



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY, PACIFIC
FORT SHAFTER, HAWAII 96858-5100

REPLY TO
ATTENTION OF

21 JAN 12

APJA-CG

MEMORANDUM FOR All Soldiers, Department of the Army (DA) Civilians, Department of Defense (DoD) Contractors, Family Members, and visitors who work on, reside on, or visit US Army installations, facilities, or work sites in Hawaii

SUBJECT: Policy Memorandum Installation-1, Discipline, Law, and Order

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1. References.

- a. 10 US Code (USC) § 831, Armed Forces, Uniform Code of Military Justice (UCMJ), Article 31, Compulsory self- incrimination prohibited.
- b. 10 USC § 912a, Armed Forces, UCMJ, Article 112a, Wrongful use, possession, etc., of controlled substances.
- c. 18 USC § 13, Crimes and Criminal Procedure, Laws of States adopted for areas within Federal jurisdiction.
- d. 18 USC § 1382, Crimes and Criminal Procedure, Entering military, naval, or Coast Guard property.
- e. 21 USC § 812, Food and Drugs, Schedule of Controlled Substances.
- f. 21 USC § 813, Food and Drugs, Treatment of Controlled Substance Analogues.
- g. Hawaii Revised Statutes (HRS) § 132D, Fireworks.
- h. HRS § 134, Firearms, ammunition and dangerous weapons.
- i. HRS § 134-8, Ownership, etc., of automatic firearms, silencers, etc., prohibited, penalties.
- j. HRS § 134-51, Deadly weapons; prohibitions; penalty.
- k. HRS § 134-52, Switchblade knives; prohibitions; penalty.
- l. HRS § 281-101.5, Prohibitions involving minors; penalty.
- m. HRS § 329-1, Uniform Controlled Substances Act, Definitions.

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- n. HRS § 329-43.5, Prohibited acts related to drug paraphernalia.
- o. HRS § 712-1250.5, Promoting intoxicating liquor to a person under the age of twenty-one.
- p. Army Regulation (AR) 190-11, Physical Security of Arms, Ammunition, and Explosives, RAR, 28 Jun 11.
- q. AR 210-7, Personal Commercial Solicitation on Army Installations, 18 Oct 07.
- r. AR 215-1, Military Morale, Welfare, and Recreation Programs and Nonappropriated Fund Instrumentalities, 24 Sep 10.
- s. AR 215-8, Army and Air Force Exchange Service Operations, 30 July 08.
- t. AR 385-10, The Army Safety Program, RAR 14 Jun 10.
- u. AR 600-20, Army Command Policy, RAR 04 Aug 11.
- v. AR 600-25, Salutes, Honors, and Visits of Courtesy, 24 Oct 04.
- w. AR 600-63, Army Health Promotion, RAR 07 Sep 10.
- x. Secretary of the Army Memorandum, Prohibited Substances (Spice in Variations), 10 Feb 11.
- y. USARPAC Policy Memorandum 11-10, Policy on Prohibiting the Use, Possession, Distribution, and Purchase of Intoxicating Substances, 4 May 11.
- z. Department of Defense Form 2(ACT), Armed Forces of the United States - Geneva Conventions Identification Card (Active), Jul 74.

2. Applicability. This policy memorandum applies to all Soldiers, Civilians, Family Members, contractors, and other personnel who work on, reside on, or visit any US Army installations, facilities, or work sites in Hawaii.

3. Punitive Policy.

a. Paragraph 7 of this policy is punitive. Personnel subject to the UCMJ who fail to comply with the requirements of this policy may be subject to punishment under the UCMJ, as well as to adverse administrative action and other adverse action authorized

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by Federal law and regulation. Individuals not subject to the UCMJ who fail to comply with the provisions of this policy are subject to adverse administrative action or criminal prosecution as authorized by applicable sections of the Federal law, regulation, as well as State law. Civilian violators may be barred from Army installations and prosecuted under appropriate Federal or State laws. Nothing in this policy prohibits prosecution under other provisions of law or regulation for similar or related practices or offenses prohibited therein. Paragraph 8 of this policy is not punitive, but provides guidance for subordinate commanders, Soldiers, Civilians, Family Members, contractors, and other personnel who work on, reside on, or visit US Army installations, facilities, or work sites in Hawaii.

b. In case of conflict between this policy and other punitive Army regulations, Army regulations take precedence.

c. The provisions of this policy are supplemental to criminal statutes of the United States and statutes of the State of Hawaii made applicable to Army installations by the Assimilative Crimes Act (18 USC § 13). In case of conflict between those statutes and this policy, the statutes take precedence.

4. Exceptions. The Commander, US Army Pacific (USARPAC), may grant exceptions to the provisions of this policy. Submit requests for exceptions through command channels to HQ, USARPAC, ATTN: APJA, Fort Shafter, Hawaii 96858.

5. Severability of Provisions. If a provision of this policy is held invalid, all remaining severable provisions shall remain in effect. If a provision of this policy is held invalid in one or more of its applications, the provision shall remain in effect in all its valid applications that are severable.

