

ALARACT 037/2021

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UNCLAS FOUO

SUBJ/ALARACT 037/2021 - IMPLEMENTATION GUIDANCE FOR THE BASIC ALLOWANCE FOR HOUSING (BAH) AND THE OVERSEAS HOUSING ALLOWANCE (OHA) RECERTIFICATION PROGRAM

THIS ALARACT MESSAGE HAS BEEN TRANSMITTED BY JSP ON BEHALF OF HQDA DCS, G-1

1. (U) REFERENCES:

1.A. (U) TITLE 37, UNITED STATES CODE, SECTION 403A.

1.B. (U) DEPARTMENT OF DEFENSE 7000.14-R (DEPARTMENT OF DEFENSE FINANCIAL MANAGEMENT REGULATION (DOD FMR)), VOLUME 7A, CHAPTER 26, FEBRUARY 2021.

1.C. (U) AR 608-99, FAMILY SUPPORT, CHILD CUSTODY, AND PARENTAGE.

1.D. (U) U.S. ARMY AUDIT AGENCY AUDIT REPORT: A-2015-0085-FMX, SUBJECT: HOUSING ALLOWANCES FOR MARRIED SERVICE MEMBERS, 31 AUGUST 2015.

1.E. (U) U.S. ARMY AUDIT AGENCY AUDIT REPORT: A-2020-0047-BOZ, SUBJECT: OVERSEAS HOUSING ALLOWANCE U.S. ARMY RESERVE – PUERTO RICO, 24 MARCH 2020.

1.F. (U) MEMORANDUM, ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS) (ASA(M&RA)), SUBJECT, RECERTIFICATION OF AND SUPPORTING DOCUMENTATION REQUIRED FOR THE BASIC ALLOWANCE FOR HOUSING (BAH) ENTITLEMENT FOR REGULAR ARMY AND RESERVE COMPONENT SOLDIERS, 16 AUGUST 2017.

1.G. (U) MEMORANDUM, ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS) (ASA(M&RA)), SUBJECT: IMPLEMENTATION GUIDANCE FOR THE BASIC ALLOWANCE FOR HOUSING (BAH) AND THE OVERSEAS HOUSING ALLOWANCE (OHA) RECERTIFICATION PROGRAM, 29 MARCH 2021.

2. (U) BACKGROUND AND AUTHORITY. UPON ARRIVAL AT A NEW PERMANENT DUTY STATION, EACH SOLDIER AUTHORIZED A HOUSING ALLOWANCE FOR A DEPENDENT MUST RECERTIFY THE STATUS OF THE DEPENDENT TO SUPPORT A HOUSING ALLOWANCE ON THE DEPENDENT'S BEHALF. ADDITIONALLY, SOLDIERS MUST RECERTIFY BAH AND OHA ANNUALLY, AS PART OF THE ANNUAL PERSONNEL AND FINANCE RECORDS REVIEW. PURSUANT TO THE AUTHORITY

PROVIDED IN REFERENCE 1.B., THIS GUIDANCE IMPLEMENTS INSTRUCTIONS FOR CAPTURING A SOLDIER'S DEPENDENT DOCUMENTS AND RECERTIFYING THEIR ENTITLEMENT TO BAH AND OHA.

3. (U) PURPOSE. THE PURPOSE OF THE BAH AND OHA RECERTIFICATION PROGRAM IS TO IMPLEMENT POLICY AND PROCEDURES FOR VALIDATING BAH AND OHA CLAIMS, AND TO RETAIN SUPPORTING DOCUMENTS FOR ENTITLEMENT PAYMENTS. THE SOURCE DOCUMENT FOR BAH AND BAH DIFFERENTIAL (BAH-DIFF) IS DA FORM 5960 (AUTHORIZATION TO START, STOP, OR CHANGE BASIC ALLOWANCE FOR QUARTERS, AND/OR VARIABLE HOUSING ALLOWANCE). THE SOURCE DOCUMENT FOR OHA IS DD FORM 2367 (OVERSEAS HOUSING ALLOWANCE (OHA) INDIVIDUAL).

