

20 May 2009

Personnel—General

Regulated Activities in Europe

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\*This regulation supersedes AE Regulation 600-1, 30 November 2007.

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For the Commander:

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**Summary.** This regulation—

- Describes actions that are required or prohibited for persons under the jurisdiction of the CG, USAREUR/7A, subject to the limitations provided in this or other applicable country regulations. Sections II through VII of this regulation are punitive, and violation of these provisions may subject offenders to nonjudicial or judicial action under the Uniform Code of Military Justice (UCMJ). Violations of these provisions may also subject the individual to adverse administrative action or adverse civilian misconduct action (AE Reg 27-9). The prohibition of any action described in this regulation also applies to abetting, aiding, causing, commanding, counseling, procuring, or soliciting another person to commit the action.

- Must be used with other applicable directives that provide for disciplinary or adverse administrative action.

**Summary of Change.** This revision includes administrative changes and updates references (throughout). This revision provides updated policy and procedures for the following:

- Misuse of the fuel-ration card (para 14).
- Military Whistleblowers Protection Act and reprisals (para 23).
- Hunting and fishing (para 28).
- Operation of telecommunications equipment (para 29).

- Controlled substances (para 30).

**Applicability.** Except as noted in paragraph 1a, this regulation applies to—

- U.S. Army personnel in the Army in Europe subject to the UCMJ and the Manual for Courts-Martial, United States.
- Members of the civilian component, personnel who have status under Article 71, 72, or 73 of the Supplementary Agreement to the NATO Status of Forces Agreement (SOFA) for Germany or under the applicable SOFA for other countries in which USAREUR operates; and Family members of military and civilian sponsors in the Army in Europe who are eligible to receive individual logistic support.

**Supplementation.** Organizations will not supplement this regulation without Office of the Judge Advocate (OJA), HQ USAREUR/7A (AEAJA-MCD), approval.

**Forms.** AE and higher level forms are available through the Army in Europe Publishing System (AEPUBS).

**Records Management.** Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Information Management System website at <https://www.arims.army.mil>.

**Suggested Improvements.** The proponent of this regulation is the OJA, HQ USAREUR/7A (AEAJA-MCD, DSN 370-8775). Users may suggest improvements to this regulation by sending DA Form 2028 to the OJA, HQ USAREUR/7A (AEAJA-MCD), Unit 29351, APO AE 09014-9351.

**Distribution.** A (AEPUBS).

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### **SECTION I GENERAL**

#### **1. PURPOSE**

This regulation authorizes the imposition of administrative, disciplinary, and military-justice penalties for failure to adhere to the requirements of this and certain other publications applicable to U.S. Army and civilian component personnel in the Army in Europe and sponsored Family members. This regulation does not lessen the applicability of any other directive on individual conduct.

a. The policy on privately owned vehicles and weapons is governed as follows:

(1) Germany: AE Regulation 190-1, AE Regulation 190-6, and other laws.

(2) Italy: USAREUR Regulation 550-32, USASETAF Regulation 190-2, USASETAF Regulation 190-3, and other laws.

(3) The Netherlands: AE Regulation 550-35 and other laws.

(4) Norway: AE Regulation 550-34 and other laws.

(5) Turkey: AE Regulation 550-36 and other laws.

(6) United Kingdom: AE Regulation 550-33 and other laws.

b. Violations of the provisions of any of the applicable laws or regulations noted in subparagraph a above may—

(1) Subject the individual to adverse administrative action or adverse civilian misconduct action (AE Reg 27-9).

(2) Be used as a basis for disciplinary action under the Uniform Code of Military Justice (UCMJ) or appropriate adverse administrative action. Any prohibition described in this regulation that is independently punishable under the UCMJ will be charged as a violation of the specific article of the UCMJ and not as a violation of Article 92 (Failure to Obey Order or Regulation), UCMJ.

#### **2. REFERENCES**

Appendix A lists references.

#### **3. EXPLANATION OF ABBREVIATIONS AND TERMS**

The glossary defines abbreviations and terms.

#### **4. RESPONSIBILITIES**

a. Commanders will ensure that persons subject to this regulation become familiar with this regulation and those regulations it references and comply with their requirements and prohibitions.

b. Persons subject to this regulation will comply with its requirements and prohibitions and those of the regulations it references.

## **SECTION II MOTOR VEHICLES**

### **5. PRIVATELY OWNED VEHICLES**

Personnel—

a. Who are required to register privately owned vehicles (POVs), including motorbikes, according to AE Regulation 190-1, chapter 3, will comply with that chapter with respect to registration, temporary and special registration, and vehicle operation.

b. Will comply with AE Regulation 190-1 with respect to insuring, maintenance, inspection, appearance, and operation of POVs and will have with them when operating a POV a valid U.S. Forces certificate of license for the types of vehicles they register or operate.

c. Who operate motor vehicles will present, on request by the military police, the German police, or gate guards, a U.S. Forces ID card, U.S. Forces certificate of license, and POV registration.

d. Will comply with the requirements of AE Regulation 190-1 and AE Regulation 550-175 when selling or otherwise disposing of POVs, license plates, and registration decals. Transferring POVs to individuals who do not have status under the NATO Status of Forces Agreement (SOFA) without first obtaining customs clearance is prohibited. Obtaining customs clearance after transferring a POV is not authorized. In addition, personnel are prohibited from abandoning vehicles.

e. Will not make false statements, provide false information, or conceal information to register a motor vehicle with the Vehicle Registry, nor will they remove, alter, or deface the engine number or manufacturer's serial number on a registered POV.

