



DEPARTMENT OF THE NAVY
U.S. NAVAL SUPPORT ACTIVITY NAPLES ITALY
PSC 817 BOX 1
FPO AE 09622-0001

NAVSUPPACTNAPLESINST 1620.2C
N01J

27 APR 2021

NAVSUPPACT NAPLES INSTRUCTION 1620.2C

From: Commanding Officer, U.S. Naval Support Activity, Naples, Italy

Subj: ARMED FORCES DISCIPLINARY CONTROL BOARD FOR THE REGION OF
CAMPANIA AND GAETA, LAZIO, ITALY

Ref: (a) OPNAVINST 1620.2 (Series)
(b) COMUSNAVEURINST 1620.5 (Series)
(c) COMNAVREGEURAFCENTINST 1620.5 (Series)

Encl: (1) Board Procedures
(2) Board Guide
(3) Sample Civil Authority Letter
(4) Sample Warning Letter
(5) Sample Command Order
(6) Sample Off-Limits Declaration
(7) Sample Invitation to Hearing
(8) Sample Off-Limits Revocation

1. Purpose. To direct the establishment of a local Armed Forces Disciplinary Control Board (AFDCB) for the Region of Campania and Gaeta, Italy, in accordance with references (a) through (c).

2. Cancellation. NAVSUPPACTNAPLESINST 1620.2B

3. Policy. Reference (c) delegates to the U.S. Naval Support Activity (NAVSUPPACT), Naples, Italy, Commanding Officer (CO) authority to establish and operate a local AFDCB for the Region of Campania and Gaeta, Italy. As a delegated "Sponsoring Commander," the CO will take and enforce off-limits actions against civilian areas, firms, establishments, individuals, and organizations responsible for practices and conditions adverse to good order and discipline, health, morale, safety, and welfare of U.S. Forces personnel. A non-exhaustive list of adverse practices and conditions is provided in paragraph 7 of reference (b). When adverse practices or conditions are confirmed by an investigation, the CO may take temporary or indefinite off-limits actions to protect U.S. personnel.

4. Organization

a. The AFDCB is established under the sponsorship of U.S. NAVSUPPACT, Naples. The AFDCB shall meet quarterly at the call of the President, and shall consist of the following board members:

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- (1) Executive Officer, President
 - (2) Command Master Chief
 - (3) Staff Judge Advocate (SJA)
 - (4) Security Officer
 - (5) Public Affairs Officer
 - (6) Equal Employment Opportunity Advisor
 - (7) Safety Officer
 - (8) Drug and Alcohol Program Advisor
 - (9) Representative, U.S. Naval Hospital, Naples, Italy
 - (10) Representative, Naval Criminal Investigative Service
- b. All actions must be achieved by majority vote of a quorum.
- c. A quorum is achieved with no less than five members present.

5. Action

a. Temporary Off-Limits Actions. The CO may place areas, establishments, firms, individuals, or organizations temporarily off-limits to military personnel of their unit for 45 days when it is determined essential to the health, safety, welfare, discipline, and protection of their personnel. The following steps will be taken in accordance with reference (c):

(1) The CO will post a written order on bulletin boards and other available media (*i.e.*, Facebook page, website, Panorama) for all NAVSUPPACT Naples installations. The order will include an expiration date for the off-limits location. The expiration date will be greater than 45 days after the date of the order.

(2) The CO will appoint a Commissioned Officer (CWO2 or above) or civilian employee in a grade of GS-11, or above, to complete an investigation and provide a written report of the investigation within five working days of issuing a temporary suspension. Investigating Officers (IO) will comply with reference (a) of this instruction. The AFDCB will file and maintain a copy of the investigation and written off-limits declaration.

(3) If the issue that gave rise to an off-limits order has been resolved, and continuing the off-limits order is no longer necessary, the CO will immediately remove the off-limits order.

(4) If the continuation of an off-limits order is appropriate, the CO will direct the AFDCB to investigate the matter and recommend whether or not the CO should issue a permanent off-limits order.

