



**Office of Inspector General**  
U. S. ARMY TRANSPORTATION CENTER AND FORT EUSTIS



# LEADER'S HANDBOOK

July 2004

- ◆ The US Army Transportation Center IG prepared and staffed this handbook with USATC SJA to give leaders and soldiers the answers to the key questions and cases that clients bring to us.
- ◆ We provide the same information to your soldiers on a case by case basis as required. It is recommended that you use this information to teach your soldiers and civilians.
- ◆ Real world assistance requests, complaints, inspections, investigations and inquiries, our IG briefing, coupled with regulatory guidance provide the basis for this tool.
- ◆ The information in this handbook was current as of the date of publication.
- ◆ Please contact the Subject Matter Experts (SME) as required to determine the most current information.
- ◆ This handbook or portions thereof are available in MS Word as attached documents via email.

## PREFACE

“The day soldiers stop bringing you their problem is the day you have stopped leading them. They have either lost confidence that you can help them or concluded that you do not care. Either case is a failure of leadership.”

(Excerpt from Gen Colin Powell's autobiography, My American Journey)

The Leader's Handbook can be an effective and informative tool for the soldiers in leadership positions in supporting the working soldier's day to day issues. Commanders and First Sergeants are encouraged to contact the Subject Matter Experts in resolving problems or answering questions. The Inspector General (IG) staff at the United States Army Transportation Center also use the handbook daily, but standby to assist the leadership when possible.

The modern Army IG is an extension of the eyes, ears, voice, and conscience of the Commanding General. The IG is a personal staff officer providing the commander with a sounding board for sensitive issues. IGs are honest brokers and consummate fact finders. Our primary tools include training, inspecting, assisting, and investigating. The IG works closely with commanders at all levels in trying to resolve issues and provide solutions at the lowest level possible while protecting the confidentiality of all concerned.

This handbook has been staffed with the numerous SMEs, and is as current as of the date of the publication. This handbook or portions thereof are available in MS Word or PowerPoint and can be attached via e-mail. The Leaders Book can be found in electronic version in the FEVA Public Folders under organizations, or interested parties can contact the IG Administrative Assistant, USATC at 757-878-4844 for information.

The Inspector General Staff  
July 2004

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*(Additional IG Resources available at: [www.eustis.army.mil/ig](http://www.eustis.army.mil/ig))*

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# CHAPTER 1

## ABCMR - ARMY BOARD FOR CORRECTION OF MILITARY RECORDS (LEGAL)

### REFERENCE:

- AR 15-185, Army Board for Correction of Military Records, 29 February 2000

**SME:** Legal Assistance/SJA, 878-2205

**EXAMPLE:** You believe the characterization of your military discharge is unjust or improper.

**QUESTION:** Can the Army Board for Correction of Military Records (ABCMR) change your discharge?

**ANSWER:** Yes, the ABCMR may review any discharge, and it may revoke an improper discharge and give a proper discharge in its place. If your discharge is declared improper, you may receive back pay. The ABCMR does not however return soldiers to active duty.

- The ABCMR is the Army's highest level of administrative review to correct errors or injustices in military records. It reports its findings and recommendations directly to the Secretary of the Army for final action.
- You must request an ABCMR review within three years after you discover the claimed error or injustice, but the ABCMR may waive the time limitations when appropriate. Application forms can be obtained from the internet (<http://arba.army.pentagon.mil/abcmr.htm>), any military personnel office or by sending a

request to: Army Review Boards Agency 1941 Jefferson Davis Highway Crystal Mall 4 STE 211 ATTN: Client Information & Quality Assurance, Arlington, Virginia 22202.

- All administrative remedies must first be exhausted before an application will be considered by the ABCMR. You must submit an original completed and signed Application for Correction of Military Record DD Form 149 directly to the ABCMR. It takes 12 to 18 months to process your application.

**QUESTION:** Can I receive compensation (damages) from the ABCMR based on a substantiated injustice I suffered?

**ANSWER:** No. Monetary settlement occurs only as a result of correcting the military record. Claims against the Government must be presented through the appropriate Federal civil court system.

**QUESTION:** I have a mandatory separation date approaching. Can the ABCMR suspend this action while my application is under review?

**ANSWER:** No. While every effort will be made to process an application involving a retirement/separation, the fact an application has been submitted does not provide a basis to suspend the action. However, it is your responsibility to ensure the ABCMR is aware of a pending retirement/separation date.

## **ARMY BOARD FOR CORRECTION OF MILITARY RECORDS (ADMINISTRATIVE)**

**SME:** Adjutant General, 878-2204

- The Department of the Army Review Boards Agency (ARBA), on behalf of the Secretary of the Army, serves as the highest administrative level for review of personnel actions taken by lower levels of command and administers the Army Board for Correction of Military Records and the Army Discharge Review Board. The Agency is located in Arlington and is staffed by 131 personnel of whom 81 are civilians, 17 are military officers, and 11 are enlisted soldiers. The Agency also has support staff of 22 civilians co-located with the Army Reserve Personnel Command (ARPERSCOM) in St. Louis, Missouri.
- Persons eligible to apply for corrections are Active duty soldiers and former members of the Regular Army, Army Reserve, and Army National Guard. If the former member is deceased or incompetent, the

surviving spouse, next of kin, or a legal representative may apply by providing supporting documentation with the application, e.g., marriage license, death certificate, court order or decree. Submit an original completed and signed Application for Correction of Military Record DD Form 149. The form, instructions and the pertinent Army Regulation are available for downloading from the website at: <http://arba.army.pentagon.mil/>

- The blank forms are available in Microsoft Word, Form Flow, and Acrobat Reader (PDF) formats. Blank forms can also be obtained from any military personnel office or by sending a request to the ABCMR, 1941 Jefferson Davis Highway, 2d Floor, Arlington, Virginia 22202-4508. This same address is the place active duty soldiers should mail their completed applications.

## **ARMY SUBSTANCE ABUSE PROGRAM (ASAP)**

### **REFERENCES:**

- AR 600-85, Army Substance Abuse Program, 1 October 2001
- ATZF-PCZ-D Memorandum, dated 17 May 2002, Subject: Standard Operating Procedures for Forts Eustis/Story Army Substance Abuse Program (ASAP)
- Installation SOP for Conducting Urinalysis

**SME:** Ms. Lithia Carter, Garrison Alcohol and Drug Control Officer, 878-4985/2924.

**EXAMPLE:** A specialist's job performance is well below par and he/she use to be an excellent soldier. Co-workers say this specialist is smoking marijuana frequently.

**QUESTION:** I have a soldier in my unit I suspect of drug use. Do I have any other recourse of action other than conduct a unit urinalysis?

**ANSWER:** YES.

- When commanders suspect drug use by a soldier due to observation, suspicion, or a negative change in job performance, social conduct,

interpersonal relations, physical fitness or health they will, IAW AR 600-85, paragraph 3-3 (same applies to apparent drug use):

- Interview the soldier (advise of Article 31b rights if applicable).
  - If appropriate refer to the ASAP Clinical for an initial screening and interview.
- Soldiers who are identified as illegal drug abusers will be processed for separation.
  - Soldiers enrolled in ASAP Clinical treatment will be flagged (This provision will be effective when AR 600-8-2, Suspension of Favorable Personnel Actions, is changed to reflect this requirement).

**EXAMPLE:** Commander has just received a memorandum from the ASAP office indicating a specialist tested positive for drugs during the recently conducted unit urinalysis.

**QUESTION:** I have a soldier in my unit who has been identified as a possible drug abuser. Do I have any responsibilities?

**ANSWER:** YES.

- The commander has 24 hours to report confirmed positive urinalysis results to the Criminal Investigation Division Drug Suppression Team (878-4811).
- Additionally, when individuals are identified as drug abusers, their unit commanders or designated representatives will IAW AR 600-85, paragraph 3-7:
  - Advise them of their rights, under Article 31, UCMJ. Use of DA Form 3881 (Rights Warning Procedure/Waiver Certificate) is strongly recommended.
  - Explain the provisions of the limited use policy.

- Interview them and inform them of the evidence.
- Collect any illegal drugs or drug paraphernalia that the soldier voluntarily relinquishes and turn them over to the local Provost Marshal according to AR 190-22, Search, Seizure and Disposition of Property.
- Refer the soldier to ASAP Clinical, Bldg 515, Mr. Richard Sleeper, Clinical Director, for screening.
- Process the soldier for separation. The Commander and ASAP Clinical will determine if the soldier will be enrolled for rehabilitation.

**EXAMPLE:** A commander realizes that he is required to conduct urinalysis testing on 100% of his unit's assigned personnel in a Fiscal Year. (DoD 1010.1, paragraph D.2.b states that the minimum rate of urinalysis testing be one random sample per active duty member each year. Year in this case is Fiscal Year per DoD 1010.1 proponent.) However, he is unsure how to conduct urinalysis testing within his unit to discourage illegal drug use and to not tip off soldiers

**QUESTION:** How should I conduct urinalysis testing to deter illegal drug use and not tip off soldiers while meeting the DoD 1010.1 requirement?

**ANSWER:**

- Utilize discretionary smart testing.
- The USATC SOP recommends commanders test 10% of their unit's strength monthly and mandates that 100% of unit strength is tested annually. Monthly testing is a good deterrent and better enables compliance with the DoD 1010.1 requirement to annually test 100% of unit strength.

- Confer with the Garrison USATC Alcohol and Drug Control Officer and Installation SOP for Conducting

Urinalysis for more information on smart testing.

## AER/CFC SOLICITATION

### **REFERENCES:**

- AR 600-29, Fund Raising Within the Department of the Army, 1 June 2001
- Joint Ethics Regulation, DoD 5500.7-R

**SME:** Office of the Staff Judge Advocate, Administrative Law Division, 878-5286

**EXAMPLE:** The Commander has appointed a platoon sergeant as the CFC/AER POC.

**QUESTION:** Can the Commander keep a list of who donates and how much? Can he/she designate specific CFC charities as especially deserving? Can the platoon sergeant promise time off for soldiers that participate?

**ANSWER:** No to all three questions. All donations must be completely voluntary, and free from the taint of any coercion in order to remain within the ethical rules established by the Joint Ethics Regulation.

Combined Federal Campaign (CFC) and Army Emergency Relief (AER) are, with few limited exceptions, the only fund raising activities allowed in the workplace. They are also the only two private organizations that Army personnel can officially endorse.

**DO:** Ensure soldiers and employees are giving voluntarily and without coercion.

**DO NOT:** Use commanders, supervisors, or other persons in the soldier's/employee's chain of command (or supervisory chain), to solicit contributions from soldiers and employees.

**DO NOT:** Maintain lists distinguishing between donor and non-donors. (Routine, administrative tracking of contributions is permissible so long as it does not have the effect, or create the appearance, of coercing soldiers into giving.)

**DO NOT:** Inquire as to why a soldier/employee did not give to CFC/AER.

**DO NOT:** Ask how much an individual plans to give or gave to CFC/AER.

**DO NOT:** Harass soldiers/employees through multiple meetings, discussions, or counselings on giving.

**DO NOT:** Grant special privileges for giving, such as passes or other concessions.

**DO NOT:** Set 100% participation goals. (Ok to set 100% contact goals.)

The Army does not authorize units or activities to conduct special fund raising activities to support CFC/AER, such as lotteries, raffles, bake sales, or car washes.

## ARTICLE 15

### REFERENCES:

- AR 27-10, Military Justice, 6 September 2002
- FM 27-100, Legal Guide to Operations, 1 March 2002

**SME:** Trial Defense Office, 878-2064 for soldiers, Criminal Law, 878-5287 for commanders.

**EXAMPLE:** Commander has given an Article 15 and punishment is imposed (reduction to PFC, \$200.00 forfeiture, 7 days restriction, and 7 days extra duty).

**QUESTION:** Once a soldier receives an Article 15 and indicates that he or she wants to appeal punishment. When does the punishment take effect?

**ANSWER:** The date of the commander's signature on DA Form 2627 starts the punishment.

- Punishments, if not suspended, take effect the date they are imposed unless the commander prescribes otherwise for one of the reasons noted in AR 27-10, paragraph 3-21b (usually field duty) at the time of imposition.
- Punishment is imposed until the appeal is reviewed by the next higher commander. The next higher commander has five calendar days; three in the case of summarized proceedings, excluding date of submission, to decide the appeal.
- If the appeal is not decided in this 5-day period and the soldier requests, punishment-involving deprivation of liberty (arrest, restriction, extra duty) will be interrupted pending decision of the appeal.

## ARTICLE 31b

### Rights Warnings Procedures

### REFERENCES:

- UCMJ, Article 31(b)
- DA Form 3881 (rights warning procedure/waiver certificate)

**SME:** Trial Defense Office, 878-2064 for soldiers, Criminal Law, 878-5287 for commanders.

**EXAMPLE:** Your supply sergeant has been seen taking government property from the supply room then transporting it to an unknown location.

**QUESTION:** When do you inform the soldier of his rights?

### ANSWER:

- Commanders and other soldiers are prohibited from interrogating or requesting a statement from a person who is suspected or accused of committing an offense without first providing the suspect/accused with a proper rights warning.
- Article 31(b) of the UCMJ requires that the rights warning include the following:
  - The nature of the accusation.
  - An advisement that the suspect/accused does not have to make any statement regarding the offense for which he/she is the suspect/accused.

- That any statement made by them may be used as evidence in a trial by court martial.
- A rights warning procedure/waiver certificate, DA Form 3881, should be used when possible. Step by step instructions for completing this form are printed on the back. The

commander reads the rights advisement/waiver on the back of the form (DA Form 3881). The soldier reads the front of the form. The commander should also have the soldier initial after the statement rights on the front of the form.

## ALCOHOL & DRUG ABUSE PREVENTION & CONTROL PROGRAM (ADAPCP)

### REFERENCES:

- AR 600-85, Army Substance Abuse Program, 1 October 2001
- ATZF-GS Memorandum, dated 2 November 1999, Subject: Reporting Confirmed Positive Urinalysis Results.
- Installation SOP for Conducting Urinalysis

**SME:** Ms. Lythia Carter, USATC Alcohol and Drug Control Officer, 878-4985/2924.

**EXAMPLE:** A specialist's job performance is well below par and he/she used to be an excellent soldier. Co-workers say this specialist is smoking marijuana frequently.

**QUESTION:** I have a soldier in my unit I suspect of drug use. Do I have any other recourse of action other than conduct a unit urinalysis?