### **6. USE AND OPERATION OF VEHICLES OWNED OR LEASED BY THE U.S. GOVERNMENT OR NONAPPROPRIATED FUND INSTRUMENTALITIES**

a. Personnel will not operate or permit another person to operate a vehicle owned or leased by the U.S. Government (except for nonappropriated fund instrumentality (NAFI) vehicles) unless the operator has a valid U.S. Government motor vehicle operators ID card (OF 346) issued by a competent military authority. Exceptions may be authorized by any of the following:

(1) CG, USAREUR/7A.

(2) DCG, USAREUR/7A.

(3) Chief of Staff, HQ USAREUR/7A.

(4) A HQ USAREUR/7A or HQ IMCOM-Europe staff principal.

(5) A general officer in command during emergencies and tactical situations, or training events.

b. Personnel will not operate or permit another person to operate a NAFI vehicle unless the operator is licensed according to AE Regulation 190-1 in Germany or, elsewhere in the USAREUR area of responsibility, as required pursuant to the applicable country regulation or applicable host-nation laws or international agreements.

c. Persons operating vehicles owned or leased by the U.S. Government or a NAFI will promptly report accidents involving the vehicle according to AR 385-10 and DA Pamphlet 385-40.

d. Personnel will not—

(1) Drive a vehicle owned or leased by the U.S. Government or a NAFI faster than—

(a) Applicable host-country speed limits.

(b) U.S. Forces speed limits published in AE Regulation 58-1, table 1-1; or AE Pamphlet 385-15. These maximum speed limits must be observed unless a lower speed limit is posted or if weather, traffic conditions, or other circumstances dictate a lower limit. If a conflict in speed limits exists, personnel will drive their vehicles at the lower speed limit. Exceptions to these speed limits are allowed in the following situations:

1. To prevent the loss of life or property.

2. During disasters.

3. In movements dictated by immediate mission requirements as directed by one of the persons in a(1) through (5) above.

(2) Allow a person to operate a vehicle owned or leased by the U.S. Government or a NAFI when they know, or reasonably should know, that the person is intoxicated.

(3) Consume alcohol in any form during the 8 hours immediately before having duties if they knew, or should have known before consuming alcohol, that those duties would include driving a vehicle owned or leased by the U.S. Government or a NAFI.

(4) Operate a vehicle owned or leased by the U.S. Government or a NAFI within 8 hours after having consumed alcohol in any form. Commanders may grant exceptions to this rule when a Soldier or employee is fit to drive and the mission requires the Soldier or employee to drive.

e. Personnel will not operate or permit another person to operate a U.S. Government-owned or -leased vehicle carrying hazardous material, such as ammunition or fuel, without an *Accord Européen relatif au Transport International des Marchandises dangereuses par Route (ADR)* (European Agreement Concerning the Transportation of Hazardous Goods by Highway) certificate for the vehicle issued in accordance with the requirements of AE Regulation 55-4.

### **SECTION III**

## **PRIVATELY OWNED FIREARMS AND OTHER WEAPONS**

### **7. REGISTRATION, SALE, IMPORTATION, AND SHIPMENT OF FIREARMS**

a. Personnel in Germany who are permitted under AE Regulation 190-6 and AE Regulation 550-175 to acquire, register, possess, or use a privately owned firearm (POF) will comply with the requirements and restrictions of those regulations with respect to the registration, sale, importation, and shipment of firearms.

b. Personnel will comply with applicable military directives and local laws on importing, registering, keeping, and disposing of POFs and ammunition.

c. On request by U.S. military police, Air Force security police, civilian police, or other duly authorized officials, personnel will promptly present documents showing authorization for acquiring, registering, or keeping POFs in their possession.

### **8. USE AND POSSESSION OF FIREARMS**

a. Personnel will not possess POFs in Germany except as provided in AE Regulation 190-6.

b. Personnel will not lend or borrow POFs except for hunting or sport-shooting purposes.

c. Personnel will not use POFs in Germany except according to AE Regulation 190-6.

d. Outside Germany, personnel will comply with applicable military directives and local laws concerning the possession and use of POFs.

e. Firearms will be unloaded before being transported.

### **9. REPORTING LOST, STOLEN, AND RECOVERED FIREARMS**

a. If a POF is lost or stolen, the owner will report the loss or theft in accordance with AE Regulation 190-6.

b. Personnel who find or otherwise come into possession of a POF under circumstances that indicate the item may have been lost or stolen will report the POF to the nearest military police authority.

### **10. CONTROLLED AND PROHIBITED ITEMS**

Except as required to perform official duties, personnel will not—

a. Carry any of the following on or about their person in a concealed manner, or display, brandish, or carry in the presence of others in a manner likely to make reasonable persons fear for their safety:

(1) A straight razor or weapon made from a razor blade.