(5) The CO will send copies of memoranda imposing or removing temporary off-limits sanctions with all supporting documentation to Commander, Navy Region Europe, Africa, Central (CNREURAFCENT).

b. Indefinite Off-Limits Actions. To place areas, establishments, firms, individuals, and organizations in an indefinite off-limits status, the CO will:

(1) Review complaints in coordination with the SJA to determine whether or not further off-limits action is necessary.

(2) When appropriate, document and file a determination that no further action is needed and respond in writing to the complainant of the determination.

(3) Notify appropriate Italian authorities if a formal investigation is required. This notification allows time to prepare for a possible off-limits action according to Italian laws. See enclosure (3) for a sample notification letter.

(4) Send a warning letter (certified mail-return receipt) to the violator noting the problem practices or conditions after notifying Italian authorities. When an area rather than an establishment, firm, individual, or organization is involved, the warning letter must be sent to the principal civil official with jurisdiction over the area. See enclosure (4) for a sample warning

(5) If further investigation is necessary and if no response to the warning letter is received within 10 workdays, appoint a Commissioned Officer (CW02 or above) or a civilian employee in the grade of GS-11, or above, to investigate the establishment, firm, individual, organization, or area. The CO may take this action even if the violator meets with the CO and agrees to cooperate but does not appear to change adverse practices or conditions in a reasonable time. The IO will prepare a written report recommending a prompt review by the NAVSUPPACT Naples SJA. The CO will receive the investigation report. The CO may bypass this step, however, if the IO's report directed during the temporary off-limits process was thorough and complete.

(6) Send the complaint and investigation report to the local AFDCB if the report and other available reports show an off-limits action is required.

(7) Declare the area, establishment, firm, individual or organization off-limits by publishing a command order if the recommendation of the local AFDCB indicates that an off-limits action is warranted. Enclosure (5) is a sample command order memorandum.

(8) Provide written notice of the off-limits action immediately to the proprietor. Enclosure (6) is a sample off-limits declaration letter. Provisions for appeal must be included in the letter. Provisions for appeal must be included in the letter.

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(9) Ensure copies of all investigations, directives, instructions, correspondence, meeting minutes, and memorandums imposing or removing indefinite sanctions are sent to the CNREURAFCENT SJA after review by the NAVSUPPACT Naples SJA.

c. AFDCB procedures. When the AFDCB receives a complaint and investigation from the CO, the AFDCB President will conduct an administrative hearing in accordance with reference (b). The AFDCB President should rely on enclosures (1) and (2) in conducting the hearing.

d. Other Considerations. Additionally, the CO will:

(1) Request assistance, when practicable, from Italian civilian law enforcement, health, and other appropriate authorities to correct adverse conditions before taking and enforcing off-limits actions.

(2) Use caution when communicating with or giving instructions to proprietors about off-limits actions. To this end, the CO will send a letter to the proprietor requesting assistance to maintain the health and welfare of U.S. Forces personnel; and refrain from using threats or force to influence proprietors.

(3) Not take or enforce an off-limits action against an area, establishment, firm, individual or organization solely because sanitation standards required by local ordinances do not meet U.S. Forces standards. Unsanitary conditions must be confirmed by local health and licensing officials before off-limits actions may be taken.

(4) Not take immediate off-limits actions against areas, firms, establishments, individuals or organizations that discriminate. The CO will negotiate with proprietors to make these locations available to all U.S. personnel before taking off-limits actions.

(5) Send copies of all temporary and indefinite off-limits memorandums to the AFDCB-Europe PM air by e-mail at: usarmy.badenwur.usareur.list.opm-afdcB@mail.mil within 10 workdays after completing the action.

6. Compliance. Off-limits orders are lawful military orders. Service members who violate, or who solicit others to violate, off-limits orders may face disciplinary action under the Uniform Code of Military Justice (UCMJ). The CO is a General Court-Martial Convening Authority and his off-limits orders have the force of a lawful general order as defined by Article 92, UCMJ.