4. (U) THE FOLLOWING PROVISIONS IMPLEMENT REQUIREMENTS FOR CAPTURING DEPENDENT DOCUMENTS IN THE INTERACTIVE PERSONNEL ELECTRONIC RECORDS MANAGEMENT SYSTEM (IPERMS) FOR SOLDIERS RECEIVING BAH AND OHA AT THE WITH-DEPENDENT RATE, OR BAH-DIFF:

4.A. (U) COMMANDERS ENSURE ANY SOLDIER RECEIVING BAH AND OHA AT THE WITH-DEPENDENT RATE, INCLUDING BAH-DIFF, HAVE THE REQUIRED DEPENDENT DOCUMENTS IN IPERMS.

4.B. (U) COMMANDERS USE THE UNIT COMMANDER'S FINANCE REPORT AND THE UNIT COMMANDER'S PAY-MANAGEMENT REPORT, AS APPLICABLE, TO IDENTIFY AND MONITOR ALL SOLDIERS RECEIVING BAH OR OHA AT THE WITH-DEPENDENT RATE, INCLUDING BAH-DIFF. RESERVE COMPONENT COMMANDERS ALSO INCORPORATE A REVIEW OF DEPENDENT INFORMATION FROM THE STANDARD INSTALLATION AND DIVISION PERSONNEL REPORTING SYSTEM – ARMY NATIONAL GUARD AND TOTAL ARMY PERSONNEL DATABASE RESERVE, TO ENSURE IDENTIFICATION OF ALL SOLDIERS ELIGIBLE TO RECEIVE BAH OR OHA AT THE WITH-DEPENDENT RATE, INCLUDING BAH-DIFF.

4.C. (U) COMMANDERS REVIEW IPERMS TO ENSURE ANY SOLDIER ENTITLED TO BAH OR OHA AT THE WITH-DEPENDENT RATE, INCLUDING BAH-DIFF, HAS ALL REQUIRED DEPENDENT DOCUMENTS. THE DEPENDENT DOCUMENTS WOULD INCLUDE A MARRIAGE LICENSE (SPOUSE), BIRTH CERTIFICATES (CHILDREN), COURT-ORDERED CHILD SUPPORT AGREEMENTS, DIVORCE DECREES, CERTIFIED COURT ADOPTION ORDER OR DECREE, AND SECONDARY DEPENDENCY APPROVAL. IF A BIRTH CERTIFICATE IS NOT AVAILABLE, OTHER ACCEPTABLE DOCUMENTATION INCLUDE A CERTIFIED DNA TEST OR COURT DECLARATION ESTABLISHING PROOF OF PARENTAGE.

4.D. (U) SOLDIERS MARRIED TO ANOTHER SERVICE MEMBER MUST INCLUDE THE SERVICE MEMBER SPOUSE'S LAST LEAVE AND EARNINGS STATEMENT. COMMANDERS THEN ADVISE SOLDIERS THAT REFERENCE 1.B. MAY LIMIT BAH AND/OR OHA OF MARRIED SERVICE MEMBERS WITH DEPENDENTS, AS WELL AS MARRIED SERVICE MEMBERS COLLOCATED AT THE SAME DUTY STATION.

4.E. (U) COMMANDERS REVIEW IPERMS TO ENSURE CURRENT PROMOTION OR DEMOTION ORDERS, PERMANENT CHANGE OF STATION (PCS) ORDERS, MOBILIZATION AND DEMOBILIZATION ORDERS, DA FORMS 5960, AND DD FORMS 2367 ARE IN THE IPERMS RECORD.

4.F. (U) THE SOLDIER PROVIDES ANY IDENTIFIED MISSING DOCUMENTS TO THEIR SUPPORTING HUMAN RESOURCE (HR) SPECIALIST FOR IMMEDIATE UPLOAD TO IPERMS. IF THE SOLDIER DOES NOT HAVE A CURRENT DA FORM 5960 AND DD FORM 2367, IF APPLICABLE, IN IPERMS, THE SOLDIER CERTIFIES THE BAH OR OHA, INCLUDING BAH-DIFF, BY COMPLETING DA FORM 5960 AND DD FORM 2367. THIS IS SIGNED BY THE SOLDIER AND CERTIFIED BY THE COMPANY-LEVEL COMMANDER. COMMANDERS MAY DELEGATE THIS CERTIFICATION IN WRITING TO THE FIRST COMMISSIONED OFFICER, OR EQUIVALENT, IN THE SOLDIER'S CHAIN-OF-COMMAND.

