# DEPARTMENT OF THE ARMY HEADQUARTERS, UNITED STATES ARMY AVIATION CENTER OF EXCELLENCE FORT RUCKER, ALABAMA 36362-5105

USAACE Regulation 26 July 2010 No. 600-1

# Personnel – General PROHIBITED AND REGULATED CONDUCT

1. **PURPOSE**. This regulation sets forth standards of conduct for military and civilian personnel on Fort Rucker. For military personnel, violation of the provisions of this regulation will provide a basis for criminal prosecution or punishment under the Uniform Code of Military Justice (UCMJ) or other applicable laws and regulations. The enumeration of prohibited activities herein does not preclude prosecution for violations of other Army regulations or laws.

#### 2. SCOPE.

- a. The provisions of this regulation are not administrative but are criminal in nature as they apply to all military personnel assigned or attached to Fort Rucker or located thereon. Violation of the provisions of this regulation by dependents or civilian employees, while not subjecting them to military criminal liability, may furnish the basis for appropriate action for misconduct.
  - b. Nothing in this regulation shall prohibit the following:
- (1) Military or Department of Defense (DOD) civilian personnel possessing or using military weapons, military ammunition or explosives, or military devices in a lawful manner while in the performance of their military duties or for training and other authorized purposes, as prescribed by applicable Army regulations.
- (2) Military and DOD civilian personnel performing official law enforcement duties and possessing or using government ammunition, explosives, or devices in a lawful manner, as prescribed by applicable laws or regulations or their lawful superiors.
- (3) Government contractors using privately owned firearms, ammunition, explosives, or devices per provisions of their contract and authorized by the contracting officer.
- (4) Military and DOD civilian personnel possessing decorative/ceremonial swords and sabers (if they do not have a sharp cutting edge) in offices and family quarters. These items are not allowed in troop barracks rooms or guest housing.
- 3. **VIOLATION OF THE CONSTITUTION OF THE UNITED STATES**. Nothing in this regulation shall be construed to violate the Constitution of the United States. If any portion of this regulation is determined to be unconstitutional, only that portion of the regulation shall be deemed void, and the rest shall remain in full effect.
- 4. **SEVERABILITY**. Should any part of this regulation be determined to be unenforceable or contrary to law for any reason, such part may be eliminated, and its elimination shall have no effect on the validity of the remaining parts of the regulation.

\_\_\_\_

<sup>\*</sup>This regulation supersedes USAAVNC Reg 600-1, 9 Mar 06.

## 5. FIREARMS, WEAPONS, EXPLOSIVES, AND FIREWORKS.

# a. Registration.

- (1) Fort Rucker residents or those weapons owners participating in a bona fide sporting event must register privately owned firearms, including operational war trophies, with the Fort Rucker Police Desk, bldg 5001, within 72 hours after assignment and arrival at Fort Rucker or within 72 hours after acquisition. In accordance with (IAW) Army Regulation (AR) 190-11, Physical Security of Arms, Ammunition, and Explosives, 15 November 2006, all firearms, to include black powder (except air guns), will be registered with the Directorate of Public Safety (DPS). Do not bring the weapon(s) into the Military Police station with you.
- (2) Active duty Soldiers are required to complete Fort Rucker (DPS) Form 818 (Registration of Privately Owned Weapons) when purchasing their firearm at the AAFES Exchange, Fort Rucker, AL. Completion of this form is optional for other authorized AAFES patrons purchasing their firearm at the AAFES Exchange, Fort Rucker, AL. DPS will process all Fort Rucker Forms 818 received from AAFES. On a monthly basis, DPS will coordinate with AAFES for the pickup of Fort Rucker Forms 818 for processing.
- (3) No person, military or civilian, residing off Fort Rucker may transport privately owned firearms on the installation unless such firearms have been properly registered and licensed IAW state and federal laws.
- (4) Any individual who purchases a post hunting permit must register his/her intended weapon(s)/firearm(s) with the Fort Rucker Police Desk before he/she will be allowed to hunt or fire weapons on Fort Rucker. This must be accomplished before the permit is issued.
- (5) For the purpose of registration, a firearm includes any weapon capable of firing a projectile especially a pistol or rifle while using an explosive charge as a propellant.
  - (6) Paintball weapons, bows and arrows, and crossbows need not be registered.

