalized in other than Federal hospital the name and address of the doctor must be shown.
- F. Estimated period of hospitalization. In the event hospitalization or disability is likely to extend beyond the normal date of release from active duty, active duty for training, or the inactive duty training period, the commander preparing the speedletter report will obtain a medical abstract from appropriate medical authority and attach it to the speedletter report. This abstract shall contain such of the following material as is appropriate:

- (a) Established diagnosis.
- (b) Facts concerning the origin of the injury sufficient for the Chief, Bureau of Medicine and Surgery, to determine:
 - (1) Whether condition existed prior to reporting for duty.
 - (2) Whether condition aggravated by service.
- (c) Brief of symptoms, treatment and response to treatment.
- (d) Estimated period of hospitalization.
- (e) Opinion as to disposition to be made.

If this above information for the medical abstract is not available immediately, the speedletter report will not be delayed for this reason. The medical abstract will be forwarded, as soon as it can be obtained, in a supplemental speedletter report, retaining all information addressees.

- G. Estimated period of disability.
- H. Opinion as to line of duty status at time of injury.
- I. Complete home address of reservist.

Figure 11-7.--Continued.

NAVEXOR-4181

USE FOR URGENT LETTERS ONLY		NAVAL SPEEDLETTER		DO NOT CLEAR THROUGH COMMUNICATION OFFICE	
(One box must be checked)		CLASSIFICATION		IN REPLY REFER TO	
<input type="checkbox"/> REGULAR MAIL	<input type="checkbox"/> SPECIAL DELIVERY				
<input checked="" type="checkbox"/> AIR MAIL	<input type="checkbox"/> REGISTERED MAIL				
TO: Commandant of the Marine Corps (Code DN) Washington, D.C. 20380				DATE 2 February 1964	
URGENT				NAVAL SPEEDLETTER— Permits dispatch or informal language. May be sent (1) with enclosures, (2) in a window envelope (size 8 1/4" x 3 1/4"), if contents are not classified as confidential or higher, (3) to both naval and nonnaval activities. Is packaged 500 sheets of white or of one color: yellow, pink, or green.	
(Fold)					
In compliance with MARCORPERSMAN, par. 11250, the following report of <u>disease</u> (10 USC 6148 (b)) is submitted:					
A. Pvt Kevin CARSON, 2567890, USMCR(H). B. Employed on Active Duty for Training at this command for a period of 6 months - 2Aug63 to 2Feb64 (Copy of orders attached). C. Suffered an attack of acute appendicitis on 28Jan64 at this command. D. Admitted to Dispensary this post at 0930 on 28Jan64. E. Estimated period of hospitalization 3 weeks from this date. (Medical abstract attached.) F. Estimated period of disability 4 weeks from this date. G. Disease incurred in line of duty. H. Disease did not exist prior to reporting for training duty. I. Home address: 206 Blossom Lane, Birmingham, Alabama.					
RICHARD BELVINS					
Encl:					
(1) Copy of orders to Active Duty for Training					
Note: *See reverse side of Figure 11-8 for special instructions for preparing Report of Disease					
COPY TO		BUMED (Code 333) CG MARCRUITDEP PARRIS ISC DISBO MARCRUITDEP PARRIS ISC		DIR 8TH MARCORDIST CO 3D 105MMHOWBN	
ADDRESS: Commanding Officer 1st RT Bn, MarCruitDep Parris Island, South Carolina				←SENDER'S MAILING ADDRESS Address reply as shown at left; or reply hereon and return in window envelope (size 8 1/4" x 3 1/4"), if not classified as confidential or higher.	
				CLASSIFICATION	

Figure 11-8

*** SPECIAL INSTRUCTIONS FOR DISEASE REPORT**

All information enumerated below for each item is the minimum required. To preclude delay in submission the words "Unknown," "Under Investigation," or other appropriate remarks may be used in the initial report but will be supplemented with complete information as soon as it is available.

Item A. Show Name, Grade, Service Number and Component.

- B. Show status to include type reserve duty being performed, and time and dates of duty period. In cases where orders were issued, attach copy of the orders. In others explain, such as "while performing regularly scheduled drill from 2000 to 2200 on 25Jan60."
- C. The nature of the disease must be shown and the date and place of the onset.
- D. Show date, time and identity of hospital where hospitalized. If hospitalized in other than Federal hospital the name and address of the attending doctor must be shown.
- E. Estimated period of hospitalization. In the event hospitalization or disability is likely to extend beyond the normal date of release from active duty, active duty for training, or the inactive duty training period, the commander preparing the speedletter report will obtain a medical abstract from appropriate medical authority and attach it to the speedletter report. This abstract shall contain such of the following material as is appropriate:
 - (a) Established diagnosis.
 - (b) Facts concerning the origin of the disease sufficient for the Chief, Bureau of Medicine and Surgery to determine:
 - (1) Whether condition existed prior to reporting for duty.
 - (2) Whether condition aggravated by service.
 - (c) Brief of symptoms, treatment, and response to treatment.
 - (d) Estimated period of hospitalization.
 - (e) Opinion as to disposition to be made.

If this above information for the medical abstract is not available immediately, the speedletter report will not be delayed for this reason. The medical abstract will be forwarded as soon as it can be obtained, in a supplemental speedletter report, retaining all information addressees.

- F. Estimated period of disability.
- G. Opinion as to line of duty status at time of onset.
- H. Opinion whether disease existed prior to reporting for training duty and whether disease was aggravated by training duty.
- I. Complete home address of reservist.

Figure 11-8.--Continued.