**ANSWER:** YES.

- When commanders suspect drug use by a soldier due to observation, suspicion, or a negative change in job performance, social conduct, interpersonal relations, physical fitness or health they will, IAW AR 600-85, paragraph 3-3 (same applies to apparent drug use):
  - Interview the soldier (advise of Article 31b rights if applicable).
  - If appropriate refer to the ADAPCP for an initial screening and interview.

- Soldiers who are identified as illegal drug abusers will be processed for separation. Enlisted personnel who have three or more years of military service (Active or Reserve Component) and who are identified as illegal drug abusers will also be processed for separation. Enlisted personnel with fewer than three years of service who have been identified in two separate instances of drug abuse will be processed for separation.
- Soldiers enrolled in ADAPCP treatment will be flagged (This provision will be effective when AR 600-8-2, Suspension of Favorable Personnel Actions, is changed to reflect this requirement).

**EXAMPLE:** Commander has just received a memorandum from the ADAPCP office indicating that a specialist tested positive for drugs during the recently conducted unit urinalysis.

**QUESTION:** I have a soldier in my unit who has been identified as a possible drug abuser. Do I have any responsibilities?

**ANSWER:** YES.

- The commander has 24 hours to report confirmed positive urinalysis results to the Criminal Investigation Division Drug Suppression Team (878-4811).

- Additionally, when individuals are identified as drug abusers, their unit commanders or designated representatives will IAW AR 600-85, paragraph 3-7:
  - Advise them of their rights, under Article 31, UCMJ. Use of DA Form 3881 (Rights Warning Procedure/Waiver Certificate) is strongly recommended.
  - Explain the provisions of the limited use policy.
  - Interview them and inform them of the evidence.
  - Collect any illegal drugs or drug paraphernalia that the soldier voluntarily relinquishes and turn them over to the local Provost Marshal according to AR 190-22, Search, Seizure and Disposition of Property.
  - Refer the soldier to ADAPCP for screening within 72 hours of receipt of a positive notification.
  - Process the soldier for separation. The Commander and ADAPCP will determine if the soldier is not going to rehabilitation.

**EXAMPLE:** A commander realizes that he is required to conduct urinalysis testing on 100% of his unit's assigned personnel in a Fiscal Year. (DoD 1010.1, paragraph D.2.b states that the minimum rate of

urinalysis testing is one random sample per active duty member each year. Year in this case is Fiscal Year per DoD 1010.1 proponent.) However, he is unsure how to conduct urinalysis testing within his unit to discourage illegal drug use and to not tip off soldiers

**QUESTION:** How should I conduct urinalysis testing to deter illegal drug use and not tip off soldiers while meeting the DoD 1010.1 requirement?

**ANSWER:**

- Utilize discretionary smart testing.
- A good urinalysis testing practice is to test monthly about 10% of the unit's strength monthly and conduct a 100% urinalysis once a year. Monthly testing is a good deterrent and 100% urinalysis testing once a year ensures the DoD 1010.1 requirement to test 100% is met.
- Confer with the USATC Alcohol and Drug Control Officer and Installation SOP for Conducting Urinalysis for more information on smart testing.

## APFT – UNIT GOALS/ARMY POLICY

**REFERENCES:**

- AR 350-1, Army Training and Education, 9 April 2003
- FM 21-20, Physical Fitness Training, 30 September 1992, Change 1, 1 October 1998
- FM 7-0, Train the Force, 22 October 2002.

**SME:** NCOIC, Fort Eustis IG Office, 878-4844.

**EXAMPLE:** Company commander has set a “unit goal” of 270 on the APFT

**QUESTION:** Can a commander set a “unit goal” for the APFT?

**ANSWER:** YES.

- Commanders may establish unit APFT goals that exceed Army standards.
- The goal must be able to be achieved safely through the use of normal training time and adherence to the principles of conditioning.
- Commanders who establish higher goals should do so because their unit missions require soldiers to be more than minimally fit based on the wartime mission.

- Soldiers who meet Army standards, but fail to meet unit standards may not be punished or disciplined, however, they may be candidates for special programs until they meet the standard.

**EXAMPLE:** The “unit goal” for our runs are 3 miles in 27 minutes.

**QUESTION:** I passed the APFT but have trouble completing the unit run in the prescribed time. Can the commander place me in a Special PT Program?

**ANSWER:** YES

- Special physical fitness programs are appropriate for soldiers who have difficulty meeting unit or Army standards. Special physical fitness programs will not be punitive in nature, nor be used to discipline soldiers who may have attitude problems towards physical fitness. Special physical fitness programs will be designed to:
  - build-up soldiers, not tear them down.
  - meet individual needs to overcome specific weaknesses.

- encourage healthy lifestyle behavior.
- Special physical fitness programs will be tailored according to the principles of conditioning.

**Army Policy Clarification:**

**NOTE:** Before giving an APFT, the Commander must specify whether the APFT is “for record” or a “diagnostic.” All Active Army Personnel must take a for record APFT at least twice each calendar year. A minimum of four (4) months must separate record tests for those that pass the for record APFT. An APFT, other than to meet the twice a year requirement, will be considered a diagnostic APFT. An APFT given in preparation for institutional training (PLDC, BNCOC, ANCOC) is a practice APFT. Flagging action will only apply to a record APFT scheduled by the Commander.

<b>ASSIGNMENTS</b>
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**REFERENCES:**

- AR 614-200, Enlisted Assignments and Utilization Management, 30 April 2003
- Enlisted Ranks Personnel Update 16
- AR 614-100, Officers Assignment Policies, Details and Transfers, 20 September 2000

**SME:** Officers: Mr. Levitt, Officer Assignments, 878-2300  
 Enlisted: Mr. Mills, Enlisted Assignments, 878-3633.

**EXAMPLE:** One of your soldiers is on levy for Korea, he/she has received information that a family member is terminally ill and death is expected within 6–12 months. Soldier is married to

another service member, who is not on levy for Korea.

**QUESTION:** What options does the soldier have?

**ANSWER:** Service member may request a deletion or deferment when personal problems are temporary.

- If the problem involves the health and welfare of a family member, the affected person must be the spouse, child, parent, minor brother or sister, person in loco parentis (AR 630-5), or the only living blood relative of the soldier.
- The following conditions must exist for a soldier to be considered for deletion from assignment (All requests

based on conditions not cited below will be processed under AR 614-200, paragraph 3-6d):

- Terminal illness of a family member where death is expected within 1 year.
- The recent death of a soldier's spouse or child.
  
- Prolonged stay in hospital or institution of a family member for more than 90 days, where the presence of the service member is essential to resolve the problem.
- Recent documented rape of soldier's spouse or child where the soldier's presence is essential to resolve the problem.
- Documented child abuse where the soldier's presence is essential to resolve the problem.
- The following conditions must exist for a soldier to be considered for deferment from assignment (All requests based on conditions not cited below will be processed under AR 614-30, chapter 6):
  - Recent death in the soldier's family other than spouse or child. (paragraph 3-5a(4))
  - Illness of a family member that requires staying in hospital or institution for less than 90 days.

- Recent custody of a child or children as a result of divorce, legal separation, or desertion.

- Soldier has established court date for legal matters that requires the soldier's presence and matters can be resolved to allow soldier to comply with assignment instructions within 90 days of original requirement month.

- Domestic hardship involving a soldier's family, providing the soldier's presence during the deferment period will result in reasonable permanent relief that cannot be achieved by other satisfactory means.

- Request for family travel was submitted late due to extensive evaluation and testing of family members identified during mandatory medical screening in support of Exceptional Family Member Program (not applicable to IET students).

• Situations not stated above will be forward to PERSCOM for approval or disapproval of compassionate deletions or deferments. Conditions that will assist commanders in processing requests are listed, AR 614-200, 3-5 paragraph c. (1) and (2).

• Service members alerted or on orders for assignment and wish to be temporarily deferred should submit a request immediately.

## AWARDS MILITARY AND CIVILIAN

### MILITARY

#### **REFERENCES:**

- AR 600-8-22 Military Awards, 25 February 1995
- Installation Awards SOP, June 2002

**SME :** John Conley, Installation Awards Clerk, commercial telephone 878-6947/6948.

**EXAMPLE:** A SSG PCSed from his unit with an ARCOM. A PFC was recommended for an AAM, but the award was downgraded to a BN Certificate.

**QUESTION:** Does the commander have to recommend every soldier for an award upon PCS/ETS?

**ANSWER :** NO. Awards are based on performance.

- Significant impact on unit morale and esprit de corps.
- Not based upon the grade of the intended recipient.
- Normally recommended by first line supervisors. Must verify soldier status BARS/FLAGS.

- Commanders at different levels are approval authority, depending on type

of award.

## CIVILIAN

### REFERENCES:

- AR 672-20, Incentive Awards, 29 January 1999
- INTERNET WEB PAGE:  
<http://www.eustis.army.mil/cpac/awards.htm>.
- TCFE Pam 672-20, 16 July 2003

**SME:** Ms. Scales, Installation Civilian Personnel Advisory Center, 878-5646.

**EXAMPLE:** I did not get an award this year.

**QUESTION:** Does my supervisor have to give me a performance award?

**ANSWER:** NO.

- Supervisors, at their discretion, may give civilian subordinates awards for high-level performance for a specific period.
- Employee will not be nominated automatically.
- Supervisors should consider the employee's organizational performance. Time off Awards (TOA) will be given in increments of no less than one hour. This can be approved by the immediate supervisor. Any TOA over one day must be approved by a higher level and documented on DA Form 1256.

<b>AWOL PROCEDURES</b>
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### REFERENCES:

- AR 630-10, Absence Without Leave, Desertion, and Administration of Personnel Involved in Civilian Court Proceedings, 22 December 2003
- AR 600-8-6, Personnel Accounting and Strength Reporting, 24 September 1998

**SME:** Geoffrey Smith, Program Manager, Military Personnel Division (MPD), 878-5473

**EXAMPLE:** A soldier has been absent without leave (AWOL) from his unit for several weeks.

**QUESTION:** When may the unit drop the soldier from the rolls and what are the procedures for doing so?

**ANSWER:** An AWOL soldier may be dropped from the rolls under these and

other circumstances described in AR 630-10:

- Soldier is AWOL for 30 consecutive days.
- Soldier absents himself from his unit prior to the completion of administrative, judicial, or nonjudicial proceeding concerning a previous absence (AWOL).
- Soldier escapes from confinement.
- Soldier fails to return to the unit from which he or she is AWOL after return to military control at another location.
- Soldier goes away from or remains absent from his or her unit with intent to remain away from there permanently.

The unit should use the following procedure to drop from the rolls (DFR) a soldier:

- Once the soldier goes AWOL, complete DA Form 4187, signed by the company commander, changing the

soldier's duty status as "present for duty" to "AWOL."

- Commander completes and mails a "next-of-kin" letter reporting the soldier as AWOL.
- Once the soldier is identified as a deserter, complete DA Form 4187 changing the soldier's duty status from "AWOL" to "DFR."
- Commander completes and mails a "next-of-kin" letter reporting the soldier as a deserter and that the soldier has been dropped from rolls.
- Complete DD Form 553 (Deserter/Absentee Wanted by the Armed Forces) reporting the suspected reasons for the absence and information on pending investigations. Send the completed DD Form 553 and both DA Forms 4187 to the Provost Marshal (MP station).
- Send completed DA Forms 4187 to Finance and MPD. Make sure E-MILPO transactions are done.
- Provide all supporting documents, including DD Forms 4187s and 553, to the unit's supporting legal office. The legal office will draft court-martial charges on DD Form 458 (Charge Sheet). Once completed, the Charge Sheet will be forwarded to the company commander and the battalion commander for signatures.
- Forward original copy of the deserter packet (including the 4187s, the 553, "next-of-kin" letters, and Charge Sheet) through the supporting MPD to the Commander, Fort Knox Personnel Control Center, ATTN: ATZK-PMF-DIP, Bldg 1481, Fort Knox, KY 40121 within 48 hours after the absentee has been DFRed by the unit. Fort Knox POC is Ms. Debbie Hartman, DSN 536-3722; commercial 502-626-3722. National Crime Information Center (NCIC) number is DSN 536-3711/3712; commercial 502-626-3711/3712.

**EXAMPLE:** A soldier has not arrived or returned to his/her place of duty as prescribed.

**QUESTION:** What actions should a commander take?

- The first action that a commander should take when a soldier is suspected to be AWOL is to investigate the case. Every effort should be made to contact the soldier at his/her residence, leave location, etc. If after 24 hours of unaccounted absence (the start of the 24 hour period begins at midnight of the last approved day of absence) the soldier's status cannot be determined, they should be reported as AWOL.
- It is important when a soldier goes AWOL from his/her unit, that a change of duty status is reported via a DA Form 4187 and through a E-MILPO transaction in a timely manner. Also, ensure the finance office is notified and Next of Kin letters are sent. If the soldier remains AWOL for 30 consecutive days, he/she must be Dropped From the Rolls, IAW AR 630-10, effective 0001 hours on the 31st consecutive day of AWOL. All supporting documents of the DFR packet must be completed and forwarded through the MPD within 15 days of the DFR. It is critical that commanders initiate the DFR packet as early as day 10 of the soldier's absence. This will ease the processing and assembly of the packet on day 31. In addition, commander's should thoroughly monitor the following E-MILPO reports for accuracy: AAA-162 Unit Personnel Accountability Report; AAA-165 Unit Personnel Accountability Notices; and AAA-160 Report of AWOLs.

- When a soldier is a pending gain and fails to arrive based upon his/her report date, the commander should contact the losing command to determine whether or not the soldier is officially absent. During this time, a E-MILPO Assigned-Not-Joined (ASNJ) transaction must be submitted and all efforts should be exhausted to locate the soldier. If soldier's status cannot be determined within 9 days, first report the soldier AWOL effective their original reporting date, then report him/her as DFR after 30 days, and complete and distribute the required DFR documents.

**Special Note:** A soldier can not be DFRd if their whereabouts are known (e.g., PVT Doe has been AWOL for 27 days and on day 28 the commander receives notification from the local police department that PVT Doe is in their custody. At that point PVT Doe's status must be changed from AWOL to Confined Civil Authorities (CCA).

- It is understood that researching and processing AWOL and ASNJ actions are time consuming and

require a considerable amount of work. However, these actions are paramount to accounting success of the Army. Commanders must consider the consequences for not following procedures. AWOL and DFR soldiers who have not been correctly reported in E-MILPO and to DFAS:

- Continue to receive pay months after the soldier departed AWOL; which increases the Army's out-of-service-debt problem.
  - Remain active in the Army strength which has negative effects on all Army personnel programs.
- Remain part of the gaining unit's strength, thereby, blocking replacement flow to the unit/installation.