7. Point of contact is NAVSUPPACT Naples Office of the SJA at DSN: 626-4227 or COMM: 081-568-4227.

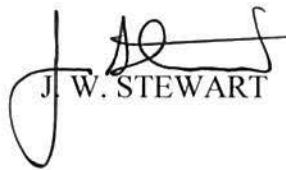
8. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the Department of

the Navy Assistant for Administration, Directives and Records Management Division portal page at: <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the OPNAV Records Management Program (DNS-16).

9. Review and Effective Date. Per OPNAVINST 5215.17A, NAVSUPPACT Naples will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years unless revised or cancelled in the interim and will be reissued by the 10-year anniversary date if it still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.



J. W. STEWART

Releasability and distribution:

NAVSUPPACTNAPLESINST 5216.4DD

Lists: I through IV

Electronic via NAVSUPPACT Naples website:

https://www.cnic.navy.mil/regions/cnreurfcent/installations/nsa_naples/about/departments/administration_n1/administrative_services/instructions.html

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BOARD PROCEDURES

1. Purpose. To prescribe procedures for the operation of the board. Board proceedings are neither disciplinary nor punitive in nature.
2. Meeting. The board meets quarterly at the direction of the President. The meetings must be open to the public unless closure is reasonably necessary to prevent disclosure of:
 - a. Properly and currently classified material.
 - b. Internal personnel rules and practices.
 - c. Matter exempted from disclosure by statute or regulation.
 - d. Trade secrets or similar commercial or financial information.
 - e. Internal advice, recommendations, and subjective evaluations pertaining to internal decision-making process.
 - f. Personal information the disclosure of which would cause undue embarrassment or a clearly unwarranted invasion of privacy for an individual.
 - g. Information compiled for civil, criminal, or military law enforcement purposes, which might tend to compromise the sources of the information or the techniques by which the information was gained.
 - h. Other information that might endanger personnel or render operations ineffective.
3. AFDCB composition. Attendance at the board meetings is the primary duty of the members. With permission of the President, a member may be excused from attending by delegating the duty to a responsible subordinate. A quorum consists of more than half of the voting members. The board may not conduct business without a quorum. All actions must be achieved by a majority vote of the quorum.
4. Attendance of observers or witnesses. The board may invite individual persons or organizational representatives as witnesses or observers. Invited witnesses and observers will be listed in the minutes of the meeting. The following may be appropriate:
 - a. United States and host nation judicial, legislative, and law enforcement officials.
 - b. Housing regulation and enforcement authorities.
 - c. Medical, health and social service authorities.
 - d. Environmental protection authorities.

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- e. Alcoholic beverage control authorities.
- f. Equal employment opportunity authorities.
- g. Consumer affairs advocates.
- h. Host nation business representatives.
- i. Public works or utility authorities.
- j. Local fire marshal and public safety authorities.
- k. Department of Defense and host nation school board or education officials.

1. Any other representation deemed appropriate by the President or the Commanding Officer (CO), such as: news media, union representatives, and so forth.

5. Appropriate areas for board consideration. The board will study and take appropriate action on all reports of conditions considered detrimental to the good order and discipline, health, morals, welfare, safety, and morale of Armed Forces personnel.

6. Off-limit procedures

a. The board will receive complaints and investigations from the CO and determine whether off-limits action is warranted. The board will conduct an administrative hearing to determine what action is warranted.

b. If undesirable conditions remain uncorrected after initial notification by the CO, a letter will be sent to the proprietor or principal civil official inviting appearance before the board to explain why the establishment or area should not be off limits. Such proprietor may appear at the hearing represented by counsel.

c. Enclosure (7) is a sample letter of invitation to the hearing. The letter inviting the proprietor or principal civil official will:

(1) Be sent at least 10 workdays before the hearing.

(2) Be translated into the host nation language.

(3) Include the date, time, and place of the hearing.

(4) Invite the addressee to appear in person with or without legal counsel, or to send a representative.

