

**BY ORDER OF THE COMMANDER
RAMSTEIN AIR BASE**

RAMSTEIN AIR BASE INSTRUCTION 51-901



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Law

**CIVILIAN AND FAMILY MEMBER
MISCONDUCT**

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This instruction implements AFPD 51-9, *Civil Law for Individuals*, by providing guidance by establishing policy and procedures in dealing with cases of civilian and family member misconduct. This instruction applies to all non-active duty military Department of Defense (DoD) personnel, civilians, and their family members assigned or attached to, employed by, or under the supervision or control of US Air Force, US Army, DoD, or North Atlantic Treaty Organization (NATO) units within the Kaiserslautern Military Community (KMC). It also applies to nongovernmental employees under contract or working for a firm under contract with the DoD or the US Uniformed Services and their family members. It also applies to those personnel and their family members who are otherwise eligible to use United States facilities within the KMC or are entitled to logistical support from KMC units. The due process provisions of this regulation do not apply to adverse actions taken against non-affiliated persons who have sought or gained access to KMC facilities. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS) located in AF Records Management System (AFRIMS): <https://www.my.af.mil/gcss-af61a/afrims/afrims/index.cfm>. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) (Civilian Misconduct Specialist, 86 MSG/CCEA) using the AF Form 847, *Recommendation for Change of Publication*; route AF Form 847s from the field through the appropriate functional's chain of command.

SUMMARY OF CHANGES

This document has been substantially revised and must be completely reviewed. This instruction required revision due to process changes and reorganization. The major changes include, but are not limited to: expansion and clarification of definitions; alteration of supervision of community service/base beautification program; re-designation of barment order signature; re-specification of installation commander; extension of barments to all US military installations throughout Europe; addition of immediate barment action; revision of barment order; revision of administrative sanctions; and discussion of after action notification procedures.

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Section A—General

1. Overview. In almost all cases, the host nation has exclusive criminal jurisdiction over civilian family members of United States Forces and other civilian personnel (including civilian employees, DoD contractors, etc). Misconduct adversely affects host nation relations, our community’s quality of life, and negatively reflects on the individual, the family, and the entire military community. Commanders will ensure that their personnel understand that they are responsible for the welfare and conduct of all their family members, other household members and guests. The installation commander for Air Force installations in the KMC is the 86th Airlift Wing Commander (86 AW/CC). The installation commander is responsible for the general welfare, morale, and safety of KMC members on Ramstein Air Base and all other Air Force installations in the KMC. The installation commander and his designees have a number of

administrative sanctions that may be taken or directed in cases of family member or civilian misconduct.

2. Employment-Driven Special Provisions. Special provisions apply to civilians and family members who are employed by the United States Government or its instrumentalities either from appropriated or non-appropriated funds. Since both US and Local National employees are entitled to certain specific job protection rights, the installation commander and his designees must obtain the advice and assistance of the appropriate civilian personnel officer and staff judge advocate prior to taking any barment action against a civilian employee under this instruction. If it is deemed appropriate to bar an individual prior to employment issue resolution, an exception allowing direct travel to and from work may be included in the barment order if appropriate.

Section B—Explanation of Terms

3. Family Member. Any person who qualifies as a family member under Section I(c), Article I, NATO Status of Forces Agreement and applicable implementing agreements. This term includes members of the household and shall be broadly interpreted to cover all family members/dependents of the sponsor. In addition, ~~“family member”~~ shall include those family members eligible to attend Department of Defense Dependent Schools (DoDDS), regardless of their sponsor’s affiliation with the DoD. (*See DoDDS-Europe Student Eligibility Handbook, sec. 1.9*). For the purpose of this instruction, the two family member categories are:

3.1. Adult - Any family member or civilian 18 years of age or older, or spouse regardless of age.

3.2. Minor - Any family member under the age of 18.

4. Civilian. Any affiliated US citizen, affiliated local national, or affiliated third country national having access to the US installations of the KMC, or who are entitled to logistical support, who otherwise does not meet the definition of a family member.

5. Sponsor. Any person assigned to, employed by, or under the supervision or control of the Department of the Air Force, Department of the Army, Department of Defense Education Activity (DODEA), other DoD or US agencies, and NATO units that have local designated commanders, or persons entitled to logistical support from whom family members derive their status. ~~“Sponsor”~~ also includes a parent of those family members eligible to attend DoDDS, regardless of the parent’s affiliation with the DoD.

6. Civilian and Family Member Misconduct. The following is defined as civilian and family member misconduct:

6.1. Behavior that is contrary to the good order and discipline of the military installation and community.

6.2. Behavior that violates host nation laws.

6.3. Behavior that violates written rules, regulations/instructions, policies, and directives of the DoD, Department of the Army, Department of the Air Force, Commanding General, United States Army Europe (CGUSAREUR), Commander, United States Air Force Europe (COMUSAFE), 21st Theater Sustainment Command, Commanding General (21 TSC/CG), United States Army Garrison – Kaiserslautern (USAG-K), and 86 AW/CC. These rules are

enforced by the installation commander and designees. (*See, e.g.* the installation curfew at Attachment 8).

6.4. Behavior that violates DoDDS regulations and policies.

7. Kaiserslautern Military Community (KMC). The KMC is a large geographical area that has historically included both Air Force and Army facilities including but not limited to the military facilities: Ramstein AB; Vogelweh US Facilities; Kapaun Air Station; Einsiedlerhof Air Station; Einsiedlerhof Civil Engineering Complex; Daenner Kaserne; Kleber Kaserne; Panzer Kaserne; Rhine Ordnance Barracks (ROB); Sembach; Landstuhl Army Regional Medical Center; Pulaski Barracks; Kaiserslautern Army Depot; Kaiserslautern East Community Facilities; Kaiserslautern Equipment Maintenance Center; Bann Communications Facilities; Cold Storage Facility – Ramstein; Defense Property Disposal Office; Langerkopf Communications Site – Hill 365; Weilerbach Storage Area – ROB; and owned or leased US Military Family Housing connected with the above facilities.