5. (U) REQUIREMENTS FOR RECERTIFYING BAH:

5.A. (U) THE RECERTIFICATION OCCURS IN CONJUNCTION WITH THE REQUIRED ANNUAL RECERTIFICATION OF DD FORM 93 (RECORD OF EMERGENCY DATA).

5.B. (U) SOLDIERS RECERTIFY THEIR ENTITLEMENT TO BAH ANNUALLY, BY COMPLETING A NEW DA FORM 5960 AND UPLOADING IT TO IPERMS.

5.C. (U) THE DA FORM 5960 IS SIGNED BY THE SOLDIER AND CERTIFIED BY THE COMPANY-LEVEL COMMANDER. COMMANDERS MAY DELEGATE THIS CERTIFICATION, IN WRITING, TO THE FIRST COMMISSIONED OFFICER, OR EQUIVALENT, IN THE SOLDIER'S CHAIN-OF-COMMAND.

5.D. (U) THE SUPPORTING HR SPECIALIST REVIEWS IPERMS TO ENSURE THERE IS A CURRENT PROMOTION OR DEMOTION ORDER, CURRENT PCS ORDER, AND APPLICABLE DEPENDENT DOCUMENTS IN THE IPERMS RECORD.

5.E. (U) THE HR SPECIALIST IDENTIFIES AND COLLECTS ANY MISSING DOCUMENTS FROM THE SOLDIER, FOR IMMEDIATE UPLOADING TO IPERMS, WITH THE NEWLY CERTIFIED DA FORM 5960.

6. (U) REQUIREMENTS FOR RECERTIFYING OHA:

6.A. (U) THE RECERTIFICATION OCCURS IN CONJUNCTION WITH THE REQUIRED ANNUAL RECERTIFICATION OF DD FORM 93.

6.B. (U) SOLDIERS RECERTIFY THEIR ENTITLEMENT TO OHA ANNUALLY BY COMPLETING A NEW DD FORM 2367, DA FORM 5960 (IF APPLICABLE), AND UPLOADING IT TO IPERMS.

6.C. (U) SIGNED LEASE AGREEMENTS OR MORTGAGES, SUCH AS SETTLEMENT STATEMENTS OR ORIGINAL DEEDS ARE UPLOADED. A LEASE, MORTGAGE, OR DEED IN THE SOLDIER'S NAME, THE

SOLDIER'S DEPENDENT, OR AN ACTIVE-DUTY SPOUSE MAY BE USED TO SUBSTANTIATE ESTABLISHMENT OF AN OHA MONTHLY RENT AMOUNT. THIS IS TRUE IF THE SOLDIER, DEPENDENT, OR ACTIVE-DUTY SPOUSE RESIDES IN THE DWELLING FOR WHICH OHA IS CLAIMED. THE DEPENDENT OR ACTIVE-DUTY SPOUSE MUST BE APPROPRIATELY APPROVED AND ANNOTATED IN THE SOLDIER'S SERVICE RECORD.

6.D. (U) THE DD FORM 2367 IS SIGNED BY THE SOLDIER AND HOUSING OFFICE OFFICIAL, AND THEN CERTIFIED BY THE COMPANY-LEVEL COMMANDER. COMMANDERS MAY DELEGATE THEIR CERTIFICATION IN WRITING TO THE FIRST COMMISSIONED OFFICER, OR EQUIVALENT, IN THE SOLDIER'S CHAIN OF COMMAND.

6.E. (U) THE SUPPORTING HR SPECIALIST REVIEWS IPERMS TO ENSURE THERE IS A CURRENT PROMOTION OR DEMOTION ORDER, PCS ORDER, MOBILIZATION OR DEMOBILIZATION ORDER, AND APPLICABLE DEPENDENT DOCUMENTS IN THE IPERMS RECORD.