From: Commanding General _____
To: _____ USMCR
Via: (1) Commanding Officer (Man's Unit) _____
(2) Commanding Officer or Superintendent of Hospital _____
Subj: Notice of Eligibility for Disability Benefits under Title 10, U.S. Code, Section 6148(a)
Ref: (a) MARCORPERSMAN, par. 11250
(b) _____ (Report received from man's commanding officer)
(c) Chapter 4, part I, section V, subsection 4, Navy Comptroller Manual

1. Under the provisions of 10 U.S. Code 6148(a), as promulgated by reference (a), it has been determined from reference (b), that on (date) _____ you suffered a disability in the line of duty due to an injury sustained on that date while employed on active duty for training at (place) _____. You were admitted to (hospital and location) _____, on (date) _____ for treatment. You are therefore determined to have been in active naval service on (date of injury) _____ and during the period of your hospitalization you are in all respects entitled to the benefits set forth under reference (a).

2. Your home address is _____

3. The (commanding officer or superintendent of hospital) is requested to furnish the information required for the applicable portions of the attached endorsement sheet.

4. You will furnish the disbursing officer carrying your pay accounts with the following:

a. Two certified copies of this notice, completed to include the endorsement sheet.

b. Signed certificate of nonreceipt of pension, disability allowance or disability compensation properly executed in duplicate.

5. Upon receipt of the above, the disbursing officer is authorized to credit and make payment of pay and allowances to you for the period of your disability while hospitalized in accordance with the instructions contained in reference (c).

6. If your disability extends beyond the period of your hospitalization an affirmative determination by the Bureau of Medicine and Surgery will be required before your entitlement to pay and allowance may continue. In this event you will contact your commanding officer for assistance in obtaining such determination from the Bureau of Medicine and Surgery.

7. For settlement of your pay record in accordance with reference (c), you will deliver the original and five certified copies of this letter bearing all endorsements to the disbursing officer.

(Signature of Commanding General)

Copy to:
CMC (Code DN)
BUMED (Code 333)
Disbursing Officer concerned
Others concerned

Figure 11-9

**ENDORSEMENT SHEET-NOTICE OF ELIGIBILITY
FOR DISABILITY BENEFITS UNDER 10 U.S. Code 6148**

Endorsement

	Time & Date Activity & Place	Signature
1. Forwarded		Commanding Officer or Superintendent
2. Admitted hospital or equivalent facility. Notice delivered.		Medical Officer
3. Transferred as patient to:		Medical Officer
4. Reported as a patient.		Medical Officer
	Date _____	
5. Hospitalization completed by reason of:		
Returned to full duty - - - - -		<input type="checkbox"/>
Discharged by Medical Survey - - - - -		<input type="checkbox"/>
To proceed home to await action on retirement pro- ceedings - - - - -		<input type="checkbox"/>
Other (Explain) - - - - -		<input type="checkbox"/>
		Medical Officer
6. Paid:		
Active duty pay and allowances on this notice		
from _____ to _____		\$ _____
Mileage from _____ to _____		\$ _____
Advance transportation.....		\$ _____
Subsistence		\$ _____
		Disbursing Officer

▶ Figure 11-9.--Continued.

PART G: PERSONAL PROPERTY

11300 PERSONAL PROPERTY CLAIMS

1. Statutory Authority. Under the Military Personnel Claims Act of 1945, as amended (now codified as 10 U.S. Code 2732), officer and enlisted personnel of the Marine Corps and, in certain instances, their survivors may submit a claim and receive cash reimbursement for damage to or loss, destruction, capture, or abandonment of personal property and household effects if the loss or damage occurred incident to service, was not caused in whole or in part by negligence on the part of the claimant or his duly authorized agent, and the possession by the claimant of the property under the circumstances was reasonable, useful, or proper.

2. Implementing Regulations, Instructions, and Forms. Navy Personnel Claims Regulations incorporated as chapter XXI of JAG. Instruction P5800.7, the JAG Manual, promulgate the provisions of the Military Personnel Claims Act of 1945, as amended. The Handbook for Claims Investigating Officers, Personal Loss Claims (NAVPERS 15905-NAVMC 1176) contains detailed information for guidance in the preparation, submission, examination, and approval or disapproval of personal claims. The claim form, NAVEXOS-2662A and -2662B, is designed for use in presenting this type claim.

3. Specific Conditions and Type Items--Not Allowable. The following types of items, if lost or damaged en route to or from or in a combat zone or on training exercises, will not normally be considered to be reasonable, useful, necessary, or proper under the attendant circumstances and reimbursement therefor ordinarily will not be made: electrical appliances such as radios, shavers, blankets, etc.; hobby and recreational items such as cameras and related equipment; athletic equipment, privately-owned revolvers, pistols and rifles, unless match equipment, etc.; and civilian clothing except when the possession of such clothing under the circumstances is specifically authorized.

4. Forwarding of Claims Submitted by Army, Navy and Air Force Personnel.

Commanders of Marine Corps activities will, upon request, investigate and forward personal effects and household goods claims of personnel of the other military services attached to, or serving with, their commands. Commanders of Marine Corps activities may extend this service to retired or discharged personnel or to the widows of former members of the military services who reside in the vicinity of a Marine Corps installation. Claims will be prepared in accordance with Navy Personnel Claims Regulations. The use of Army or Air Force forms is not required.

a. Claims of U. S. Army personnel will be forwarded to: Claims Division, OTJAG-DA, Fort Holabird, Baltimore, Md.

b. Claims of U. S. Air Force personnel will be forwarded to: Headquarters, U. S. Air Force (AFCJA-13), Washington 25, D. C.

c. Claims of U. S. Navy personnel will be forwarded to: Bureau of Naval Personnel, Washington 25, D. C.

