



Department of Defense
INSTRUCTION

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ASD(FM&P)

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SUBJECT: Family Care Plans

- References:
- (a) DoD Directive 1342.17, "Family Policy," December 30, 1990
 - (b) DoD Directive 1404.10, "Emergency-Essential (E-E) DoD U.S. Citizen Civilian Employees Overseas," April 6, 1990
 - (c) DoD Instruction 1400.32, "Mobilization Preparedness Planning for the DoD U.S. Citizen Civilian Work Force," January 15, 1987
 - (d) DoD Directive 1332.14, "Enlisted Administrative Separations," January 28, 1982
 - (e) through (k), see Enclosure 1

A. PURPOSE

This Instruction under reference (a) establishes policy, assigns responsibilities and prescribes procedures on the care of family members of DoD and emergency-essential (E-E) civilian personnel who are single parents; dual military couples with dependents; or members or E-E civilian personnel who otherwise bear sole responsibility for the care of children under the age of 19; or other personnel with family members who are unable to care for themselves in the absence of the member or E-E employee.

B. APPLICABILITY AND SCOPE

This Instruction applies to:

1. The Office of the Secretary of Defense, the Military Departments, the National Guard, the Reserve components, the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Unified and Specified Commands, the Defense Agencies and the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard when it is operating as a military Service in the Navy.
2. All military personnel serving on active-duty and in the Ready Reserve. While the Department of Defense does not have authority to direct E-E civilian and contractor personnel to prepare a family care plan, the Department of Defense strongly encourages civilian and contractor personnel in E-E positions (references (b) and (c)), to establish family care plans consistent with this Instruction. E-E and contractor personnel should also avail themselves and their caregivers of the information, support, and resources provided by family centers and social service organizations within legal constraints.

C. DEFINITIONS

Terms used in this Instruction are defined in enclosure 2.

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D. POLICY

It is DoD policy that:

1. The member is responsible for the care of family members during deployments and temporary duty, as at all other times. Members with responsibility for family members covered in subsection D.6. or D.9., below, are required to have a family care plan. Failure to produce a family care plan within the period stipulated in subsection D.8., may result in disciplinary action and or administrative separation in accordance with DoD Directives 1332.14 and 1332.30 (references (d) and (e)). In the case of Reserve members, the Military Department may recommend discharge or transfer to an inactive or retired status if the Reserve member is eligible in accordance with DoD Directive 1200.7 (reference (f)).

2. E-E civilian and contractor personnel are encouraged to have a current family care plan. E-E employees and E-E civilian positions are defined in definitions 4. and 5. of enclosure 2 and in DoD Directive 1404.10 (reference (b)).

3. Family care plans shall include provisions for short-term absences (for example, temporary duty for schooling or training, or, in the case of Reserve component members, active duty for training), and long-term absences (for example, operational deployment, mobilization and for Reserve component members activation of Reserve component personnel for an operational mission or in a period of national emergency or mobilization) and designate a caregiver for the affected members of the Service member's family. The Military Departments will ensure Service members who meet the definition of a dual military couple with dependents or single parent designate a person whom they wish in the event of their death or incapacity to assume temporary custody of their child until a legal guardian is appointed by a court of competent jurisdiction. This designation shall be recorded in the member's official military personnel record and is not a substitute for a will or other legal document. Members and E-E civilian personnel are strongly encouraged to have valid wills (in the event of their deaths during deployment) that designate guardians for permanent care of their family members.

4. The commander or supervisor has the primary responsibility to ensure that members who meet the criteria in subsection D.6. or D.9. below have an up-to-date family care plan. The member's commander, the commander's designated representative, or the member's immediate supervisor shall discuss the importance of a comprehensive family care plan with the member and inform the member that he or she may be subject to disciplinary action and or separated from Service for failure to have a care plan. The commander, commander's representative, or supervisor shall recommend that the member seek assistance from Service organizations and other resources (paragraphs D.4.a. and b., below,) to assist in the preparation of the family care plan as outlined in subparagraphs D.4. a. and b., below. The Military Departments will establish by regulations the officials who have primary responsibility to ensure Ready Reservists have an up-to-date family care plan. The regulations will also specify the officials responsible for ensuring that Ready Reservists are adequately informed of the importance of a family care plan and resources to assist in preparation of the family care plan.

a. These resources include installation family centers, legal assistance offices, child care centers, and other offices that retain lists of

personal reasons that result in the member assuming the responsibilities in subsection D.6., above.

7. The active-duty military member must notify his or her commander, supervisor, or the commander's designated representative immediately but no later than 30 days of the occurrence of change in family circumstances or personal status. Ready Reservists have 60 days to notify the authority designated under Military Department regulations of the occurrence of a change in circumstance or personal status.