# b. Use.

- (1) The use of pellet-type air rifles and pistols, slingshots, crossbows, and bows and arrows (other than those with cup-type tips) by persons under the age of 18 is prohibited unless supervised by a person 18 years of age or older and is restricted to ranges or special areas designated by the Directorate of Family and Morale, Welfare, and Recreation (DFMWR). Prior clearance to use the ranges or specifically designated areas must be obtained from the Training Division, Directorate of Plans, Training, Mobilization, and Security, or from DFMWR.
- (2) The use of privately owned firearms on Fort Rucker, other than those authorized for hunting, is restricted to designated ranges. Prior clearance must be obtained from the offices listed in paragraph 5b(1) above. A person 18 years of age or older must be present during firing, and the Range Control standing operating procedures must be followed at all times.
- (3) The discharge of privately owned weapons (POWs), to include BB or pellet guns, is not permitted within 50 yards of paved roads, gravel roads, or maintained dirt roads or within 200 yards of airstrips, recreational areas, or buildings. The firing of weapons across or along any maintained road is prohibited. Exceptions may be granted for Outdoor Recreation Advisory Council-sponsored hunts. Indiscriminate shooting is not allowed within the confines of the Fort Rucker military reservation. Target practice is allowed at the POW Range, located across from Range Control. This facility is periodically closed for training.
- c. Transportation. POWs will not be transported on the military reservation except for the purpose of engaging in bona fide hunting or sporting activities authorized by Fort Rucker Regulation (Reg) 215-1, Hunting, Fishing, Water Safety, and Trapping, 9 January 2009, with Change 1, 6 November 2009. Individuals carrying firearms will do so openly. Such firearms may be carried in commercially available covers or cases. Firearms may not be transported anywhere within a vehicle's passenger compartment. Concealment under a vehicle's seats or within its glove compartment is specifically prohibited. Firearms may be transported in the trunk of a vehicle, but

only when traveling to or from a bona fide hunting or sporting activity authorized by Fort Rucker Reg 215-1. The only exception to this provision is for a truck without a trunk. In this case, the weapon may be transported in the glove compartment en route to the hunting or sporting activity, but the glove compartment must be locked. If the weapon is too large to fit inside the glove compartment, it may be carried in the passenger compartment, but it must be unloaded, cased, and in plain view.

- (1) The transporting of a loaded firearm in a vehicle is prohibited. A firearm is considered loaded when an unexploded round is in the chamber and/or magazine. Muzzle-loaders are considered unloaded when the cap is removed or flash pan is empty.
- (2) Transporting privately owned firearms on motorcycles is authorized if the firearm is secured in a separate lockable container from ammunition; e.g., saddlebag or lockable faring container.