(2) A knife (excluding plastic flatware) with a blade longer than 3 inches as measured from the top of the hilt to the point of the blade. This prohibition includes knives with automatic blade openers (glossary), regardless of blade length. Knives with blades longer than 3 inches (but not those with automatic blade openers) may be carried by persons—

(a) Traveling to and from—

1. A place of legal purchase to the place of storage.

2. Hunting, fishing, camping, picnicking, and other sports or hobby activities where knives are commonly used if the knife is intended to be used in the activity.

(b) Participating in activities listed in (a)2 above.

(3) A bolo knife, bow, crossbow, dagger, ice pick, machete, spear, sword, or similar instrument.

(4) An air rifle or air pistol. Paintball airguns may be carried and used in organized survival games according to the restrictions in AE Regulation 190-6, glossary.

(5) A blank cartridge pistol.

(6) A club or any object that may be used as a club to inflict bodily harm, such as a brick, pipe, stone, or piece of wood.

(7) An authentic-looking replica of a firearm.

(8) A kama, tanto, tonfu, yawara, or other martial-arts weapon or practice device.

(9) An object that can be readily used to inflict bodily harm, such as a barbed-wire flail, a bicycle chain, a broken bottle or wine or beer glass, or a cane with sharp points made of wood or metal.

(10) A firearm.

b. Acquire, possess, ship, or use any item prohibited by AE Regulation 190-6. The definition of the term “prohibited item” in AE Regulation 190-6 applies.

## **SECTION IV ABUSE AND MISUSE OF PRIVILEGES**

### **11. CUSTOMS CONTROLS**

Personnel will comply with customs policy, controls, procedures, and prohibitions as stated in applicable country regulations or applicable U.S. or host-nation customs laws and directives.

### **12. ABUSE OR MISUSE OF IMPORT OR EXPORT PRIVILEGES**

Personnel will not—

a. Transfer goods acquired or imported under duty- and tax-free privileged conditions unless the transfer is authorized by regulations (for example, DOD Inst 1330.17, AR 215-8, AE Reg 550-35, AE Reg 550-175, AE Reg 600-702, USAREUR Reg 550-32, applicable country regulations).

b. Use their privileges for importing or exporting goods to obtain personal gain or profit for themselves or someone else, or to conduct a business.

### 13. MISUSE OF RATION CARD AND PURCHASE PRIVILEGES

Personnel will not—

a. Barter, sell, or indirectly purchase rationed merchandise originally purchased from or through sales facilities operated by or on behalf of the Sending State Forces in Europe (NATO SOFA, Art 1(d)). Authorized purchasers may purchase merchandise from such sales facilities for other authorized purchasers as a matter of economy, convenience, or necessity and may be reimbursed. This procedure is not authorized, however, if the purchaser, by making the otherwise authorized purchase, will permit the other person to exceed that person's monthly individual ration allowance. The procedure for obtaining extra rationed merchandise may not be circumvented (AE Reg 600-702).

b. Purchase goods or services from Sending State sales facilities for resale or to produce income, except as authorized by applicable regulations (for example, AE Reg 550-35, AE Reg 550-175, USAREUR Reg 550-32, other applicable country regulations).

c. Barter, sell, or otherwise transfer goods or services imported or acquired under tax-privileged or customs-exempted conditions to a person without SOFA status or not authorized to purchase goods or services in Sending State sales facilities except for the following:

(1) Nonexpendable items that have been in the possession and use of an authorized purchaser for more than 6 months and are in excess of the person's needs. These goods may be disposed of according to the laws of the country in which the item is transferred.

(2) Customary gifts of a personal nature made in noncommercial quantities or with appropriate U.S. Forces and German Customs approval as specified in AE Regulation 550-175 or other applicable national customs approval as specified in other country regulations (for example, AE Reg 550-35, USAREUR Reg 550-32). Gifts may not violate U.S. laws, regulations, or ethics rules or applicable host-nation laws.

d. Transport rationed merchandise obtained from Sending State sales facilities in amounts exceeding 2 months' ration for each ration card or validated purchase request lawfully in the transporter's possession except as provided for by other regulations. Supervisors may authorize in writing the transport of rationed goods above these amounts (for example, during an in-country permanent change of station or from quarters to a party location).

e. Possess or use more than one ration card made in the name of the same person during a ration-card period.

f. Possess or use a ration card made in the name of another person, real or fictitious, except as provided in subparagraph g below.

g. Knowingly allow another person to use their ration card. (Personnel may lend their ration cards to immediate Family members to purchase authorized items.)

h. Knowingly use a ration card, valid or invalid, to obtain goods to which they are not entitled under applicable regulations.

i. Counterfeit, alter, or forge a ration card, or possess or use a ration card they know has been counterfeited, altered, or forged.

j. Knowingly possess rationed merchandise obtained in violation of applicable regulations.

k. Falsely report that a ration card has been lost, stolen, or destroyed.

l. Pawn, barter, transfer, or sell a ration card or any privilege portion of the ration card to another person.

m. Tip, bribe, or otherwise influence or attempt to influence U.S. employees to obtain rationed merchandise illegally.

n. Help a person not authorized to purchase rationed merchandise to obtain rationed merchandise or a ration card.