Section C—Responsibilities

8. Installation Commander. The installation commander is responsible for action taken in dealing with misconduct cases of any affiliated civilian personnel and others residing in, authorized use of, or attempting access to US facilities on Ramstein Air Base and all other Air Force installations in the KMC. Authority for action is hereby delegated to:

8.1. For Air Force sponsored dependents and employees, the 86th Mission Support Group Commander (86 MSG/CC) and 86th Mission Support Group Deputy Commander (86 MSG/CD), except for barment.

8.2. For Army sponsored dependents and employees, the Commander USAG-K.

8.3. This authority may be further delegated by these designees, except in cases involving barment.

9. Department of Defense Dependent Schools–Europe Officials (DoDDS-E) (part of the DoDEA).

9.1. The DoDDS-E Kaiserslautern District Superintendent of Schools and other school administrators have primary responsibility for addressing disciplinary problems that occur on school buses, on school grounds during the school day and at school sponsored activities. Individual school principals are primarily responsible for sanctioning students who are involved in school related misconduct. The principal of a school shall notify the installation commander or designee of any acts that may violate local laws or pose a threat to the safety or security of the installation. (DoDEA Regulation 2051.1, enclosure 3).

9.2. Suspension or expulsion from school is the responsibility of DoDEA officials. The installation commander's designee may be a part of the School Disciplinary Committee, which investigates whether a family member's alleged misconduct warrants removal from the school for more than 10 consecutive school days (including expulsion). (DoDEA Regulation 2051.1, enclosure 5, sec. E5.3.2.3).

9.3. The installation commander or designee may also take other appropriate corrective action against a family member student who has engaged in misconduct.

10. Commander, First Sergeant and Supervisor Involvement.

10.1. Designees listed in paragraph 8 will notify the appropriate commander/first sergeant/supervisor in instances of civilian or family member misconduct as well as the planned action in response to that misconduct. Early involvement of the civilian's or sponsor's immediate commander/first sergeant/supervisor is essential in ensuring that each case is resolved in a fair and impartial manner.

10.2. The commander/first sergeant/supervisor may counsel a military sponsor for inadequately responding to family member misconduct.

11. Sponsor. A sponsor is responsible for the actions of his or her family member(s) and will provide guidance and ensure appropriate behavior of his or her family member(s). The sponsor is also responsible for ensuring that both adult and minor family members are aware of the standards of conduct they are expected to maintain. The sponsor is responsible for cooperating fully with the installation commander and designee as listed in paragraph 8, school officials, and host nation officials in their efforts to promote harmony and good order in the community. These efforts include participation in rehabilitative measures and compliance with administrative sanctions when directed (*e.g.*, supervision of base beautification detail). A sponsor's response to a family member's misconduct can be considered in determining the appropriate disposition of the family member's case.

12. Law Enforcement Authorities. 86th Security Forces (86 SFS), 569th United States Forces Police Squadron (569 USFPS), Air Force Office of Special Investigations (OSI), and Army Criminal Investigation Division (CID), as the primary US law enforcement agencies in the KMC, will investigate and report civilian and family misconduct and forward resulting report documents to the appropriate designees listed in paragraph 8. These agencies will also be prepared to clarify or expand on reported misconduct when tasked by designees above. 86 SFS/Reports and Analysis Section (86 SFS/S5R) and 569 USFPS/Reports and Analysis Section (569 USFPS/S5R) will maintain the files for civilian and family member misconduct.

13. Staff Judge Advocate Staffs. Army, HQ, 21st Theater Sustainment Command, ATTN: Army in Europe Regulation Judge Advocate-Admin Law (21 TSC, ATTN: AERJA-AL) and Air Force, 86th Airlift Wing Staff Judge Advocate (86 AW/JA) staffs will provide legal reviews/opinions to assist the designees listed above regarding civilian and family member misconduct. The legal reviews/opinions are for official use only (FOUO) and will not be shown to those who have been involved in misconduct or to their sponsors.

Section D—Administrative Sanctions

14. Jurisdiction. Host nation authorities have criminal jurisdiction over civilian family members and civilian personnel. (*See* DOD Directive 5525.1, Status of Forces Policies and Information; AE Regulation 550-50/USAFE Instruction 51-706, Exercise of Foreign Criminal Jurisdiction Over United States Personnel; AE Regulation 550-56/USAFE Instruction 51-705, Exercise of Jurisdiction by German Courts and Authorities Over US Personnel; AFI 51-703, Foreign Criminal Jurisdiction. In appropriate cases, the installation commander may request jurisdiction of any case against civilian family members and personnel from the German authorities. The installation commander or designee also has a number of administrative

sanctions that may be taken or directed in cases of family member and civilian misconduct, either instead of or in conjunction with host nation action

15. Relation of Installation Commander and Employer Sanctions. In the case of civilian personnel, any action taken by the installation commander or designee is in addition to any adverse personnel action that may be taken against the employee for off-duty misconduct that relates to the employee's performance of official duties. (AFI 36-704, Discipline and Adverse Actions; AFI 34-301, Nonappropriated Fund Personnel Management and Administration; USAFE Instruction 36-702, Conduct and Discipline, Non-US Citizen Employees, Germany. See also AE Regulation 27-9, para 14 (a), Misconduct by Civilians).

16. Principles Affecting Sanction Selection. When selecting administrative sanctions, the following principles apply:

16.1. Misconduct should be evaluated in light of the individual's age, prior record, connection to the installation, seriousness of misconduct, deliberateness of misconduct, defiance of authority, discourteous conduct, influencing others' involvement in misconduct, the presence or absence of parental guidance and discipline, the availability of community agencies to support any corrective actions, sanctions used in like cases, adverse impact upon the Air Force/Army, culpable involvement with German law enforcement authorities, circumstances and the effect misconduct has had on victim(s), and rehabilitative potential of sanction. (*See, e.g.*, AE Regulation 27-9, para. 11).