# d. Storage.

- (1) Privately owned firearms owned by personnel living in government barracks will be maintained in unit arms rooms or in other secure areas designated by the unit commander. Paintball weapons and bows and arrows may be kept in the barracks room unless the unit commander has a contrary policy. Privately owned firearms and other authorized weapons owned by personnel living in family quarters, bachelor officer quarters (BOQ), and the bachelor enlisted quarters (BEQ) may be secured in such quarters.
- (2) Except upon specific written authorization from the unit commander, the possession, maintenance, carrying, or display of privately owned firearms in any part of any dormitories, squad rooms, mess hall, or unit area is prohibited.
- (3) In resident housing or temporary lodging, firearms will be stored in a locked container or secured by a locking device that immobilizes the trigger and/or action that prevents mishaps by children. All firearms will be kept unloaded. Ammunition for firearms will be stored separately in a location inaccessible to minors. Personnel living on post must possess written approval from their command prior to storing any guest's POW in their quarters.
- (4) It is prohibited to store ammunition or POWs in living spaces and common areas of billets, squad rooms, exterior storage sheds, vehicles, camper trailers, and offices.
- e. Concealed Weapons. Alabama laws that permit carrying a concealed firearm do not permit individuals to carry such a firearm in a concealed manner on Fort Rucker or its satellite installations. The carrying and possession of POWs (e.g., firearms, knives with blades in excess of 4 inches, blackjack, hand-held bows, or other instruments that can be used as weapons) which are concealed is prohibited. A concealed weapon is any weapon which cannot be readily seen within a vehicle's cab or on the person.
- f. Dangerous Weapons. No person will possess any switchblade, gravity-type knife, stilettos, metal knuckles, blackjack, nunchucks, pieces of wood or metal linked together by rope or chain, object which carries an electrical current of sufficient wattage to deliver a shock to a person such as cattle prods, tasers, or public defenders, or other dangerous weapons. Persons engaged in organized (commercial or private instruction by a qualified instructor) martial arts classes may possess martial arts weapons such as nunchucks, throwing stars and spears, swords, knives, and other weapons. These weapons must be recognized as weapons unique to martial arts training, and they must be stored in a safe place; i.e., arms room or quarters. Dangerous weapons shall not be stored in a motor vehicle.
  - g. Explosives, Pyrotechnics, and Ammunition.
- (1) The possession or use of explosives, incendiary devices, pyrotechnics, fireworks, or military ammunition (whether blank or ball-type) is prohibited except for authorized military purposes.

- (2) Ammunition for privately owned firearms may be secured in unit arms rooms or in other safe areas designated by the unit commander or in family quarters, BOQ, and BEQ IAW policies established by the Provost Marshal.
- h. Nonlethal personal protection, such as mace or pepper spray, may not be used or transported on Fort Rucker. Keychain mace or pepper spray (1/2 ounce or smaller) may be transported on Fort Rucker as long as it is concealed in a hand or shoulder bag or glove compartment of a vehicle.
- i. Commercial Sales. No person shall own or operate on the Fort Rucker military reservation any business engaged in the sale or purchase of firearms, pellet-type air rifles and pistols, slingshots, crossbows, bows, ammunition, or arrows except with the prior approval of the Provost Marshal and DFMWR IAW AR 210-7, Personal Commercial Solicitation on Army Installations, 18 October 2007.
- j. Unit commanders may temporarily take possession of firearms which are used, stored, or transported in violation of this section. Confiscated weapons will be inventoried and stored in the appropriate arms room until the affected Soldier or civilian is counseled by his/her commander or supervisor and risks are adequately mitigated.
- k. Firearm registration and thus the ability to use or transport firearms on Fort Rucker may be revoked for anyone who violates this section.
- l. Under the Lautenberg Amendment (18 USC 922(g)(9), Unlawful Acts), Soldiers and civilians who have been convicted of the misdemeanor crime of domestic violence are prohibited from owning or using firearms. Individuals who knowingly give or sell firearms to such an individual also violate this section. Violation of this section may lead to criminal prosecution in Federal Court.
  - m. POWs are prohibited in all federal workplaces.
- n. Disposition of POWs and Ammunition. All POWs, ammunition, explosives, or other devices defined in this regulation confiscated pursuant to the commission of a crime, violation of this or other regulation, voluntarily surrendered, or found unsecured/unattended on the installation will be turned over to DPS and retained as evidence or for other lawful disposition. When retention for investigation or evidence is no longer required, the items will be disposed of under the provisions of AR 195-5, Evidence Procedures, 25 June 2007.
- o. Upon conviction of any person for the violation of any law or statute in which a privately owned firearm was used, displayed, or unlawfully possessed by such person, the court of competent jurisdiction may order the POW to be forfeited and destroyed according to law.