## BARS TO REENLISTMENT

### REFERENCES:

- AR 601-280, Army Retention Program, 31 March 1999
- AR 635-200, Active Duty Enlisted Administrative Separations, 19 December 2003
- DA PAM 600-8, Management and Administrative Procedures, 1 August 1986

**SME:** Post Retention Officer, 878-2769, Legal Assistance Office, 878-3031, Trial Defense Office 878-2064 for soldiers, Criminal Law, 878-5287 for commanders.

**EXAMPLE:** I want to reenlist but the commander will not allow me to reenlist.

**QUESTION:** Can I reenlist to stay in the Army if I am barred?

**ANSWER:** No.

- All soldiers should be evaluated under the "whole person" concept. See AR 601-280, paragraph 8-2(a).
- A BAR to reenlistment is a rehabilitative "tool" used by commanders to prevent substandard soldiers from reenlisting. It is not a

punitive action IAW AR 601-280, paragraph 8-2(b).

- Soldiers are barred for many reasons; See AR 601-280, paragraph 8-4 for criteria and examples list.
- Separation is not based upon the imposition of a bar to reenlistment, but rather on the soldier's conduct and performance of military duty. See AR 635-200, paragraph 1-46.
- Commanders will process soldiers for separation if a BAR is not removed after the second 3-month review. AR 635-200, paragraph 1-47.
- USAR AGR soldiers may request immediate separation voluntarily. See AR 635-200, paragraph 16-4.
- A bar to reenlistment will not be initiated when the soldier has an approved retirement date. AR 601-280, paragraph 8-3(a), and (g).
- Inappropriate for soldiers who cannot reenlist under the Qualitative Management Program. See DA PAM 600-8, paragraph 9-24 step 7(g).
- Appeals: Soldiers desiring to appeal who are otherwise qualified for reenlistment will not be involuntarily separated while appeal is pending. See AR 601-280, paragraph 8-5(e).

## EXCEPTIONAL FAMILY MEMBER PROGRAM

### REFERENCE:

- AR 608-75, Exceptional Family Member Program, 1 April 2004

**SME:** Carol Hoyer, Army Community Service, 878-3638; Juana Jarrett, MACH, 314-7923; or SJA, 878-2205

**EXAMPLE:** A soldier just identified through SRP that he has a family member who has special needs, but refuses to enroll in the program.

**QUESTION:** What are his/her options and what is Commands directive?

**ANSWER:** All soldiers who are identified in having a family member with special needs are mandated to enroll in the Exceptional Family Member Program. There is no exception.

- \* Command can take UMJC action.
- \* Command should inform soldier that his family may not receive the necessary services at other assignments, and they might not be able travel to an overseas assignment.
- \* Refer the soldier to the Exceptional Family Member Program Manager.

**SME:** Same as above

**EXAMPLE:** Soldier tells Command he cannot go to the field nor serve overseas due to having a family member with special needs.

**QUESTION:** Does being enrolled in EFMP impact the Permanent Change of Station (PCS)? Will it keep the active duty member from getting an un-accompanied tour?

**ANSWER:** EFMP has no impact on the deployment responsibilities of the sponsor. Sponsors are still deployable according to the needs of the service.

- \* EFMP does not guarantee service member will not get an assignment where his family member can not go.
- \* EFMs will not get a assignment (accompanied) where required medical or educational services for the EFM are not available.
- \* All commands should ensure their soldiers attend a levy briefing.

## FAMILY CARE PLANS

**REFERENCE:** AR 600-20, Army Command Policy, 13 May 2002

**QUESTION:** What is a Family Care Plan and who needs one?

**SME:** Army Community Service, Mr. Harris 878-3638 or Mrs. Kakel 878-5377.

**ANSWER:** A Family Care Plan is a way for the Army to assist soldiers in providing for the care of his or her dependent family member(s). Plans must be made to ensure dependent family members are properly and adequately cared for when the soldier is not available. The DA Form 5305R (Family Care Plan) is the means by which soldiers provide for the care of their family members when military duties prevent them from doing so otherwise. Single parents, and dual military couples should have a Family Care Plan on file. The following documents are needed in preparing your Family Care Plan:

- DA Form 5304-R Family Care Plan Checklist
- DA Form 5305-R Family Care Plan
- DA Form 5840-R Certificate of Acceptance
- DA Form 5841-R Special Power of Attorney (POA) for Guardian
- DA Form 1172 Application for Uniformed Service Identification Card. (Provided by ID Card Section)
- DA Form 1341 JUMPS allotment authorization
- TCFE Form 419-2JA Special POA for Medical Care and Custody. (Provided by JAG)
- Letter of Instruction To Guardian and Escort

After completing all of the above forms, take your Family Care Plan Package to your designated commander for approval.

### COMMANDER'S RESPONSIBILITY

**EXAMPLE:** One of your soldiers, a single parent comes to you and tells you that he or she cannot deploy to the field because there is no one to take care of his or her child.

**QUESTION:** What must the commander do?

**ANSWER:** Counsel the soldier IAW with AR 600-20, chapter 5. A commander will impose a bar to reenlistment (enlisted) or possibly involuntary separation (officers/enlisted) against soldiers who do not have a Family Care Plan within 2 months of being counseled.

- Commanders are responsible for:
  1. Identifying pregnant soldiers, single parents, and soldiers with

- children who are married to other service members and counsel them on their rights and responsibilities for the care of family members on DA Form 5304-R.
2. Ensuring all required documents are in order; the Family Care Plan meets the requirements and appears to be workable and durable.
3. Testing the validity and durability of the Family Care Plan.
4. Counseling soldiers regarding AR 601-280, Chapter 8, about a possible bar to reenlistment for failure to provide an approved Family Care Plan.

- The soldier will complete a DA Form 5305-R (Family Care Plan). It will include proof that guardians and escorts:
  - Have been briefed on the responsibilities they are assuming.
  - Know how to access military and civilian facilities and services on behalf of the dependent family members.
  - Agree to provide care and have been provided all necessary legal authority and means to do so.
  - AR 600-20, paragraph 5-5a(3), defines items acceptable as proof.
- Soldiers must arrange for the care of their family members so as to be available for duty when and where the needs of the Army dictate and perform military duties without interference of family responsibilities.
- The involuntary separation provisions are found in AR 635-200 for enlisted, and AR 600-8-24 for officers. Provisions should be carried out whenever parenthood interferes with military responsibilities.

### Frequently Asked Questions

Q1. Who is required to have a FCP?  
In accordance with AR 600-20, para 5-5b, the following soldiers are required to have a FCP –

- A pregnant soldier who has no spouse; is divorced, widowed, or separated; or is residing without her spouse. Is married to another service member of an Active or Reserve component of any service (Army, Air Force, Navy, Marines or Coast Guard).
- A soldier who has no spouse; is divorced, widowed or separated, or is residing apart from his or her spouse; who has joint or full legal and physical

custody of one or more family members under the age of 19 or who has adult family member(s) incapable of self-care regardless of age.

- A soldier who is divorced (not remarried) and who has liberal or extended visitation rights by court decree which would allow family members to be solely in the soldier's care in excess of 30 consecutive days.
- A soldier whose spouse is incapable of self-care or is otherwise physically, mentally, or emotionally disabled so as to require special care or assistance.
- A soldier categorized as half of a dual-military couple of the AA or RC of any service (Army, Air Force, Navy, Marines or Coast Guard) who has joint or full legal custody of one or more family members under the age 19 or who has an adult family member(s) incapable of self-care regardless of age.

Q2. When a soldier is pregnant what are the requirements for a FCP? When should a pregnant soldier be counseled?

- AR 600-20, paragraph 5-5 requires pregnant soldiers be counseled on family care responsibilities on the same basis as other soldiers in a similar status, single, separated, divorced, etc. parents and dual military couples. The counseling must be conducted 90 days prior to the estimated birth date and the family care plan is filed 60 days prior to the estimated birth date.

Q3. How do I know if a soldier has joint or full custody of his or her children?

- Ask to see the separation or divorce agreement which documents who has custody of the child(ren).

Q4. If an Active Duty parent has joint custody and is separated or divorced from

his/her spouse/ex-spouse civilian does he/she need a FCP? What if separated/divorced parents have joint custody and the child lives with the military parent for the summer, is a FCP necessary?

- AR 600-20, paragraph 5-5, b (2-3) requires a FCP for: 1. Every soldier who has no spouse; is divorced, widowed or separated, or is residing apart from his or her spouse; who has joint custody or full legal and physical custody of one or more family members under the age of 19 or who has adult family member(s) incapable of self-care regardless of age.
- A soldier who is divorced (not remarried) and who has liberal or extended visitation rights by court decree which would allow family members to be solely in the soldier's care in excess of 30 consecutive days.

Q5. If a soldier is pregnant and she chooses to get out of the Army due to her pregnancy (Chapter 8), what are her entitlements? i.e. cost of birth, prenatal care?

- AR 40-3, paragraph 4-44, states the following:

a. General. Except as provided in f below, former members of the Armed Forces separated under honorable conditions who are shown by an examination given at an Armed Forces Medical Treatment Facility to have been pregnant at the time of separation are authorized maternity care in military MTFs for that pregnancy as specified below. Such care is limited to military MTFs having OB-GYN capability. Care in civilian facilities is not authorized at Government expense except when necessary to augment treatment provided at the MTF. Supplemental care will not be authorized for the newborn infant beyond

the mother's discharge from the hospital. The term "maternity care" as used here includes prenatal care, hospitalization, delivery, and the outpatient postnatal examination that is normally performed 6 weeks after delivery...

b. Application. Eligible former members requesting maternity care will apply in writing to the military MTF nearest their home and present a copy of either DD Form 214 (Certificate of Release or Discharge from Active Duty), DD Form 256A (Honorable Discharge Certificate), or DD Form 257A (General Discharge Certificate (Under Honorable Conditions)). She will also present documentation of her pregnancy at the time of separation as proof of eligibility for maternity care.

c. Newborn infants. No charge is made for newborn infant patients while the mother is a patient in the MTF. In those cases in which the mother is discharged from the MTF and it is necessary for the infant to remain as a patient, charges will be billed to the mother at the pay patient rate. The infant will be referred as soon as practicable to a civilian source of care at the mother's expense. The infant child is authorized one outpatient "well-baby" examination 6 weeks after birth.

As you can see, the Army provided care has several significant limitations. Treatment is through a military treatment facility (MTF), so there is no "cost".

Q6. If the soldier is pregnant and moves off post and then gets out of the Army how long will the Army continue to pay for her housing?

- Once the soldier is discharged, she is no longer entitled to the basic allowance for housing.

Q7. If a soldier chooses to stay in the Army and has her baby and then chooses to get out of the Army, under what

regulation is the soldier discharged and what entitlements does the soldier receive?

a. AR 635-200, Enlisted Personnel Separations, paragraph 6-3, allows for separation of based upon parenthood or sole parent paragraphs 6-3 and 6-7, but the soldier has to demonstrate how unforeseen conditions have affected the soldier's ability to care for the family. The separation is not just at the request of the soldier. [As to benefits, there are special benefits beyond those to any soldier separated under honorable conditions, such as transportation back to the home of record. See Benefits at Separation handout.]

b. AR 635-200, paragraph 5-8, provides for involuntary separation due to parenthood when the soldier performs on a substandard basis due to parenthood, but this is at the discretion of the commander and only after adequate counseling and opportunity to correct the deficiencies.

Q8. When a new commander assumes command or a soldier changes units what is the requirement to update the FCPs?

- AR 600-20, paragraph 5.5 (1), ...if the PCS move is a "same-installation" move and the soldier can maintain the same FCP, the soldier will be allowed to take the original DA Form 5305-R to the gaining unit and need not generate a new DA Form 5305-R. The gaining commander should certify the existing DA Form 5305-R when the soldier arrives in the new unit.

Q9. On DA 5305-R a DD Form 2558 (Authorization for an Allotment) is

required to show proof of financial support. What about soldiers who say their mother has their ATM card? What if the card is lost? One soldier has said her mother doesn't have a bank account for an allotment to go into. Do they still have to have the 2558?

- DA FORM 5305-R states the soldier will have a DD Form 2558 or other proof of financial support for expenses incurred by guardian and family members. This proof can be a statement that the family member has an ATM card. If the family member doesn't have an account and the soldier wants the member to care for the child then common sense would dictate the soldier would open an account that the family member could access in the event of deployment.

Q10. DD Form 2558 does not have to be signed; it must have a bank account number on it, what is the little yellow form that is needed to go with the allotment paperwork?

- The yellow form is for direct deposit. Will have account and bank routing numbers.

Q11. On DA 5305-R a LOI and a POA is required, what if parents don't submit one?

Q12. If dual military can the soldier use the spouses LOI and POAs?

Q13. If they don't have one, they should get one.

- Yes, the spouses POA and LOI can be used.

## FLAGS

### REFERENCE:

- AR 600-8-2, Suspension of Favorable Personnel Actions (FLAGS), 30 October 1987

**SME:** Criminal Law, 878-5287

The following chart lists the most common actions requiring a flag, when they must be initiated and removed, and when they are transferable.

**QUESTION:** When must the soldier's commander initiate a flag?

**EXAMPLE:** A soldier is under investigation for BAH fraud.

**ANSWER:** The commander must initiate a flag at the time the investigation begins.

<b>Initiate when:</b>	<b>Remove when:</b>	<b>Transferable?</b>
Soldier is under <b>charges, restraint or investigation</b>	Soldier is released without charges, charges are dropped, or punishment is complete	Transferable when action moves to the punishment phase
Soldier is pending <b>Court-Martial</b>	Punishment is completed, including term of suspension	Transferable when action moves to the punishment phase
Soldier is pending <b>nonjudicial punishment</b>	Punishment is completed, including term of suspension	Transferable when action moves to the punishment phase
Soldier is <b>AWOL</b>	Punishment is completed	Transferable when action moves to the punishment phase
Soldier is pending <b>administrative reduction</b>	Soldier is reduced	No
Soldier is <b>pending letter of admonition, censure, or reprimand</b> (not administered as part of nonjudicial punishment)	The letter is signed by the commander	No
Soldier fails to pass <b>APFT</b> or fails to take the APFT within the required period	The soldier passes the APFT or upon ETS	Yes
Soldier enters the <b>weight control program</b>	The commander decides that the soldier is in compliance with the program	Yes

## FURNITURE ACCOUNTABILITY

**REFERENCES:**

- AR 735-5, Policies and Procedures for Property Accountability, 10 June 2002
- DA Message, Subject: New Policy for Property Accountability Thresholds Assigned for Property Below the Stock Record Account, October 1996

**SME:** Mr. Mike Yun, US Army Transportation Center's (USATC) Regional Directorate of Logistics (RDOL) Supply Advisor, 878-0328.