16.2. The following favorable factors may justify less severe administrative sanctions: possibility of genuine misunderstanding, enticements or provocations, length of service to the community, quality of work history, personal reputation, past contributions, whether restitution has been made to the victim, record of cooperativeness, and record of achievements. (*See, e.g.*, AE Regulation 27-9, para. 11(e); USAFE Instruction 36-702, attachment 2, para. A2.3.3; Attachment 7).

16.3. The selected sanction must bear a rational relationship to the offense committed. For example, the suspension of driving privileges may be an appropriate sanction for misconduct involving a privately owned vehicle, but not for shoplifting at the Commissary or Army and Air Force Exchange Service (AAFES). (*See* AE Regulation 27-9, para. 11(b); AE Regulation 550-50/USAFE Instruction 51-706, para. 13(b)(1)).

17. Sanction Descriptions. The installation commander or designee may take any one or more of the following administrative sanctions. (*See, e.g.*, AE Regulation 27-9, para. 12 and appendix D, table D-1, "Table of Suggested Penalties").

17.1. Verbal Counseling: The civilian may be counseled about his own alleged misconduct, and the sponsor may be counseled about the alleged misconduct of his family member. The sponsor also may be notified of unproven allegations of misconduct of his family member, where reason for concern exists. (AE Regulation 27-9, para. 12(a); Attachment 2).

17.2. Letter of Warning: The civilian may be issued a letter of warning based upon his own misconduct, and the sponsor may be issued a letter of warning based upon his family member's misconduct. In cases involving civilian personnel, the letter of warning will be sent through the civilian employee's servicing civilian personnel office/Human Relations Office Nonappropriated Fund (NAF) employees), or, in cases involving contractors, through the contracting officer (or representative). (AE Regulation 27-9, para. 12(a); Attachment 3).

17.3. Restriction of Travel: While on KMC installations, the family member may be restricted in freedom of travel. A parent or legal guardian must accompany the minor family member at all times, except when the family member is proceeding directly to and from medical facilities for necessary medical care, or when the family member is at school, at work, or at on-base quarters. (Attachment 4).

17.4. Referral to Counseling: The civilian, family member, and/or sponsor may be requested to seek counseling from the chaplain, Life Skills Center, or other base services. The designee may consider any failure to attend such counseling in deciding whether more serious sanctions should be imposed. (Attachment 5).

17.5. Barment by the installation commander of civilians and family members from all KMC installations (including DoDDS), except for entrance to obtain authorized necessary medical care. AFI 31-101, para 8.9, Air Force Installation Security Program. Barment is one of the most serious sanctions the installation commander may impose, and pursuant to the interservice memorandum of agreement for Installation Bars, effective 26 April 2002, this action will also bar entry to all facilities under the operational control of the U.S. Armed Forces in Europe. The barment procedures are detailed in Attachment 10.

17.6. Suspension or revocation of a civilian's or family member's logistical support, such as MWR activities, Commissary, AAFES, and ration privileges on KMC military facilities. The installation commander or designee may also take away privileges of entry into any, some, or all KMC retail outlet facility/facilities to include snack bars, cafeterias, etc. The installation commander or designee may direct that the civilian's or family member's military identification card be confiscated and reissued, showing such limited benefits and privileges. (AR 600-8-14/AFI 36-3026(I), para 1.15, Identification Cards for Members Of The Uniformed Services, Their Eligible Family Members, And Other Eligible Personnel; AE 215-8/AFI 34-211(I), para 6.6, Army and Air Force Exchange Service Operations; AE Regulation 600-702/USAFE Instruction 34-101, para 12(a), Staff Instruction/Ration Policy; AE Regulation 600-1; Regulated Activities in Europe; see DODI 1330.17, Attachment 6, Armed Services Commissary Operations). Revocation of privileges is particularly appropriate when the misconduct is related to the abuse of such privileges. Abuse of privilege can include, but is not limited to:

17.6.1. Purchasing items for resale purposes, or transferring or exchanging items to unauthorized patrons.

17.6.2. Purchasing goods to conduct a private business or otherwise produce income.

17.6.3. Shoplifting or intentionally or repeatedly presenting dishonored checks. (*Note:* Shoplifting from AAFES or intentional presentation of dishonored checks results in a mandatory 6 month suspension of privileges). (AR 215-8/AFI 34-211(I), para. 6-6; EOP 16-1).

17.7. Suspension or revocation of a civilian's or family member's driving privileges IAW AFI 31-204, AR 190-5/AFI 31-218(I) para. 2-4, and 86 AW Instruction 31-201. A civilian or family member may also be declared ineligible for a license according to AE Regulation 190-1/USAFE Instruction 31-202, para. 1-4(b)(7). All correspondence involving such action will be prepared by 86 SFS/Reports and Analysis Section and 569 USFPS/Reports and Analysis Section.

17.8. Termination of family housing with 30 days' notice when the sponsor or family member's conduct or behavior is contrary to accepted standards or adverse to military discipline. (AFI 32-6001, paras 6.3.6, 6.3.7, Family Housing Management, and USAFE Supplement).

17.9. Early Return of Family Member. Pursuant to the Joint Federal Travel Regulations (JFTR), volume 1, para. U5900-D(2)(e)(military sponsors) and the Joint Travel Regulations, volume II, para. C7003-D (civilian sponsors), commanders will consider the early return of family members or other civilian offenders to Continental United States (CONUS) when other administrative measures are not expected to be effective. (See AE Regulation 27-9, para 12(f); Misconduct by Civilians; see also AFI 36-3020; see also AFI 36-3020, Family Member Travel. Measures pertaining to returning family members to CONUS include the following:

17.9.1. Commanders may encourage the sponsor (military or civilian) to request the early return of the family member to CONUS. An early return of a military dependent pursuant to JFTR vol 1, para. U5900-D(2)(e) and JTR vol 2, para. C7003-D will be considered to be in the best interest of the government.

17.9.2. Even in the absence of a military sponsor's voluntary request for the early return of his family member, command sponsored dependents of military personnel may be provided Early Return of Dependent (ERD) orders in those cases when the dependent/family member engages in behavior which is embarrassing to the U.S. government, which is prejudicial to order, morale, and discipline in the command, or which gives rise to conditions in which the dependent's safety can no longer be ensured. (JFTR, vol. 1, para. U5900-B).