## 6. **DEMONSTRATIONS**.

- a. Military personnel are prohibited from participating in protests, picket lines, other public demonstrations, or any partisan political activity when they are on duty, when they are in uniform, when they are on the Fort Rucker reservation, when they are in a foreign country, when their activities constitute a breach of the law, or when violence is reasonably likely to result.
- b. Demonstrations, picketing, sit-ins, protest marches, political speeches by candidates for public office, and similar activities are prohibited on Fort Rucker.

# 7. DISTRIBUTION OF PRINTED MATERIALS.

a. Distribution on Fort Rucker of publications, including pamphlets, newspapers, magazines, handbills, fliers, and other printed material, may not be made except through regularly established and approved distribution outlets unless prior approval is obtained from DFMWR.

- b. The provisions of paragraph 7a above do not apply to notices of noncommercial personal sales at quarters or to the procedures governing approval and distribution of labor union materials under 5 USC 7114(b)(4), Representation Rights and Duties.
- 8. **ENTRY AND EXIT ON THE MILITARY RESERVATION**. Vehicular and pedestrian traffic will enter and exit the military reservation only through open authorized gates. Climbing over, crawling under, driving or walking around, or driving through perimeter fences or closed gates is prohibited.

## 9. **OFF-LIMITS AREAS**.

- a. Off-limits areas include, but are not limited to, ranges, designated training areas, storage buildings, nonlighted areas during hours of darkness (except fishing ponds and Lake Tholocco for fishing only), vacant and unused structures, the Lemon Lot after 2200, and all airfields, stagefields, or other facilities used for aircraft landing, refueling, storage, or maintenance.
  - b. Unauthorized entry into off-limits areas is prohibited.

#### 10. IMPROPER USE OF CHEMICALS, VAPORS, AND OTHER NONCONTROLLED SUBSTANCES.

- a. No person shall intentionally use, consume, smell, or inhale any type of chemical, vapor, or other substance with the intent to alter the person's mental state, mood, or central nervous system. The activity commonly referred to as "huffing" is strictly prohibited.
- b. As used in this paragraph, the terms chemical, vapor, or other substance shall include, but are not limited to:
- (1) "Model glue," which shall include any glue or cement of the type commonly used in the building of model boats, airplanes, and automobiles, or which contains one or more of the following substances: toluol, hexane, trichloroethylene, acetone, toluene, ethyl acetate, methylethylketone, trichloroethane, isopropanol, methylisobutyl ketone, methylcellulose acetate, cyclohexanone, or any other solvent, material, substance, chemical, or combination thereof having the property of releasing toxic vapors.
  - (2) Canned air.
  - (3) Naturally occurring substances such as salvia divinorum, spice, or nutritional supplements.
- 11. **ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**. No person shall possess, sell, transfer, consume, or use any alcoholic beverage or narcotic or controlled substance as defined by 21 USC 801, Congressional Findings and Declarations: Controlled Substances, and 18 CFR 1308.11-15 onboard any Army aircraft or vessel or in any US government-owned vehicle.
- a. The sale or transfer of alcoholic beverages by military personnel to persons younger than 21 years of age is prohibited.
- b. The ingestion or use of any alcoholic beverage during or immediately prior to duty hours is prohibited except as authorized IAW AR 215-1, Military Morale, Welfare, and Recreation Programs and Nonappropriated Fund Instrumentalities, 22 June 2010.
  - c. The possession or use of an alcoholic beverage by personnel younger than 21 years of age is prohibited.
  - d. The possession of an open container of an alcoholic beverage in any vehicle is prohibited.

