

Foreign Marriage Documentation Requirements

08-AUG-25

Site Security Managers (SSMs) and Verifying Officials (VOs) should be aware of the documentation requirements for service members who are overseas and enter into a marriage with a foreign national. The marriage documents must be verified, translated, and certified to ensure they meet U.S. legal standards for benefits eligibility. The requirements are as follows:

1. **Marriage Certificate:** An original or certified copy of the foreign marriage certificate.

Note: If the marriage certificate is not in English, it must be accompanied by a **full English translation**. The translator must certify that the translation is complete and accurate and provide their certification of competency to translate from the foreign language into English, in accordance with 8 CFR 103.2(b)(3). The translation must be provided by someone other than the individual presenting the document.

2. **Authentication of the Foreign Document:** Depending on the country where the marriage took place:
 - **Hague Convention Countries:** An original apostille (e.g., certification) from a higher-level authority in the foreign country of issuance.
 - **Non-Hague Convention Countries:** An original certificate of authentication by a U.S. Consular Officer in the foreign country of issuance.

These documents attest to the genuineness of the signature and seal, or the position of the foreign official who executed, issued, or certified the marriage certificate.

3. **Judge Advocate General (JAG) or Staff Judge Advocate (SJA) Opinion:** A written opinion from the responsible uniformed service's JAG or local SJA confirming the use of the eligibility documentation may be required.

32 CFR Part 161 Subpart D, DoD Identification (ID) Cards: Eligibility Documentation Required for Defense Enrollment Eligibility Reporting System (DEERS) Enrollment, Record Management, and ID Card Issuance, § 161.23 - Procedures, found at (<https://www.ecfr.gov/current/title-32/subtitle-A/chapter-I/subchapter-F/part-161/subpart-D/section-161.23>), see section (A)(2)(ii) provides the documentation requirements necessary to document a foreign marriage for benefits eligibility.