6. Definitions.

a. Aggressive or Potentially Aggressive Dog Breed. Pit Bull Terriers, Staffordshire Terriers, Rottweilers, Doberman Pinschers, Chows, and wolf hybrids. This definition also extends to other dogs that demonstrate a propensity for dominant or aggressive behavior as indicated by any of the following types of conduct:

- (1) Unprovoked barking, growling, or snarling at people approaching the animal.
- (2) Aggressively running along fence lines when people are present.
- (3) Biting or scratching people.

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(4) Escaping confinement or restriction to chase people.

b. Alcoholic Beverage. Potable beverage containing any amount of ethyl alcohol. This includes malt beverages, wines, and distilled spirits.

c. Commercial Solicitation. The conduct of any private business, including the offering and sale of insurance, on a military installation, whether initiated by the seller or buyer.

d. Demonstration. Any act, exhibition, manifestation, display of feelings, or protest on any subject or any show-of-force.

e. Door-to-Door Solicitation. A sales method whereby an agent proceeds randomly or selectively from household-to-household without specific prior appointments or invitations.

f. Drug. Substances recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary or any supplement to any of these documents. Substances intended for use in the diagnosis, care, mitigation, treatment, or prevention of any disease, illness, or infirmity in man or animals, excluding "over-the-counter" substances legally obtained without a prescription. Substances (other than food) intended to affect the structure of any function of the body of man or animals. Substances intended for use as a component in any specific substance as noted above.

g. Drug Paraphernalia. All equipment, products, and materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this memorandum or any other Army regulation. See HRS § 329-1 and HRS § 329-43.5.

h. Explosives. A device that produces a rapid expansion of gases in a very short time, releasing the energy that is stored in the original material in various combinations of the forms of heat and light, and its breaking down into gases that occupy a much greater volume than its original form did. The expansion of the gases occurs at a very great speed and they displace great volumes of air. There are three principle types of explosives: mechanical, chemical and nuclear.

i. Fireworks. Any composition or device that is for the purpose of producing a visible or audible effect by combustion, deflagration, detonation, or explosion of any type.

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j. Nonpartisan political activity. An activity in support of, or related to, candidates not representing national, state political parties, and associated or ancillary organizations. Issues relating to Constitutional amendments, referendums, or approval of municipal ordinances are deemed not specifically identified with national or state political parties.

k. Partisan political activity. An activity in support of or related to candidates representing national or state political parties and associated or ancillary organizations.

l. Personally Owned Firearm. Any weapon for which the operating force is an explosive, including, but not limited to: pistols, revolvers, rifles, shotguns, automatic firearms, noxious gas projectors, mortars, bombs, and cannons.

m. Picketing. Any person or persons stationed outside, on, or approaching a US Army Garrison-Hawaii (USAG-HI) installation to protest the installation's operation.

n. Small Arms. Man portable or vehicle mounted light weapons, designed primarily for anti-personnel use. Small Arms include rifles, pistols, and light machine guns.

o. Soldier. Military personnel of all military services.

p. Unattended child(ren). Children under 10 years of age left alone in motor vehicles, Island Palm Communities quarters, at public transportation bus stops, playgrounds, parks, or recreation areas, when beyond the line of sight of a parent or child 12 years or older. Children are unattended when left alone in Island Palm Communities quarters even though an electronic monitoring device or intercom has been installed and is monitored by a neighbor in a nearby facility.

q. Weapons. Devices capable of inflicting destruction to property and/or individuals. All BB, pellet-type, paintball, and Airsoft rifles, pistols, or guns are included in this definition.

7. Punitive Policies.

a. VIOLATION PREVENTION. A Soldier who becomes aware that a Family member has violated this policy memorandum will ensure that his Family member is informed of the policy memorandum provisions and will seek to ensure that his Family member(s) comply with this policy memorandum in the future.

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b. FIREARMS AND WEAPONS.

(1) Registration. Individuals must comply with Federal, State, and local registration laws. Possession of a Privately Owned Firearm that is not properly registered in accordance with Federal, State, local laws, or this policy, is prohibited.

(a) All individuals residing on USAG-HI installations will register all Privately Owned Firearms, including war trophies, with the area Provost Marshal Office (PMO) within 3 working days after occupying Island Palm Communities quarters or acquiring such firearms. When appropriate, personnel must present a Hawaii State registration permit when Privately Owned Firearms are registered.

(b) Individuals will not transport unregistered Privately Owned Firearms on USAG-HI installations, except for the purpose of registration.

(c) Persons under 18 years of age will not possess or use Privately Owned Firearms, except as authorized by paragraph 7.b(2)(d) below and Hawaii law.

(d) If a Privately Owned Firearm is lost or stolen, the owner will make an immediate report to the PMO.

(e) Individuals who find or otherwise come into possession of a firearm under circumstances that indicate the firearm may have been lost or stolen will report that fact to the PMO. Individuals will immediately turn any such firearms over to military police Department of the Army Civilian Police (DACP).