(5) Summarize the complaint and the investigating officer's findings and recommendations.

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d. In cases where a proprietor or principal civil official has been invited to appear, the President will normally:

(1) Before calling the proprietor or principal civil official before the board:

- (a) Call for investigation reports.
- (b) Review the findings and decisions of previous meetings and investigations.
- (c) Allow those present to ask questions and discuss the case.

(2) When the proprietor or principal civil official is called before the Board:

- (a) Present the proprietor or principal civil official with a brief summary of the complaint concerning the establishment or place.
- (b) Afford the proprietor or principal civil official an opportunity to present matters in defense, in extenuation, and in mitigation.
- (c) Invite those present to question the proprietor or principal civil official.
- (d) After the questioning, allow the proprietor or principal civil official an opportunity to make a final statement before closing the hearing for deliberations.

e. The board will send a summary of the proceedings and recommendations to the CO. Recommendations may include the following options:

- (1) Delay off-limits action for a specified period to allow reasonable time for corrective measures. A subsequent investigation will determine if the proprietor or principal civil official has taken corrective measures.
- (2) Not take off-limits action.
- (3) Take immediate off-limits action.

f. Off-limits restrictions will only be invoked when there is substantive information that an establishment or area frequented by Armed Forces personnel presents conditions that adversely affect their health, safety, welfare, morale, or morals. The board shall not act arbitrarily. Board actions are neither punitive nor disciplinary. The board shall work in close cooperation with local officials and proprietors of business establishments and seek to accomplish its mission through mutually cooperative efforts. The board will encourage personal visits by local military and civilian enforcement of health officials to establishments considered below standard. The board will point out unhealthy conditions or undesirable practices to establishment owners or operators to produce the desired corrective action.

g. The board will recommend off-limits restriction only after the following:

(1) Reasonable notice has been given to the proprietor or principal civil official of the proposed action.

(2) The proprietor or principal civil official has had a reasonable opportunity to be heard by the board.

(3) Investigation shows that undesirable conditions remain uncorrected since the proprietor or principal civil official was notified of the problem.

h. The President shall ensure the minutes show the Board's action in each case. When the board recommends off-limits action, the President shall ensure the minutes show the procedural steps taken in reaching that recommendation.

i. The President shall submit a recommendation to the CO for action. The CO will approve or disapprove the recommendation and notify in writing the proprietor or principal civil official. The letter will include advice on appealing the restriction.

7. Removal of off-limits restrictions

a. Removal of off-limits restriction requires board action. Proprietors or principal civil officials may request that the restriction be reconsidered on the basis of improved conditions at any time. Proprietors or principal civil officials should submit the reasons for believing that conditions have improved.

b. The board shall request that the proprietor or principal civil official appear before the board at the next scheduled meeting and offer evidence of the allegedly improved conditions. Once the meeting is called to order, procedure shall be the same when a case is first considered. If the board determines that restrictions should remain in place, a notice will be sent to the proprietor or principal civil official. Enclosure (8) is a sample notice revoking an off-limits designation. Proprietors or principal civil officials dissatisfied with the board's action may appeal to the Commander, Navy Region Europe, Africa, Central. The board will normally make quarterly inspections of off-limits establishments to ensure that restrictions should remain in place. The President shall ensure that the results of inspections are included in the minutes.

c. When the board learns that undesirable conditions have been corrected, it will:

(1) Discuss the matter at the next scheduled meeting and make an appropriate recommendation.

(2) Forward a recommendation to the CO. If approved, a letter will be sent to the proprietor.

(3) State in the minutes the action taken.

8. Public Affairs. Due to the sensitive nature of the subject matter, there will normally not be a media release in connection with board proceedings. Nevertheless, any board meeting open to

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the public is also open to news media. Representatives of the media will be considered observers. The President may invite them to participate in an advisory status in coordination with the Public Affairs Officer.