17.9.3. There is no correlating involuntary return of family members of civilians under the Joint Travel Regulations. (See AE Regulation 27-9, para. 12(f)(2), citing Comptroller General Opinion B-183205, May 15, 1975).

17.10. Assignment Curtailment – Military Sponsor. A military member's overseas assignment may be curtailed due to certain instances of family member misconduct, when the misconduct has resulted, or could result, in significant adverse publicity to the United States. Assignment curtailment is to be used as a last resort, and usually the early return of the dependent without curtailment of the sponsor's assignment is appropriate. (AFI 36-2110, para. 3.8.10, Assignments).

17.11. Assignment Curtailment – Civilian Sponsor. Any action similar to an assignment curtailment for a civilian employee should be routed through the Civilian Personnel Office and 86 AW/JA, and processed IAW 5 CFR 352 and 5 CFR 752. (See AE Regulation 27-9, para. 12(g)). Actions against contractor personnel should be routed through the contracting officer (or his representative) and 86 AW/JA.

17.12. Other Action. When a sponsor refuses to request the early return of his family member, or when an early return is authorized and the family member refuses to leave (or leaves and returns), the installation commander may bar the family member from the base (other than for authorized medical care), and may terminate family housing in appropriate cases. (AFI 31-101, para. 8.9, The Air Force Installation Security Program; AFI 32-6001, paras. 6.3.6, 6.3.7., Family Housing Management, and USAFE Supplement; See AE

Regulation 27-9, para. 12(f)(4), Misconduct by Civilians). As long as the sponsor remains in the command, the family member retains his/her status under the NATO Status of Forces Agreement.

18. Administrative Hold for Pending Criminal Charges. Family members and civilians facing pending German criminal charges (other than minor traffic incidents) will not be allowed to leave Germany for any reason without coordination with the local legal liaison authorities and the approval of the United States Army Europe, Army Europe Office of the Staff Judge Advocate, International Law Division, Foreign Law Section, USAREUR/JA (AEAJA-IL-FL). (AE Regulation 550-56/USAFE Instruction 51-705 para. 4(b)(1), Exercise of Jurisdiction by German Courts and Authorities Over US Personnel).

19. Methods to Mitigate Sanctions: Offenders may be offered the option of voluntarily participating in community service such as the base beautification detail program, which may result in a reduction of punitive action. Individuals age 17 and under must be supervised by the sponsor/parent while volunteering in said program. 86th Civil Engineer Group (86 CEG) 86 CEG has the overall supervision for the base beautification detail program. Completion of base beautification detail hours must be documented by the Base Beautification Detail POC. Offenders may also try to mitigate their punishment by voluntarily participating in counseling (e.g., anger-management training, alcohol or substance abuse programs, parenting skills training). (Attachment 5). Additionally, offenders may agree to random drug testing when misconduct involves substance abuse.

Section E—Procedures.

20. Report and Investigation. Anyone may report serious civilian or family member misconduct incidents to the applicable law enforcement authorities. School, transportation, or youth activities officials may handle minor incidents. Law enforcement authorities will conduct all required investigations and will send completed civilian and family member misconduct investigative reports, with the exception of Air Force driving privilege cases and other traffic-related cases, to the installation commander or designee.

21. Sanction Determination and Initial Notification. The designee's staff will review the report and may forward the file to the appropriate staff judge advocate office for a legal review/opinion. If there are no legal issues, the civilian or family member, along with their sponsor, will meet with the applicable designee's staff to discuss rehabilitative measures and/or the imposition of administrative sanctions. Administrative sanctions will be in writing and will be personally served. The civilian or family member and sponsor will sign and date the writing, acknowledging receipt and understanding of the sanctions. The written sanction should include the who, what, when, where, and how of the incident, as well as any prior offenses. If the sanction cannot be personally served, the sanction will be sent to the civilian's or family member and sponsor's most recent address by certified return receipt mail.

22. Driving-Related Incidents. With regard to driving privileges, 86 SFS and 569 USFPS will forward reports and/or requests for restricted driving regarding Air Force personnel and family members, along with action letters for the designee's signature, directly to 86 AW/JA, rather than to the Air Force designee's office. After a legal review is completed, the file will be forwarded to the designee's office. Security Forces will forward Army related driving privilege

reports and restricted driving requests, along with action letters for the designee's signature, directly to the Army designee's office.

23. Barment Actions. Barment actions will be processed as described in Attachment 10.

24. After-Action Notification. Whenever an administrative sanction has been imposed on a family member, the sponsor and the sponsor's immediate commander or first sergeant will be notified, as well as other agencies to make the sanctions effective.

24.1. In addition, if an administrative sanction is taken against a civilian, the employee's commander or supervisor will evaluate whether or not the offender has or requires a security clearance and will immediately report the adverse administrative sanctions to appropriate security-clearance-review authorities. (*See, e.g.,* AE Regulation 27-9 para. (10)(d)(1), Misconduct by Civilians).

24.2. Appropriate DoD hiring authorities will be notified of incidents involving civilians or family members when such incidents reflect upon employment qualifications. Civilian personnel offices and selecting supervisors can use this information in determining if said individual is suitable for employment. (*See, e.g.,* AE Regulation 27-9 para. 12 (c), Misconduct by Civilians).

Section F—Appeal.

25. Barments. Appeals of barments will be processed as described in Attachment 10.

26. Administrative Sanctions. If the civilian or family member and sponsor have new, relevant information proving innocence, showing mitigating circumstances, or personal/family hardship not considered in the initial action, they may submit an appeal for reconsideration to the appropriate designee within 3 work days of the imposition of adverse action (unless a different appeal time is given by an appropriate instruction, *see* AE Regulation 600-702/USAFE Instruction 34-101, para. 12(a)(2)(b)(time to appeal ration privilege revocation is 10 work days)). Exceptions to the 3-day deadline may be granted by the designee for good cause. Traffic sanctions appeals must be submitted through the respective Security Forces Reports and Analysis section.