(2) Use of Weapons.

(a) Individuals will not use any BB, pellet-type, paintball and Airsoft rifle or pistol, slingshot, blowgun, or bow and arrow (other than those with cup-type tips) on any USAG-HI installation, except in areas designated by the Garrison Commander.

(b) Individuals must obtain prior approval from Range Operations, USAG-HI, Directorate of Plans, Training, Mobilization and Security (DPTMS) Schofield Barracks, to use range areas.

(c) Individuals will not use any Small Arms, other than those indicated in 7.b(1) above, on any USAG-HI installation, except on designated ranges. Individuals must obtain approval from those offices indicated in 7.b(2)(b) above at least 14 days before using any Privately Owned Firearms. Individuals must follow Range Operations standing operating procedures. Two adults must be present on the range at all times

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during firing. A responsible individual will obtain a telephone, range flag, and instructions from Range Operations on the day of firing.

(d) An adult must directly supervise individuals under the age of 18 who use any weapon emitting a projectile.

(3) Possessing, Transporting, and Storing Firearms and Weapons.

(a) The possession of crossbows is prohibited on USAG-HI installations.

(b) Except in the performance of official military duties, possession of shooting weapons with mounted lights is prohibited on USAG-HI installations.

(c) Except in the performance of official military duties, all carried or transported Privately Owned Firearms will be unloaded with the magazine or clip removed, breech opened, and placed in its own case or enclosed container. When Privately Owned Firearms are transported in a vehicle, individuals must place the firearm, unloaded in the above manner, in a compartment, if available, separate from all occupants of the vehicle. On any USAG-HI installation, Privately Owned Firearms and ammunition may only be stored in the possessor's quarters or unit arms room. As exceptions, individuals may carry or transport unloaded firearms, or ammunition, or both, to and from authorized practice or hunting areas, from the place of purchase to the purchaser's quarters or unit arms room in an enclosed container, between residences or unit arms rooms upon change of residence or unit, or between these places and a place of repair, sale, or shipping.

(d) Individuals will not transport military firearms in privately owned vehicles.

(e) Individuals will not transport Privately Owned Firearms in government vehicles.

(f) Individuals will not store firearms of any kind in Army Hawaii Soldier Housing areas, except in unit arms rooms. Commanders will retain firearms of personnel residing in Army Hawaii Soldier Housing in the unit arms rooms, except when used for purposes otherwise authorized by this memorandum. AR 190-11 governs the security and control of these firearms.

(g) Occupants may store only their own Privately Owned Firearms in Island Palm Communities quarters. To store firearms in Island Palm Communities quarters, occupants must request authorization from Island Palm Communities. Occupants of Island Palm Communities quarters will secure all firearms in locked containers,

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cabinets, on racks, or with a locked metal bar or lock that passes through the breech or behind the trigger in a manner that immobilizes the trigger. As an alternative, occupants may remove and secure the firing mechanisms separately. Firearms must be unloaded at all times inside quarters. Occupants will maintain the keys to the locking devices in the custody of an adult or ensure storage in a secured location out of the reach of children. Occupants will lock all ammunition in a secured container. If the facilities are not available, or if desired by the individual, occupants may store firearms and ammunition in their unit arms room. The firearm owner bears any expenses incurred to adequately secure Privately Owned Firearms.

c. PROHIBITED ITEMS. No personnel shall have in his possession the following items unless authorized IAW performance of official duties:

- (1) Dangerous weapons, items, or devices prohibited by Federal or Hawaii law.
- (2) Handcuff keys.
- (3) Lock bumping material: any material which may be used to manufacture lock bypassing materials, including but not limited to, files, blank keys, instruction booklets, pamphlets or videos.
- (4) Personal protection devices (e.g., Tasers, Clubs, Asps, Throwing Stars).
- (5) A straight edge razor in Army Hawaii Soldier Housing.
- (6) Fireworks. Exception - Commercial fireworks used in holiday celebrations on the installation will be transported, set up, and fired by commercial firms or licensed pyrotechnic technicians in accordance with local laws and NFPA Standard 1123.
- (7) Explosives, pyrotechnics, or blank ammunition except for authorized training, sports, or ceremonial purposes.
- (8) Any knife with a blade length over 4 inches, other than those used for food preparation, which are stored in food preparation areas. Outside of food preparation areas, individuals may carry larger knives under the following circumstances:
 - (a) While hunting on post;
 - (b) In the execution of airborne operations as authorized by the appropriate commander; and,

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(c) While performing field duty, if authorized by the company/troop/battery level commander. Commanders will retain said knives of personnel residing in Army Hawaii Soldier Housing in the unit arms room except when used under the circumstances stated in this paragraph.