9. Minutes

a. The President will ensure the minutes are prepared. The written minutes will constitute the official record of the board proceedings. Verbatim transcripts are not required. The reason for recommending or not recommending an off-limits or extending or removing an off-limits restriction, including the complete address of the establishment or area, must be shown in the minutes. The minutes must be kept in chronological order. Any change in name or address of a business or person in an off-limits restriction must be included in the minutes.

b. Distribution of the minutes is limited to:

(1) Members of the board.

(2) Each advisory member, if appropriate.

(3) Civilian governmental agencies having a legitimate governmental interest in the off-limits restrictions and affected business and areas.

c. Minutes may be subject to disclosure by law.

d. The President shall forward the minutes to the CO for approval. The minutes are not final until approved by the CO.

BOARD GUIDE

1. President. This meeting of the U.S. Navy Support Activity (NAVSUPPACT) Naples, Italy, Armed Forces Disciplinary Control Board is called to order. The time is _____ on _____. I welcome all persons present and look forward to receiving your input. The following members are present

_____ and we have a quorum.

The following guests are present _____.
The purpose of the board is to ensure the health, morale, welfare, and discipline of the Armed Forces by protecting members from detrimental conditions in the civilian community. The board has two missions:

a. First, advise and make recommendations to the Commanding Officer on matters concerning the elimination of crime or other conditions that may negatively affect the health, safety, morals, welfare, morale, or discipline of Armed Forces personnel.

b. Second, ensure the establishment and maintenance of the highest degree of liaison and coordination between military commands and appropriate civil authorities.

c. This meeting may be open to the public unless closure is reasonably necessary to prevent disclosure of:

- (1) Properly and currently classified material.
- (2) Internal personnel rules and practices.
- (3) Matter exempted from disclosure by statute or regulation.
- (4) Trade secrets or similar commercial or financial information.
- (5) Internal advice, recommendations, and subjective evaluations pertaining to internal decision making processes.
- (6) Personal information the disclosure of which would cause undue embarrassment or a clearly unwarranted invasion of privacy for any individual.
- (7) Information compiled for civil, criminal, or military law enforcement purposes which might tend to compromise the sources of the information or the techniques by which the information was gained.
- (8) Other information that might endanger personnel or render operations ineffective.
- (9) The recorder will now read the minutes of the last meeting.

2. Recorder. Reading of minutes.

3. President. Does any person have comments about the last meeting or the minutes?
4. President. There being no further comments about the last meeting or minutes, I now call for investigative reports.
5. Recorder. We have the following reports. (Name the establishment or area and briefly describe the undesirable conditions). Are there any questions?
6. Recorder. There being no further questions, does anyone want to discuss those reports.
7. President. We will now consider the following establishments (areas). The purpose of this board is neither disciplinary nor punitive. There are no rules of evidence for this hearing. This board will consider any information that appears to be authentic, relevant and reasonably reliable regardless of whether it might be admissible in a criminal trial. The board will recommend off-limits sanctions if it finds by a preponderance of the evidence – meaning more than 50% of the weight of the evidence - that certain conditions may negatively affect the health, safety, morals, welfare, morale, or discipline of the Armed Forces personnel. Persons owning or operating any establishment or area have the following rights:
 - a. The right to be present and represented by counsel.
 - b. The right to notice in the form of a brief summary of the complaint concerning the establishment or place.
 - c. The right to present matters in defense, in extenuation, and in mitigation.
 - d. The right to confront information and witnesses presented at the hearing.
 - e. After the questioning, the right to make a final statement before I close the hearing for deliberations.
 - f. The right to request reconsideration of the decisions of this board.
 - g. The right to appeal the decisions of this board to the Commander, Navy Region Europe, Africa, Central.
8. President. I recognize, the owner (operator) of _____, and I direct the Recorder to present him (her) with a brief summary of the complaint concerning his (her) establishment (area).
9. President. Have you had a fair opportunity to review that summary? You have the opportunity to present any matters you may have in defense, extenuation, or mitigation.