11301 PERSONAL EFFECTS AND BAGGAGE

1. General

a. Responsibility. The commander is charged with the responsibility for collecting, inventorying, and placing into safe storage for ultimate disposition, the personal effects and baggage of all service members who come into any status whereby such members cannot or do not care for their own property. This includes those who die, are reported missing, are incapacitated by injury or disease, are in the unauthorized absence status, and those who for any other reason become separated from their effects.

b. Disposal. Existing statutes authorize the disposal, after expiration of a specified period, of all lost, abandoned, or unclaimed personal property, and personal effects of deceased or missing personnel, provided that diligent effort was made and failed to determine and/or locate the owner, the next of kin, the heir(s) or other proper recipient of the personal

effects. See subparagraph 4, below.

c. Personal effects and baggage centers

(1) Marine Corps Personal Effects and Baggage Centers are located at Marine Corps Bases, Camp Pendleton, California and Camp Lejeune, North Carolina. The centers have been established to perform the necessary functions in connection with the recovery, receipt, segregation, inventory, shipment, storage, delivery and disposal of those effects and baggage that are lost, abandoned, or unclaimed, and those effects and baggage of deceased or missing Marine Corps personnel, attached personnel from other armed services, and the effects and baggage of certain civilians or others as may be directed by the Commandant of the Marine Corps. Included in the mission of these activities is the responsibility to:

(a) Receive personal effects and baggage from any theater of operation, through ports of entry or air terminals, or other means, and to receive the personal effects and baggage of Marine Corps personnel and others as indicated above who, through no fault of their own, become separated therefrom. This includes personal effects and baggage of deceased, missing or evacuated personnel, and prisoners of war.

(b) Receive from Marine Corps activities the personal effects and baggage of deceased Marines and others as indicated above, when the next of kin, heir(s), or other proper recipient is unknown or cannot be determined and/or located.

(c) Receive from certain Marine Corps activities personal effects and baggage that are determined to be lost, abandoned, or unclaimed including those of absentees and deserters, under certain specified conditions.

(d) Specific instructions pertaining to the operation of personal effects and baggage centers are contained in the Marine Corps Supply directives.

(2) Activities designated to receive lost, abandoned, and unclaimed

effects of Navy personnel are Stockton Annex, Naval Supply Center, Oakland, Stockton, California and Cheatham Annex, Naval Supply Center, Norfolk, Williamsburg (Penniman), Virginia. Lost, unclaimed, or abandoned personal property of Navy personnel and the effects of deceased or missing Navy persons located west of the Mississippi should be shipped to Stockton Annex; that located east of the Mississippi should be shipped to Cheatham Annex.

d. Shipment of personal baggage upon transfer

(1) Commanders shall instruct all personnel in pay grades E-1, E-2, E-3, and E-4 with less than 4 years service, that upon transfer or detachment the Marine Corps will not ship or store personal baggage in excess of the limit (200 pounds) carried free by commercial carriers. Personnel in pay grade E-4 with over 4 years service have an authorized weight entitlement upon transfer or detachment, which is specified in chapter 8, Joint Travel Regulations. Therefore, such persons specified above who do not have a weight authorization will be directed to ship or otherwise dispose of excess personal baggage at their own expense.

(2) Where travel incident to transfer or detachment is to be performed by air, and the weight of personal baggage carried free by the carrier is limited, the difference in the weight of the personal baggage carried free and 200 pounds may be shipped at government expense on government bills of lading. When personnel in pay grades E-1, E-2, E-3, and E-4, except E-4's with over 4 years service become separated from their personal baggage through no fault of their own, shipment, subject to a 200 pound weight limitation, on government bills of lading may be made at no expense to the individual. Shipments for personnel in all other pay grades are subject to the weight limitations specified in chapter 8, Joint Travel Regulations.

(3) Personnel entitled to shipment of personal baggage as outlined above will submit a request for same to the commander of the organization

holding the baggage. In the event the location of the baggage is not known, the request will be submitted to the Commandant of the Marine Corps (Code DN). Keys for lockers, trunks, etc., will be forwarded with the request for shipment.

e. Household effects. Instructions relating to household effects are contained in Joint Travel Regulations.

f. Privately-owned motor vehicles

(1) Abandoned privately-owned motor vehicles will not be turned over to the personal effects and baggage centers, but will be disposed of by the nearest government selling activity. Navy Property Redistribution and Disposal Regulation #1 in hands of selling activities applies.

(2) Privately-owned motor vehicles of deceased personnel serving outside the continental United States or in Alaska, will be shipped to the address specified by the next of kin, at government expense.

(3) Privately-owned motor vehicles of deceased personnel serving within continental United States will be disposed of as desired by the next of kin at their expense.

2. Definitions

a. Personal baggage. The term "personal baggage" shall be construed to include duffel bags, barracks bags, flying bags, trunk lockers, wardrobe trunks, handbags, other containers suitable for shipment, personal bedding rolls, sleeping bags, other authorized personal property, and other items authorized in movement, shipment, or travel orders, but does not include household effects or privately-owned motor vehicles.

b. Personal effects. The term "personal effects" or "effects" shall be construed to mean articles of individual uniform and civilian clothing and other effects having intrinsic or sentimental value such as jewelry, fountain pens, mechanical pencils, spectacles, personal cameras, wallets, billfolds, medals, insignia, photographs, diaries, Bibles, personal papers, etc.

c. Government property. The term "government property" shall be construed to mean government-issued material, flight clothing, tools, instruments, optical instruments, combat gear and Class IV or organizational clothing, firearms, ammunition, grenades, fuses, drugs, official publications, government-owned cameras, and instruments usually identified by U. S. Government serial numbers.

d. Next of kin, heir(s), or other proper recipient. The individual defined as having the primary right to control the administrative disposition and/or to receive the personal effects and baggage of deceased or missing personnel, of personnel living or deceased who cannot be located, and personal effects and baggage that are lost, abandoned or unclaimed, including those of absentees and deserters and others, which are now or may hereafter come into the possession, custody or control of the Marine Corps, is the person or persons surviving in the following order of precedence:

(1) Spouse or legal representative of the estate;

(2) Child or children;

(3) Parent or parents;

(4) Brothers and sisters;

(5) The person or persons determined to be entitled under the laws of the state in which the owner was domiciled. In all cases where the personal effects and baggage are released or delivered to individual(s), as indicated in the above precedence listing, and the circumstances known or anticipated indicate that a dispute as to the ownership of the effects and/or baggage may occur, such individual(s) and any other interested persons will be advised that the delivery of the effects and/or baggage is procedural only and does not invest title to the effects and/or baggage in the recipient to whom the Marine Corps surrenders them. Final decision as to title and ownership rests with the proper civil court having jurisdiction of the matter in accordance with the law of the state of the legal residence in which the owner was domiciled.

e. Theater of operations. The term "theater of operations" shall be construed to mean any area outside the continental United States in which Marine Corps personnel are employed.

3. Inventory. Whenever it is necessary to conduct an inventory of the personal effects and/or baggage of personnel in a status shown in paragraph 1a, above, the commander will appoint a board consisting of an officer or staff non-commissioned officer to accomplish this task. This appointment may be oral if the commander is satisfied that the assigned member is thoroughly cognizant of the duties and responsibilities. When the effects or baggage of a commissioned officer are being inventoried, such will be accomplished by a commissioned officer.

a. The commander will cause the personal effects and baggage to be collected and inventoried and placed in safe storage immediately upon receipt of information reporting the status requiring same, or as soon thereafter as practicable. NAVMC 10154 -SD, Personal Effects Inventory, will be used for the preparation of the inventory report.

b. Government property. Government property found with the personal effects or baggage will be removed and returned to the unit supply officer to be handled in accordance with prescribed instructions.

c. Disposition of monies

(1) In cases of deceased and missing personnel monies found among personal effects or baggage will be turned into the disbursing officer for issuance of a check in exchange for cash, made payable to the commander who will endorse same in favor of the next of kin, heir(s) or other proper recipient. When it is impossible to determine the next of kin, heir(s), or other proper recipient, the check will be endorsed by the commander in favor of the officer in charge of the Marine Corps Personal Effects and Baggage Center to which the effects are to be shipped.

(2) In cases of absentees and deserters, see instructions contained in paragraph 7050.

(3) In cases of hospitalized personnel see subparagraph 5c, below.

(4) Monies in amounts less than \$3, will be entered on the inventory of personal effects as "cash" and included in the shipment of effects.

(5) Coins that appear to have had a sentimental or souvenir value to the owner should be retained with the personal effects.

d. Perishable or deteriorating items may be immediately disposed of by sale or destruction, as appropriate. Any funds derived therefrom will be handled in the same manner as money found among personal effects and baggage.

e. Any bloodstained clothing, obscene or other objectionable matter which may cause embarrassment to the next of kin or legal representative will be removed and disposed of as determined by the commander.

f. The personal effects and baggage located in quarters of individuals residing with their next of kin need not be inventoried. The next of kin will, however, be requested to advise the commander if government property is discovered in the residence so that it may be returned promptly to government control.

g. United States Treasury checks found among personal effects or baggage will be delivered immediately to the disbursing officer for disposition and this action so indicated on the inventory of personal effects. In cases of absentees and deserters the check(s) will be retained for 30 days prior to delivery to the disbursing officer for disposition.

h. Distribution of completed inventories will be made as follows except for those pertaining to absentees and deserters wherein the instructions contained in paragraph 7050, will be followed:

(1) Original to the Officer Qualification Record or enlisted Service Record Book, as appropriate, if such records are held, otherwise to the Commandant of the Marine Corps (Code DN).

(2) One copy to the commander or other official directing the inventory for retention.

(3) Two copies to the custodian of the effects and baggage, one of which will be certified and packaged with the effects or baggage.

4. Applicable Laws and Procedures

a. Title 10 U.S. Code 2575 requires personal effects that are lost, abandoned, or unclaimed, to be placed in storage for a period of 1 year and that a diligent and exhaustive effort be made during that time to locate the owner, next of kin, heir(s), or legal representative(s). Storage time will be computed from the date of the original inventory.

b. Title 10 U.S. Code 6522 requires that the undisposable effects of deceased or missing personnel be retained in storage for a period of 2 years after the date of death before being disposed of by sale or otherwise.

c. Storage and disposition of lost, abandoned and unclaimed effects and baggage. For the purpose of these regulations, in all cases except in those of deceased and missing personnel which will be handled as indicated under subparagraph d, below, Marine Corps activities at which the effects and baggage are originally inventoried are designated as storage points. Fleet Marine Force activities located at Camp Pendleton, California, Camp Lejeune, North Carolina, and overseas are not included in this provision. Commanders of Fleet Marine Force activities outside the continental United States; commanders of Base and Fleet Marine Force activities located at Camp Pendleton, California, and Camp Lejeune, North Carolina; and commanders of Fleet Marine Force Air units located at Cherry Point, North Carolina, Beaufort, South Carolina, and El Toro, California are authorized to transfer to the appropriate personal effects and baggage center those effects and baggage which could not be administratively disposed of after 90 days from the date of original inventory.