#### **14. MISUSE OF FUEL-RATION CARD**

Personnel will not—

a. Obtain or attempt to obtain rationed tax- or duty-free fuel by using a registration document or ration-allowance document that—

(1) Has expired or is false (for example, counterfeit).

(2) Belongs to someone else.

b. Use tax-free products for other than the operation of the vehicle or other items for which the purchase is authorized. As an exception, emergency fuel transfers of 40 liters or less to other authorized individuals are permissible.

c. Transfer tax- and duty-free motor fuel to unauthorized personnel or agencies.

d. Exceed authorized ration allowances.

e. Use rationed tax- and duty-free fuel entitlements for commercial activities or enterprises.

#### **15. OTHER INDIVIDUAL LOGISTIC SUPPORT**

Personnel who receive or apply for individual logistic support under AE Regulation 600-700 will not—

a. Present fraudulent or falsified documents in order to obtain or seek to obtain DOD identification or individual logistic support.

b. Make false official statements concerning the status, entitlement to an ID card, or entitlement to privileges of any individual.

c. Abuse the privileges granted under that regulation.

#### **16. POSTAL SERVICE**

Personnel will not—

a. Knowingly help or permit a person, organization, agency, or activity not authorized Military Postal Service (MPS) or Army post office (APO) privileges to use or benefit from the MPS or APO.

b. Knowingly use a fictitious name as the alleged sender or recipient of mail.

c. Knowingly make use of the MPS or APO in the name of another authorized person, organization, or agency.

d. Use the MPS for commercial or business purposes or to send items intended for resale for a business or enterprise. This prohibition does not apply to—

(1) News copy, film, recording tape, or similar material transmitted by accredited news media representatives when the use of MPS facilities has been authorized.

(2) Activities related solely to trading and selling in the pursuit of a hobby and not conducted as part of a business venture.

e. Use the MPS to transport U.S. Government organizational equipment except in either of the following cases:

(1) In the course of official military business.

(2) When the items transported have become personal property and the proof of purchase is enclosed in the parcel.

### **17. USE OF GOVERNMENT CHARGE CARD**

Personnel will not use or allow the use of a Government charge card issued to them to pay official expenses for any purpose other than official expenses. The term “Government charge card” includes but is not limited to charge cards issued to pay official travel expenses and to acquire supplies and services (for example, the Government purchase card). The Government Purchase Card Program is regulated by the Federal Acquisition Regulation, paragraph 13.301; the Defense Federal Acquisition Regulation Supplement, paragraph 213.301; and the Army Federal Acquisition Regulation Supplement, paragraph 5113.270-90.

## **SECTION V TRAVEL RESTRICTIONS AND OFF-LIMITS AREAS**

### **18. TRAVEL REQUIREMENTS**

Personnel will comply with the appropriate briefing, debriefing, documentation, and clearance-approval requirements of AR 55-46, AR 600-8-10, and AE Regulation 525-13.

### **19. OFF-LIMITS AREAS, ESTABLISHMENTS, AND FIRMS**

Personnel will not knowingly—

a. Enter an area declared off limits (AE Reg 190-24).

b. Patronize a firm or establishment declared off limits, except to perform official duties.

## **SECTION VI PUBLICATIONS, DEMONSTRATIONS, MEETINGS, AND COMPLAINTS**

### **20. DISTRIBUTION OF WRITTEN AND PRINTED MATERIALS**

a. Personnel will not distribute pamphlets, newspapers, magazines, handbills, flyers, or similar material on military installations, except through regularly established and approved distribution outlets (c below). Approval for exceptions must be obtained from the responsible garrison commander or authorized designee.

b. The following materials are exempt from the prohibitions and requirements in subparagraph a above:

(1) Advertising or promotional materials of military banking facilities, credit unions, and licensed solicitors if the materials are permitted by AE Regulation 210-70 or other applicable directives.

(2) Materials produced or selected for distribution by the U.S. Army or other U.S. Government organizations, NAFIs, concessionaires, or private organizations recognized according to AR 210-22 or AE Regulation 210-22.

(3) Materials distributed to students and prospective students by educational institutions offering training through Army education centers.

(4) Materials accepted as gifts for distribution to individuals according to AR 1-101.

(5) Materials delivered to individual recipients by U.S. or foreign postal agencies if those materials remain solely in the possession and control of the postal addressee.

c. Regularly established and approved distribution outlets are listed in (1) through (8) below. Procedures established in these outlets for distribution will be followed. An outlet may not be used if a garrison commander has denied an earlier request for any type of distribution.

(1) Army and Air Force Exchange Service, Europe, facilities (for example, exchanges, Bookmark stores).

(2) Chapels.

(3) Civilian personnel offices.

(4) Commissaries.

(5) Department of Defense Dependents Schools.

(6) Libraries.

(7) Family and morale, welfare, and recreation (FMWR) community activity centers and recreation centers.

(8) Unit dayrooms.

## **21. POLITICAL AND PUBLIC DEMONSTRATIONS**

Personnel will not take part in political meetings, rallies, picket lines, or other public demonstrations while in uniform, in a foreign country, or on a U.S. military installation. Personnel may, however, participate in domestic U.S. political activities as described in the Code of Federal Regulations, Title 5, part 734; and AR 600-20, paragraph 5-3.