d. RESTRICTIONS GOVERNING CERTAIN SUBSTANCES. Individuals will not import, dispense, distribute, sell, transfer, or deliver any substances deemed illegal by the federal Drug Enforcement Administration, State of Hawaii, or Department of Defense on USAG-HI installations or in Island Palm Communities. This paragraph includes items listed in both the Secretary of the Army Memorandum, Prohibited Substances (Spice in Variations), dated 10 Feb 2011, and USARPAC Policy Memorandum 11-10, Policy on Prohibiting the Use, Possession, Distribution, and Purchase of Intoxicating Substances, dated 4 May 2011.

e. DRUG PARAPHERNALIA. The purchase, importation, manufacture, possession, storage, use, sale, distribution, or transfer of drug paraphernalia is prohibited. This paragraph includes, but is not limited to, the definition of drug paraphernalia and examples provided in HRS 329-1 and HRS 329-43.5.

f. ALCOHOLIC BEVERAGES.

(1) The minimum age for possession and consumption of alcoholic beverages in the State of Hawaii is 21. Individuals under 21 years of age will not purchase, possess, or consume alcoholic beverages on USAG-HI installations. Soldiers under 21 years of age will not purchase, possess, or consume alcoholic beverages. See AR 215-1 paragraph 10-1.

(2) Individuals will not deliver, transfer, give, or distribute alcoholic beverages to anyone under 21 years of age, except as otherwise authorized by this memorandum, Army regulations, or Hawaii law. In addition, individuals will not sell or offer to sell alcoholic beverages to anyone, except as authorized by AR 215-1, chapter 10.

(3) Soldiers will not consume any alcoholic beverage at any place, whether on or off a USAG-HI installation, while on duty. A Soldier's commander determines on-duty status.

(4) Individuals will not possess, while in a vehicle or on a moped or motorcycle, any bottle, can, or other receptacle containing any alcoholic beverage with a broken seal, an opened seal, or with contents partially removed.

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(5) Military personnel will not have a blood alcohol level of .05 percent or above when reporting for or while on duty.

(6) On USAG-HI installations, individuals may consume alcoholic beverages only in designated locations.

(a) Individuals may consume alcoholic beverages in quarters, including Island Palm Communities quarters, and Army Hawaii Soldier Housing rooms.

(b) Personnel may consume malt beverages (e.g., beer, ale, and malt liquor) in the following locations: Installation club system facilities (e.g., Hale Ikena, Kolekole Bar & Grill); Pohakuloa Training Area (PTA) Recreation Center; troop dining halls; post exchange beverage bars; post-operated bowling centers; golf courses; permanently established outdoor recreation areas to include but not limited to Bowen Park, Kunia Park, and Pililaau Army Recreation Center (above the seawall, to the perimeter fence); softball and baseball fields, while such fields are in use for unit recreational activities; other premises while in use for unit recreational activities; and recreation centers on special occasions approved in writing by the USAG-HI Garrison Commander.

(c) Individuals may consume wine in installation club system facilities. Individuals may also consume commercially available wine coolers in permanently established outdoor recreation areas post-operated bowling centers, and on golf courses. The USAG-HI Garrison Commander may authorize wine consumption in the following locations: Troop dining halls for special occasions; civilian nonappropriated fund instrumentality activities on special occasions; and recreation centers on special occasions.

(d) Individuals may consume distilled spirits in installation club system facilities.

(e) Individuals may not consume or store alcoholic beverages in other locations, including government buildings unless authorized by the USAG-HI Garrison Commander.

(f) Individuals may consume alcoholic beverages as part of officially sanctioned religious services under the supervision of assigned chaplains.

(g) Additional restrictions at Fort DeRussy. Except as stated as follows, individuals will not display to public view, drink, possess, use, or offer any alcoholic beverage, in any container with a broken or opened seal, at Fort DeRussy. Individuals must consume alcoholic beverages purchased from or served at the Hale Koa Hotel or within the hotel, in hotel areas designated for their consumption by the general manager

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of the hotel in accordance with established agreements, if any, between the USARPAC Commander or the USAG-HI Garrison Commander, and the Hale Koa Hotel management.

(7) Exceptions. Nothing in above paragraphs prohibits consumption or possession of alcohol: (1) pursuant to a valid medical prescription; or (2) in medicines lawfully sold in the US when possessed or consumed for their intended purpose.

g. "OFF-LIMITS" STRUCTURES AND AREAS.

(1) Individuals will not enter off-limits or restricted areas without authority.

(2) Off-limits areas include but are not limited to:

(a) Island Palm Communities residential areas (except chain of command supervised formations or other activities moving along USAG-HI approved physical training running routes or activity routes, IAW Policy Memorandum USAG-HI-1, Authorized Schofield Barracks and Wheeler Army Airfield Physical Training (PT) Routes and Pedestrian's Rights and Duties), quadrangles, and Army Hawaii Soldier Housing, except for residents, invited guests, or other personnel authorized by the USAG-HI and/or USAG-PTA Commander as having legitimate business in the area.

(b) Vacant structures and storage and supply buildings or areas.

(c) Golf courses, except for employees, and authorized patrons.