(1) Next of kin, heir(s), or other proper recipient located after storage

commences. When the owner, next of kin, heir(s), or other proper recipient(s) has been located at any time prior to the disposal of the lost, abandoned, or unclaimed personal effects and baggage, such effects may be shipped to that recipient at government expense upon receipt of an application and proper identification, provided the owner was not an absentee or deserter and would otherwise be eligible for shipment. (See chapter 8, Joint Travel Regulations.) Any expense involved in delivering personal effects or baggage that were the property of an absentee or deserter must be borne by the person to whom such effects are to be delivered. If the absentee dies before he is declared a deserter his effects and baggage will be handled in the same manner as for a deceased member. A letter of transmittal will accompany such effects being released to legal recipient and will contain the following statement:

"This property is forwarded to you to be retained or disposed of as custodian in accordance with the laws of the State of the owner's domicile. No legal interest in the property or right to retain it against a person entitled thereto is conferred on you by this delivery."

d. Disposition of effects and baggage of deceased and missing. Commanders shall ensure that a diligent effort is made immediately to determine and locate the next of kin, heir(s), or other proper recipient.

(1) In all cases where the death or missing status occurred in the United States and the next of kin, heir(s), or other proper recipient of the personal effects and baggage of the deceased or missing person has been determined and upon presentation of satisfactory identification, the personal effects and baggage shall immediately be delivered and/or shipped at government expense to such person(s). (See chapter 8, Joint Travel Regulations and Missing Persons Act.) If the weight of the effects and baggage does not exceed the limit carried free by commercial carrier, individual uniform clothing, articles of value, papers, keepsakes, all monies,

and/or checks for monies in excess of \$3 and other similar items to be forwarded to the next of kin, heir(s), or other proper recipient should, whenever practicable, accompany the remains. When an escort accompanies the remains, he will assure safe delivery of such effects and obtain a receipt therefor from the next of kin, heir(s), or other proper recipient and forward it to the Commandant of the Marine Corps (Code DN). Personal effects and baggage which exceed the 200-pound limit carried free by commercial carriers or for other reasons do not accompany the remains will be shipped at government expense to the next of kin, heir(s), or other proper recipient. (See chapter 8, Joint Travel Regulations.)

(2) In all cases where the death or missing status occurred in a theater of operation outside the continental United States and the next of kin, heir(s), or other proper recipient is not present in the immediate (overseas) vicinity, the personal effects and baggage of the deceased person will be shipped immediately to the appropriate Marine Corps Personal Effects and Baggage Center.

(3) Next of kin cannot readily be located. When all diligent efforts at unit level have failed to identify and/or locate the next of kin, heir(s), or other proper recipient, the decedent's or missing person's commander will prepare a statement to be included with the inventory of effects and baggage. The statement shall stipulate that after diligent effort the whereabouts or existence of a next of kin, heir(s), or other proper recipient for personal effects and baggage of the decedent or missing person is unknown. Copies of all correspondence accumulated while attempting to dispose of the effects and baggage and a copy of the commander's statement will be forwarded to the Commandant of the Marine Corps (Code DN). The Commandant of the Marine Corps will issue further instructions where appropriate, or direct that the effects and/or baggage be properly marked, catalogued and transferred to

a personal effects and baggage center for storage for a period of 2 years from the date of original inventory, as required by law. The personal effects case file will be forwarded with the effects or baggage to the personal effects and baggage center if appropriate and when such includes a check in exchange for cash, the commander shall endorse the check in favor of the officer in charge of the Marine Corps Personal Effects and Baggage Center to which the effects are shipped. All monies less than \$3 that have been listed on the inventory will be transmitted in a sealed envelope as a part of the case file to the officer in charge of the Marine Corps Personal Effects and Baggage Center.

e. Records. Commanders of activities responsible for the initial assumption and subsequent control of personal effects and baggage will maintain a separate case file of all records and correspondence pertaining to effects and baggage that have been determined to be the property of one person until final disposition is made.

(1) Existing statutes require that all such records pertaining to lost, abandoned, or unclaimed personal effects and baggage that are not deliverable to a proper recipient must be retained for a period of 5 years after being disposed of by the Government. These records will be retired only in accordance with current Marine Corps regulations covering the disposition of records.

(2) All records pertaining to the personal effects and baggage of deceased and missing personnel that are not deliverable to a proper recipient must be retained for a period of 6 years after being disposed of by the Government.

(3) Records of personal effects and baggage of deceased and missing personnel and those that are lost, abandoned or unclaimed that have been delivered to and receipted for by a proper recipient may be disposed of in accordance with the Marine Corps

directive for the disposition of records, except the signed receipt will be forwarded to the Commandant of the Marine Corps (Code DGH) for file in the individual's case file.

f. Disposal of personal effects and baggage. The ultimate disposal of personal effects and baggage by sale, public auction, or otherwise will be accomplished in accordance with the instructions contained in the Marine Corps supply directives system.

5. Personal Effects and Baggage of Personnel Who Are Incapacitated, Hospitalized, or Transferred to a Medical Facility

a. When personnel are incapacitated by injury or disease and are admitted or transferred to a hospital or medical facility, their personal effects and baggage shall be immediately recovered, inventoried and placed in safe storage.

b. If practicable, the commander will have all ambulatory patients secure their effects and baggage and place them in safe storage prior to actual admission to a hospital or medical facility. For all nonambulatory patients, an inventory is required. In the latter case, the commander will appoint an inventory board as outlined in subparagraph 3, above, to accomplish this task.

c. If the owner is hospitalized locally monies and United States Treasury checks found among personal effects and baggage will be safeguarded until delivery can be made to the owner; otherwise the commander will exchange the cash for a treasury check and will forward the check(s) to the commander of the hospital for delivery to the patient. A notation will be made on the inventory as to the disposition of money or check(s).

d. Commanders will retain in local storage the personal effects and baggage of all personnel under their command who have been hospitalized in uniformed services or Veterans'

Administration hospitals for a period of less than 60 days. In the event hospitalization will extend for more than 60 days, or the individual is transferred to the appropriate Marine Corps activity near the hospital as required by paragraph 4020 the commander will have the personal effects and baggage shipped immediately at government expense to the hospital for delivery to the owner.

e. Commanders will inventory, prepare for shipment, and deliver to the supply point for shipment to the appropriate personal effects and baggage center, the effects and baggage of all evacuees from theaters of operation.