27. Adopted Forms.

AF Form 847, *Recommendation for Change of Publication*,

MARK C. DILLON, Brigadier General, USAF
Commander

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

NATO Status of Forces Agreement, June 19, 1951

AFI 31-101, *The Air Force Installation Security Program*, 1 March 2003

AFI 31-204, *Air Force Motor Vehicle Traffic Supervision*, 14 July 2000, and USAFE Supplement, 5 January 2006

AFI 32-6001, *Family Housing Management*, August 21, 2006, and USAFE Supplement, June 27, 2007

AFI 34-301, *Nonappropriated Fund Personnel Management and Administration*, 25 July 1994

AFI 36-704, *Discipline and Adverse Actions*, 22 July 1994

AFI 36-2110, *Assignments*, 20 April 2005

AFI 36-3020, *Family Member Travel*, 10 June 1994

AFI 51-703, *Foreign Criminal Jurisdiction*, May 6, 1994, and USAFE Supplement 1, 22 November 2002

AFMAN 31-201, vol. 7, *Security Forces Administration and Reports*, 21 January 2002

AR 190-5/OPNAV 11200.5D/AFI 31-218(I)/MCO 5110.1D/DLAR 5720.1, *Motor Vehicle Traffic Supervision*, 22 May 2006

AE Regulation 215-8/AFI 34-211(I), *Army and Air Force Exchange Service Operations*, 30 July 2008

AR 600-8-14/AFI 36-3026(I)/BUPERS Instruction 1750.10B/Marine Corps Order P5512.11C/Commandant Instruction M5512.1/Commissioned Corps Personnel Manual 29.2, *Instructions 1 and 2, Identification Cards For Members Of The Uniformed Services, Their Eligible Family Members, And Other Eligible Personnel*, 20 December 2002

AE Regulation 190-1/CNE-C6F Staff Instruction 11240.6U/USAFE Instruction 31-202, *Driver and Vehicle Requirements and the Installation Traffic Code for the U.S. Forces in Germany*, 20 January 2009

AE Regulation 600-702/CNE-C6F Staff Instruction 10110.1B/USAFE Instruction 34-101, *Ration Policy*, 15 October 2008

AE Regulation 550-56/USNAVEUR Instruction 5820.13F/USAFE Instruction 51-705, *Exercise of Jurisdiction by German Courts and Authorities Over U.S. Personnel*, 3 September 2003

AE Regulation 550-50/CNE-C6F Staff Instruction 5820.8K/USAFE Instruction 51-706, *Exercise of Foreign Criminal Jurisdiction Over United States Personnel*, 26 November 2007

USAFE Instruction 36-702, *Conduct and Discipline, Non-U.S. Citizen Employees, Germany*, 11 August 11

86 AW Instruction 31-201, *Installation Traffic Code*, 1 November 2008

Memorandum of Agreement (MOA) between U.S. Forces in Europe Component Commanders Regarding Reciprocal Installation Barments, 26 April 2002, found in AE Regulation 27-9, appendix C

AE Regulation 27-9, *Misconduct by Civilians*, 29 January 2009

AE Regulation 600-1, *Regulated Activities in Europe*, 30 November 2007

Section 123(1) (Trespass) of the German Criminal Code (Stafgesetzbuch), translated in Army in Europe Pamphlet 550-19, *Compilation of Selected German Laws*, Appendix A, 7 November 2006

Joint Federal Travel Regulations, Volume I, *Uniformed Service Members*, paragraph U5900-Band D2(e), current edition

Joint Travel Regulations, Volume II, *Department of Defense Civilian Personnel*, paragraph C7003-D, current edition

DOD Directive 5525.1, *Status of Forces Policies and Information*, 7 August 1979

DODI 1330.17, *Armed Services Commissary Operations*, 8 October 2008

DODI 5200.8, *Security of DoD Installations and Resources*, 10 December 2005

DoDEA Regulation 2051.1, *Disciplinary Rules and Procedures*, 4 April 2008

DoDDS-Europe Student Eligibility Handbook, Volume I, sec. 1.9, School Year 2008-2009

AAFES EOP 16-1, *Exchange Operating Procedures*, ch. 9, Shoplifting Prevention, July 2007

Abbreviations and Acronyms

AAFES—Army and Air Force Exchange Services

ASACS—Adolescent Substance Abuse Counseling Service

AW—Airlift Wing

AFI—Air Force Instruction

AFOSI—Air Force Office of Special Investigations

ASG—Area Support Group

CEG—Civil Engineer Group

CID—Criminal Investigation Division

CGUSAREUR—Commanding General, United States Army Europe

CONUS—Continental United States

DoD—Department of Defense

DoDDS—Department of Defense Dependent Schools

DoDEA—Department of Defense Education Activity

FOUO—For Official Use Only

IAW—In Accordance With

ID—Identification

KMC—Kaiserslautern Military Community

MSG—Mission Support Group

NAF—Non-Appropriated Fund

NATO—Northern Alliance Treaty Organization

POV—Privately Owned Vehicle

SFS—Security Forces Squadron

TSC—Theater Sustainment Command

USAFE—United States Air Forces in Europe

USAREUR—United States Army Europe

USFPS—United States Forces Police Squadron

USNAVEUR—United States Naval Forces, Europe

Attachment 2

SAMPLE AWARENESS LETTER

Figure A2.1. Sample Awareness Letter.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Awareness Letter

1. According to a security forces report dated (date) your son/daughter, (name), may have been involved in (type of incident at (location)). While it is not certain that this allegation is true, I consider it important that you be made aware of the fact that he has been mentioned in connection with this matter.
2. Under the terms of NATO Status of Forces Agreement, German authorities have exclusive criminal jurisdiction over our civilian members. In order to assure these authorities that positive action is taken in all cases of misconduct, as well as to ensure that our military community is a pleasant place in which to live, I have been charged with the responsibility to investigate incidents and implement the appropriate corrective action.
3. I must repeat that there is no firm evidence to support your son's/daughter's involvement. My only intent is to share information with you which has been brought to my attention. I feel this is necessary because as a sponsor you have a right to know, and because you are in a better position to influence him/her than anyone else.
4. If I or any member of my staff may be of help in this or any similar matter, please feel free to call.