**EXAMPLE:** A Commander assumes command and moves into his new office. The office contains nice furniture but no

one has a record of the office's past contents. It appears something has been taken out of the office by the appearance of the carpet in one area.

**QUESTION:** Is there any other guidance on furniture accountability now that office furniture valued below \$2,500 is not carried on the Installation Property Book?

**ANSWER:** Yes. Army Regulation 735-5, Paragraph 7-7, b, (3) requires the accountability of office furniture valued

between \$300-\$2,500 and requires at least an annual management review of the furniture. Annual review results will be documented on a memorandum for record and a copy forwarded to the next level of command. The memorandum should also address any discrepancies and applicable corrective actions.

NOTE – Although not required, it is good practice to also account for office furniture valued below \$300.

## GOVERNMENT TRAVEL CARD

### REFERENCES:

- Travel and Transportation Reform Act of 1998 (TTRA)
- DoD Financial Management Regulation (DoDFMR)
- DoDFMV, Volume 9, Chapter 3
- DFAS-IN Reg 37-1, Financial Accounting Policy Implementation, 18 September 1995
- TRADOC Reg 37-3, Government Travel Card Program, 26 July 1999
- Cardholder Statement of Understanding for Military Personnel

**SME:** Office of the Staff Judge Advocate, Administrative Law Division, 878-5286

**EXAMPLE:** A Fort Eustis soldier is at the local Post Exchange or Commissary making purely personal purchases. While standing in line, the soldier realizes that he is out of cash. The only form of payment he has on him is his Government Travel Card.

**QUESTION:** Can the soldier use the Government Travel Card to pay for these purchases, so long as he immediately pays the bill?

**ANSWER:** No.

- The Government travel card is for official use only. All personal purchases

technically violate the lawful order issued to the soldier when he received the card to use the travel card solely for official use while in a travel status. However, the appropriate response for this technical one-time violation, assuming the soldier immediately paid the debt, would probably be a written counseling.

- Army travelers are required to use the Government travel card for TDY expenses, unless the Army approves an exemption for the individual or a class of expenses (for example, infrequent travelers). Soldiers have the option to use the card for PCS travel expenses.
- Each military cardholder must sign a statement of understanding that the cardholder read the policy governing the card and the agreement with the card company. The statement contains language making the statement and the card policy a lawful order. The statement of understanding advises the soldier that he or she may be subject to discipline for improper use of the card (violating a lawful order under Article 92 of the UCMJ).
- Failure to pay monies owed to the card company also may adversely affect the soldier's personal credit history and make it difficult for the soldier to obtain credit in the future.

## HEALTH AND WELFARE INSPECTIONS

### REFERENCES:

- Military Rule of Evidence 313
- TCFE Regulation 210-49, Unaccompanied Personnel Barracks Management and Standards, 1 June 2002
- AR 190-22, Searches, Seizures, and Disposition of Property, 1 January 1983

**SME:** Provost Marshall 878-4555 and SJA 878-5286

**EXAMPLE:** A commander wants to ensure that her soldiers are not storing illegal drugs in the barracks.

**QUESTION:** May the commander conduct a health and welfare inspection of the barracks to ensure soldiers are not keeping illegal drugs in their rooms?

**ANSWER:** Yes.

- A commander may inspect personnel and property subject to her control for the primary purpose of ensuring the security, military fitness, or good order and discipline of the unit. A commander may seize contraband items and evidence of a crime found during an inspection and use the seized

items in punitive proceedings against the soldier.

- However, if the primary purpose of the examination is to obtain evidence of a crime for use in punitive proceedings, it is not an inspection. In determining whether the examination is an inspection rather than an illegal criminal search, commanders should consider the following:
  - Generally, an inspection does not immediately follow the report of a crime.
  - An inspection does not terminate when the “evidence” is found.
  - Specific soldiers should not be selected or targeted for examination.
- Soldiers should not be subjected to substantially different intrusions.
- An examination immediately following the report of a crime for the purpose of locating contraband or weapons creates an appearance that it is not an inspection but rather a subterfuge for an illegal criminal search. Commanders should contact their trial counsels when contemplating an inspection under these circumstances.

## HOMOSEXUAL CONDUCT POLICY

### REFERENCES:

- AR 600-20, Army Command Policy, 13 May 2002
- AR 635-200, Active Duty Enlisted Administrative Separations, 19 December 2003

**SME:** Post EO 878-0021, SJA, Admin Law 878-5286

**EXAMPLE:** A soldier spontaneously admits to his commander that he is homosexual.

**QUESTION:** Can the commander initiate an investigation to determine whether the soldier is in violation of the homosexual conduct policy and must the commander initiate administrative separation of the soldier under AR 635-200, Chapter 15?

**ANSWER:**

- A commander may investigate possible violations of the homosexual conduct policy if he has a reasonable belief that a soldier has:
- Engaged in a homosexual act;
- Stated that he or she is a homosexual or otherwise indicates a propensity to engage in homosexual conduct; or
- Married or attempted to marry a person of the same sex.
- The purpose of the investigation is to determine whether credible evidence exists that require separation. Credible evidence is a statement by a reliable person that the soldier has engaged in a homosexual act, admitted that he/she is a homosexual, or stated an intention to marry a person of the same sex.
- Credible evidence is not rumors or opinions that a soldier is homosexual. The fact that a soldier visits a homosexual bar, reads homosexual publications, associates with

homosexuals, or participates in homosexual rights demonstrations in civilian clothes is not credible evidence.

- A commander must initiate separation when there is credible evidence of homosexual acts, statements, or marriage. Retention is not precluded when the purpose of the soldier's homosexual conduct is to avoid or terminate military service.
- Homosexual conduct policy violation investigations are significantly limited in scope. Commanders are advised to contact their trial counsels before initiating any investigations into homosexual conduct policy violations.
- Before a commander does anything they should consult with the SJA

**LEAVES AND PASSES MILITARY**

**REFERENCES :**

- AR 600-8-10 Leave and Passes, 31 July 2003
- AR 55-46 Travel Overseas, 20 June 1994
- Joint Federal Travel Regulation (JFTR)

**SME:** Mrs. Lee, Military Personnel Office (MILPO), commercial telephone 878-2204.

**EXAMPLE :** A soldier requests a pass in conjunction with leave.

**QUESTION:** Can the commander approve this leave?

**ANSWER :** It Depends.

**Passes :**

- Regular and special passes. Passes are issued on the basis of days instead of the number of hours to be taken. The restriction on the number of hours for passes no longer applies.
- Three-Day pass. A 3-day pass starts at the end of normal duty hours and terminates at the start of normal duty hours on the 4<sup>th</sup> day.
  - Three-day regular pass which includes a holiday. A soldier may depart on a 3-day pass on Friday evening after duty hours and return in time for normal duty hours Tuesday morning.
  - Three-day special pass. A soldier may depart on a 3-day pass on Monday evening after work and return in time for duty Friday morning.
- Four-day pass. A 4-day pass starts at the end of normal duty hours and terminates at the start of normal duty hours on the 5<sup>th</sup> day. A 4-day pass

must include at least 2 consecutive non-duty days. For example:

-- A soldier may depart on a 4-day pass on Friday evening after duty hours and must return in time for start of normal duty hours on Wednesday morning.

-- A soldier may depart on a 4-day pass on Wednesday evening after duty hours and must return in time for normal duty hours on Monday morning.

- A special pass may not be, **repeat** "May Not Be," combined with a regular pass, another special pass, or with leave.

**Leave:**

- Commanders or their designee is the approval authority for all leaves.
- Leave will make a positive contribution to morale, level of performance and career motivation. Commanders must consider unit military requirements when approving leave in order to support essential unit functions. AR 600-8-10, paragraph 2-1.
- Chargeable leave will begin and end on post, at the duty station area, or in the location from which the soldier commutes to duty. Soldiers will be physically present in their duty areas at the beginning and ending of leaves. AR 600-8-10, paragraph 12-1 (k, l).
- Commanders must monitor their soldiers' leave balances to ensure soldiers do not exceed the limit of 60 accrued days at the end of the fiscal year. AR 600-8-10, paragraph 2-2.
- Soldiers must perform duty before they sign out on leave a second time. AR 600-8-10, paragraph 4-1.
- Commanders may require a notification message from the Red Cross office before approving emergency leave. However, it can be approved without it.
- See AR 600-8-10, Chapter 10 for extension of leave.
- AR 600-8-10 does not mention any authorized distance in regards to a valid leave or pass.

The following are the most common types of leave:

1. Permissive TDY - PTDY is used for house and job hunting, to perform state jury duty, to attend civilian education, or to accompany a dependent patient to a designated medical facility when the soldier's presence is essential. If for job hunting; may not exceed 20 days CONUS or 30 days OCONUS (only in home of record/domicile). AR 600-8-10, paragraph 5-35. (Note: Commanders should ensure that the amount of the estimated time for relocation corresponds with the amount of PTDY based on the soldier's need) AR 600-8-10, paragraph 5-35.

2. Pregnancy - Authorizes a soldier to stay home for maternity care or for the birth of a child. Counsel soldier that she is responsible for unauthorized non-emergency maternity care services at civilian facilities. AR 600-8-10, paragraph 4-27, 28.

3. Sick in quarters - Use only if soldier is expected to return to duty within 72 hours. AR 600-8-10, paragraph 5-11.

4. Sick in hospital - To be used for periods of hospitalization. AR 600-8-10, paragraph 5-13.

5. Convalescent - Unit commanders may grant up to 30 days when soldiers return to duty after illness or injury (up to 42 days if pregnancy). The hospital commander is the approval authority (when hospitalized) if more than 30 days (or more than 42 if pregnancy). A commander may require a soldier to return to duty early if the company mission requires the soldier's presence. AR 600-8-10, paragraph 5-7.

6. Ordinary - Soldiers are authorized an average of 30 days per year. Commanders may grant more than 30 days if operationally feasible. Ordinary leave is used as a support of the commander's annual leave program. AR 600-8-10, paragraph 4-3.

7. No travel clearance needed when traveling to Puerto Rico, Virgin Islands,

Guam. AR 600-8-10, paragraph 8-1(b).

## LINE OF DUTY INVESTIGATIONS

**REFERENCE:**

- AR 600-8-1, Army Casualty Operations/ Assistance/ Insurance, Update, Chapters 39-41, & Appendix F, 20 October 1994

**SME:** Office of the Staff Judge Advocate, Administrative Law Division, 878-5286.

**EXAMPLE:** Soldier dies from natural causes (i.e. pneumonia).

**QUESTION:** Is a Line of Duty Investigation required?

**ANSWER:** A soldier is presumed to be "Line of Duty--Yes" without an investigation when:

- Death is by natural causes.
- Death occurred while a passenger in a common commercial carrier or military aircraft.
- Death incurred as a result of enemy action or attack by terrorists
- Death occurred through disease (there are many exceptions to death by disease; see below).
- Injuries are so slight as to be clearly of no lasting significance.

A Line of Duty Investigation is required in all other cases of death or injury.

An informal investigation by the chain of command is permissible when no misconduct or negligence is suspected.

A formal investigation conducted by an appointed Investigating Officer is required when:

- Misconduct or negligence is suspected.
- Injury or disease under strange or doubtful circumstances.
- Injury or death involving the abuse of alcohol or drugs.
- Injury or death incurred while AWOL.
- Self-inflicted injuries or suicide.
- Injury or death that occurs while enroute to final acceptance in the Army.
- Death of a USAR or ARNG member while participating in training or duty.
- Injury or death to USAR or ARNG member while enroute to official duties.
- USAR or ARNG member serving on AD tour of 30 days or less is disabled due to disease.
- In connection with an appeal of an unfavorable finding of abuse of alcohol or other drugs.
- Other cases when requested or directed.

## MILITARY PAY

**REFERENCES:**

- DODFMR, Volume 7A, Interim Change 24-03, 12 June 2003
- AR 37-104-4, Military Pay and Allowances Policy and Procedures, Chapter 12, 30 September 1994

**SME:** Defense Military Pay Office (DMPO), Fort Eustis, Ms. Howard, 878-2526.

**EXAMPLE:** You have a soldier who alleges he/she did not receive Basic Allowance for Housing (BAH) for two months.

**QUESTION:** What can you do?

**ANSWER:** Ensure proper documentation has been submitted. If there is no record on file, resubmit the DA Form 5960 (Authorization to Start, Stop or Change BAQ and/or VHA) or DD Form 137 (Application for Basic Allowance for Quarters for Members with Dependents) with supporting documents.

- If BAH is for spouse or child (children) submit:
  - DA Form 5960
  - Divorce Decree or Court Order
  - Marriage Certificate
  - Birth Certificate

- If BAH is for parents, students 21 and 22 years of age who are full time students, incapacitated children over 21 years of age or ward of the court submit:
  - DD Form 137
  - Supporting DocumentsApplication is sent to DFAS-IN for approval.

- DMPO personnel will provide assistance in completing the necessary forms applicable to individual situations

## MILITARY UNIFORM/WEAR AND APPEARANCE

### REFERENCE:

- AR 670-1, Wear and Appearance of Army Uniforms and Insignia, 5 September 2003

**SME:** Post CSM, 878-4163/2398, Fort Eustis Military Personnel Office, 878-2409.

**QUESTION:** What are the standards?

### ANSWER:

- The personal appearance of military personnel while in uniform must be of continuous concern to commanders at all levels.
- Soldiers who do not present a professionally neat, well-groomed appearance demonstrate a lack of personal pride and adversely reflect upon the leadership of their officers, noncommissioned officers and the Army as a whole.
- **Wearing articles of military clothing while in civilian attire is prohibited.**

### EXCEPTIONS:

-- Soldiers **may wear** the all weather coat, black pullover sweater, camouflage Gortex rain jacket, and black jacket with civilian clothing **after all military insignia has been removed.**

-- Soldiers may also wear military footwear with civilian clothing.

- **The BDU will be worn in compliance with AR 670-1.**
- **The IPFU will be worn in compliance with AR 670-1.**

--The IPFU is authorized for wear in transit between an individual's quarters and duty station.

--Soldiers may wear all or parts of the IPFU off the installation when authorized by the commander.

--When soldiers wear the IPFU as a complete uniform, they will keep sleeves down on the jacket, the legs down on the pants, and they will tuck the T-shirt inside the trunks.