6.F. (U) THE HR SPECIALIST IDENTIFIES AND COLLECTS ANY MISSING DOCUMENTS FROM THE SOLDIER FOR IMMEDIATE UPLOADING TO IPERMS, WITH THE NEWLY CERTIFIED DD FORM 2367.

7. (U) PROOF OF DEPENDENT SUPPORT. WHILE PROOF OF SUPPORT IS GENERALLY NOT REQUIRED, PROOF OF SUPPORT IS REQUIRED UNDER THE FOLLOWING CONDITIONS:

7.A. (U) THE ADDRESS IN BLOCK 5 OF THE DA FORM 5960 WHEN COMPARED TO THE ADDRESS OF THE DEPENDENT(S) IN BLOCK 10 INDICATES THE DEPENDENTS DO NOT RESIDE WITH THE SOLDIER. IN SUCH CASES, SOLDIERS PROVIDE PROOF OF SUPPORT FOR ALL PRIOR MONTHS THE DEPENDENT(S) DID NOT LIVE WITH THE SOLDIER. PROOF OF SUPPORT CAN BE A JOINT BANK ACCOUNT, AN ALLOTMENT, CANCELLED CHECKS, EVIDENCE OF A WIRE TRANSFER IN THE DEPENDENT'S NAME, OR A DIVORCE DECREE WITH COURT-ORDERED CHILD SUPPORT.

7.B. (U) FOR NONCUSTODIAL PARENT SOLDIERS WHO PAY CHILD SUPPORT, OR ARE REQUIRED TO PAY CHILD SUPPORT IN ACCORDANCE WITH REFERENCE 1.B., PROOF OF DEPENDENT SUPPORT MAY INCLUDE CANCELLED CHECK, MONEY ORDER, ELECTRONIC FUND TRANSFER (EFT), VOLUNTARY ALLOTMENT, AND INVOLUNTARY ALLOTMENT. PROOF OF EFT PAYMENTS MADE VIA BANK ACCOUNT DEDUCTION, PAYPAL, CASHAPP, ZELLE OR OTHER BANK ACCOUNT DEDUCTION ARE ALSO ACCEPTABLE. HOWEVER, ALL TRANSACTIONS MUST BE PAYABLE TO THE CUSTODIAL PARENT MONTHLY. THE AMOUNT OF SUPPORT MUST BE IN AN AMOUNT THAT IS AT LEAST THE CURRENT BAH-DIFF, BASED ON THE SOLDIER'S GRADE. SOLDIERS ARE NOT AUTHORIZED A HOUSING ALLOWANCE ON BEHALF OF THE DEPENDENT FOR PAYMENTS LESS THAN THE BAH-DIFF.

7.C. (U) SOLDIERS WHO FAIL TO SUPPORT A DEPENDENT, ON WHOSE BEHALF A HOUSING ALLOWANCE IS RECEIVED, IS NOT AUTHORIZED A HOUSING ALLOWANCE ON THAT DEPENDENT'S BEHALF. THE HR OFFICE CONDUCTING THE RECORD REVIEW WILL INITIATE RECOUPMENT FOR NONSUPPORT OR INADEQUATE SUPPORT PERIODS.

8. (U) SOLDIERS RECEIVING BAH OR OHA, BASED ON SECONDARY DEPENDENCY, MUST UPLOAD THE APPROVAL MEMORANDUM FROM THE DEFENSE FINANCE AND ACCOUNTING SERVICE (DFAS), OR AN APPROVAL MEMORANDUM FROM THEIR COMPANY-LEVEL COMMANDER. THE COMPANY COMMANDER'S APPROVAL MEMORANDUM MUST CERTIFY THAT THE COMMANDER HAS PERSONALLY REVIEWED THE SOLDIER'S APPROVAL IN THE DFAS SECONDARY DEPENDENCY CLAIMS ONLINE SYSTEM. THE MEMORANDUM ALSO CERTIFIES THE DATE DFAS APPROVED THE CLAIM.