Designee's Signature Block

cc:

SFS/S5R

Unit CC

Attachment 3

SAMPLE WARNING LETTER

Figure A3.1. Sample Warning Letter.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Warning Letter

1. According to a security forces report dated (date) your (son/daughter/spouse), (name), was involved in (type of incident at (location)). Incidents of this nature are considered serious in this community.
2. Under the terms of NATO Status of Forces Agreement, German authorities have exclusive criminal jurisdiction over our civilian members. In order to assure these authorities that positive action is taken in all cases of misconduct, as well as to ensure that our military community is a pleasant place in which to live, I have been charged with the responsibility to investigate incidents and implement the appropriate corrective action.
3. You are warned that should there be recurrence of conduct of this nature by your family member, strict disciplinary measures will be taken. As his/her sponsor, you are in an influential position. I am relying on your wholehearted support and cooperation to ensure that his/her future behavior is satisfactory. You and your family member will acknowledge receipt and understanding of this letter below.

Designee's Signature Block

cc:

SFS/S5R

Unit CC

Receipt and understanding acknowledged on _____.

Sponsor's Signature_____
Family Member's Signature

Attachment 4

SAMPLE RESTRICTED TRAVEL LETTER

Figure A4.1. Sample Restricted Travel Letter.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Restricted Travel Letter

1. According to a security forces report dated (date), your (son/daughter), was involved in an incident (type of incident) at (location).
2. Under the terms of NATO Status of Forces Agreement, German authorities have exclusive criminal jurisdiction over our civilian members. In order to assure these authorities that positive action is taken in all cases of misconduct, as well as to ensure that our military community is a pleasant place in which to live, I have been charged with the responsibility to investigate incidents and implement the appropriate corrective action.
3. As a result of this incident, I have deemed it appropriate to restrict your (son's/daughter's) travel in the Kaiserslautern Military Community (KMC) for a period of (time). Henceforth, he/she will not be found in the KMC unless under direct parental/adult supervision except when proceeding directly to and from school via the most direct route.
4. You are warned that should there be a recurrence of conduct of this nature by your son/daughter, strict disciplinary measures will be taken. As his sponsor, you are in an influential position. I am relying on your wholehearted support and cooperation to ensure that his future behavior is satisfactory. You and your son/daughter will acknowledge receipt and understanding of this letter below. You have 3 work days from receipt of this letter to submit written matters in appeal to this office.

Designee's Signature Block

cc:

SFS/S5R

Unit CC

Receipt and understanding acknowledged on _____.

Sponsor's Signature_____
Family Member's Signature

Attachment 5

SAMPLE WARNING LETTER/REQUEST FOR COUNSELING

Figure A5.1. Sample Warning Letter/Request For Counseling.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Warning Letter with Request for Counseling

1. According to a security forces report, your (son/daughter/spouse) (name) was involved in an incident of (type of incident) at (location). Incidents of this nature are considered serious in this community.
2. Under the terms of NATO Status of Forces Agreement, German authorities have exclusive criminal jurisdiction over our civilian members. In order to assure these authorities that positive action is taken in all cases of misconduct, as well as to ensure that our military community is a pleasant place in which to live, I have been charged with the responsibility to investigate incidents and implement the appropriate corrective action.
3. I request your son/daughter attend Adolescent Substance Abuse Counseling Service (ASACS) counseling or counseling classes at the Pediatric Behavior Medicine. Call 479-2378 to set up the dates. (For spouse call Life Skills at 479-2390)
4. You are warned that should there be recurrence of conduct of this nature by your family member, stricter disciplinary measures will be taken. As his/her sponsor, you are in an influential position. I am relying on your wholehearted support and cooperation to ensure that his/her future behavior is satisfactory. You and your family member will acknowledge receipt and understanding of this letter below.

Designee's Signature Block

cc:

SFS/S5R

Unit CC

Receipt and understanding acknowledged on _____.

Sponsor's Signature

Family Member's Signature

Verification of completion of counseling _____

Attachment 6

SAMPLE SHOPLIFTING LETTER

Figure A6.1. Sample Shoplifting Letter.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Corrective Action for Shoplifting Letter

1. According to a security forces report your (son/daughter/spouse), (name), was involved in an incident of shoplifting at (location) on (date). Incidents of this nature are considered serious. All civilians accompanying US Forces in Germany fall under the jurisdiction of German authorities; family member misconduct not satisfactorily corrected by military authorities can become a matter of interest to those authorities.

2. As a result of this incident, I have deemed it necessary to withdraw his/her Exchange, Commissary, and Services privileges for a period of (duration). Effective immediately, he/she is not authorized in any such facility to include affiliated food service establishments and theaters, unless accompanied by a parent or legal guardian. If not already accomplished, you must proceed to the 86th Military Personnel Flight (MPF) to receive an application for a new ID card, which will reflect the withdrawal of these privileges. I trust you will impress upon your family member the seriousness of this misconduct and that there will be no recurrence. Violation of this restriction may result in permanent revocation of your family member's privileges. Upon completion of the endorsement of this letter by the MPF you will return it to this office within **24 hours**.

3. [In cases not involving AAFES shoplifting] You have the option of your family member completing (number) hours of parentally supervised community service with the Base Beautification Detail. If you select this option and have met the requirement, in (number) months, you may request, in writing, reconsideration of the above suspension order. Requests must be sent to the designee's attention. You have 3 work days from receipt of this letter to submit written matters in appeal to this office.

Designee's Signature Block

cc:

SFS/S5R

Unit CC

Receipt and understanding acknowledged on _____.

Sponsor's Signature_____
Family Member's Signature

Attachment 7

SAMPLE RESTITUTION LETTER

Figure A7.1. Sample Restitution Letter.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Restitution Status Request

1. According to a security forces report your (son/daughter/spouse), (name), was involved in an incident of (type of incident) at (location) on (date). As a result of this behavior, (describe property damaged), which cost \$_____ to (repair/replace/clean up).
2. Before deciding what action to take in your (son/daughter/spouse's) case, please inform me if restitution has been made and have an official of the affected agency verify the same in writing.
3. Please reply within 3 work days.