--Soldiers may not roll or push up the sleeves of the IPFU jacket.

--Soldiers may not cuff the IPFU jacket sleeves.

--There are no restrictions on the combination of IPFU items worn, unless the commander has

prescribed a particular combination for formation.

- **AR 670-1, paragraph 1-14, Wearing of Jewelry:**

- The wearing of a wrist watch, wrist identification bracelet, including a conservative style MIA/POW identification bracelet (only one item per wrist), and not more than two rings (wedding set is considered one ring) is authorized with Army uniforms unless prohibited for safety or health reasons. The jewelry style must be conservative and in good taste.
- No jewelry, watch chains, or similar items, to include pens and pencils, will appear exposed on uniforms.  
**Authorized exceptions are:** Tie tack or tie clasp may be worn with the black four-in-hand necktie and a pen or pencil may appear exposed on the hospital duty, food service, CVC, and flight uniforms.
- **Female soldiers are authorized** wear of screw-on, clip-on, or post-type earrings with the service, dress, and mess uniforms.
- **Earrings will not be worn** with class C uniforms (utility, field, or organizational to include hospital duty, food service, and physical fitness uniforms).
- **Earrings will not exceed** 6mm or ¼ inch in diameter. Must fit snugly against the ear and be worn in matching pairs. They must be of gold, silver, white pearl, or diamond; unadorned and spherical.
- **Body Piercing.** No attaching, affixing, or displaying objects, articles, jewelry or ornamentation to or through the skin is permitted while in uniform, in civilian clothes while on duty, or in civilian clothes off duty on any military

installation or other places under military control except for earrings for females as outlined in AR 670-1.

- **Tattoos.** Tattoos or brands that are visible in Class A uniform (worn with slacks/trousers) **are prohibited.**
  - Tattoos or brands that are extremist, indecent, sexist, or racist **are prohibited, regardless of location on the body**, as they are prejudicial to good order and discipline within units.
  - Fad devices, vogue medallions, personal talismans, or amulets **are not authorized** for wear in uniform or on duty.
- **AR 670-1, paragraph 1-8b and c, Cosmetics and Fingernails:**
  - **Female soldiers are authorized** to wear cosmetics applied conservatively (**as determined by the commander**) and in good taste.
  - Exaggerated or faddish cosmetic styles are inappropriate with the uniform and **will not be worn.**
  - **Lipstick and nail polish may be worn** with all uniforms as long as the color is conservative and complements the uniform.
  - **Extreme shades** of lipstick and nail polish such as purple, gold, blue, black, fire engine red, khaki, white, camouflage colors and fluorescent **will not be worn.**
  - **Fingernails:** All personnel will keep fingernails clean and neatly trimmed so as not to interfere with performance of duty, detract from military image, or present a safety hazard.
  - **Personal Hydration System:** Personnel are authorized as determined by the Commander.

## NCOER – APPEALS

### REFERENCE:

- AR 623-205, Noncommissioned Officer Evaluation Reporting System, Chapter 6, 15 May 2002

**SME:** Appeals Branch, US Army  
Enlisted Records Center, DSN 699-3704  
and Legal Assistance, 878-3031.

**EXAMPLE:** A soldier is complaining about her last NCOER. She feels that the report was inaccurate and unjust.

**QUESTION:** What are the commander's responsibilities in the NCOER Appeals process?

**ANSWER:** The commander's role in the NCOER appeals process is one of assistance only. The commander can advise the soldier of the following:

- **DA Policy.** The appeals system is designed to protect the Army's interests and ensure fairness to the NCO. It also avoids questioning the integrity or judgment of the rating officials without sufficient cause. Preparation of an appeal **will not** delay submission of the original NCOER.
- **Types of appeals.** Administrative and Substantive.  
Administrative errors – Claims of administrative error pertain to parts I and II of DA Form 2166-8. Administrative errors include deviation from the established rating chain, unauthorized entries, insufficient period of observation by the rating officials, and errors in the report period.

Substantive appeals – Appeals alleging bias, prejudice, inaccurate or unjust ratings, incorrect APFT or height/weight data, or any matter other than administrative error are substantive in nature.

- **Burden of Proof.** The burden of proof rests with the appellant. Accordingly, clear and convincing evidence must be of a strong and compelling nature to justify deletion or amendment. To be acceptable, evidence must be competent and relevant to the appellant's claim. Third party statements are necessary for a claim of inaccuracy or injustice of a substantive type.
- **Timeliness.** Prompt submission of appeals is recommended. Administrative appeals will be considered regardless of the period of the report and a decision will be made in view of the regulation in effect at the time the report was rendered. Substantive appeals must be submitted within 5 years of the NCOER's completion date.
- **Submission.** Prior to submission, the appellant should have the entire package reviewed by a disinterested party in whom he/she has trust and confidence. This third party review may help remove emotionalism and poor logic from the case.

## NONSUPPORT – COMMANDER AND SOLDIER RESPONSIBILITIES

### REFERENCE:

- AR 608-99, Family Support, Child Custody and Paternity, 29 October 2003

**SME:** 7<sup>th</sup> Group SJA, 878-5775; 8<sup>th</sup> Brigade Trial Counsel, 878-5287.

**EXAMPLE:** A soldier is divorced and has three children from that marriage. The soldier is required by a court order to pay \$300 per month in financial support for these children and \$100 per month in alimony to his former wife (\$400 total). The soldier has remarried and since separated and has two more family members (spouse and child) living in non-government housing. There is no court order or written financial support agreement pertaining to soldier's second marriage. Soldier now has a total of five dependents.

**QUESTION:** Is a soldier obligated to provide financial support to his separated spouse and children in the absence of a court order or written agreement?

**ANSWER:** YES.

- Soldiers are obligated to support family members. In the absence of a court order or written financial support agreement, the amount is determined in AR 608-99 paragraph 2-6.
- The soldier now has a total of five family members for whom he is required to provide financial support under AR 608-99.
- In accordance with paragraph 2-6b and c(1) a former spouse is not considered a family member in determining the pro-rata shares of BAH-WITH of family members.
- The soldier must continue to pay the court order directed amount of \$400 to his former wife and children from that marriage.

- The soldier must also provide financial support to his present wife (separated) and their one child in an amount equal to two-fifths of the BAH-WITH amount (per AR 608-99 paragraphs 2-5a(1) and (3), and 2-6b, c(1), and e.

**EXAMPLE:** A soldier is married to an enlisted woman in the Air Force. They have two children from the marriage; both children reside with the mother, in government quarters. The soldier has moved out of government quarters and is residing in the barracks. There is no court order or written agreement in effect.

**QUESTION:** Is there a financial support obligation per regulation, for dual military soldiers, in the absence of a court order or written financial support agreement?

**ANSWER:** With children --Yes, without children -- No

- The soldier has no financial support obligation to his military spouse (per paragraph 2-6d(4)).
- On behalf of the two children who reside with the mother, the soldier must provide as a *minimum* financial support, the amount equal to the BAH-DIFF rate.

**TIME OF PAYMENT:** Will be no later than the date directed by the court order. In the absence of a court order or written financial support agreement, payment methods will be made by the following dates:

- **Voluntary Allotment direct to Bank:** This is the most preferred method of payment; the concerned adult will receive payment to his/her bank account on the first day of each month.
- **Cash payment:** Will be personally delivered to the adult family member concerned, not later than the first day of the month following

the month to which the financial support payment pertains.

- **Payment by Check, Money Order not personally delivered on the first day of the month:** Will be deposited in first class mail with proper postage affixed and addressed to the adult family member concerned no later than the first day of the month to which the financial support payment pertains.
- **Soldiers should obtain and keep receipts of all payments, hand delivered, and or mailed to the spouse.**

**COMPANY/UNIT COMMANDER WILL:**

- Respond to all requests for assistance and all other inquiries received on nonsupport.
- Advise soldiers of their Article 31b rights before questioning them about AR 608-99 violations, as it is a punitive regulation.
- Counsel soldiers and take other actions as appropriate, in response to all inquiries.
- Ensure that soldiers are thoroughly familiar with the provisions of AR 608-99.
- Establish procedures to ensure compliance with regulation.

- Sign replies to all inquiries received except those routed to superior commanders.
- Inform the battalion commander of any inquiry alleging the soldier is a repeat or continuous violator of the regulation.
- Submit a draft reply to the battalion commander for signature with regard to any soldier involved in a repeated or continuing violation of the regulation.
- Forward with recommendation to the battalion commander soldiers requesting to be released from financial support obligations as identified in Section IV, paragraphs 2-10 and 2-11.
- Take other actions, as appropriate, in enforcing the provisions of AR 608-99.

**Special Note:** Commanders should never let their personal feelings, or beliefs, interfere with ensuring compliance with AR 608-99.

<p style="text-align: center;"><b>ORGANIZATIONAL INSPECTION PROGRAM (OIP) INITIAL COMMAND INSPECTIONS</b></p>
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**REFERENCES:**

- AR 1-201, Army Inspection Program, 12 January 2004
- AR 20-1, IG Activities and Procedures, 29 March 2002
- FM 7-0, Training the Force, 22 October 2002
- USATC Chief of Staff Memorandum, Subject: USATC Organizational Inspection Program, 3 January 2003

**SME:** USATC IG, 878-4844.

**EXAMPLE:** A new commander assumes command and is evaluated on his company's initial command inspection.

**QUESTION:** Can a new commander's performance be evaluated during the initial command inspection (ICI) (within 90 days) of his unit?

**ANSWER:** NO.

- New company commanders will receive an initial CI from their raters within 90 days of assumption of command.
- AR 1-201, paragraph 3-3, states an initial CI:
  - Will not evaluate the company commander's performance since assuming command.

- Will appear on the training schedule and will serve to evaluate the condition of the unit.
- Ensures the new company commander understands the unit's strengths and weaknesses in relation to higher headquarters' goals and standards.
- AR 1-201, paragraph 3-3, additionally states initial CI criteria:
- The inspected commander's commander must participate or be present and provide the inspected commander an assessment of strengths and weaknesses upon completion of the initial CI.

- Only the inspected company commander receives the results of the initial CI.
- Inspection results should give the inspected commander a clear picture of the goals, standards and priorities for the unit. The results may cause refinement in the DA Form 67-9-1 (Officer Evaluation Support Form).
- The initial CI results will be not be used to compare units.
- Subsequent command inspection frequencies will be determined by the Battalion Commander and will measure progress and reinforce the goals and standards established during the initial CI.

## PRIVATE ORGANIZATIONS/ INFORMAL FUNDS

### REFERENCES:

- DoD 5500.7-R, Joint Ethics Regulation; AR 600-20, 13 May 2002
- DoD Instruction 1000.15, 23 October 1997

**SME:** Office of the Staff Judge Advocate, Administrative Law Division, 878-5286.

**EXAMPLE:** A company commander submits an application to Directorate of Community Activities (DCA) to form an Informal Fund in order to support unit functions such as dining-ins, family picnics, and organizational day.

**QUESTION:** Can the Informal Fund for the unit raise funds by soliciting prizes from off-post establishments and then auctioning the prizes off?

**ANSWER:** No. This clearly violates the ethical prohibition against soliciting gifts established in the Joint Ethics Regulation.

The Joint Ethics Regulation (JER) requires all DoD personnel to treat all private organizations equally. For example, the JER does not permit favoring one

company over another, or even one charity over another charity. Commanders should never endorse any private organizations, including charities. The only two exceptions are CFC and AER, which can be officially endorsed by the commander. The JER also prohibits Army personnel from soliciting gifts of any sort from private organizations or non-Federal entities.

Informal Funds are governed by DoD policies as well as local policy, including fund raising efforts. The fund cannot exceed \$1000. All fund raising must be approved in advance by DCA. Permissible fund raising activities include bake sales and car washes, or other similar events approved by DCA. Impermissible fund raising includes granting passes or other military privileges (such as "no uniform to work" days, etc.) in exchange for donations. Fund raising must not occur in the workplace; a bake sale for members of the unit during lunch time in a common area is one of the few exceptions.

## PROFILE – PERMANENT

### REFERENCES:

- AR 40-501, Standards of Medical Fitness, 12 April 2004
- AR 350-1, Army Training and Evaluation, 9 April 2003
- AR 600-60, Physical Performance Evaluation System, 25 June 2002
- AR 635-40, Physical Evaluation for Retention, Retirement, or Separation, 15 August 1990

**SME:** Hospital (MACH) 314-7870 or the individual's doctor.

**EXAMPLE:** Soldier's profile states "no field duty."

**QUESTION:** Does a permanent profile limit a soldier's ability to perform his/her assigned duties?

**ANSWER:** No. Except as defined in the profile.

- The six factors under the physical profile serial system are:
  - P* – Physical capacity or stamina
  - U* – Upper Extremities
  - L* – Lower Extremities
  - H* – Hearing and ears
  - E* – Eyes
  - S* – Psychiatric
- The four numerical designations (1 – 4) are assigned for evaluating the

individual's functional capacity in each of the six factors.

- Determination of individual assignment or duties to be performed are command/ administrative matters. Limitations such as "no field duty," or "no overseas duty," are not proper medical recommendations.
- It is the responsibility of the commander or personnel management officer to determine proper assignment and duty, based upon knowledge of the soldier's profile, assignment limitations, and duties of his or her grade and MOS.
- A permanent change to a soldier's profile must be made on DA Form 3349 (Physical Profile) by one of the following: physician, dentist, optometrist, or audiologist.
- All profiles and assignment limitations must be legible, specific, and written in lay terms. The profiling officer indicates assignment limitations in block 3. Blocks 5,6,7, and 9 indicates what physical activities the soldier *can perform*.
- Permanent profiles may be amended at any time if clinically indicated and will automatically be reviewed at the time of the soldier's periodic examination.
- Commanders may also request a review of a permanent profile.

## PROFILE – TEMPORARY

### REFERENCES:

- AR 40-501, Standards of Medical Fitness, 12 April 2004
- AR 350-1, Army Training and Education, 9 April 2003

- FM 21-20, Physical Fitness Training, September 1992, Change 1, 1 October 1998

**SME:** NCOIC, Patient Administration, 314-7867.

**QUESTION:** Does the commander have to honor my profile?

**EXAMPLE:** The commander wants to give me an APFT while I am still on a temporary profile.

**ANSWER:** NO.

- However, if the commander fails to exercise good judgement and the soldier's health is damaged, the commander will have to defend his/her decision to ignore the medical recommendation. It is the commander's responsibility to assign duty based on his/her judgement and knowledge of the soldier's limitations and MOS.
- Temporary profiles should specify an expiration date. If no date is specified, the profile will automatically expire at the end of the third month.