## **22. MEETINGS ON MILITARY INSTALLATIONS**

Personnel will not participate in, hold, or cause to be held an assembly, gathering, or meeting on a military installation, except—

- a. Social gatherings in Government quarters, billets, or other facilities as authorized.
- b. An official meeting (a meeting held or sponsored by an agency or instrumentality of the U.S. Government).
- c. A meeting held or sponsored by an officially recognized private organization (DODI 1000.15, AR 210-22, and AE Reg 210-22) or labor organization (5 USC 7103(a)(4)).
- d. A meeting specifically approved in advance by the responsible garrison commander or authorized designee.

## **23. MILITARY WHISTLEBLOWER PROTECTION ACT INTERFERENCE AND REPRISALS**

- a. No person will restrict a military member of the armed services from making a protected communication with a member of Congress; an inspector general; a member of a DOD audit, inspection, investigation, or law-enforcement organization; or any other person or organization (including any person in the chain of command) designated under AR 20-1 or other administrative procedures to receive such communication.
- b. Soldiers will be free from reprisal for making or preparing a protected communication.
- c. No employee or Soldier may take or threaten to take an unfavorable personnel action, or to withhold or threaten to withhold a favorable personnel action, in reprisal against any Soldier for making or preparing a protected communication.
- d. The chain of command will ensure complainants are protected from reprisal or retaliation for filing equal opportunity complaints. If Soldiers are threatened with such an act, or if such an act of reprisal occurs, commanders must report these circumstances to the DOD Inspector General. If the allegation of reprisal is made known to any agency authorized by AR 20-1 to receive complaints, the agency should refer the complaint to the DOD Inspector General. It is strongly encouraged to simultaneously report such threats or acts of reprisal to the appropriate chain of command. The DOD IG Hotline telephone number is civilian (800) 424-9098 or DSN (312) 664-8799; the DOD IG Hotline e-mail address is [hotline@dodig.osd.mil](mailto:hotline@dodig.osd.mil) (either may be used to report threats or acts of reprisal). Personnel may also call (703) 604-8569; or mail a letter to Department of Defense Inspector General, ATTN: Defense Hotline, 1900 Defense Pentagon, Washington, DC 20301-1900.

## **SECTION VII OTHER REGULATED ACTIVITIES**

### **24. POLLUTION CONTROL**

- a. Personnel will observe and comply with all applicable host-nation laws on the protection of the environment. Except when acting consistently with a lawful order to perform military duties, personnel will not discharge, allow to be discharged, or create the danger of discharging the following:

(1) Toxic or hazardous substances (for example, petroleum, oil, lubricant products) onto the ground or into subsurface ground waters; into canals, lakes, reservoirs, rivers, or other surface waters; or into storm water or sanitary sewer systems.

(2) Particulates, gases, or liquids into the atmosphere in concentrations that are harmful to public health, will damage property, or will create an unreasonable annoyance.

(3) Radioactive materials.

b. Personnel will not operate a radio, cassette or CD player, or similar device in a public or military place or any form of transportation in a manner that produces excessive noise. Excessive noise is sound louder than that needed by an operator of normal hearing. The operation of these devices may be further restricted by local conditions.

## **25. LOANS**

a. Personnel will not regularly or frequently lend money to other persons subject to this regulation for profit or gain. Personnel who make more than three loans where interest is charged in any 1-year period are presumed to be regularly and frequently lending money for profit or gain. This presumption can be rebutted by clear and convincing evidence that the loans were made for reasons other than profit or gain.

b. Personnel who make individual or private loans, or who sell privately owned or used property on an installment or deferred-payment basis, will not charge interest on the principal amount of the loan or sale over 12 percent per annum simple interest (1 percent per month).

**NOTE:** For the purpose of this regulation, the term “interest” includes a charge, fee, profit, or other compensation of any type collected, demanded, requested, or otherwise obtained or attempted to be obtained, directly or indirectly, by the lender from the borrower in connection with obtaining or maintaining a loan or with using, forbearing, or detaining money.

## **26. ALCOHOLIC BEVERAGES**

a. Personnel will not—

(1) Transfer, use, consume, or possess alcoholic beverages in, on, or at the following areas:

(a) Army aircraft, vessels, or vehicles. Passengers on shuttlebuses may transport alcoholic beverages in the original package with the seal unbroken.

(b) FMWR facilities, including skill-development facilities (for example, arts and crafts, auto repair, photographic, woodworking), Child, Youth, and School Services facilities and functions, and libraries.

(c) FMWR community activity centers and recreation centers, except when approved in advance by the United States Army garrison commander.

(d) Operation or tactical sites (including any duty worksite unless specifically permitted in accordance with other lawful authority).

(2) Transport alcoholic beverages into or through countries in which the sale or possession of alcoholic beverages is illegal (for example, most Muslim nations).

(3) Purchase alcoholic beverages from any source in violation of local host-nation laws.