- e. The possession of an open container of an alcoholic beverage in any outdoor public place, to include parking lots, is prohibited except—
- (1) By occupants of family quarters and their bona fide guests in the occupants' yard or while using common-use areas adjacent to family quarters during social gatherings.
  - (2) By participants in unit or post activities sanctioned and controlled by the chain of command.
- (3) By Soldiers residing in the barracks and in common-use areas adjacent to the barracks as sanctioned and controlled by their chain of command.
- (4) By visitors to the picnic areas adjacent to Lake Tholocco, Buckhorn Lake, Beaver Lake, Ech Lake, and/or other Fort Rucker fishing areas. This does not authorize possession of an open container in the adjacent parking lots.
- (5) By participants and guests at recreational service areas authorized by DFMWR IAW Fort Rucker Reg 215-1.
- f. The possession of drug paraphernalia is strictly prohibited. Drug paraphernalia means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of federal and/or state laws.
- 12. **LITTERING**. Littering or the deliberate or negligent disposal of trash, garbage, or other wastes in other than authorized receptacles or areas is prohibited.
- 13. **MEAL CARDS**. DD Form 714 (Meal Card) will be possessed or used only by the military person to whom such a card is issued and whose name appears on the card. Possession of a meal card by one not authorized to possess such a card or transfer of a meal card to an unauthorized person by a person authorized to possess such a card is prohibited.

# 14. ON QUARTERS AND CIVILIAN MEDICAL APPOINTMENTS.

- a. Military personnel who are assigned to quarters by medical personnel will have as their temporary place of duty their normal quarters/living area; i.e., barracks, on-post quarters, off-post quarters in the local area, or medical offices or facilities.
- b. Military personnel placed on quarters will report their whereabouts to their unit commander or first sergeant immediately and will remain in their quarters throughout the designated period. Military personnel on quarters may visit their dining facility and attend worship services without securing prior authorization from the unit commander or first sergeant, subject to their doctor's orders and provided that the route utilized to and from quarters is the most direct route and that time away from quarters is utilized for no other purpose.
- c. Military personnel given scheduled appointments with civilian medical facilities will have as their place of duty such facility from the time of the scheduled appointment until properly released by facility personnel, unless the absence is excused by the unit commander or first sergeant or unless the appointment is canceled IAW Lyster Army Health Clinic procedures.

## 15. IMPROPER RELATIONSHIPS.

a. General. The military is a society which requires a high standard of discipline to fulfill its mission. Scrupulous adherence to this high standard and the maintenance of the authority of command is especially important at Fort Rucker in view of the military aviation training mission.

- b. In addition to the relationships prohibited by AR 600-20, Army Command Policy, 18 March 2008, paragraphs 4-14 and 4-15, the following relationships are contrary to the standards of discipline and are prohibited. Any relationships between—
  - (1) Military students and instructors/cadre for the course in which the military student is enrolled.
  - (2) Persons in the same chain of command.
- (3) Initial Entry Training/Advanced Individual Training students and reclassified/prior service students.
- c. Improper Relationships. The prohibitions against improper relationships do not apply to persons married before arriving at Fort Rucker or married before falling into one of the categories defined as an improper relationship.
- d. Fraternization. The prohibitions against improper relationships shall not be construed as limiting, extending, or modifying in any way the offense of fraternization as addressed by Article 134, UCMJ, General Article.

# 16. PROHIBITED CLOTHING, SIGNS, AND PICTURES.

- a. The following clothing (to include hats and accessories) shall not be worn on Fort Rucker:
  - (1) Clothing with offensive, obscene, slanderous, vulgar words or drawings.
  - (2) Clothing which depicts drugs or drug paraphernalia or which advocates the use of drugs.
- (3) Clothing which advocates violence, subversion, sedition, or other criminal acts, whether in general or specifically against the US, the Army, Soldiers, Department of the Army (DA) civilians, or family members.
- (4) Clothing which by color, type, or manner of wear identifies the wearer as a member of a gang or criminal enterprise.
  - (5) Signs, clothing, or decals with racist verbiage or drawings.
- b. Tattoos which would violate paragraph 16a if they were on an article of clothing shall be covered while on Fort Rucker.
- c. Signs, bumper stickers, posters, and graffiti which would violate paragraph 16a if they were on an article of clothing are prohibited on Fort Rucker.
- d. Items which violate paragraph 16a may be subject to temporary confiscation by DPS. Violators may also be escorted off-post if they elect not to abide by this paragraph.
- 17. **THREATENING BEHAVIOR, SPEECH, AND GESTURES**. Fort Rucker does not condone disrespectful behavior, speech, or gestures toward Soldiers, family members, employees, civilians, retirees, or visitors. Nothing in this regulation shall limit Article 117, UCMJ, Provoking Speeches or Gestures, or Alabama Code section 13A-11-8, Harassment or Harassing Communications.
- 18. **STRAY PETS**. The collection of stray pets takes scarce resources away from the security and safety mission on Fort Rucker. Pets must be kept and controlled IAW Garrison Policy Memo 08-01, Control of Animals on Fort Rucker, 16 January 2008. Violation of this policy may result in administrative action or criminal prosecution. Dropping off stray animals and feeding stray animals on the installation is prohibited.