8. The active-duty member shall submit the final family care plan (the minimum actions required in a family care plan are outlined in subsection F.5., below) through his or her chain of command within 60 days of the discussion with the commander, supervisor, or the commander's designated representative under subsection D.4., above. The Military Departments shall implement guidance for members of the Reserve component. Implementing guidance shall require the member to submit the final family care plan within 90 days of notification by the agency or activity designated by the Military Department. Failure to produce the required family care plan at this time can result in involuntary separation from Service by reason of parenthood in accordance with DoD Directive 1332.14 (reference (d)) or DoD Directive 1332.30 (reference (e)). Failure to produce the required family care plan in the case of the Reserve member can result in processing for discharge or transfer to an inactive or retired status. If mitigating circumstances are involved, the commander or supervisor concerned may grant the member an additional 30 days to submit an acceptable family care plan. Further extensions are not authorized.

9. Family care plans are required of members who are solely responsible for the care of a spouse, elderly, or other adult family member with disabilities who is dependent upon the member for financial, medical, or logistical support (housing, food, clothing, transportation). This includes a family member with limited command of English, or the inability to drive or to gain access to basic life-sustaining facilities (for example, food, medical care). Secretaries of the Military Departments and installation commanders may exercise personal judgment in implementing this subsection based upon consideration of geographic location or mission. For example, members who, with their families, are assigned to an isolated location and or whose family members have limited language and/or communication skills in a foreign country may be required to have a family care plan at the discretion of the Secretary of the Military Department or the commander concerned.

10. All members and commanders shall consider provisions for contingencies. The member shall discuss with the commander, supervisor, or the commander's designated representative an alternate caregiver for family members if the primary caregiver becomes unable to perform this function. This discussion should cover the member's plans for arrangement of logistical, financial, medical and legal documentation necessary to ensure continuity of care and support for family members. Logistical arrangements are further outlined in subsection D.11., below.

11. Family care plans shall include provisions for logistical movement of the family or caregiver. Logistical arrangements shall include, but are not limited to, arrangements to relocate, if necessary, the caregiver or family to a new location, financial, medical and legal support necessary to ensure continuity of care and support of family members during the movement. Logistical arrangements must provide for financial support necessary to transport the

family or caregiver to a designated location. Consideration of a non-military escort for family members requiring assistance such as infants, children, elderly and disabled adults should be outlined when personal family considerations dictate.

12. Family care plans shall include arrangements for the financial well-being of family members covered by the family care plan during short- and long-term separations. Arrangements for financial care should include power(s) of attorney, allotments, or other appropriate means to ensure the self-sufficiency and financial security of family members. Military Department guidance will ensure members are aware that assistance with financial arrangements and planning can be obtained at family centers, legal assistance offices and Service relief organizations.

13. Military mothers of newborns shall receive a four-month deferment from duty away from the home station for the period immediately following the birth of a child. This provision is to assist the member in developing family care plans and to establish a pattern of child care. Single members or one member of a military couple who adopt shall receive a four month deferment from the date the child is placed in the home as part of the formal adoption process. Similarly, Reserve component members receive a four-month deferment from involuntary recall to active duty. This four-month deferment policy is further explained in DoD Directive 1315.7 (reference h).

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Force Management and Personnel) shall:

a. Periodically monitor implementation of this Instruction.

b. Ensure that information is available to the DoD Components on the organization and preparation of family care plans for dissemination to commanders and other appropriate officials within the DoD Components.

2. The Heads of the DoD Components with personnel covered by this Instruction shall ensure that this Instruction is implemented by subordinate organizations.

3. The Assistant Secretary of Defense (Reserve Affairs) shall review the procedures established by the Military Departments to support family care plans and programs for the Reserve components.

4. The Secretaries of the Military Departments shall:

a. Issue guidance to implement this Instruction.

b. Ensure that systems are in place to monitor family care plans within their respective Services.

c. Ensure that information on the requirements for preparation and submission of family care plans is available to commanders, family centers, legal assistance offices, military libraries, installation social service agencies, and the Reserve components.

5. The Inspector General of the Department of Defense shall:

a. Implement guidance to ensure family care plans are inspected during yearly installation inspections. The inspections will validate the acceptability of family care plans.

b. Provide the names of members whose family care plans cannot be implemented to appropriate Military Departments, if requested.

F. PROCEDURES

1. Members whose family circumstances or personal status changes under subsection D.6., above, are required to submit a written family care plan within the time constraints established in that subsection, in accordance with Service guidelines.