6. Personal Baggage Recovered from Commercial Carriers

a. The instructions contained in this paragraph provide a means of identification and recovery of personal baggage determined to be the property of Marine Corps personnel that may be held by various commercial carriers as unclaimed or undeliverable due to improper or insufficient identification markings. Commanders of posts and stations will maintain contact with the local agents of commercial carriers for the recovery of personal baggage of Marine Corps personnel that is unclaimed or undeliverable because of insufficient identification.

b. In some instances, baggage may be undeliverable by commercial carriers because of defaced external markings, although those markings may still identify the name of the owner and establish him as a Marine. Commercial carriers in the continental United States often forward such information to the Commandant of the Marine Corps to obtain the Marine's present address. In the event the baggage of such member(s) is undeliverable because of overseas assignment, or otherwise, the appropriate procedure contained in the following paragraphs should be negotiated by the commander with the carrier's agent:

(1) When baggage is located at a point at or near a Marine Corps

activity and there are no transportation or storage charges involved, the carrier may turnover any unclaimed or undeliverable baggage of Marine Corps personnel to the commander of that activity.

(2) Where the location of the nearest Marine Corps activity is such that, because of distance and cost involved, the carrier is not willing to forward the baggage but is willing to have same removed to Marine Corps control, the carrier's agent may so notify the Commandant of the Marine Corps, Washington 25, D. C., and request disposition instructions. The Commandant of the Marine Corps will determine the Marine Corps activity to effect recovery of such baggage and will issue appropriate instructions to the commander of such activity.

(3) If charges have accrued on unclaimed personal baggage and the carrier is willing to waive such charges, the same procedure will be followed as outlined above.

(4) If a carrier is not willing to release unclaimed or undeliverable baggage because of accrued charges, the following action may be taken:

(a) Where baggage is located at a point at or near a Marine Corps activity the commander of such activity will direct his supply officer or another individual to proceed to the carrier's holding point for the purpose of making an inventory and recovering any government-owned property that may be contained in such baggage. For information pertinent to the inventory see subparagraph 3, above. Upon arrival at the holding point, all government-owned

property will be recovered from such baggage. An inventory of all property contained in the baggage will be made indicating the government property recovered and a copy will be furnished the carrier's agent. A copy of this inventory showing privately-owned property left with the carrier and that government property recovered will be furnished the Marine Corps Personal Effects and Baggage Centers at Camp Pendleton, California, and Camp Lejeune, North Carolina, with a letter of transmittal containing all pertinent information.

(b) Where baggage is located at a point distant from a Marine Corps activity, the carrier's agent may notify the Commandant of the Marine Corps (Code DN) and request disposition instructions. The Commandant of the Marine Corps will determine the Marine Corps activity to effect recovery of government-owned property and will direct the commander of such activity to take the action as prescribed in the above subparagraph.

(c) In any case where personal baggage or government property recovered from personal baggage is removed from the custody of a common carrier, an adequate receipt will be furnished the commercial carrier by the recovering individual.

(d) In all cases, upon receipt of personal baggage from a carrier, the commander will cause recovery of all government property therefrom. Privately-owned property will be inventoried and handled as prescribed elsewhere in this paragraph for personal effects and baggage determined to have been lost, abandoned, or unclaimed.

PART H: CIVIL READJUSTMENT

11350 CIVIL READJUSTMENT PROGRAM

1. Mission. The civil readjustment program is the Marine Corps' plan to assist a Marine veteran in making a personal adjustment to civil life. In addition to the instructions concerning processing for discharge, retirement or release from active duty, the requirements described herein are those necessary to fulfill the Marine Corps' moral and legal obligation to the individual separated from the Marine Corps.

2. Definition

a. Civil readjustment is defined as the personal adjustment of the Marine veteran to civil life. Such adjustment may include the claiming of certain rights, benefits, and privileges accruing as a result of military service, and the execution of certain individual obligations to the Government.

b. Public laws relative to veterans define the class of veterans affected by each act. For the purpose of the civil readjustment program prescribed herein, a veteran is any Marine who has been separated from active duty.

3. Scope. The civil readjustment program will fulfill the Marine Corps' obligation by:

a. Thoroughly informing the Marine veteran as to the existence of veterans' benefits.

b. Providing information concerning the established agencies and procedures through which benefits are claimed.

c. Delivery of documentary evidence to support benefit claims.

d. Make a contact service available to Marine veterans whereby re-explanation of documents presented at the time of separation may be made, and whereby as veterans' legislation is developed and changed, entitlement

to additional benefits can be considered and explained in individual cases.

4. Responsibilities of Commanders and/or Separation Activities

a. It will be the responsibility of commanders and/or separation activities to accomplish the following civil readjustment requirements for each individual who is discharged, released to inactive duty, or retired at that organization:

(1) Accomplish and distribute the Armed Forces of the United States Report of Transfer or Discharge, DD Form 214.

(2) If the individual being separated held National Service Life Insurance, have him sign an Allotment Authorization Form, NavCompt 545, discontinuing the allotment. Further, advise the individual that if continuation of the insurance is desired, the premiums must be paid to the Veterans' Administration, Washington, D.C. 20420.

(3) Assure that the individual receives the physical examination required upon separation by current directives of the Bureau of Medicine and Surgery.

(4) Provide individual or group counseling on retired Marines' benefits to personnel approaching retirement or transfer to the Fleet Marine Corps Reserve. Prospective retirees will be advised that if they desire assistance on post-retirement personal problems beyond that available locally, they are authorized to write or communicate directly with the Retired Activities Section, Headquarters Marine Corps. Correspondence should be addressed to the Commandant of the Marine Corps (Code DNC). Personnel contemplating employment after retirement should be encouraged to avail themselves of the services offered by the Retired Activities Section. Initial inquiries should be submitted at least 6 months prior to actual retirement date.