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10. President. Do you have any other matters in defense, extenuation, or mitigation? I now invite those present to ask questions of Mr. / Ms. _____. Bear in mind that no questions tending only to harass or annoy this person may be asked.

11. President. There being no further questions, you now have the opportunity to make a final statement before this Board closes for deliberations.

12. President. This board is closed at _____ on _____ for deliberations. All parties will be notified by mail of the decision of the board.

13. President. This board is once again called to order in open session at _____ on _____. The next meeting will be at _____ on _____. Does anyone have any further business?

14. President. There being no further business, this meeting is adjourned at _____ on _____.

NAVSUPPACTNAPLESINST 1620.2C
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SAMPLE CIVIL AUTHORITY LETTER

(Date)

(Appropriate police authority)
(Address)

Dear (Name of police authority):

As Commanding Officer, U.S. Naval Support Activity, Naples, Italy, it is my duty to inform you of certain undesirable (*conditions or practices*) reported to exist at the (*name and address of area, establishment, firm, individual, or organization*) that adversely affect the health, welfare, and discipline of U.S. Forces personnel.

Evidence has been presented to me that, in several cases, U.S. Forces personnel have been involved in serious incidents (*in, outside, or with employees of*) this (*area, establishment, firm, individual, or organization*).

or

Evidence has been presented to me that persons of questionable character and morals are permitted to frequent this (*area, establishment, firm, or organization*).

or

Evidence has been presented to me that dangerous and illegal drugs are being sold and used openly in this (*area, establishment, firm, or organization*).

Correction of undesirable (*conditions or practices*) may be in your jurisdiction under appropriate laws or regulations. Your cooperation in investigating and correcting this problem according to host-nation laws would be appreciated. I intend to appoint an officer to investigate the allegations mentioned in this letter. If the allegations are true and if the undesirable conditions are not eliminated in 30 days, I will declare the establishment off limits to (*U.S. Forces personnel or personnel of my command*). In discharging my responsibilities, I will have military law-enforcement agencies work closely with your agencies with respect to any completed action.

I am providing a copy of this letter to the President, Armed Forces Disciplinary Control Board, U.S. Naval Support Activity, Naples, Italy.

Sincerely,

(Signature block of appropriate commander)

Enclosure (3)

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SAMPLE WARNING LETTER

(Date)

(Proprietor)

(Name of area, establishment, firm, individual, or organization)

(Address)

Dear (Name, if known):

It has come to my attention that certain undesirable (*conditions or practices*) that adversely affect the health, welfare, and discipline of the U.S. personnel of this command have been permitted to (*exist or occur*) in your (*area, establishment, firm, or organization*). I have received evidence that (*state precise nature of complaint*) (for example, persons of questionable morals and character are permitted to frequent your establishment; you have charged interest at the rate of 50 percent per month on loans made to U.S. Forces personnel).

If you desire to discuss this problem with me, please contact me or a member of my staff by letter or telephone (*telephone number*) within 96 hours after the date of this letter to arrange a meeting.

If a suitable solution cannot be reached, I may take action to determine whether or not your business will be declared off limits to U.S. Forces personnel.

Your assistance and full cooperation are requested.

I am providing a copy of this letter to the President, Armed Forces Disciplinary Control Board, U.S. Naval Support Activity, Naples, Italy.

Sincerely,

(Signature block of appropriate commander)

Enclosure (4)

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SAMPLE COMMAND ORDER

(Date)

MEMORANDUM

From: Commanding Officer, U.S. Naval Support Activity, Naples, Italy

To: (Scope of order)

Subj: OFF-LIMITS ORDER FOR (Area, Establishment, Firm, Individual, or Organization)

Ref: (a) NAVSUPPACTNAPLESINST 1620.2 (Series)

(b) COMNAVREGEURAFSWAINST 1620.2 (Series)

1. In accordance with references (a) and (b), the following (precise name and address of area, establishment, firm, individual, or organization) (or any other establishment operating at this address)* has been declared off limits to (members of this command or all members of the U.S. Forces) effective (date). (Precise name and address of area, establishment, firm, individual, or organization) shall remain off-limits until (date).**

2. (Members of this command or U.S. Forces members) are prohibited from entering or conducting business in this (area, establishment, firm, or organization) except as required in the performance of official business. Personnel entering or doing business with any off-limits entity are subject to punishment under the Uniform Code of Military Justice or other applicable directives.