#### 19. OUTSIDE EMPLOYMENT.

- a. Military and DA civilian personnel will not engage in outside employment which interferes or is not compatible with the performance of their government duties, which may reasonably be expected to bring discredit upon the government or DA, or which would create a conflict of interest.
- b. Any Soldier or DA civilian who desires to engage in outside employment which may reasonably be expected to bring discredit upon the government or DA or which would create a conflict of interest will submit a request in writing by informal memorandum (see appendix A) through the chain of command to the first lieutenant colonel or battalion commander who is the approval authority for the request. This request should contain the following information:
  - (1) The names, business titles, addresses, and telephone numbers of the prospective employer.
- (2) For applicants who will be involved in commercial enterprises such as, but not limited to, sales organizations (e.g., Amway, Mary Kay, Shaklee, Avon, Tupperware, etc.), sole proprietorships, partnerships, and other joint business ventures, the name and address of the enterprise and the names, business titles, addresses, and telephone numbers of all individuals who would profit or benefit in any way by the applicant's involvement must be provided.
- (3) Whether the prospective employer or business contracts are with the US government and, if so, an explanation of the nature and extent of such contracts.
  - (4) The days of the week and number of hours to be worked each day.
- (5) The type of work, scope of these duties, and method by which compensation will be paid (i.e., wages, profit from personal sales, percentage of the enterprise's net income, dividends, etc.).
  - (6) Applicant's rank, unit, and an explanation of duties in their present military duty position.
- (7) A statement that 5 CFR 2635.801-809, Standards of Ethical Conduct for Employees of the Executive Branch: Outside Activities; DOD Directive 5500.07, Standards of Conduct, 29 November 2007 (especially regarding personal commercial solicitation), and USAACE Reg 600-1, paragraph 19, have been read and understood and will be followed.
- c. The Soldier's immediate supervisor will endorse the request, providing information as to whether or not the desired employment will conflict or be incompatible with the Soldier's official duties. All requests for outside employment made by tenant activity commanders, lieutenant colonel commanders, and all officers of the grade of colonel will be forwarded through the Soldier's chain of command to the Chief of Staff, who is the final approval authority for those requests.
- d. Military healthcare providers who desire to moonlight or engage in additional after-hours employment in the civilian community will follow the procedures and policies established by the Commander, US Army Aeromedical Center; Commander, US Army Dental Clinic Command, or Commander, US Army Aeromedical Research Laboratory.
- e. The Office of the Staff Judge Advocate will render a legal opinion, upon the request of any final approval authority, as to whether or not the outside employment will reasonably be expected to bring discredit upon the government or DA or would create a conflict or appearance of a conflict of interest.

The proponent agency of this regulation is the Office of the Staff Judge Advocate. Users are invited to send comments and suggested improvements to the CG, USAACE, ATTN: ATZQ-SJA, Fort Rucker, AL 36362-5105.

# BY ORDER OF THE COMMANDING GENERAL, USAACE:

TIMOTHY J. EDENS Colonel, Aviation Chief of Staff

OFFICIAL:

DEBORAH L. SEIMER Director, Human Resources

# APPENDIX A

# OUTSIDE EMPLOYMENT MEMORANDUM

ATZQ-XXX

# SAMPLE

USAACE Reg 600-1 • 26 July 2010