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Ethics in Military Housing

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Abstract

Military housing managed by civilian organizations have become the norm throughout the Army, we should look at contracting procedures to ensure the best interests of our Soldiers are considered, because it would be unethical for them to lose money because of oversights in contracting these management organizations. This paper will show an example of an overlooked procedure that cost a Soldier money and some recommendations on how to fix this and other issues.

Ethics in Military Housing

In most ways, having a civilian organization manage our housing may be beneficial, money saving, and an advantage to the majority. I would like to encourage the legal office that reviews these contracts, to consult with a panel of senior NCOs and Soldiers in an effort to discover some issues that we have not thought about before. Typically, when the Army enters into a contract with a civilian firm, the legal office reviews the contract to ensure it meets the commander's intent. By not identifying all the issues, holes can appear in the contract and the civilian firm is not obligated to change the procedures outlined in the initial contract. One of the problems I have experience with involved a dual military family, their separation, and the loss of three months worth of BAH for one of the members. Although this was not a terribly significant amount of money, a needless situation none the less. It is not ethical for the Army to put its Soldiers in a position in which they would have to pay for an oversight in the contractual procedures of civilian management companies. There are ways to avoid these types of situations in the future that would also increase the effectiveness of civilian housing management companies.

Housing and the Married Army Couple Program

When service members that are married to another service member qualify for joint domicile through the married army couple program (MACP) and are eligible for on post government provided quarters, the senior member becomes responsible for those quarters. The senior in rank of the two will also forfeit his or her basic allowance for housing (BAH) as payment for living in those assigned quarters in a direct allotment to the private housing management company. The forfeited BAH amount will be at the with dependant rate, while the

other service member living in the same house collects BAH at the without dependant rate and is allowed to keep that amount.

When Soldier married to civilian families split up either by legal separation, or divorce the service member is obligated to provide financial support for the family and the civilian spouse can remain in government quarters for 30 days after the final decree of divorce. In the dual military family, no such regulatory guidance exists because both members are getting BAH. When the Soldier of less rank in the dual military situation is legally separated he or she can change their BAH entitlement to with dependents and still reside in the quarters for as long as it takes to finalize a divorce without being responsible for them. When the divorce is final, the service member residing in quarters is supposed to go to the housing office to assume responsibility both financially and physically, but there is no regulation that mandates this. If the Soldier's chain of command is unaware of the divorce, or does not order the service member to go to housing, the former senior service member is still responsible for the quarters he or she does not reside in. I will now illustrate a scenario that I observed at Fort Riley, Kansas to show that this can happen.

Scenario

The dual military couple consisted of a female SSG and a male SFC. Upon assignment to Fort Riley, the SFC arrived first, was assigned government quarters, and forfeited his BAH with dependents. Shortly after the SSG arrived and settled in, she partitioned for divorce and served the SFC with a restraining order that forced him out of the quarters in which he was responsible. Working through the chains of command the SFC had the opportunity to remove his belongings, but was still paying BAH and responsible for the quarters the SSG was residing in. Before you jump to conclusions about the restraining order, I might add that the following weekend the

SSG's boyfriend was observed moving into the quarters by neighbors. The 15-6 investigation revealed the boyfriend was a 2LT; I add this not to spread the gossip, but to add validity to the background for the restraining order. The divorce was final about four months later. Eventually the SSG signed for the quarters and started paying for them with her BAH at with dependents rate after her chain of command ordered her to housing. The SFC attempted to recoup his BAH from the time the restraining order was in effect to the time the divorce was final, but was unsuccessful. The Picerne Military Housing people would not reimburse the SFC because he signed the contract and to them it didn't matter that he no longer resided in the quarters. The civilians focused on regulations or perhaps the contract and would not consider the individual situation. Finance would not garnish the SSG's BAH for the four months in question in order to pay housing because there is no regulation. The I.G. advised the SFC to go to the legal office to ask for assistance. The legal office responded the same as the others, with no regulatory guidance the SFC would lose his four months of BAH while SSG and boyfriend resided in quarters in which he was responsible. Although, legal said that they would give the case to their contract law people for review and perhaps preventing it from happening to another Soldier.

Recommendations

When the Army turned over the military housing system management responsibilities to a private organization, leaders lost some control. Had this scenario played out under the old system, the SFC's chain of command may have had some influence over the outcome. Having regulations in place to govern dual military housing responsibilities may not have been enough for the SSG to do the right thing by assuming responsibilities for the quarters, but may have provided the SFC a means to get back some of his money. Had SSG damaged the quarters, abandoned them, or committed some other crime in them, the SFC would have been responsible

for that as well. Another factor that needs attention would be the scenario of the SFC having custody of his own child. With SFC paying BAH with dependants rate for SSG's quarters, his housing would have to come out of pocket, the child would have to move schools, etc. The SFC was not eligible for placement on the housing waiting list until SSG assumed responsibility for his previous quarters. Regulation and policy should directly include provisions for the unique situations of dual military families. It would benefit Soldiers, the civilian housing managers and the command if, in the future, the legal offices would establish a review panel that has the ability to war game scenarios that are not included in purposed housing contracts. It is our ethical duty to acknowledge that we had not thought of this lack of regulation and policy and strive to prevent it from happening in the future. Yes, the SFC lost four months of BAH (about \$4000.) and that's messed up, but can you imagine the impact it would have had if it were a PFC or SPC? There is no blame to assign, nor is anyone particularly responsible for not thinking of these issues. In fact, the SFC was not angry by losing the money or abandoned by the agencies he went to for help; he merely wanted to prevent it from happening to any of his Soldiers. I think we all realize by now that regulations and policy do not make people do the ethical thing in some cases, but can provide ways to correct injustices.

In conclusion, we can acknowledge that mistakes happen and blame is not the important part. There has been a breach in the line and a Soldier had to pay the price for our oversight, but we can overcome this by taking corrective action to prevent it from happening to any other Soldiers. The scenario I have articulated in this paper happened to one family at Fort Riley, Kansas, so I was hesitant on using this for my subject. I began to wonder how many other situations like this require military and civilian understanding working with a sound check and balance system. Civilian management of housing is an important and viable way of saving

money and resources, we can make it work, but must be receptive to change. Status quo organizations do not improve. We must give up on long practiced ideas of the dual military housing issues and begin to think out of the box. Personally, I look forward to being a part of helping with this transition; ethically, we cannot ignore the work that benefits of our Army family.