2. The Military Departments shall implement procedures which ensure that every member's family care plan is validated annually by either the commander, the commander's representative, the supervisor, or the designated activity for the Reserve components. Validation is completed when the member and the commander, the designated representative, the supervisor, or designated activity in the Reserve component discuss the adequacy of the current family care plan. An acceptable family care plan that is validated annually shall be an inspection item of the commander and or the Military Service Inspector General.

3. The Military Departments shall implement procedures which ensure that all members of the active Armed Forces and Reserve component personnel are informed of the requirements of this Instruction and Military Department regulations. The Military Department may direct the member to the nearest family center, family program coordinator (for National Guard component personnel), legal assistance office, or other support organizations to obtain information that can assist the member in completing the family care plan.

4. The Military Departments shall implement procedures which shall ensure the member submits the family care plan to his or her commander, the commander's designated representative or supervisor for review. The commander, the designated representative, or supervisor shall review the adequacy of the plan and ensure the Service member covers all reasonable contingencies. The commander, designated representative or supervisor shall advise the member that parenthood can result in separation from the Service if the member is unable to satisfactorily perform his or her duties or is unavailable for worldwide assignment or deployment. The Military Departments shall implement parallel procedures for members of the Reserve components.

5. The member shall forward the complete family care plan through the appropriate chain of command for filing as prescribed by the regulations of the Military Department concerned. The complete plan shall include, at a minimum:

a. Applicable documentation, as required by the Military Department for family care plans which will specify at a minimum:

(1) Provisions for short and long term absences of the member as specified in subsection D.3., above.

(2) A caregiver who meets the requirements and definition of a caregiver outlined at Enclosure 2 of this Instruction.

(3) Financial arrangements to include powers of attorney, allotments and other documentation as outlined in subsection D.11. of this Instruction.

(4) Logistical arrangements to transport family members or the caregiver and a non-military escort for family members if the situation or personal circumstance of the member dictates as outlined in subsection D.11 of this Instruction.

b. A statement signed by the caregiver acknowledging and accepting responsibility for care of the member's family and provisions for short- and long-term separations.

c. A statement signed by the caregiver and the member that the caregiver has been thoroughly briefed on financial arrangements, logistical arrangements (to include discussion and arrangements to relocate the caregiver or family member to a designated location), military facilities, services, benefits and entitlements of the family members. Copies of powers of attorney prepared for the caregiver shall be included with the statement signed by the caregiver. The member shall submit the aforesaid forms through the appropriate chain of command or activity designated by the Military Department.

6. It is the member's responsibility to provide the caregiver with the necessary documents, including power(s) of attorney and wills. Members shall also provide the caregiver with information on existing military and private sector community support resources (for example, location and points of contact for family support groups, community and family support centers, and social service organizations) where a caregiver can receive assistance. The member can obtain this information from family centers, National Guard family program coordinators, child care centers, and private sector social service organizations. Copies of the power of attorney provided the caregiver will be maintained with the family care plan.

7. The member shall discuss with, and provide information to, the caregiver on the behavioral changes of children during a long-term separation. This discussion is to assist the caregiver on how best to support, sustain, and assist children during a deployment or other separation. A member whose caregiver is not located near a family program coordinator or family center may arrange to have information mailed to the caregiver from the family center at the member's duty station, social service organizations, or installation libraries.

8. The Military Departments shall ensure that caregivers are permitted to use installation facilities on behalf of the member in caring for family members during periods of absence of the member. Such access shall be granted based on family care plan forms, agent letters, letters of authorization, or powers of attorney as may be necessary to provide authorized entitlements to the member's family in accordance with DoD 1330.17-R and DoD Directive 1330.9 (references (i) and (j)). Military Departments shall ensure acceptance of proper documentation, regardless of the issuing branch of Service or Reserve component category.

9. Military Departments shall ensure members of the Reserve component submit family care plans. Copies of the family care plan shall remain with the cognizant Reserve component military personnel office or unit as a part of the local personnel or training records. Family care plans in the Reserve component shall be inspected by the commander(s) concerned or agency designated by the Military Department at least annually. Failure by a Reserve component member to have a family care plan as required by this Instruction may be cause for separation of that member or disciplinary action against that member.

10. Commanders, their designated representatives or supervisors shall advise personnel in E-E positions of the importance of family care plans. Commanders and supervisors shall encourage E-E personnel who are single parents, whose spouses also serve in an E-E position, or who are the primary caregivers of children, other dependents or elderly family members to observe the guidance in this Instruction.

G. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.