(d) All ranges and training areas, unless specifically authorized.

(e) Specified parking areas when so marked or posted.

(f) Establishments placed off-limits by the Armed Forces Disciplinary Control Board under the provisions of AR 190-24.

(g) Other areas when so marked or posted.

h. INTERFERING WITH LAW ENFORCEMENT PERSONNEL. It is unlawful and a criminal offense for any person to knowingly interfere with, resist, obstruct, delay, hinder, or disobey (or attempt any of the foregoing actions) a military police person, military police investigator, Criminal Investigation Division agent, Federal law enforcement agent (including agents of the Federal Bureau of Investigation, Drug Enforcement Administration, Alcohol Tobacco, Firearms and Explosives, US Marshals

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Service, and Department of Defense or Department of Army Civilian Police or Security Guard), US Attorney, or any officer or non-commissioned officer (NCO) when engaged in law enforcement or disciplinary investigations. Additionally, it is unlawful and a criminal offense for any person to knowingly destroy, conceal, damage, dispose of, or change in any manner (or attempt any of the foregoing actions) such article known to him to be the subject of law enforcement or disciplinary investigations by any of the foregoing military or Federal authorities. Nothing in this paragraph authorizes law enforcement officials or anyone else to compel a person to incriminate himself or to answer any question the answer to which may tend to incriminate him in violation of UCMJ Article 31 or the Fifth Amendment to the U.S. Constitution.

8. Non-Punitive Policies.

(a) ARMY HAWAII SOLDIER HOUSING. Soldiers may entertain guests of either gender in their Army Hawaii Soldier Housing room or common living area; guests may also use the Army Hawaii Soldier Housing latrines. The following restrictions apply:

(1) Overnight visitation is prohibited. Visitation hours are from 1700-2200 on Monday, Tuesday, Wednesday, and Friday; from 1600-2200 on Thursday; from 1200-2400 on Friday, Saturday, and on days designated as official or unit training holidays. Visitation during any other time period is prohibited.

(2) A parent or legal guardian must accompany any nonmilitary visitor below the age of 18 who is not a member of the Soldier's immediate Family (e.g., brother or sister).

(3) Soldiers being visited will ensure their visitors comply with the Unaccompanied Personnel Housing Standing Operating Procedures, respect the privacy rights of other Soldiers, and do not engage in loud, dangerous, or otherwise tumultuous conduct while visiting Army Hawaii Soldier Housing.

(4) Soldiers will comply with additional restrictions contained in the Unaccompanied Personnel Housing Standing Operating Procedures.

b. FIRE PREVENTION AND SAFETY.

(1) Individuals will not, nor knowingly allow their Family members to:

(a) Smoke in bed in any Island Palm Communities quarters, Army Hawaii Soldier Housing, or in any other US Government facility used for sleeping.

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

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

(2) Only authorized fire department personnel may use fire hydrants for fire-fighting purposes. Any other use of fire hydrants must be specifically approved in writing by the Directorate of Public Works (DPW).

(3) Smoking in buildings on USAG-HI installations.

(a) In accordance with AR 600-63, smoking is prohibited in all DA occupied workplaces, with the exception of recreation facilities requiring approval. If possible, designated smoking areas will provide a reasonable measure of protection from the elements. However, the designated areas will be at least 50 feet from common points of ingress into the workplace and will not be located in areas that are commonly used by nonsmokers.

(b) Soldiers will not smoke in any room or common area in Army Hawaii Soldier Housing.

c. PRODUCTION OF IDENTIFICATION. Upon the request of a military law enforcement official, Department of the Army law enforcement official, Department of the Army contracted security or access control officer, or any commissioned, warrant, petty, or NCO (E-5 and above), any Soldier on a USAG-HI installation must produce and allow inspection of his/her Common Access Card (CAC), Armed Forces of the United States Geneva Conventions Identification Card. The Soldier must also state his/her current unit of assignment or attachment, and whether he/she is on active duty or inactive duty for training. In lieu of a CAC, the Soldier must produce an alternate form of picture identification. Before responding to any request for identification, a Soldier may ask to see proof of the law enforcement official's status or the requester's rank, e.g., badge or DD Form 2 (Active).

d. OBSCENE/RACIAL T-SHIRTS, BUMPER STICKERS, AND SIMILAR ITEMS. Individuals will not wear clothing on USAG-HI installations that displays an obscene, racial, extremist or any other offensive message that is prejudicial to good order and discipline. Similarly, privately owned vehicles operated on USAG-HI installations are

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prohibited from displaying any sign, bumper sticker, or other item that is obscene, racial, or extremist in nature.

e. PRIVATELY OWNED VEHICLES (POV). Commanders are responsible for ensuring that all privately owned vehicles are properly registered with a state, have the required state safety sticker, and that vehicle owners have current valid auto insurance. General Officers and nominated Command Sergeant Majors (CSM) will be able to obtain decals for identification purposes at the installation Pass Office. Personnel are required to register their privately-owned vehicles (POVs) through the state Department of Motor Vehicles within thirty days of the vehicle's arrival to Hawaii.

f. MILITARY COURTESY.