- Once the profile is lifted, the soldier must be given twice the time of the profile (but not more than 90 days) to train for the APFT (e.g. profile period is 7 days; APFT train-up is 14 days after profile expires).
- Commanders will develop physical fitness programs in cooperation with health care personnel for those individuals with limiting profiles.
- Soldiers with profiles will be placed in a physical fitness program consistent with their limitations.
- Soldiers with temporary profiles of more than three months may take an alternate test as determined by the commander with input from health-care personnel.

<b>PROMOTIONS</b>
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**REFERENCES:**

- AR 600-8-19, Enlisted Promotions and Reductions, 20 January 2004

**SME:** Military Personnel Office, Strength Management Branch, 878-6948  
Unit Commander/DA Promotions Branch.

**EXAMPLE:** One of your soldiers informs you that he/she has sufficient time in the military for promotion.

- **JUNIOR ENLISTED PROMOTIONS – BASIC ELIGIBILITY**

**ADVANCEMENTS**

<b>FULLY QUALIFIED</b>		<b>WITH WAIVER</b>
<b>RANK TIS TIG</b>		<b>TIS TIG</b>
PV2	6 NA	4 NA
PFC	12 4	6 2
SPC	26 6	18 3

**PROMOTIONS**

**RANK TIS TIG**

**SGT**

PZ	34	6
SZ	16	4

**SSG**

PZ	82	8
SZ	46	5

**NOTE:**

All periods are monthly increments

The following are areas in which errors are commonly found:

- *Counseling/Mentoring*. Both play an important role in the promotion process. Soldiers must know what is expected of them, told what to strive for, or what areas to improve in order to achieve promotion. Unit commanders often fail to counsel soldiers who are fully qualified for promotion without waivers. AR 600-8-19,

chapter 1, paragraph 1-26, requires commanders or their designees (such as the first senior NCO in the chain of command) to counsel soldiers SSG and below who meet advancement or promotion eligibility, without waiver, who have not been recommended. Counseling should be directed toward those areas in which the soldier needs to improve to qualify for the next higher grade.

- Secondary Zone. Soldiers do not have a right to compete for promotion upon attaining secondary zone status. The secondary zone provides incentives to those who strive for excellence. It is for soldiers whose accomplishments, demonstrated capabilities for leadership, and marked potential warrant promotion ahead of their peers. Soldiers recommended for promotion in the secondary zone must be outstanding.

- Flagging Actions. Soldiers must be in a promotable status to be promoted. Flags imposed must be removed once the conditions that warrant the flagging action have been met.

- Promotion Boards. A common error found concerns appointment of board members. Board members are appointed by the promotion authority, not by the president of the board. Additionally, soldiers not recommended for promotion or not attaining enough points to obtain list status must be counseled.

- Waiver Allocations. Errors in computing waiver allocations are often encountered. Steps for computing waiver allocations are contained in AR 600-8-19, table 2-2.

- Grade Change Transactions. Must be submitted immediately upon soldier's promotion to upgrade personnel and pay records.

- Commander Responsibilities:
  - Ensure Battalion S1 personnel complete required administrative actions.
  - Ensure soldiers not recommended and fully qualified receive counseling.
  - Be thoroughly familiar with regulatory guidance on promotions.
  - Ensure that flags are removed promptly when finalized.

## RANGE CONTROL

### REFERENCES:

- AR 385-63, Range Safety, 19 May 2003
- TCFE Regulation 350-3, Fort Eustis Range Policies and Procedures, 15 October 1999
- TCFE Regulation 350-8, Fort Eustis/ Fort Story Training Area Policies and Procedures, 1 February 2001

**SME:** Range Control NCOIC, 878-4412, Fax 3762

### FREQUENTLY ASKED QUESTIONS

- What time does the range complex open? 0700 hrs.
- How do I go about scheduling ranges and training areas? Contact your BN S3 or contact Range Control for password (if you do not have a BN

S3).

- What do I need to run a range at Ft Eustis? Range certification card. These classes are given every other Friday, 1330, Building 3910.
- What type of ranges is located at Ft Eustis? 5 small arm ranges.
- What type of ammo can you use at the range? 5.56mm and below.
- Can you park POVs near ranges and training areas? No.
- How many people do you need to run a range? A minimum of 10.
- Do I need medic support? Yes combat lifesaver or medic.
- What type of hearing protection do I need for the range? Triple flanged.

## SEA PAY

### REFERENCES:

- AR 56-9, Surface Transportation, Watercraft, 7 February 2002
- AR 600-88, Personnel, Sea Duty, 22 December 1999
- AR 600-4, Remission or Cancellation of Indebtedness for Enlisted Members, 1 April 1998
- AR 37-104-4, Military Pay and Allowances Policy and Procedures Active Component, 30 September 1994
- Memorandum, 7<sup>th</sup> Transportation Group, AFFG-ADJ, 27 Feb 01, subject: Career Sea Pay Actions for Unit Standard Operating Procedures (SOP)

**SME:** Ms. Trina Drake, US Army Career Sea Pay Coordinator, 878-4623, Ms. Linda Hart, Director, DMPO /Fort Eustis, 878-3547 and 7<sup>th</sup> Group, S-1, Fort Eustis, 878-2104.

**EXAMPLE:** I have a soldier whose sea pay was terminated six months ago but he is still receiving it. There are also cases where soldiers are not receiving sea pay when they should. Almost two-thirds of my sea pay eligible soldiers have some type of sea pay related discrepancy.

**QUESTION:** How can I eliminate sea pay discrepancies within my command?

**ANSWER:** Eliminating sea pay discrepancies first entails being aware of who is eligible to draw sea pay.

- Review the vessel assignments and LESs making sure those eligible to draw sea pay are receiving it and those who are not eligible are not.
- Have your soldier coordinate with the company sea pay clerk who will coordinate sea pay discrepancies with the battalion sea pay clerk who will then inform the 7<sup>th</sup> Group S-1.
- The S-1/S-1 staff will resolve sea pay discrepancies at the appropriate level.
- Formulate a SOP for sea pay within your unit to include in and out-processing through unit sea pay personnel.

Advise soldiers who erroneously receive sea pay not to spend the money. The government will eventually catch the mistake and take the money back.

**NOTE:** Advise soldiers that (Defense Military Pay Office) DMPO is obligated to stop a soldier's [erroneous] special pay immediately upon the soldier's request. It then is the duty of DMPO to follow-up through the soldier's chain of command to determine the appropriate termination date and amend the soldier's debt appropriately.

## SICK CALL – PERMANENT PARTY SOLDIERS

**REFERENCES:** None

**SME:** Hospital (MACH) NCOIC, Primary Care Center, 314-7887.

NCOIC, Brigade Aid Station, Bldg 664, 878-1698; Group Aid Station, Bldg 815, 878-5429.

**EXAMPLE:** Soldier requires health care and has not scheduled an appointment.

**QUESTION:** How does a permanent party soldier or soldier in training go on sick call?

**ANSWER:** Brigade Permanent party soldiers may go on sick call at the Primary Care Center, Group soldiers may go on sick call at the Group Aid Station, and soldiers in training to the Brigade Aid Station. E-5 and below must have a sick call slip from their unit.

Primary Care Center, Third Floor, Bldg 576.

- Provides care for permanent party soldiers with acute, chronic illnesses and routine conditions.
- Sick Call hours are Monday through Friday, 0630-0800 or by appointment.
- Soldiers without appointments must pick up their medical records and sign in at the front desk of the Clinic.
- Medics screen the soldiers in the order that they report. Those serious or potentially serious complaints are referred to the Urgent Care Clinic immediately.
- Soldiers who require care outside the Clinic's scope of practice are referred or transferred to the appropriate specialty clinic or medical facility.

The Clinic is open Monday through Friday, 0930-2000 and Saturdays, 0845-2000 for scheduled appointments. The scheduling of appointments is encouraged to reduce time away from the unit, waiting to receive care and to facilitate continuity of care Brigade Aid Station, Bldg 664.

- Provides care for soldiers in training with acute minor illnesses and routine conditions.
- Sick Call hours are Monday through Friday, in three groups of AIT soldiers who are asked to report at varying times, depending upon their training shifts. Hours are:

Day Shift, 0600-0630

Night Hawk, 0830-0900

Night Owl, 0900-0930

- Soldiers are not required to have medical records to be treated.
- Soldiers are signed in at the front desk, screened by Medics in the order that they report. Those complaining of chest pain, difficulty breathing/shortness of breath, or severe bleeding are referred to the Physician Assistant immediately
- Soldiers who require care outside the Station's scope of practice are referred to McDonald Army Community Hospital. Soldiers who require care outside the Clinic's scope of practice are referred or transferred to the appropriate specialty clinic or medical facility.

The Station is closed on installation holidays, training holidays and TRADOC organization days.

Group Aid Station, Bldg 815.

- Provides care for permanent party soldiers with acute, minor illnesses and routine conditions.
- Sick Call hours are Monday through Friday, 0600-0700.
- Soldiers are not required to have medical records to be treated.
- Soldiers are signed in at the front desk and screened by Medics in the order that they report. Those complaining of chest pain, difficulty breathing/shortness of breath, or severe bleeding are referred to the Physician Assistant immediately.
- Soldiers who require care outside the Station's scope of practice are referred to McDonald Army Community Hospital. Soldiers who require care outside the Clinic's scope of practice are referred or transferred to the appropriate specialty clinic or medical facility.

The Station is closed on installation holidays, training holidays and 7th Group organization days.

## SPONSORSHIP

### REFERENCES:

- AR 600-8-8, The Total Army Sponsorship program, 3 April 2002
- AR 600-8-101, Personnel Processing, 18 July 2003
- [www.eustis.army.mil](http://www.eustis.army.mil)

**SME:** Military Personnel Office, Strength Management Branch, Mrs. Motley, 878-5392; Army Community Services, Mrs. Cooper, 878-3638; and Family Readiness Coordinator, Mrs. Kakel, 878-5377.

**EXAMPLE:** You are chosen to be a sponsor.

**QUESTION:** What should you do?

**ANSWER:** Allow soldier time to in-process in the unit and community.

- Sponsors represent an incoming service member's or civilian employee's first impression of a new assignment.
- Only those individuals who can represent the gaining unit or activity in a positive manner will be selected as sponsors. (If possible, volunteers including family members should be used).
- Recognition should be provided those sponsors who perform their duties in a superior manner.
- The sponsor selected will be:
  - In a grade equal to or higher than the incoming service member or civilian employee.
  - Of similar military or civilian background as the incoming member or civilian employee. (Consideration of family composition and participation should be included in these criteria)
  - Familiar with the unit or activity and the community.
- The sponsor will NOT BE:

- The person being replaced by the incoming service member or civilian.
- Within 60 days of PCS.
- Installation and community commanders will provide training resources for persons designated as sponsors.
- In addition to information provided in installation training workshops or equivalent, training will include items felt necessary by the sponsor's chain of command.
- Ask MILPO for in-bound status - when are they arriving?
- Contact the soldier and see what the needs are; send him/her information on housing, VHA for this area.
- Fort Eustis on line - [www.eustis.army.mil/relocation.relocation.htm](http://www.eustis.army.mil/relocation.relocation.htm)
- **Worldwide Military Standard Installation Topic Exchange Service (SITES):**  
<http://www.dmdc.osd.mil/sites>
- **Fort Eustis SITES:**  
<http://www.eustis.army.mil/acs/acs.htm>
- Make sure the soldier brings his/her records: PT, shot records, CTT, will, Power of Attorney etc., and if possible update them.
- Make sure the soldiers and family members attend the Fort Eustis Newcomer's Brief, Information Fair and Tour, which are offered monthly.

**QUESTION:** What if I did not request a sponsor on the DA Form 5434 before I PCSed, can I still have one when I arrive at the new duty station?

**ANSWER:** Yes, everyone is entitled to a sponsor; in this case it would be a reactionary sponsor, which is appointed on orders at the time of your arrival at the unit.

- **REAR DETACHMENT**

- **SPONSORSHIP must include:**

- Maintaining the status of the family within the military and civilian community, providing it the same respect and consideration as if the service member sponsor were present.
    - Keeping the family informed about the activities of the deployed unit and of the services offered by the local installation.
    - Maintaining an effective communications link between families, the installation, command, and off-installation community.
    - Acting as a sounding board and action agent for family needs, problems, and ideas.

- Serving as a referral point for goods and services offered by unit and community support systems (on and off the installation).

- The primary objective of the Army Sponsorship Program is to assist the service member or civilian employee and their families during relocation process.

- Minimize delays, problems, and distractions occurring during relocation and transition at the new assignment location.

- Establish a well-run program to improve unit cohesion and readiness by decreasing distractions hampering personal performance and mission.

<b>SPOUSE ABUSE AND CHILD ABUSE</b>
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**REFERENCE:**

- AR 608-18, The Army Family Advocacy Program, 20 October 2003

**SME:** Ms. Ann Schulte, Army Community Services, 878-0901, Chief, Social Work Service, McDonald Army Community Hospital (MACH), 314-7910 and Staff Judge Advocate, 878-5286

**EXAMPLE:** You received a call from the spouse of one of your soldiers, alleging abuse by her husband. She stated her husband pushed her against the wall.

**QUESTION:** What should you do?

**ANSWER:** Report spouse abuse and child abuse and neglect immediately to the Military Police or Social Work Service (SWS), McDonald Army Community Hospital (314-7910, office hours only) and provide all relevant information to those investigating the report.

- SWS, MACH will coordinate with command to complete an assessment. Ensure that soldiers, after properly being advised of their Article 31 (b),

UCMJ rights, are encouraged to cooperate with SWS Family Advocacy Program (FAP) personnel to the maximum extent possible from initial report to case closure.

- SWS-FAP will notify you of date when case will be presented to the Case Review Committee (CRC), a multi-disciplinary advisory board, for disposition. Commanders are expected to represent their soldier at CRC meetings.
- CRC will review the case and make a clinical decision (not a clinical determination) whether to substantiate abuse according to established criteria based on available information. If a case is substantiated, the CRC will make treatment recommendations aimed on stopping the violence, protecting victims, and providing intervention/assistance for all affected family members.
- SWS-FAP sends commander a letter indicating CRC decision and, in substantiated cases, asking command to concur or non-concur with treatment plan. Provide nonconcurrency with CRC recommendations in writing through the

chain of command to the MACH commander.

