



**DEPARTMENT OF THE ARMY**  
ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT  
600 ARMY PENTAGON  
WASHINGTON, DC 20310-0600

OCT 28 2013

DAIM-ZA

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Clarifying Army Housing Benefits for Military Personnel in Same-Sex Marriages

1. References.

- a. Memorandum, Secretary of Defense, 13 Aug 2013, Subject: Extending Benefits to the Same-Sex Spouses of Military Members (Enclosure 1).
- b. Memorandum, Under Secretary of Defense, 13 Aug 2013, Subject: Further Guidance on Extending Benefits to Same-Sex Spouses of Military Members (Enclosure 2).
- c. Memorandum, Under Secretary of Defense, 3 Sep 2013, Subject: Clarifying Policy – Administrative Absence to Obtain a Legal Marriage (Enclosure 3).

2. As a result of the Supreme Court's recent decision declaring Section 3 of the Defense of Marriage Act unconstitutional, the Secretary of Defense has issued guidance (enclosed) to the military services to take all actions necessary to extend spousal benefits to same-sex spouses no later than 3 Sep 13.

3. Effective with the date of this memorandum, the policies outlined in Chapter 3 of Army Regulation 420-1, Army Facilities Management, shall be used to extend housing benefits to same-sex married couples. Service members in a same-sex marriage must provide a valid marriage certificate.

a. U.S. locations (States, Territories, and Protectorates). Same-sex married couples are eligible for Residential Communities Initiative (RCI) or Army (government-owned) Family Housing and have the same priority of assignment as opposite-sex married couples.

b. Locations outside of US States, Territories, and Protectorates. In accordance with paragraphs in AR 420-1, section III, a Service member in a valid same-sex marriage, may be granted an authorization to move into Army Family Housing or receive Overseas Housing Allowance (OHA) when authorized to reside in off-post housing. All requests from non-US locations will be approved by the Office of the Assistant Chief of Staff, Installation Management (OACSIM). Requests should be forwarded through IMCOM command channels to the OACSIM, Housing Division (DAIM- ISH) for approval by the ACSIM or his designated representative. The request packet must include a legal opinion provided by the IMCOM Office of the Staff Judge Advocate (OSJA) specifically addressing any potential legal concerns based on host-nation law or international agreements. If the request originates from an installation or location that is not managed by IMCOM, the request must be routed through the Army Service Component Command (ASCC) channels with ASCC

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OSJA legal opinion to the OACSIM, Housing Division (DAIM-ISH) for approval by the ACSIM or his designated representative.

4. My point of contact for this action is Ms. Suzanne Harrison, (571) 256-1324, or E-mail: [suzanne.m.harrison8.civ@mail.mil](mailto:suzanne.m.harrison8.civ@mail.mil).

Encls



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