(1) Soldiers in uniform or civilian attire will render honors during the raising and lowering of the US flag at the playing of the national anthem at public events in accordance with AR 600-25.

(2) All vehicle drivers, military or civilian, will halt vehicles during flag ceremonies. Military members will dismount and render the hand salute. On buses and trucks, only the senior Soldier will dismount and render appropriate courtesy in accordance with AR 600-25.

(3) Soldiers in uniform will render a salute to a senior officer in open-air lanais, unless the appropriate authority posts signs establishing the area as a no-salute area.

g. DISRUPTIVE MUSIC AND NOISE. Individuals will not play radios and other audio equipment loudly enough to be heard more than 30 feet away. This prohibition does not apply to musical performances or other entertainment events authorized by the USAG-HI Garrison Commander. The following are prohibited:

(1) Vehicles causing unnecessary noise because of improper loading, defects, or lack of a proper muffler.

(2) Animals causing frequent or continued noise which disturbs the comfort of other persons.

(3) Operational use of equipment (including but not limited to washers, dryers, power tools, hand tools, etc) causing loud or unusual noise between the hours of 2200 and 0630.

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h. CADENCE. Formations moving through Island Palm Communities areas will not call cadence.

i. USE OF HEADPHONES.

(1) The use of headphones or earphones while walking, jogging, skating, skate boarding, riding scooters, rollerblading, or bicycling including pocket bike, motorcycle or moped on or adjacent to roadways or roadway intersections on DOD installations is prohibited.

(2) The wearing of any portable headphones, earphones or other listening devices while operating a motor vehicle is prohibited with the except of hands free cellular phones IAW Policy Memorandum USAG-HI-43, Prohibition Against Using Cellular Phones While Operating Motor Vehicles on US Army Installations in Hawaii.

(3) Motorcycle operators may wear motorcycle helmets equipped with operator-passenger intercom systems.

j. LITTERING. Individuals must deposit trash and garbage only in receptacles provided for that purpose. Individuals will not scavenge in dumpsters, garbage cans, trash receptacles, or landfill areas without the prior approval of the USAG-HI and/or USAG-PTA Commander.

k. DISTRIBUTION OF WRITTEN MATERIAL AND DEMONSTRATIONS.

(1) Distribution of Written or Printed Materials. Individuals will not distribute publications, including pamphlets, newspapers, magazines, handbills, flyers, and other printed material, on any USAG-HI installation without the prior approval of the Director of Family and Morale, Welfare, and Recreation (DFMWR). This prohibition does not preclude distribution through regularly established and approved outlets.

(2) Demonstrations. Except as addressed in paragraph 0 below, individuals will not picket, demonstrate, conduct sit-ins, conduct protest marches, make political speeches, hold political rallies, engage in partisan or nonpartisan political activity, or engage in other similar activities on USAG-HI installations. This includes posting or displaying candidate or party name signs or marquees anywhere on the installation.

(3) Fort DeRussy.

(a) Fort DeRussy is a USAG-HI installation located in Waikiki. The provisions below set forth the permitting requirements and applicable time, place and manner

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restrictions that will govern leafleting, picketing (two or more persons marching or patrolling in a circumscribed area while communicating to the public about a labor dispute), assemblies, and demonstrations on that military installation. Note that the application of this policy memorandum's related prohibitions remains for all other USAG-HI installations.

(b) For purposes of this Policy Memorandum, Fort DeRussy is defined as the area bounded by Ala Moana Boulevard from its intersection with Kaha Road to Kalakaua Avenue, Kalakaua Avenue to Saratoga Road, Saratoga Road to its intersection with Kalia Road and continuing to the boundary of the Fort DeRussy Beach Park (Duke Paoa Kahanamoku Beach Park), along this boundary to Paoa Place, Paoa Place to Kalia Road, and Kalia Road to Ala Moana Boulevard. Fort DeRussy's park areas means the public sidewalks, pedestrian footpaths, greenspace and beach areas within Fort DeRussy, and excludes tennis courts, volleyball courts, pool areas, parking lots and garages, buildings, the driveway leading to the parking garage on the mauka side of Kalia Road opposite the Hale Koa Hotel, the driveway leading to the open-air parking lot at the intersection of Kaha Road and Saratoga Road, the driveway from Maluhia Road on the makai side of Kaha Road to the entrance of the Hale Koa Hotel, or the driveway leading to the Army Museum, and any areas adjacent to the Hale Koa Hotel to which the public does not have free access or are cordoned off for private functions. Public sidewalks includes all sidewalks to which the public has access except for the sidewalk between Kalia Road and the Asia Pacific Center. The City and County of Honolulu exercises concurrent jurisdiction over Kaha Road and may have authority to require a permit for marches or demonstrations on Kalia Road.

(c) Permitting.