9. (U) SINGLE SOLDIERS WHO OCCUPY A RESIDENCE WITH THEIR DEPENDENT CHILD(REN), ADOPTED CHILD(REN), CHILD(REN) BORN OUT OF WEDLOCK, AND/OR STEP CHILD(REN) MAY BE AUTHORIZED TO RECEIVE A WITH-DEPENDENT BAH OR OHA. SOLDIERS MUST PROVIDE PROOF OF PARENTAGE AND PROOF OF SUPPORT, PURSUANT TO PARAGRAPH 260305 OF REFERENCE 1.B. PROOF OF SUPPORT IS DESCRIBED IN PARAGRAPH 7.B. OF THIS GUIDANCE.

10. (U) WHEN UPLOADING MISSING DOCUMENTS TO IPERMS, THE SOLDIER'S SOCIAL SECURITY NUMBER IS REQUIRED TO BE ON ALL DOCUMENTS. THE SERVICING HR SPECIALIST TYPES "AUDIT" IN THE CONTAINER FIELD TO ENSURE PRIORITY PROCESSING IN IPERMS.

11. (U) SOLDIERS MISSING THE REQUIRED DEPENDENT DOCUMENTS IN IPERMS WILL HAVE THEIR BAH, OR OHA, AT THE WITH-DEPENDENT RATE REDUCED TO THE WITHOUT-DEPENDENT RATE, OR THEIR BAH-DIFF RATE REDUCED TO THE BAH-PARTIAL RATE, AS APPLICABLE, UNTIL THE MISSING REQUIRED DOCUMENT(S) ARE UPLOADED TO IPERMS. THE REQUIRED DOCUMENTS INCLUDE A PROPERLY CERTIFIED DA FORM 5960 OR DD FORM 2367. THE BAH, OR OHA, ON THE DEPENDENT'S BEHALF STOPS AT THE END OF THE MONTH IN WHICH THE RECERTIFICATION IS DUE.

12. (U) A BAH, OR OHA, AT THE WITH-DEPENDENT RATE, MAY BE AUTHORIZED EFFECTIVE THE DATE THE SOLDIER PROVIDES PROPER CERTIFICATION, IN ACCORDANCE WITH THIS GUIDANCE. THE HIGHER RATE IS NOT RETROACTIVE UNLESS THE SOLDIER'S COMMANDER CERTIFIES IN WRITING THAT THE FAILURE TO RECERTIFY PROMPTLY WAS FOR REASONS BEYOND THE SOLDIER'S CONTROL. THOSE REASONS MUST BE STATED IN THE CERTIFICATION MEMORANDUM. THE CERTIFICATION MEMORANDUM MUST BE UPLOADED TO IPERMS.

13. (U) SOLDIERS MUST RECERTIFY BAH AND OHA, INCLUDING BAH-DIFF, IMMEDIATELY UPON LIFE-CHANGING EVENTS SUCH AS MARRIAGE, DIVORCE, DEATH, BIRTH OF A CHILD, OR OTHER CHANGES IN DEPENDENT STATUS.

14. (U) DEPLOYED SOLDIERS HAVE 60 DAYS TO RECERTIFY UPON RETURNING FROM POST-DEPLOYMENT LEAVE.

15. (U) IN ADDITION TO COMPLYING WITH THE REQUIREMENTS OF THIS IMPLEMENTATION GUIDANCE, COMMANDERS ESTABLISH ROUTINE PROCEDURES TO ENSURE ACCURATE AND COMPLETE RECORD REVIEWS ARE COMPLETED FOR ALL SOLDIERS, IN ACCORDANCE WITH AR

600–8–104. THIS ENSURES ALL KEY SUPPORTING DOCUMENTS FOR BAH AND OHA, TO INCLUDE ANY NEWLY GENERATED DA FORMS 5960 OR DD FORMS 2367, ARE UPLOADED TO IPERMS.

16. (U) POINT OF CONTACT FOR THIS MESSAGE IS HQDA, DCS G–1, COMPENSATION & ENTITLEMENTS DIVISION. SUBMIT ALL INQUIRIES, TO INCLUDE QUESTIONABLE CASES, IN PDF, TO EMAIL ADDRESS USARMY.PENTAGON.HQDA-DCS-G-1.MBX.DAPE-PRC@MAIL.MIL.

17. (U) THIS ALARACT MESSAGE EXPIRES ON 29 APRIL 2022.