(4) Give alcoholic beverages to a child or help a child obtain or consume alcoholic beverages in violation of host-nation law. (A child's parent or parents may allow the child to consume alcoholic beverages in their presence.)

b. Civilian employees will not have a blood-alcohol level of .05 percent or more while on duty. This percentage will be based on milligrams of alcohol per 100 milliliters of blood (.05 percent equals 50 milligrams of alcohol per 100 milliliters of blood). Impairment may also exist if the blood-alcohol level is less than .05 percent. To be in violation of this provision, personnel must have known or should reasonably have known before consuming alcohol that they had duties to perform.

(1) A supervisor who has reasonable cause to believe that an employee who is on duty is impaired because of intoxication may request that the employee take a breath or blood test. Reasonable cause includes but is not limited to slurred speech, difficulty in performing common motor functions, and a noticeable odor of intoxicants on the breath. Such evidence of intoxication is normally sufficient to establish employee misconduct, even without a breath or blood test. Civilian employee disciplinary action under this or any other provision of this regulation should be coordinated with the servicing civilian personnel advisory center.

(2) In return for receiving logistic support, civilian personnel are deemed to have consented to on-duty breath or blood testing when requested by their supervisors based on reasonable cause. Failure to take the test on request will be grounds for suspension of logistic support or other disciplinary action under this regulation.

## **27. FIRE PREVENTION AND SAFETY**

Personnel will not—

a. Smoke in bed in U.S. military or other U.S. Government billets, quarters, or barracks, or in any other U.S. Government facility used for sleeping.

b. Smoke in fuel-storage areas, fuel-disbursing points, storage areas in warehouses, areas where oxygen is stored or administered, paint shops, carpenter shops, ammunition and explosive storage and handling areas, motor-repair shops, or other hazardous areas where smoking restrictions are posted.

c. Use gasoline for any purpose other than as a motor fuel or as fuel for an appliance that is designed to use gasoline as a fuel.

d. Use or ignite fireworks or flares in places under the control of the U.S. Army. Fireworks include toy cannons, blank cartridges, firecrackers, roman candles, skyrockets, sparklers, torpedoes, and similar items capable of producing a visual or audible effect by combustion or detonation. Fireworks do not include toys using a paper cap, saluting cannons used by the military, or highway warning devices.

## **28. HUNTING AND FISHING**

Personnel will hunt or fish only when properly licensed by host-nation authorities and in accordance with host-nation laws. In Germany, personnel will also comply with AE Regulation 215-145.

## **29. OPERATION OF TELECOMMUNICATIONS EQUIPMENT**

Personnel are prohibited from using telecommunications equipment (such as citizen band radios, cellphones, cordless telephones, and baby monitors) that operate in the 900 megahertz range, which may cause electromagnetic interference with host-nation telecommunications services. Users of such devices must comply with host-nation licensing and registration laws.

## **30. CONTROLLED SUBSTANCES AND DRUG-ABUSE PARAPHERNALIA**

Personnel will not knowingly use, buy, sell, possess, deliver, advertise, have custody of, manufacture, store, package, test, or conceal any controlled substance or drug-abuse paraphernalia (glossary). Personnel will not knowingly introduce controlled substances or drug-abuse paraphernalia into a military area, installation, building, or facility. These restrictions apply to situations in which personnel know or reasonably should know that drug-abuse paraphernalia is intended to introduce a controlled substance (glossary) into the human body or to engage in any activity prohibited by this regulation. Exceptions are authorized only for official duty or in connection with a valid prescription.

## **31. CLASSIFIED DOCUMENTS**

Personnel will not—

- a. Possess classified documents or materials except in the course of official duty.
- b. Remove classified documents from authorized storage areas without proper authority.
- c. Move classified documents from one location to another without proper authority or without following applicable security regulations.
- d. Maintain or possess classified documents in quarters, barracks, POVs, or other unauthorized places without proper authority.
- e. Deliver or transfer classified documents or materials to unauthorized personnel.

## **32. ILLEGAL ALIENS**

Personnel will not knowingly—

- a. Permit illegal aliens to occupy, either temporarily or permanently, Government or off-post, non-Government housing over which they have custody or control, including attic and basement rooms. Government housing includes off-post, Government-leased housing.
- b. Employ illegal aliens, either temporarily or permanently.
- c. Transport or help transport in any way illegal aliens in violation of host-nation immigration laws.
- d. Help any person to enter, remain in, or transit the host nation in violation of host-nation visa and immigration laws.

### **33. IDENTIFICATION**

Personnel will present proper identification on request by military or civilian police, commissioned officers, and noncommissioned officers in the grade of sergeant first class (E7 or equivalent in other Services) or higher who are enforcing order, discipline, and security affecting the U.S. Forces, its civilian component, or Family members.

### **34. PARTICIPATION IN EXTREMIST ORGANIZATIONS AND ACTIVITIES**

Personnel will neither participate in extremist organizations nor engage in prohibited extremist activities (DODD 1325.6 and AR 600-20).

### **35. ANABOLIC STEROIDS**

Personnel will not—

a. Use any anabolic steroid (glossary) without a prescription from a properly licensed physician. Only physicians credentialed to provide care in a military medical facility may prescribe anabolic steroids for Soldiers.

b. Distribute or possess anabolic steroids with the intent to distribute, except through lawful medical or pharmacological channels at the lawful direction of an authorized healthcare provider.