- Leafleting, picketing, and marches and demonstrations involving more than 100 people require notice and a permit. For groups of 100 people or less or activities limited to public sidewalks, a permit, though not mandated, is encouraged.

- Written application for a permit shall be made to the General Manager, Hale Koa Hotel, by facsimile at (808) 955-9466 or by e-mail at LeBrunR@halekoa.com no less than 48 hours prior to the planned activity. A limited spontaneous expression exception to this 48 hour rule allows for rapid responses to unforeseeable and recent news events. In such cases no permit would be required for marches or demonstrations, although as much notice as possible shall be given under the circumstances.

- The following information shall be provided in any application: (a) area or areas which will be utilized in connection with the proposed activity; (b) date and the

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specific times of the proposed activity, including any set-up and tear down time; (c) area or areas to be utilized for the proposed activity; (d) short description of the nature of the activity; (e) number of persons expected to participate in the activity; (f) name, address and telephone number of the person or persons to be contacted regarding the application or permit, and, if different, the point of contact who is to be on the grounds for the duration of the event for control and coordination with the Hale Koa Hotel designee; and, (g) any identifying or distinctive uniforms or attire.

- Decisions to approve a limited use permit application will be content neutral. The approving authority will consider whether the preparation for or the conduct of the proposed activity unreasonably and unfeasibly burdens resources necessary to preserve the public's use of the area or areas to be utilized, whether it unduly impedes, obstructs, or interferes with the operation of emergency vehicles or equipment in or through the area or areas to be utilized, and whether the proposed use, event, or activity presents a substantial and unwarranted safety or traffic hazard. Because of potential for competing uses, priority may be given to reservations on a first come basis. Where the applicant has submitted a timely and complete application, a permit determination should be issued no later than 12 hours prior to the proposed event.

- Restrictions. The following specific restrictions apply within the limits of Fort DeRussy. The park is closed between 2200 and 0500. Except as authorized by permits, and subject to the terms and conditions imposed by the U.S. Army, it remains unlawful for any person to: (a) consume alcohol on park grounds; (b) hang banners, tents, tarps off trees or nails in trees; (c) erect any tent or tarpaulin structures; (d) sell or offer for sale any commercial service or merchandise; (e) unduly impede, obstruct or interfere with the free flow of pedestrian traffic; (f) have unauthorized vehicles on lawn areas; (g) distribute, post, or place leaflets or handbills on vehicles or affix leaflets, handbills or posters to street signs, streetlights, and benches. Failure to comply may lead to immediate termination of permit use. Any damages to property resulting from exercise of the permit privileges shall be promptly repaired or corrected by the organization at no expense to the U.S. Government.

(d) The above provisions related to Fort DeRussy have no effect on the authority of the Army or any other entity to enforce rules, regulations and statutes on Fort DeRussy, other than Policy Memorandum Installation -1, Discipline, Law, and Order, including, without limitation, those related to the disruption of traffic.

(e) The U.S. Army maintains the right to change the character of Fort DeRussy from a public forum to a restricted area and enforce the restrictions of Policy Memorandum Installation -1, Discipline, Law, and Order, as applied to other military

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installations. Any permitted uses remain subject to limitations based on increased force protection levels as may be applied to protective zones for buildings, structures, and park areas and use of roads.

I. MEETINGS ON ARMY INSTALLATIONS. Individuals will not participate in, hold, or cause to be held any assembly, gathering, or meeting on a USAG-HI installation, which:

(1) Is prohibited by law or lawful regulation.

(2) Could interfere with or prevent the orderly accomplishment of the installation's mission or that represents a clear danger to the loyalty, morale, or discipline of the troops.

m. SOLICITATION.

(1) Individuals will not conduct commercial solicitations on USAG-HI installations, except as authorized under AR 210-7.

(2) Residents of Island Palm Communities who wish to engage in home based businesses will seek permission from the Business and Non-Profit Liaison, DFMWR, 656-0083.

(3) Individuals will not use an official bulletin or any other notice, official or unofficial, to announce the presence and availability of a commercial agent.

(4) Individuals may conduct authorized solicitations on an individual basis and by appointment only; individuals will not solicit military personnel and civilian employees during the hours they are on duty. Any approved solicitation of military personnel who live in Island Palm Communities will occur only at their respective quarters. Individuals may conduct authorized solicitation of enlisted personnel quartered in Army Hawaii Soldier Housing only upon approval of, and at a place designated by, the unit commander. Solicitors must comply with AR 210-7 to include the prohibition against door-to-door sales.

(5) Individuals subjected to improper solicitations should inform the Directorate of Emergency Services (DES) promptly.

n. FUNDRAISING. Fundraising activities on USAG-HI installations require prior written approval of the USAG-HI DFMWR, except for Army Emergency Relief Fund drives authorized by AR 930-4 and Combined Federal Campaign drives in compliance

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with Chapter 3, AR 600-29. For more information, visit the DFMWR fundraising website at: <http://mwrarmyhawaii.com/support-services/fundraising>. Fundraising events must observe the principle of true, voluntary giving. Commanders, supervisors, or individuals in the supervisory chain should never solicit their employees or subordinates. Submit fund-raising requests at least 10 working days before the date of the proposed fundraiser.