(5) Thoroughly inform the individual to be separated of the general scope of rights, benefits, privileges, and responsibilities accrued as the result of his military service.

(6) Furnish the individual counseling to ensure that the veteran understands the value of veterans' benefits, the agencies through which they are claimed, and the procedure for claiming those benefits.

(7) Complete the forms and documents to which the veteran is entitled and deliver them with an explanation of their value and use.

(8) Deliver pamphlet, "Going Back to Civilian Life," NAVMC 2537.

(9) Assist in the preparation of pension claims and forward them to the proper agency.

(10) Inform the veteran of the address of the Director of the Marine Corps District nearest his prospective home address, and advise the veteran that he may consult the director on questions relative to his Marine Corps service.

(11) Inform the individual that all correspondence addressed to the Commandant of the Marine Corps, the Directors, Marine Corps Districts, or the Commanding General, Marine Air Reserve Training Command, must include name, grade, service number, and date of discharge or transfer to the reserve.

b. In addition to the requirements contained above, the following are to be accomplished when separation is under honorable conditions:

(1) Issue the Marine Corps honorable discharge button, if applicable, to each person discharged.

(2) Inform each person being separated from active service that it is

his right to submit a pension claim to the Veterans' Administration. Such a claim may be filed for a disability incurred in the service, or for a disability aggravated by the service. This is equally applicable to a person retired or transferred to the Fleet Marine Corps Reserve since disability compensation from the Veterans' Administration in some instances exceeds retired or retainer pay. (See subpar. 5, below.)

(3) Enlisted personnel will receive a detailed explanation of the benefits of reenlisting in the Regular Marine Corps and those not desiring to reenlist will be thoroughly informed of the benefits of enlisting in the Marine Corps Reserve.

(4) If the individual is to be discharged as the result of an approved recommendation of a board of medical survey or physical evaluation board and does not desire to submit a pension claim, ensure that he submits a statement in accordance with the provisions of the current directives of the Bureau of Medicine and Surgery.

5. Compensation Claims with Veterans' Administration

a. Commanders will inform each person being separated from active service that it is his right to file a compensation claim with the Veterans' Administration. Such a claim may be filed for any injury or illness incurred in or aggravated by active service which that individual feels may lead to a later disability. This paragraph outlines the procedure commanders should follow in assisting in the preparation and submission of such claims.

b. Necessary records for filing a compensation claim in the case of personnel separated from active service consist of:

(1) Application for Compensation, VA Form 21-526e (a revision of VA Form 8-526e).

(2) Photostatic or typewritten copy of entire health record (except cover).

(3) Signed carbon copy of Standard Form 88 with dental chart completed.

(4) Photostatic or carbon copy of NavMed "M" in the case of persons discharged from the service upon recommendation of boards of medical survey.

(5) Quadruplicate copy of completed Armed Forces of the United States Report of Transfer or Discharge, DD Form 214.

c. When a person desiring to submit a compensation claim is separated from active service for any reason other than upon the recommendation of a board of medical survey, it is the responsibility of the commander effecting the separation to assemble the records listed in subparagraph 5b. These records will be sent to the appropriate Veterans' Administration regional office having jurisdiction over the address shown in item number 33 of the completed DD Form 214.

d. When a person is separated from active service at a Marine Corps activity by reason of the recommendations of a clinical board or a board of medical survey and the compensation claim is submitted by a naval hospital, the quadruplicate copy of DD Form 214 will be sent to the hospital convening the board recommending his separation. The naval hospital will then assemble the appropriate records, including the quadruplicate copy of the DD Form 214, and forward them to the cognizant Veterans' Administration regional office or hospital, as appropriate, in accordance with current directives of the Bureau of Medicine and Surgery.

e. The commander of a Marine Corps activity effecting the separation of a person upon the recommendation of a board of medical survey convened at a naval hospital shall maintain liaison with the commanding officer of the hospital to ensure that the quadruplicate copy of the DD Form 214 is received

in order that it may be forwarded with the compensation claim.

f. Application for Compensation, VA Form 21-526e may be obtained from normal supply sources.

6. Application for Naval Pension

a. Commanders will bring the following information concerning the naval pension to the attention of all enlisted men being separated who have performed 10 or more years' active naval service.

(1) Any disabled person who has served on active duty in the Navy or Marine Corps as an enlisted man for a period of 10 or more years, and has not been discharged for misconduct, may apply to the Secretary of the Navy for aid under Title 10, U.S. Code, Section 6160.

(2) Awards made under Title 10, U.S. Code, Section 6160 are not based on years of service and disability alone. The applicant must in addition demonstrate need for aid from the Secretary of the Navy. In recognition of the intent of the laws administered by the Veterans' Administration for the relief of all veterans, and award of the naval pension under Section 6160 in the discretion of the Secretary of the Navy is currently being made only if the Navy or Marine Corps veteran can demonstrate that he needs aid in addition to any assistance he may be receiving from or is eligible to receive from the Veterans' Administration.

(3) Applications for the naval pension may be submitted to the Secretary of the Navy (Chief of Naval Personnel) on forms NavPers 1581 (Application for Pension) and BuNav Form No. 117 (Declaration of Navy Invalid Pension).

(4) Upon receipt of an application in the Bureau of Naval Personnel, the applicant's eligibility for a naval pension insofar as service requirements are concerned will be established. If the service requirements are met, the

Commandant of the naval district in which the applicant resides will be requested to furnish to the Chief of Naval Personnel complete reports on the applicant's physical condition and sociological background. The applicant will appear before a Navy clinical board whenever possible. If this is not practicable, he may be examined and the required reports made by the Veterans' Administration, the U.S. Public Health Service, the Army, or a local government agency. The applicant will be notified when and where to appear for the examination.