Christopher Jehn
Assistant Secretary of Defense
(Force Management and Personnel)

Enclosures 2

1. References
2. Definitions

REFERENCES, continued

- (e) DoD Directive 1332.30, "Separation of Regular Commissioned Officers for Cause," February 12, 1986
- (f) DoD Directive 1200.7, "Screening the Ready Reserve," April 6, 1984
- (g) DoD Directive 4001.1, "Installation Management," September 4, 1986
- (h) DoD Directive 1315.7, "Military Personnel Assignments," January 9, 1987
- (i) DoD 1330.17-R, "Armed Services Commissary Regulations," April 1987, authorized by DoD Directive 1330.17, March 13, 1987
- (j) DoD Directive 1330.9, "Armed Services Exchange Regulations," December 15, 1986
- (k) DoD Instruction 3020.37, "Continuation of Essential DoD Contractor Services During Crises," November 6, 1990

DEFINITIONS

1. Caregiver. An individual who is not a member of the Armed Forces or a member of a Reserve component, is at least 21 years of age and is capable of self-care and care of children or other dependent family members. This individual must agree in writing to care for one or more family members during the member's absence for indefinite periods to ensure the member is available for worldwide duties.
2. Discuss. The conversation between the member and his or her commander, the commander's designated representative, or the member's supervisor on DoD and Military Department policy as it pertains to family care plans. The commander, the commander's designated representative, or the supervisor must ensure that the member fully understands the unique demands of military service as it relates to personal and family responsibilities and the necessity for realistic family care arrangements to ensure members are available for worldwide duty.
3. Dual Military Couple With Dependents. Active-duty or Reserve component members married to each other who have joint responsibility and physical custody for the care of children under 19 years of age or family members for whom the member bears medical, legal, financial, and/or logistical responsibility.
4. Emergency-Essential (E-E) Civilian Position. A civilian position that is located overseas or would be transferred overseas during a crisis situation. The position is required to ensure the success of combat operations or to support combat-essential systems subsequent to mobilization and/or an evacuation order. The position cannot be converted to a military position because it requires uninterrupted performance to provide immediate and continuing support for combat operations and/or support maintenance and repair of combat-essential systems. (For further information, see DoD Directive 1404.10, DoD Instruction 1400.32, and DoD Instruction 3020.37 (references (b), (c) and (k))).
5. Emergency-Essential (E-E) Employee. An employee who occupies an E-E civilian position and who has signed a "DoD Civilian Employee Overseas Emergency-Essential position Agreement." (For further information, see references (b), (c) and (k)).
6. Family Care Plan. A document that outlines on Service-specific forms the person(s) who shall provide care for the member's children, disabled, elderly and/or other family member(s) dependent upon the member for financial, medical, or logistical support (housing, food, clothing, transportation) in the absence of the member due to military duty (training exercises, temporary duty, deployments, etc.). The plan outlines the legal, medical, logistical (for example, housing, food, transportation), educational, monetary, and religious arrangements for the care of the member's family. The plan must include all reasonably foreseeable situations and be sufficiently detailed and systematic to provide for a smooth, rapid transfer of responsibilities to the caregiver in the absence of the member.
7. Family Care Planning. The advance process of planning for the care of children, disabled, elderly and/or other family members dependent upon the member for support specified in definition 9., below. The planning is the

initiative taken by the member to use all available military and private sector resources to ensure that covered family members, as prescribed in this Instruction, receive adequate care, support, and supervision during the member's absence.

8. Family Centers. The term is used generically to refer to Army Community Service Centers, Air Force Family Support Centers and Navy and Marine Family Service Centers. The family centers serve as a focal point for information and referral and coordination of family support system programs and activities.

9. Family Members. Includes those individuals for whom the member provides medical, financial, and logistical (for example, housing, food, clothing, transportation) support. This includes, but is not limited to, children under the age of 19, elderly adults, persons with disabilities, and others who are unable to care for themselves in the absence of the member, as described in definition 6., above.

10. Member. Includes any member of a Military Service on active duty or in the Ready Reserve. This includes members of the Coast Guard when it is operating as a Military Service in the Navy. The term active-duty member when used herein refers to Regular component members and Reserve component members on active duty in excess of 30 consecutive days.

11. Ready Reserve. Military members of the Reserve and National Guard, organized in units, or as individuals, liable for recall to active duty to augment the active components in time of war or national emergency. The Ready Reserve consists of three Reserve component subcategories the Selected Reserve, the Individual Ready Reserve, and the Inactive National Guard.

12. Separated. The status of a married member who is legally separated from his or her spouse under a court order or other legally recognizable decree, or customarily resides apart from his or her spouse.

13. Single Parent. A member who has no spouse or who is separated or otherwise apart from his or her spouse, but has physical custody of children under 19 years of age or disabled dependents of any age for whom the member bears full medical, legal, logistical (for example, housing, food, clothing, transportation) and/or financial responsibility.