### **36. PORNOGRAPHY**

a. Personnel will not knowingly produce, possess, distribute by any means, or view any child pornography as defined in 18 USC 2256 (8) (glossary). The definitions set forth in 18 USC 2256, including the definition of *computer*, *graphic*, *identifiable minor*, *indistinguishable*, *producing*, *sexually explicit conduct*, and *visual depiction*, will apply as necessary for the application of this prohibition. For the purposes of this paragraph, a child is anyone under 18 years of age.

b. It will be an affirmative defense to a charge of possessing or viewing child pornography that the individual possessed or viewed fewer than three images of child pornography and promptly, in good faith, without keeping, distributing, or allowing any person other than law-enforcement personnel to access any image or copy thereof, took reasonable steps to destroy each image or reported the matter to a law-enforcement agency and gave that agency access to each image.

### **37. COMMERCIAL SOLICITATION**

On-post commercial solicitation is regulated by AE Regulation 210-70. A violation of the provisions of AE Regulation 210-70 is punishable as provided in that regulation.

## **APPENDIX A REFERENCES**

### **SECTION I PUBLICATIONS**

NATO Status of Forces Agreement and German Supplementary Agreement

United States Code, Title 5, section 7103 (5 USC 7103), Definitions; Application

18 USC 2256, Sexual Exploitation and Other Abuse of Children

Code of Federal Regulations, Title 5, part 734, Political Activities of Federal Employees

Federal Acquisition Regulation, subpart 13.3, Simplified Acquisition Methods

Defense Federal Acquisition Regulation Supplement, subpart 213.3, Simplified Acquisition Methods

Army Federal Acquisition Regulation Supplement, part 13, Simplified Acquisition Procedures

Manual for Courts-Martial, United States Uniform Code of Military Justice, 10 USC 801, *et seq.*

DOD Directive 1325.6, Guidelines for Handling Dissident and Protest Activities Among Members of the Armed Forces

DOD Instruction 1000.15, Procedures and Support for Non-Federal Entities Authorized to Operate on DOD Installations

DOD Instruction 1330.17, Armed Services Commissary Operations

USEUCOM Directive 45-7, Country Regulations

AR 1-101, Gifts for Distribution to Individuals

AR 20-1, Inspector General Activities and Procedures

AR 25-400-2, The Army Records Information Management System (ARIMS)

AR 55-46, Travel Overseas

AR 210-22, Private Organizations on Department of the Army Installations

AR 215-8, Army and Air Force Exchange Service Operations

AR 385-10, The Army Safety Program

AR 600-8-10, Leaves and Passes

AR 600-20, Army Command Policy

DA Pamphlet 385-40, Army Accident Investigation and Reporting

AE Regulation 27-9, Misconduct by Civilians

AE Regulation 55-4, Safe Movement of Hazardous Goods by Surface Modes

AE Regulation 58-1, Management, Acquisition, and Use of Nontactical Vehicles

AE Regulation 190-1/CNE-C6F Instruction 11240.6W/USAFE Instruction 31-202, Driver and Vehicle Requirements and the Installation Traffic Code for the U.S. Forces in Germany

AE Regulation 190-6/CNE-C6F Instruction 5300.15P/USAFE Instruction 31-205, Registration and Control of Privately Owned Firearms and Other Weapons in Germany

AE Regulation 190-24/CNE-C6F Instruction 1620.5E/USAFE Instruction 31-203, Armed Forces Disciplinary Control Board, Europe, and Off-Limits Procedures for Firms, Establishments, Organizations, and Areas Within the United States European Command

AE Regulation 210-22, Private Organizations and Fundraising Policy

AE Regulation 210-70, On-Post Commercial Solicitation

AE Regulation 215-145, Hunting, Shooting, and Sport Shooting in Germany

AE Regulation 525-13, Antiterrorism

AE Regulation 550-33, Regulations on Personal Property, Local Currency, and Motor Vehicles for U.S. Personnel in the United Kingdom

AE Regulation 550-34, Regulations on Personal Property, Local Currency, and Motor Vehicles for U.S. Personnel in Norway

AE Regulation 550-35, Regulations on Personal Property, Local Currency, and Motor Vehicles for U.S. Personnel in the Netherlands

AE Regulation 550-36, Regulations on Personal Property, Local Currency, and Motor Vehicles for U.S. Personnel in Turkey

AE Regulation 550-175/USNAVEUR Instruction 5840.1E/USAFE Regulation 51-702, U.S. Forces Customs Controls in Germany

AE Regulation 600-700, Identification Cards and Individual Logistic Support

AE Regulation 600-702/CNE-C6F Staff Instruction 10110.1B/USAFE Instruction 34-101, Ration Policy

AE Pamphlet 385-15, Leader's Operational Accident-Prevention Guide

USAREUR Regulation 550-32/COMUSNAVINST 5840.2E/USAFEI 36-101, Tri-Component Directive for Italy on Personal Property, Rationed Goods, Motor Vehicles and Drivers' Licenses, Civilian Component and Technical Representative Status

USASETAF Regulation 190-2, USASETAF Traffic Supervision and Privately Owned Vehicle Operator Licenses

USASETAF Regulation 190-3, USASETAF Registration, Operation and Disposal of Privately Owned Vehicles