3. This memorandum will be distributed to all personnel of this (command or community).

4. This memorandum supersedes all prior guidance concerning (place, establishment, firm, individual, or organization). This memorandum is effective until rescinded or superseded and will be posted on (unit bulletin boards, Facebook, etc...) as a supplement to the consolidated list of off-limits areas, establishments, firms, individuals, and organizations in the United States European Command.

I. N. COMMAND

CC:

AFDCB-Europe PM

AFDCB-NSA Naples, Italy

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*This language may apply if a business is likely to change names or its public presentation in order to evade the ban, or if there is likelihood of confusion over the scope of the ban.

**Include a termination date when the order is for a temporary off-limits ban.

Enclosure (5)

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SAMPLE OFF-LIMITS DECLARATION

(Date)

(Proprietor)

(Name of area, firm, establishment, individual, or organization)

(Address)

Dear (Name, if known):

Your (area, firm, establishment, or organization), located at (address), has been officially declared off limits to (U.S. Forces personnel or all personnel of my command). This action was necessary because undesirable conditions exist in your (area, firm, establishment, or organization) (for example, wrongful possession and sale of drugs, drunk and disorderly, aggravated assault incidents) that adversely affect the discipline, health, and welfare of U.S. Forces personnel. These factors were brought to your attention in my letter dated (date of warning letter). The off-limits declaration will remain until this headquarters is provided evidence that adequate corrective measures have been taken to terminate unsatisfactory (conditions or practices) and prevent their recurrence.

The Armed Forces Disciplinary Control Board will consider removing this restriction after reviewing any information you present to show that corrective actions have been taken. Correspondence appealing this action may be submitted to the President, Armed Forces Disciplinary Control Board, (address).

I am providing a copy of this letter to the Program Manager, Armed Forces Disciplinary Control Board, Europe.

Sincerely,

(Signature block of appropriate commander)

Enclosure (6)

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SAMPLE INVITATION TO HEARING

(Date)

(Proprietor)
(Name of area, establishment, firm, individual, or organization)
(Address)

Dear (Name, if known):

I have been appointed by (name and rank of commander) to conduct an administrative hearing to determine if your (area, establishment, firm, or organization) should be placed off limits to U.S. Forces personnel. We have received complaints that certain conditions reported at your (area, establishment, firm, or organization) may adversely affect the (health, safety, or welfare) of members of the U.S. Forces.

The hearing is scheduled for (time and date of hearing) at (location of the hearing).

You may appear in person or send a representative, with or without legal counsel, to explain why your (area, establishment, firm, or organization) should not be placed off limits.

Enclosed is a summary of the investigation.

I am providing a copy of this letter to the Program Manager, Armed Forces Disciplinary Control Board, Europe.

Sincerely,

(Name and grade of hearing officer)

Enclosure:
Copy of Investigation Re: (area, establishment, firm, or organization)

Enclosure (7)

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SAMPLE OFF-LIMITS REVOCATION

(Date)

(Proprietor)

(Name of area, establishment, firm, individual, or organization)

(Address)

Dear (Name, if known):

I am pleased to inform you that the corrective measures taken to eliminate the undesirable conditions previously found in your (area, establishment, firm, or organization) have been satisfactory. The off-limits ban imposed on (date) is removed effective (date).

Your cooperation in this matter is appreciated. I request your continued cooperation to ensure that the previous unsatisfactory condition will not recur.

I am providing a copy of this letter to the Program Manager, Armed Forces Disciplinary Control Board, Europe.

Sincerely,

(Signature block of appropriate commander)

Enclosure (8)