Designee's Signature Block

Receipt and understanding acknowledged on_____.

Sponsor's Signature

Family Member's Signature

Restitution was made in the amount of _____

Agency Official's Name

Attachment 8
CURFEW POLICY

Figure A8.1. Curfew Policy.

The following states the installation commander's policy on curfew:

1. From 2300 – 0600, minors are not to be out of quarters unless accompanied by a parent, guardian, or other responsible adult who has been entrusted with their care. On occasion, certain functions which cater to our youth, i.e., motion pictures, youth and teen center programs, roller rink, etc., end at or about 2300 hours. Minors leaving such functions, or leaving work, will be allowed a period of not more than 30 minutes to proceed to their homes by the most direct route possible without disturbing the peace.
2. Violators will be cited and escorted to either the Ramstein Law Enforcement Desk or the U.S. Forces Police Station in Vogelweh, as appropriate. Parents of violators will be notified and required to accept custody of their children at the above designated locations. All members are responsible for enforcement of this policy.
3. The installation commander may implement additional curfew hours when conditions and circumstances warrant.

Attachment 9

SAMPLE CONFISCATED ID CARD LETTER

Figure A9.1. Sample Confiscated ID Card Letter.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Letter of Instruction for Confiscated Identification Card (ID)

1. The following identification card was confiscated for suspicion of shoplifting, IAW AR 600-8-14/AFI 36-3026(I), dated 20 Dec 02, Issuing and Controlling Identification (ID) Cards.

Date Card is confiscated _____	Date New Card Issued _____
Issued to _____	SSAN _____
Organization _____	Duty Phone _____
ID Form/Card # _____	Exp. Date _____
Sponsor _____	SSAN: _____
Organization _____	Duty Phone _____

2. ID Card Replacement Procedures:

a. Family Members of Military Personnel Only: The sponsor will accompany their family member to their servicing ID Cards/DEERS office within 72 hrs from time/date of confiscation. Present this letter and family member's passport to the verifying official. A new ID card will be issued indicating your limited privileges.

Air Force Personnel: 86 MSS/MPF Customer Service
Bldg 2106
Ramstein Air Base, Germany
DSN 480-6608; Civ 06371-47-6608

THIS DOCUMENT CONTAINS FOR OFFICIAL USE ONLY (FOUO) INFORMATION
THAT MUST BE PROTECTED UNDER THE 1974 PRIVACY ACT

Army Personnel: 90 PSB Det C, ID Cards/DEERS Section
Bldg 3245
Kleber Kaserne

DSN 483-7662/7072; Civ 0631-411-7662/7072

b. DoD civilians and other ID Card holders and their family members must report to the sponsor's servicing personnel office or contract officer representative, within 72 hrs from time/date of confiscation, to obtain a new DD Form 1172 (Application for Uniformed Services ID Card-DEERS Enrollment). Present this letter, the DD Form 1172, and passport to one of the following offices to obtain a new ID card indicating your limited privileges.

(If serviced by Air Force personnel office) To 86 MSS Customer Service, Bldg 2106, Room 117, Ramstein AB.

(If serviced by Army personnel office) To ID Cards/DEERS Section, Bldg 3245, Kleber Kaserne.

3. Effective immediately, your son's/daughter's military exchange, commissary, and services/MWR privileges are suspended for a six-month period, pending resolution of the charge. He/she is not authorized in any such facility (with the exception of youth and teen centers), to include affiliated food service establishments and theaters, unless accompanied by a parent or legal guardian.

4. You will be able to obtain a replacement card restoring your son's/daughter's full benefits at the end of the term of reduced privileges. Prior to the expiration date on your son's/daughter's new ID card you must request reinstatement of your privileges to either USAG-CO (Army) or 86 MSG (Air Force). The appropriate headquarters must approve and endorse the letter before the servicing personnel office will issue a card restoring full benefits.

5. If you have questions, please contact the 86 MSG Designee at DSN 480-7041, if Air Force-affiliated and USAG-K at 493-4030, if Army-affiliated.

Designee's Signature Block

Attachment 10**86 AW BARMENT POLICY**

A10.1. Installation commanders have wide authority to exclude persons from their installation and other areas of command. DoD Directive 5200.8, para. 3(2); AFI 31-101, paras. 1.7, 8.9. Barment is one of the most serious sanctions the installation commander may impose.

A10.2. When the family member or civilian misconduct is considered egregious enough to warrant barment, law enforcement personnel will always forward the file to the appropriate staff judge advocate office for review/opinion prior to the designee's meeting with the civilian or family member and sponsor.

A10.3. The staff judge advocate will make a legal review, as to the propriety of barment. If the designee agrees with the staff judge advocate's recommendation to bar, he will sign a notice of barment letter which is then served on the civilian or family member and sponsor. Prior to signing the barment notice, the Air Force designee must coordinate the barment action with the installation commander. The letter must give specific reasons for barment. The civilian or family member and sponsor will sign and date the letter acknowledging receipt and understanding. If the notice cannot be personally served, it will be sent to the civilian or family member and sponsor's most recent address by certified return receipt mail. (Attachment 11).

A10.4. The individual who receives a notice of proposed barment has 3 work days to review documents regarding the barment action. In the case of AFOSI Reports of Investigation (ROI), extracts/summaries may be reviewed. This information is temporarily kept at the designee's office and can be viewed or obtained by submitting a written request for the evidence. The civilian or family member and sponsor may submit written matters in response to the proposed barment. The civilian or family member and sponsor may also request a personal appearance, which may be granted as the designee's calendar permits. The designee will summarize in writing his/her impressions and the facts presented at this informal hearing. For good cause, the designee may grant a time extension.

A10.5. Once 3 work days have passed or the individual has submitted written material and/or made a personal presentation, the file may be referred back to the staff judge advocate's office for a more detailed legal review. If the installation commander finds barment appropriate, he/she will sign the barment order.