- SWS-FAP implements CRC treatment recommendations and manages the case.
- Commanders should support CRC recommendations and/or initiate immediate and long-term measures that reinforce a plan to protect soldiers and family members.
- When treatment is determined to be appropriate, Unit Commanders will direct soldiers to attend sessions. Commanders will encourage the participation of civilian family members.
- Commanders should coordinate with SWS Case Manager when orders are issued reassigning soldiers or moving family members involved in FAP treatment.
- Commanders may initiate and coordinate measures that serve to protect individuals from harm, and to prevent further discord, intimidation, or obstruction of justice, and to give consequences for failure to show progress in treatment IAW AR 608-18, paragraph 4-4, 3-25, 1-7b(7)(8).
- By regulation, all commanders must be briefed on the FAP within 45 days of taking command. Contact Ann Schulte, FAP Manager, 878-0901.
- Schedule required annual troop awareness briefings. Contact Carl Markun, 878-0901.

<p style="text-align: center;"><b>TELEPHONES/AUTOMATION EQUIPMENT/FAX MACHINES/ COPIERS (OFFICIAL USE OF US GOVERNMENT COMMUNICATIONS RESOURCES AND COPIER MACHINES USE)</b></p>
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**REFERENCE:**

- AR 25-1, Army Information Management, 31 May 2002

**SME:** Mr. Jason Willis, USATC, 878-5247

**EXAMPLE:** A company commander has been informed that several soldiers within his/her command are making personal telephone calls, both local and long distance, sending e-mail to friends around the world and using automation equipment for personal work.

**QUESTION:** Can U.S. Government-owned communications resources be used for personal use?

**ANSWER:** Yes, if the calls meet the criteria of the above references.

- **TELEPHONES:** Personal communications utilizing U.S. Government telephones are authorized

from the employee's workplace, when such communications:

- Do not adversely affect the performance of the employee's official duties
- Are of short duration, and whenever possible, made before/after work, or during lunch or authorized breaks and do not incur long distance tolls or other usage fees (e.g., a local call, or long distance call paid for by a personal calling card, to check on family members or to schedule appointments).

- **AUTOMATION EQUIPMENT:** Use of automation equipment and associated peripherals is permitted for:

- Information of office activities (e.g., office parties, or status of sick employees).
- Use of computers to enhance professional competency (e.g., professional paper or course work) or to assist in job searching as a result of government downsizing.

- Limited personal use of the Internet (e.g., read news magazines, conduct brief searches, etc.)
- Limited personal use of computer printers for building office morale or keeping personnel informed of office activities, when such use is non-profit making.

**Restrictions on the use of automation equipment:**

- Personal communications to solicit business, advertise or engage in any selling activities supporting private business enterprises; send chain letters; promote fund-raising activities; or other uses which would reflect adversely on the government, to include surfing sex-oriented web sites or downloading

pornography, are not permitted and will not be tolerated.

- Employees should be counseled that sensitive personal or valued information should not be transmitted via government communications systems. Employees should be aware that use of these resources serves as consent to monitoring.

- **Facsimile Machine:** Personal use of facsimile machines is limited to the sending/receiving job listings in response to government downsizing.
- **Copier Machines:** Copying machines are not communications equipment, and are not subject to the broader authorized purposes outlined in the above references. Copying machines may only be used for official purposes.

## TRAVEL

### GIFTS AND GRATUITIES DURING OFFICIAL TRAVEL

**REFERENCE:**

- Joint Federal Travel Regulation Volume 11 with change # 387, part D, paragraph C1200

The regulation governing travel, gifts and gratuities during official travel are updated frequently. For the most current update, call Administrative Law at the Staff Judge Advocate office.

**SME:** Administrative Law, 878-5286.

## VISA CARD PROGRAM

**REFERENCE:**

- Army Standing Operating Procedures General Services Administration (GSA) Smart pay Purchase Card Program

**SME:** Ms. Laura Waters, USATC Directorate of Peninsula Contracting, 878-5809 X249 OR Cell: 757-469-2996.

**EXAMPLE:** Commander wants to purchase office furniture for the unit.

**QUESTION:** Can I purchase three chairs, which cost \$500.00 dollars each on the credit card?

**ANSWER:** It depends.

- Before purchasing, check with your budget analyst to ensure that funding is available.
- Property book items may be purchased with the credit card without prior approval of the Property Book Officer. However, the proper paperwork must be provided to the Property Book Officer at the time the billing statement is reconciled.

- Total purchases of \$250 or more must be made via the VISA credit card from either Unicor or GSA. Purchase totaling less than \$250 may be made from any vendor, i.e., Office Max, Staples, Wal-Mart and other similar stores.
- It is the responsibility of the credit cardholder to ensure property book items are authorized on hand receipt by the Property Book Officer.
- Cardholder shall record model and serial number of property book items on the credit card statement or a cross reference to property book document number.

**SPECIAL NOTE:** Any questions should first be directed to POC, Ms. Laura Waters, Directorate of Peninsula Contracting, 878-5809.

## THE INSTALLATION VOLUNTEER PROGRAM

### REFERENCES:

- Army Community Service Program, 20 November 2003
- AR 608-1, Army Community Services, 20 October 2003
- TCFE Cir, 608-02-04, 1 September 2002

**SME:** Installation Volunteer Coordinator, Building 601, Room 112, 878-0912

**EXAMPLE:** A military family member or retiree wants to volunteer on post and is not sure what agency or job they would like work in.

**QUESTION:** How can I find out what volunteer jobs are available on post?

### ANSWER:

Military family members, soldiers and civilians who wish to volunteer their time to better our community should contact the ACS Installation Volunteer Coordinator (IVC). The IVC maintains a listing of volunteer opportunities on the installation and a list of referrals for off-post opportunities. Positions are available in many areas on the installation and job training is provided.

Each year, during National Volunteer Week (generally in April), Army Community Service honors all our

volunteers with the Installation Volunteer Awards Program Ceremony (IVAP). Volunteers contribute many hours to the betterment of this community and their service is essential to the operation of the installation. Military units, installation organizations and individual volunteers are recognized for their contribution during the year. The highlight of the ceremony is the naming of the Installation Volunteer of the Year.

### Army Family Team Building

### REFERENCES:

- AR 600-20, Army Command Policy, 13 June 2002
- AR 608-1, Army Community Service Center, 20 October 2003
- <http://www.atsc.army.mil/itsd/comcor/ss8021s.htm>

**SME:** Installation Volunteer Coordinator, Building 601, Room 112, 878-0912

**QUESTION:** How can I learn more about benefits and programs available to me?

### ANSWER:

Army Family Team Building (AFTB) is an education and training program for family members, soldiers and civilians designed to provide information about the Army lifestyle and many topics for personal and professional development. Course is offered in three levels of training

and topics include military benefits (Tricare, pay and allowances, travel, education) Leadership Development, Communication, Management Skills and

Problem Solving. All classes are free and childcare and transportation may be available.

## WEIGHT CONTROL PROGRAM

### **REFERENCES:**

- AR 600-9, The Army Weight Control Program, 10 June 1987
- AR 600-8-2, Suspension of Favorable Personnel Actions, 30 October 1987

**SME:** Unit Commander/Center CSM, 878-4173.

**QUESTION:** Commander has identified me for the weight control program

**EXAMPLE:** How much time do I have to lose the weight?

### **ANSWER:**

- Once a commander places a soldier in the Army Weight Control Program the soldier must lose from 3-8 pounds per month. This level of monthly weight loss must be met unless prevented by a medical condition.
- Soldiers that fail to make this progress for two consecutive months are subject to separation proceedings.
- Commanders will initiate a mandatory bar to re-enlistment and/or administrative separation against soldiers that fail to make satisfactory progress after being placed on the Army Weight Program for six months.

**SPECIAL NOTE:** Weight control is an area where little discretion is allowed to the commander.

## **CHAPTER 2**

### **WHAT GETS LEADERS IN TROUBLE**

#### **SOLDIERS RIGHT TO SEE IG**

*“ . . . Anyone may submit a complaint, allegation,  
or request for assistance to any Army IG  
concerning matters of army interest . . . ” (AR 20-1)*

No one can be stopped from seeing an IG. They do not have to tell the chain of command why they want to see the IG. Stopping them from seeing the IG is a punishable under UCMJ.

Rest assured the USATC IGs will always ask the soldier if he/she has talked to his/her chain of command or anyone else about his or her problem. Most of the soldier's problems can be worked out using the chain of command.

If the problem is with the chain of command the IG will hear both sides of the issue and act impartially to resolve the problem in accordance with established policies and the Army Regulation.

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#### **REPRISAL/ WHISTLE BLOWER**

##### **Protects soldiers & civilians from suffering reprisals**

For making lawful communications to a member of Congress, Inspector General, or other authorized official

##### **Reprisal**

May consist of threatening or taking unfavorable personnel action, as well as threatening to or withholding favorable personnel action.

##### **Four checks in determining reprisal**

- ✓ Did the complainant make a protected communication?
  - ✓ Was favorable action withheld (or threatened), or was adverse action taken (or threatened)?
  - ✓ Did the responsible official know about the protected communication?
  - ✓ Would the action have taken place if the protected communication had not taken place?
-

## **IG ACTIVITIES YOU NEED TO KNOW ABOUT**

IGs are authorized access to all documents and all other evidentiary material needed to discharge their duties. These documents include normally protected data. Some examples are classified documents, records of board proceedings, acquisition information, medical records, medical quality assurance records, drug and alcohol records, financial records, evaluation reports, back channel messages, security dossiers, criminal investigation reports, copies of personnel restricted fiche (R-fiche) (after compliance with AR 640-10), and financial disclosure statements.

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# APPENDIX A

## *REFERENCES FOR ISSUES FREQUENTLY ADDRESSED*

1. The most current version of regulations can be found at:

<http://www.usapa.army.mil/>

AAFES	AR 60-10
Absentee and Deserter Apprehension Program	AR 190-9
Access to Off-Post Businesses	AR 190-24
Administrative Absence	AR 600-8-10
Administrative Use Vehicle (AUV)	AR 58-1
AGR Program	AR 140-30
Alcohol and Drug Abuse Program	AR 600-85
Army Community Service	AR 608-1
Army Discharge Review Board (ADRR)	DA Cir 310-81-6
Army Emergency Relief (AER)	AR 930-4
Article 15	AR 27-10
Article 15 Investigations	AR 15-6
Assignments/Transfers (Enlisted)	AR 614-200
Assignments/Transfers (Officer)	AR 614-100
Awards	AR 600-8-22
AWOL	AR 630-10
Bar to Reenlistment	AR 601-280
Branch Transfer (Officer)	AR 614-100
Casualty Assistance	AR 600-8-1
Change of Name, SSN, etc.	AR 600-8-104
Check Cashing Policies/Procedures	AR 60-20
Child Care Center	AR 608-10
Claims	AR 27-20
Command Policy	AR 600-20
Command Sponsorship	AR 55-46
Common DEROS	AR 614-30
Compassionate Reassignment (Enlisted)	AR 614-200
Compassionate Reassignment (Officer)	AR 614-100
Complaint Against Commander (Art 138, UCMJ)	AR 27-10
Confinement Facility	AR 190-47
Conscientious Objector	AR 600-43
Correction of Military Records	AR 15-185
Curtailed of Tour	AR 614-30
Dining Facility	AR 30-5
Discharge (Enlisted Ranks Personnel Update)	AR 635-200
Discharge (Officer)	AR 600-8-24
Disciplinary Control Boards	AR 190-24
Drivers License (Military)	AR 600-55
Dropped from Rolls (DFR)	AR 630-10
Drug and Alcohol Program	AR 600-85
Duty Roster	AR 220-45
Early Return of Family Members	AR 55-46

Emergency Leave	AR 600-8-10
Enlisted Assignments	AR 614-200
Enlisted Military Occupational Specialties	DA Pam 611-21
Enlisted Personnel Management	AR 600-200
Equal Employment Opportunity/ Affirmative Action	AR 690-12
Equal Opportunity	AR 600-20
Evaluation Report (Enlisted)	AR 623-205
Evaluation Report (Officer)	AR 623-105
Exceptional Family Member Program	AR 608-75
Exchange/Reassignment	AR 614-200
Expeditious Discharge	AR 635-200
Extension/Reenlistment	AR 601-280
Extremist Organizations	AR 600-20
Family Advocacy Program	AR 608-18
Family Care Plans	AR 600-20
Family Housing	AR 210-50
Family Member Support, Child Custody, Paternity	AR 608-99
Family Member Travel	AR 55-46
Flagging Actions	AR 600-8-2
Food Service Program	AR 30-22
Foreign Service Tour Extension	AR 614-30
Fraternization/Prohibited Relationship	AR 600-20
Freedom of Information Act	AR 25-55
Furniture (Housing)	AR 210-50
Hometown News Release Program	DA Pam 360-3
Housing Referral	AR 210-50
Homosexual Conduct Policy	AR 600-20
ID Card and Privileges	AR 600-8-14
Informal Funds	AR 600-20
Inspector General	AR 20-1
Investigations	AR 15-6
Issue and Sale of Personal Clothing	AR 700-84
Joint Domicile (Officer)	AR 614-100
Joint Domicile (Enlisted)	AR 614-200
Leave and Passes	AR 600-8-10
Legal Assistance	AR 27-3
Letter of Reprimand	AR 600-37
Line of Duty Investigation	AR 600-8-1
Mail (official)	AR 25-51
MARKS Filing System	AR 25-400-2
Meal Card	AR 600-38
Medical, Dental, and Veterinary Care	AR 40-3
Military Justice	AR 27-10
Military Whistleblower Protection Act	AR 600-20
MOS Classification (Enlisted)	AR 600-200
MOS Description, and Inventory (Enlisted)	DA Pam 611-21
NCO Development Program	AR 350-17

NCO Evaluation Reporting System	AR 623-205
Nuclear Weapon Security (C)	AR 50-5-1
OCS Application	AR 351-17
Officer Evaluation Reporting System	AR 623-105
OJT	AR 350-1
Orders	AR 600-8-105
Overseas Service	AR 614-30
Overseas Service	AR 600-8-104
Paternity	AR 608-99
PCS Policy	AR 614-6
Personal Clothing	AR 700-84
Physical Security	AR 190-11
Political Activities	AR 600-20
Privacy Act	AR 340-21
Private Organizations	AR 210-22
Red Cross Service Program	AR 930-5
Reenlistment/Reenlistment Codes	AR 601-280
Regular Army Appointment	AR 601-100
Remission or Cancellation of Indebtedness	AR 600-4
Report of Survey	AR 735-5
Safety Program	AR 385-10
Security Clearances	AR 604-10
Separations (Enlisted Ranks Personnel Update)	AR 635-200
Separations (Officer)	AR 600-8-24
Serious Incident Report (SIR)	AR 190-40
Service Obligations (Officer)	AR 350-100
Sexual Harassment	AR 600-20
Sick Slip	AR 40-66
Smoking in Government Buildings/ Conference Rooms	AR 600-63
Sole Surviving Son or Daughter	AR 614-200
Standards of Conduct	DOD Reg 5500.7R
SURE-PAY	AR 37-104-4
Suspension of Favorable Personnel Action	AR 600-8-2
Unfavorable Information	AR 600-37
Uniform, Wear and Appearance	AR 670-1
Weight Control Program	AR 600-9

2. Pertinent USATC policies, SOPs, and regulations can be found on the USATC Outlook menu under Public Folders/All Public Folders/Fort Eustis Folders. You will find two categories to examine: Bulletin Board - will contain a sub-folder called publications, this folder includes all TCFE Regulations, Pamphlets, and Memorandums. The second category folder is Organization Folders - which includes all Garrison and Mission Staffs prepared briefings, memorandums, and valid SOPs, such as Post Urinalysis SOP or Post Awards SOP. Additionally, a number of Fort Eustis' publications are available on the www at [www.eustis.army.mil/publications](http://www.eustis.army.mil/publications).