## **SECTION II FORMS**

DA Form 2028, Recommended Changes to Publications and Blank Forms

OF 346, US Government Motor Vehicle Operators Identification Card

## GLOSSARY

### SECTION I ABBREVIATIONS

ADR	<i>Accord Européen relatif au Transport International des Marchandises dangereuses par Route</i> (European Agreement Concerning the Transportation of Hazardous Goods by Highway)
AE	Army in Europe
APO	Army post office
AR	Army regulation
CG, USAREUR/7A	Commanding General, United States Army Europe and Seventh Army
DCG, USAREUR/7A	Deputy Commanding General, United States Army Europe and Seventh Army
DOD	Department of Defense
DODI	Department of Defense instruction
FMWR	Family and morale, welfare, and recreation
HQ IMCOM-Europe	Headquarters, United States Army Installation Management Command, Europe Region
HQ USAREUR/7A	Headquarters, United States Army Europe and Seventh Army
ID	identification
IG	inspector general
MPS	Military Postal Service
NAFI	nonappropriated fund instrumentality
NATO	North Atlantic Treaty Organization
OF	optional form
OJA	Office of the Judge Advocate, Headquarters, United States Army Europe and Seventh Army
POF	privately owned firearm
POV	privately owned vehicle
SOFA	Status of Forces Agreement
UCMJ	Uniform Code of Military Justice
U.S.	United States
USAFE	United States Air Forces in Europe
USAREUR	United States Army Europe
USASETAF	United States Army Southern European Task Force
USC	United States Code
USEUCOM	United States European Command

### SECTION II TERMS

#### **anabolic steroids**

A group of usually synthetic hormones that increase constructive metabolism. This class of drugs includes, but is not limited to, substances banned by Schedule III of the Controlled Substances Act or host-nation law. Although not an exhaustive list, the following are included in the class of banned compounds:

Bolasterone	nandrolonedecanoate (Deca-Durabolin)
Clostebol	norethandrolone
Dehydrochlormethyltestosterone	oxandrolone (Anavar)
fluoxymesterone (Halotestin)	oxymesterone
mesterolone (Proviron)	oxymetholone
Metadienone	stanozolol (Winstrol)
methandrostenolone (Dianabol)	stebolone acetate (Anatrofin)
methenolone (Nibal) (Primobolan)	testosterone cypionate
methyltestosterone boldenone	

### **child pornography**

Any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, when any of the following applies (18 USC 2256 (8)):

- The production of the visual depiction involves the use of a minor engaging in sexually explicit conduct.
- The visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct.
- The visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

### **controlled substances**

Substances described in section 912a, Title 10, United States Code; Manual for Courts-Martial, United States; Article 112a, Uniform Code of Military Justice; or prohibited by host-nation law.

### **country regulations**

Regulations published pursuant to USEUCOM Directive 45-7 pertaining to personal property, local currency, motor vehicles, customs and taxes, and other similar subjects, and applicable to U.S. military and civilian component personnel and their dependents in countries under the area of responsibility of the Commander, USEUCOM.

### **drug-abuse paraphernalia**

Equipment, products, and materials of any kind that are used, intended for use, or especially designed, made, or modified for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance, or for injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body.

### **extremist organizations and activities**

Organizations and activities that promote supremacist causes; advocate racial, gender, or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, sex, religion, or national origin; advocate the use of or use force, violence, or unlawful means to deprive individuals of their rights under the U.S. Constitution, the laws of the United States, or the laws of the host nation; or advocate the overthrow of the U.S.- or host-nation Government.

**illegal alien**

A person born in a country other than the host nation who has not qualified as a citizen of the host nation and who has entered or remained in the host nation in violation of its registration, immigration, or naturalization laws.

**intoxication**

Any perceptible impairment of the rational and full exercise of the mental and physical faculties caused by the introduction of alcohol or drugs into the human body.

**knife with an automatic blade opener**

One of the following types of knife:

- A knife in which the blade snaps out of the grip when a button or lever is pressed, or when a catch is released, and the blade can be locked in place (spring knife).
- A knife in which the blade snaps out of the grip by weight or by a swinging motion and is locked in place automatically (gravity knife).
- A knife in which the blade snaps out of the grip by any operation, alone or in combination, of gravity or spring mechanism and can be locked in place.

**operation**

Setting a vehicle in motion through its own power or gravity, turning on the ignition, or sitting in the drivers seat while the engine is running (actual movement of the vehicle is not required).

**privately owned firearm**

- Any weapon, not officially issued, that is designed for, can be used for, or can be readily converted to be used for attack, defense, sports, games, or hunting by driving a projectile through a barrel. This includes multifiring black powder weapons, but excludes spring-activated or spring-powered BB guns, air rifles, air pistols, pump-type pellet guns, and paintball airguns.
- The frame or receiver for any weapon described in the bullet above.
- Interchangeable barrels that have their own serial number.

**privately owned vehicle**

Any self-propelled, wheeled vehicle not owned by the U.S. Government and designed for use in land transportation of persons or property. The term privately owned vehicle as used in this regulation includes vehicles owned by nonappropriated fund instrumentalities, except as provided in paragraph 6.