(5) When the report of the medical examination and the sociological background report are received in the Bureau of Naval Personnel, a board of not less than three naval officers, one of whom shall be a surgeon, will be convened by the Secretary of the Navy to examine into the condition of the applicant and his personal circumstances to determine whether or not relief is warranted and, if so, to recommend a suitable amount.

b. The rates of the naval pension awarded under Title 10, U.S. Code, Section 6160 are based on the disability compensation rates established by the laws administered by the Veterans' Administration. When awarded, the percentage of disability, the period of time for which relief is granted and the amount of pension are certified to the Veterans' Administration for payment of a naval pension.

7. Applications for Both Veterans' Administration Compensation and Naval Pension Permitted. It should be clearly understood by personnel being separated that they may submit an application for both the pensions mentioned. However, concurrent awards of more than one pension, based on the person's own service, may not be made.

8. Admission to the U.S. Naval Home, Philadelphia, Pennsylvania

a. Officers of the Marine Corps may be admitted to the United States

Naval Home by permission of the Chief of Naval Personnel.

b. Enlisted personnel of the Marine Corps may be admitted to the Naval Home by authority of the Chief of Bureau of Naval Personnel under the following classifications:

(1) Enlisted men who have been discharged under honorable conditions from the Marine Corps and who have served in the Spanish-American War, Philippine Insurrection, World War I or II, or any other service where the Armed Forces of the United States have been employed and their lives hazarded in military operations, and who are, by reason of wounds, sickness, old age, or other disability, unable to support themselves by manual labor.

(2) Enlisted men who have been discharged under honorable conditions from the Marine Corps and who have become disqualified for further service by wounds, or injuries received, or by disease contracted in the service in the line of duty, the origin of which is not due to their own misconduct, and who are unable to support themselves by manual labor.

(3) Retired enlisted men of the Marine Corps unable to support themselves by manual labor and who are receiving retired pay, but who have no dependents or whose physical condition is such as to require constant attention which would not be available to them elsewhere. Men in this category may, if they desire, pay their pro rata share for maintenance of the home. The pro rata cost may be obtained from the governor of the home.

c. An applicant for admission to the Naval Home is required to produce evidence of his total service in the Marine Corps by submitting NavPers Form 651, Application for Admission to the U.S. Naval Home, accompanied by NavPers Form 652, Physicians Certificate to be Used by Applicants for Admission to the U.S. Naval Home. On NavPers Form 651, the applicant must state his age, birthplace, physical condition, and

such other information required thereon; the number of his continuous service certificate, if any, and the pension award number, the amount of the pension, retired pay, and other income, and the relationship of legal dependents, if any. NavPers Form 652 sets forth the nature of the applicant's disabilities and the fact that he is unable to support himself by manual labor. This form must be prepared by a medical officer of the Navy, or if such officer is unavailable, by a reputable physician. When completed, these forms should be mailed to the Governor, United States Naval Home, Philadelphia, Pennsylvania 19146. Blank forms may be obtained from the Governor of the Naval Home or the Chief of Naval Personnel, Navy Department, Washington D.C. 20370.

d. The regulations governing the requirements for admission to and retention in the home are as follows:

(1) Where there is not sufficient room to accommodate all applicants, preference shall be given to honorable service, length of service, and to categories in subparagraphs 8b(1) and (2), respectively.

(2) No beneficiary having 20 years of service shall be discharged in order to make place for another, regardless of what service the other may have had.

(3) Beneficiaries with less than 20 years of service may be discharged from the home when their places are needed for applicants with longer service. Beneficiaries whose disabilities have been cured or removed, and who have become able to support themselves by manual labor may be discharged from the Naval Home by the Chief of Naval Personnel.

(4) Whenever it is necessary to discharge a beneficiary in order to admit an applicant with 20 years of service, the beneficiary with the shortest and least honorable service will be discharged, personnel in the category of subparagraph 8b(1) having preference in all cases.

(5) Applicants eligible for the benefits of the home may be admitted temporarily at the discretion of the Governor pending reference of the case to the Navy Department.

9. Reemployment Rights of Members of the Armed Forces

a. The following procedures will be followed when advising Marines prior to separation and retirement on their personal adjustment to civil life.

b. A person who was in the Armed Forces prior to 1 August 1961, was released prior to that date and again leaves his position to reenter the Armed Forces by recall or reenlistment after 1 August 1961 has reemployment protection for an additional 4-year period. A person who was in the service on 1 August 1961 and who had not already forfeited his reemployment rights by remaining in service for more than 4 years may continue on active duty for a period up to 4 additional years without losing his reemployment rights. A person who was in the service on 1 August 1961 and who already forfeited his reemployment rights by remaining in service for more than 4 years prior to that date will have no reemployment protection whether or not he continues in service after 1 August 1961. A person entering the Armed Forces for the first time after 1 August 1961 has reemployment rights for 4 years plus any period of additional service imposed pursuant to law.

(1) Reemployment rights are provided to all reservists, including members of the National Guard, who are ordered to an initial period of active duty for training of not less than 3 consecutive months.

(2) Field offices of the Office of Veterans' Reemployment Rights have prepared an appropriate Briefing Statement and a Referral Form (OVRR-2) for use in this connection. The forms and briefing statement may be obtained by applying to one of the field offices of the Office of Veterans' Reemployment Rights. The main office is located at U.S. Department of Labor, Office of Veterans Reemployment Rights, Washington, D.C. 20210.

*For new paragraph 11350-10, see
MCBul 1760 of 27 Jan 1967*