## APPENDIX B

### MENTAL HEALTH REFERRAL INVESTIGATION CHECKLIST

1. Complainant name/address:
2. Case Number:  
Date complaint received:  
Date complaint referred to service:  
Date report received from service:
3. Investigator's Name, Rank, Organization, Duty Phone:
4. Allegations:
5. Type of Referral: Nonemergency/Emergency

#### PART A: Nonemergency (Outpatient and Inpatient Referrals)

1. Did the Commanding Officer:
  - a. Consult with a mental health professional before referring the member for a mental health evaluation? When:
  - b. Provide the member written notice of the mental health referral? When? Is member's acknowledgement of the notice present?
  - c. If written notice was provided, did the notice include:
    - (1) Date and time of the scheduled mental health evaluation?
    - (2) Factual description of the behavior and/or verbal expressions that caused the commanding officer's mental health evaluation referral?
    - (3) Name of the mental health professional with whom the commanding officer consulted before making the mental health evaluation referral? If not, does the notice explain why?
    - (4) Positions and telephone numbers of authorities, including attorneys and IGs, who could assist the member who wishes to question the mental health evaluation referral?
2. If the member was referred for a mental health evaluation, was the member provided a copy of the listing of the following rights to: (this applies in nonemergency mental health evaluation referrals)

- a. Seek advice from an attorney who is a member of the Armed Forces or who is employed by the DOD designated to provide such advice under DOD Directive 6490.1 or an IG or an alternate source if an attorney is not reasonably available?
  - b. Submit an allegation of referral in violation of DOD Directive 6490.1 to any IG?
  - c. Be evaluated by a mental health professional of his or her choosing and at his or her expense if reasonably available and within a reasonable time after the referred mental health evaluation?
  - d. Not be restricted in lawfully communicating with an IG, attorney, Member of Congress, or others about the mental health referral?
  - e. Have at least two business days before the scheduled evaluation to meet with an attorney, IG chaplain, or other party? If not, is there an explanation? (This only applies in nonemergency mental health evaluation referrals)
3. If the member was aboard a naval vessel or in duty circumstances that made compliance with DoDD 6490.1 impractical, did the commanding officer prepare a memorandum stating the reasons for the inability to comply with the directive? If so, when:
4. Did the mental health professional who conducted the mental health evaluation:
  - a. Assess the circumstances surrounding the request for mental health evaluation to ensure that the evaluation does not appear to have been in reprisal for whistleblowing?
  - b. Submit an allegation of referral in violation of DOD Directive 6590.1 to any IG?
  - c. Be evaluated by a mental health professional of his or her choosing and at his or her expense if reasonably available and within a reasonable time after the referred mental health evaluation?
  - d. Not be restricted in lawfully communicating with an IG, attorney, Member of Congress, or others about the mental health referral?
  - e. Have at least two business days before the scheduled evaluation to meet with an attorney, IG, chaplain, or other party? If not, is there an explanation? (This only applies in nonemergency mental health evaluation referrals)
5. If the member was aboard a naval vessel or in duty circumstances that made compliance with DODD 6490.1 impractical, did the commanding officer prepare a memorandum stating the reasons for the inability to comply with the Directive? If so, when:

6. Did the mental health professional who conducted the mental health evaluation:
  - a. Assess the circumstances surrounding the request for mental health evaluation to ensure that the evaluation does not appear to have been in reprisal for whistleblowing?
  - b. Report to the superior of the referring commander, via mental health professional's command channels, evidence indicating that the evaluation may have been inappropriate?
  - c. Advise the member of the purpose, nature and likely consequences of the evaluation?
  - d. Make clear to the member that the evaluation is not confidential?
  
7. If the mental health professional performed both evaluative and therapeutic roles, did the mental health professional explain to the member the possible conflict of interest issues at the outset of the therapeutic relationship?

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REVIEWING OFFICIAL

# APPENDIX C

## SEPARATION ACTIONS

	<b>SECRETARIAL AUTHORITY</b>	<b>PARENTHOOD</b>	<b>PERSONALITY DISORDER</b>	<b>FAILURE TO MEET WEIGHT STANDARDS</b>
<b> GROUNDS FOR  ACTION</b>	Best interest of the Army.	Parental obligations interfere with military responsibilities such as, repeated absenteeism, late for work, unavailable for field exercises, CQ, SDO, worldwide assignment or deployment, etc.	Personality disorder, as diagnosed by psychiatrist, that interferes with duty performance. Long-term, deeply ingrained, maladaptive pattern of behavior. List in DSM-III.	Failure to meet weight control standards set forth in AR 600-9. Overweight condition must be the sole basis for separation.
<b> COUNSELING  REQUIRED?</b>	No.	Yes.	Yes.	Give soldier time to meet weight standards.
<b> WHO INITIATES?</b>	Immediate commander or higher, including separation authority on action when board recommends retention.	Immediate commander or higher.	Immediate commander or higher.	Immediate commander or higher.
<b> BOARD  HEARING?</b>	No. Use Notification Procedure.	Use notification procedure. Entitled to board if soldier has 6 or more years of active and reserve service.	Use notification procedure. Entitled to board if soldier has 6 or more years of active and reserve service.	Use notification procedure. Entitled to board if soldier has 6 or more years of active and reserve service.
<b> REGULATION</b>	AR 635-200, para 5-3.	AR 635-200, para 5-8.	AR 635-200, para 5-13.	AR 635-200, Chapter 18.
<b> ENTITLED TO  COUNSEL?</b>	Counsel for consultation (JAG).	Counsel for consultation (JAG). Counsel for representation before a Board.	Counsel for consultation (JAG). Counsel for representation before a Board.	Counsel or consultation (JAG). Counsel for representation before a board.

	<b>SECRETARIAL AUTHORITY</b>	<b>PARENTHOOD</b>	<b>PERSONALITY DISORDER</b>	<b>FAILURE TO MEET WEIGHT STANDARDS</b>
<b>SJA REVIEW?</b>	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).
<b>SEPARATION AUTHORITY?</b>	Secretary of the Army	SPCMCA	SPCMCA	LTC Cdr (or MAJ(P) in LTC Cmd); no Board; SPCMCA Board.
<b>POSSIBLE CHARACTER- IZATIONS SERVICE</b>	Honorable, General, or Entry level Separation.	Honorable, General, or Entry Level Separation.	Honorable or Entry Level Separation; see para 5-13h for limited condition for General.	Honorable or Entry Level Separation
	<b>FRAUDULENT ENTRY</b>	<b>PERSONAL ABUSE OF ALCOHOL OR OTHER DRUGS</b>	<b>IN LIEU OF TRIAL BY COURT- MARTIAL</b>	<b>ENTRY LEVEL STATUS PERFORMANCE AND CONDUCT</b>
<b>GROUND FOR ACTION</b>	Material misrepresentation, omission, or concealment of information that, if known by the Army might have resulted in rejection.	Soldier is enrolled in ADAPCP and (1) lacks potential for service and rehab efforts are not practical or (2) long-term rehab required and soldier is transferred to civilian facility.	Referral of charges for which a punitive discharge is authorized; or referral to C-M authorized to adjudge a punitive discharge if RCM 1003(d) provision are used.	Unsat performance or minor disciplinary infractions evidenced by: inability; lack of effort; failure to adapt; or pregnancy hinders MOS training. Must be in Entry Level Status.
<b>COUNSELING REQUIRED?</b>	No.	No.	No.	No.
<b>WHO INITIATES?</b>	Immediate commander or higher.	Immediate commander or higher	Soldier.	Immediate commander or higher.
<b>BOARD HEARING?</b>	Yes, but may be waived. No board if OTH is not warranted and soldier has less than 6 years active and reserve service.	Use Notification Procedure. Entitled to Board if soldier has 6 or more years active and reserve service.	No.	Use Notification Procedure. Entitled to Board if soldier has 6 or more years active and reserve service.

	<b>FRAUDULENT ENTRY</b>	<b>PERSONAL ABUSE OF ALCOHOL OR OTHER DRUGS</b>	<b>IN LIEU OF TRIAL BY COURT-MARTIAL</b>	<b>ENTRY LEVEL STATUS PERFORMANCE AND CONDUCT</b>
<b>REGULATION</b>	AR 635-200, Chapter 7, Section V.	AR 635-200, Chapter 9.	AR 635-200, Chapter 10.	AR 635-200, Chapter 11.
<b>ENTITLED TO COUNSEL?</b>	Counsel for consultation (JAG). Counsel for representation before a Board.	Counsel for consultation (JAG). Counsel for representation before a Board.	Counsel for consultation (JAG).	Counsel for consultation (JAG). Counsel for representation before a Board.
<b>SJA REVIEW?</b>	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).
<b>SEPARATION AUTHORITY</b>	GCMCA: OTH; SPCMCA; No OTH and Notification Procedure used.	LTC Cdr (or MAJ(P) in LTC Cmd; no Board. SPCMCA Board.	GCMCA.	LTC Cdr (or MAJ(P) in LTC Cmd; no Board. SPCMCA Board.
<b>POSSIBLE CHARACTERIZATIONS SERVICE</b>	Honorable, General, Other Than Honorable, or entry Level Separation.	Honorable, General, or entry Level Separation. Honorable required if limited use evidence used.	Normally Other Than Honorable, Honorable, General, or Entry Level Separation also possible. Entry Level Separation.	
	<b>UNSATISFACTORY PERFORMANCE</b>	<b>CONVICTION BY A CIVILIAN COURT</b>	<b>MINOR (MILITARY) DISCIPLINARY INFRACTIONS</b>	<b>PATTERN OF MISCONDUCT</b>
<b>GROUND FOR ACTION</b>	Unsatisfactory duty performance.	Civilian court conviction for an offense that authorizes a punitive discharge under MCM; or sentenced to confinement for 6 months or more by civilian court.	Pattern or misconduct consisting solely of minor military disciplinary infractions.	Discreditable involvement with civil or military authorities; or conduct prejudicial to good order and discipline.
<b>COUNSELING REQUIRED?</b>	Yes.	No.	Yes.	Yes.
	<b>UNSATISFACTORY PERFORMANCE</b>	<b>CONVICTION BY A CIVILIAN COURT</b>	<b>MINOR (MILITARY) DISCIPLINARY INFRACTIONS</b>	<b>PATTERN OF MISCONDUCT</b>
<b>WHO INITIATES?</b>	Immediate	Immediate	Immediate	Immediate

	Commander or higher.	Commander or higher.	Commander or higher.	Commander or higher.
<b>BOARD HEARING?</b>	Use Notification Procedure. Entitled to Board if soldier has 6 or more years of active and reserve service.	Yes, but may be waived. No personal appearance if in confinement. No Board if OTH is not warranted and soldier has less than 6 years active and reserve service.	Yes, but may be waived. No personal appearance if in confinement. No Board if OTH is not warranted and soldier has less than 6 years active and reserve service.	Yes, but may be waived. No Board if OTH is not warranted and soldier has less than 6 years active and reserve service.
<b>REGULATION</b>	AR 635-200, Chapter 13.	AR 635-200, Chapter 14, para 14-5.	AR 635-200, Chapter 14, para 14-12a.	AR 635-200, Chapter 14, para 14-12b.
<b>ENTITLED TO COUNSEL?</b>	Counsel for consultation (JAG). Counsel for representation before a board.	Counsel for consultation (JAG). Counsel for representation before a board.	Counsel for consultation (JAG). Counsel for representation before a board.	Counsel for consultation (JAG). Counsel for representation before a board.
<b>SJA REVIEW?</b>	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).	Yes. See AR 635-200, para 2-6e(3).
<b>SEPARATION AUTHORITY</b>	LTC Cdr (MAJ(P) in LTC Cmd); no Board. SPCMCA; Board.	GCMCA; OTH; SPCMCA; no OTH and Notification Procedure used.	GCMCA; OTH; SPCMCA; no OTH and Notification Procedure used.	GCMCA; OTH; SPCMCA; no OTH and Notification Procedure used.
<b>POSSIBLE CHARACTERIZATIONS SERVICE</b>	Honorable or General.	Honorable, General, Other Than Honorable, or Entry Level Separation.	Honorable, General, Other Than Honorable, or Entry Level Separation.	Honorable, General, Other Than Honorable, or Entry Level Separation.

	<b>COMMISSION OF A SERIOUS OFFENSE</b>	<b>HOMOSEXUALITY</b>
<b> GROUNDS FOR ACTION</b>	Commission of a serious military or civil offense for which a punitive discharge would be authorized under the MCM.	Coordinate directly with SJA for most current policy.
<b> COUNSELING REQUIRED?</b>	No.	
<b> WHO INITIATES?</b>	Immediate Commander or higher.	
<b> BOARD HEARING?</b>	Yes, but may be waived. No board if OTH is not warranted and soldier has less than 6 years active and reserve service.	
<b> REGULATION</b>	AR 635-200, Chapter 14, para 14-12c.	
<b> ENTITLED TO COUNSEL?</b>	Counsel for consultation (JAG). Counsel for representation before a board.	
<b> SJA REVIEW?</b>	Yes. See AR 635-200, para 2-6e(3).	
<b> SEPARATION AUTHORITY?</b>	GCMCA; OTH; SPCMCA; No OTH and Notification Procedure used.	
<b> POSSIBLE CHARACTERIZATIONS SERVICE</b>	Honorable, General, Other Than Honorable, or Entry Level Separation.	