A10.6. Oral barment orders (including immediate barment orders) by the installation commander are possible, but should be given only when time constraints prevent preparing a written order. Oral barment orders must be immediately followed-up in writing. AFI 31-101, para. 8.9.1. The authority to bar individuals from the installation may not be delegated. AFI 31-101, para. 8.9.

A10.7. The designee's staff will serve the barment order on the civilian or family member and sponsor. They will sign and date the barment order, acknowledging receipt and understanding. If personal service is not possible, the barment order will be sent to the civilian or family member and sponsor's most recent address by certified return receipt mail. AFI 31-101, para. 8.9.1.2. The designee's staff will then return the file, which contains the investigative report and original action letter to the respective Security Forces Reports and Analysis Section. All investigative reports on barment actions will be maintained throughout the barment period. AFI

31-101, para. 8.9. Security Forces maintain a list of personnel barred from the installation. All lists are for official use only (FOUO). AFI 31-101, para. 8.9.2.

A10.8. The standard barment time should be one year. Longer barment periods are appropriate in cases of egregious misconduct or when the offender has engaged in prior misconduct. The barment letter should contain some or all of the following information: An order for the individual not to reenter KMC facilities; the reason for the barment, which should include the who, what, when, where, and how of the incident or conduct giving rise to the barment; why the incident or conduct is wrong; citation to violated regulations/instructions/statutes, for the latest as well as for prior offenses; any limitations of the bar order (medical care or travel to and from work); appeal procedure; the barment's length of time; notice of Section 123(1) of the German Criminal Code and its provisions; and a statement the individual is subject to apprehension and detainment by Security Forces for prompt delivery to appropriate civil authorities upon reentry in violation of the barment order; and notice that pursuant to the interservice memorandum of agreement for Installation Bars, effective 26 April 2002, a barment to KMC facilities will also bar entry to all facilities under the operational control of the U.S. Armed Forces in Europe.

A10.9. In a case of extreme misconduct, the installation commander can authorize an immediate barment of a command-affiliated individual. Review of this action will be conducted as soon as all pertinent information has been compiled.

Attachment 11

SAMPLE NOTICE OF PROPOSED BARMENT LETTER

Figure A11.1. Sample Notice Of Proposed Barment Letter.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: Designee

SUBJECT: Notice of Proposed Barment

1. According to a security forces report your (son/daughter/spouse), (name), was involved in an incident of (type of incident) at (location) on (date).
2. As a result of this incident of misconduct, the Installation Commander considers barring your family member from Ramstein Air Base and all other Air Force installations in the Kaiserslautern Military Community. Pursuant to the interservice memorandum of agreement for Installation Bars, effective 26 April 2002, this action will bar your entry to all facilities under the operational control of the U.S. Armed Forces in Europe
3. You have 3 work days from receipt of this letter to come to this office to submit written material in response. If you waive this opportunity and a barment order is issued, be advised that your appellate rights are limited to new relevant information that was not available and thus not considered in the initial action.
4. You and your (son/daughter/spouse) will acknowledge receipt of this letter below.

Designee's Signature Block

cc:

SFS/S5R

Unit CC

Receipt and understanding acknowledged on _____.

Sponsor's Signature_____
Family Member's Signature

Attachment 12

SAMPLE BARMENT ORDER

Figure A12.1. Sample Barment Order.

(ON APPROPRIATE LETTERHEAD)

MEMORANDUM FOR SPONSOR

FROM: 86 AW/CC (or USAG-K/GC if Army civilian/dependent)

SUBJECT: Order Not to Enter or Reenter Military Facilities

1. According to a security forces (OSI) report dated (date), your (son/daughter/spouse), (name), was involved in (type of misconduct), at (location) on (date).
2. As a result of this incident of misconduct, I consider your family member's presence on Ramstein Air Base and all other Air Force installations in the Kaiserslautern Military Community (KMC) to be detrimental to the maintenance of good order and discipline. Effective immediately, (he/she) is ordered not to enter the limits of the KMC for the period of one year. Pursuant to the interservice memorandum of agreement for Installation Bars, effective 26 April 2002, this action will bar (his/her) entry to all facilities under the operational control of the U.S. Armed Forces in Europe.
3. However, if your family member is entitled to medical treatment at a military medical facility, your family member may enter a military installation for the sole purpose of using said facility. To so, your family member must present this letter to the entry controller at the installation entry point and obtain the appropriate visitor pass. Your family member will travel directly to the medical facility for treatment and must leave the installation immediately following medical treatment. Your family member shall not deviate from the most direct route to the medical facility, nor shall (he/she) stop for any reason on (his/her) way to or from the facility.
4. If your family member fails to comply with this order, (he/she) will be subject to prosecution under Section 123(1) of the German Criminal Code (Strafgesetzbuch), translated in Army in Europe Pamphlet 550-19, Appendix A, which states ~~Whoever~~ "Whoever unlawfully invades the dwelling, the business premises, the fenced-in property of another, or the enclosed premises that are assigned to public services or traffic, will be punished by imprisonment not exceeding one year or by a fine."
5. Should your family member enter any U.S. military installations in Europe in violation of this order, without having received prior approval by an authorized commander, (he/she) will be subject to detention by security forces for delivery to the appropriate civilian authorities.
6. Under extraordinary circumstances, requests for temporary access to other facilities on military installations of the KMC may be granted. Such requests should be made in advance and in writing through the 86 MSG/CD, and set out the reason(s) why access should be granted. If time does not permit, such a request must be made to the security forces control center at 06371-47-2050. The controller will then notify the appropriate officials and convey your family member's request.

7. This order will remain in effect for the period prescribed in paragraph 2 unless otherwise revoked in writing by myself. If a compelling reason exists which you or your family member believe should be sufficient to justify modification or termination of this order, you or your family member may submit your justification to me, in writing, through the 86 MSG/CD.

86 AW/CC's Signature Block

cc:

SFS/S5R

Unit CC

Receipt and understanding acknowledged on _____.

Sponsor's Signature

Family Member's Signature