(1) Only on-post organizations and activities are authorized to raise funds on USAG-HI installations, except that veteran's organizations may engage in forget-me-not or poppy sales.

(2) No fundraising activities are authorized in competition with the Army Emergency Relief fund or Combined Federal Campaign drives.

(3) Door-to-door fundraising at Island Palm Communities quarters is prohibited.

(4) Fundraising is prohibited in offices and work areas on USAG-HI installations.

(5) Military Family members residing off-post may conduct fundraising activities on-post only in support of on-post activities and organizations.

(6) The use of food items for a fundraising event will require a Food Handler's Certificate from Preventive Medicine from the Tripler Army Medical Center (TAMC).

(7) Inducements (e.g., special passes, administrative leave privileges, or allowing Soldiers to wear civilian clothing instead of the military uniform in exchange for a monetary contribution) are prohibited.

(8) While fundraising, Soldiers must be off-duty, volunteers, and not in uniform (including the Army Physical Fitness Uniform).

(9) A volunteer may purchase supplies at the commissary or Post Exchange (PX) as long as said supplies are consumed by authorized patrons. If an organization consists primarily of personnel not authorized to use the commissary, items must be purchased from a commercial source.

o. **POSTING OR DISPLAY OF ADVERTISEMENTS.** Permission from the USAG-HI Garrison Commander is required for posting or displaying advertisements or banners in the Schofield Barracks Area (to include Wheeler Army Airfield, Helemano, Mokuleia, Makua, Mendoca Park and Waianae-Kai) and Fort Shafter Area (to include Fort DeRussy, Aliamanu, Red Hill and Tripler). Do not post or display advertisements for the

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purpose of political gain, political advancement, protests, or demonstrations. Advertisements must be of community or troop interest and of weather-resistant construction.

p. **RESALE OF EXCHANGE AND COMMISSARY GOODS.** Items purchased from commissaries or exchanges are for the personal use of the military purchaser, his Family members, or for use as bona fide gifts. Bona fide gifts are personal in nature and given for a customary or special occasion. Purchasers will not transfer merchandise obtained from a commissary or Post Exchange to unauthorized persons. Purchasers will not resell items purchased from exchanges or commissaries to unauthorized persons, whether or not the resale is for a profit. Individuals will not purchase items from exchanges or commissaries with the intent to sell or give such items to unauthorized persons.

q. **USE OF BICYCLE, SKATEBOARD, SCOOTER, ROLLER OR IN-LINE SKATING.** No person shall ride a bicycle, skateboard, scooter, roller or in-line skates upon any sidewalk at Fort DeRussy or ride a skateboard, scooter, roller, or in-line skates on any roadway to include the parking lot and parking garage at Fort DeRussy. It is mandatory for all skateboard riders, scooter riders, roller and in-line skaters to wear protective pads on their knees, elbows, shoes covering the entire foot, and safety helmets. Skateboarding, riding scooters, roller and in-line skating are prohibited on USAG-HI installations as follows:

- (1) Upon any roadway with a speed limit of 20 MPH or greater.
- (2) Inside public buildings or upon lanais and covered walkways of public buildings.
- (3) In/on drainage ditches.
- (4) On sidewalks.
- (5) Upon any roadway portion or other place designated and posted as a "No Skateboarding" zone.
- (6) Upon roadways between sunset and sunrise.
- (7) Upon the PX and commissary parking lots during hours of business.

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r. CONTROL OF CHILDREN. Military personnel and/or their spouses with Family members on USAG-HI installations must properly control and supervise these Family members at all times.

(1) Children, other than groups with an adult sponsor present, will not camp out on a USAG-HI installation, except in yards of quarters. Military sponsors are responsible for the conduct of children camping in their yard. Written requests for sponsored groups to use training areas for camping must go through the DPW, Real Estate Office for a permit. The DPW will coordinate with the Public Affairs Office and USAG-HI Administrative Law if necessary. The group will then coordinate with Range Control to schedule and ensure they meet all of our requirements to utilize training areas.

(2) Individuals must adhere to child supervision guidelines in accordance with Policy Memorandum USAG-HI-34, Child Supervision Policy for Army Installations in Hawaii.

(3) Juveniles will not involve themselves in wanton destruction, vandalism, violation of existing Army regulations, or violation of existing Hawaii laws while on a USAG-HI installation. Unemancipated Juveniles (ages 10 - 17) visiting or residing within the jurisdictional limits of USAG-HI who are involved in dangerous, disruptive, disorderly, or criminal conduct may be required to attend the Juvenile Review Board. This board consists of a group of individuals responsible for hearing cases of alleged misconduct and imposing appropriate administrative action.

s. UNAUTHORIZED GUESTS IN ISLAND PALM COMMUNITIES QUARTERS.

(1) Only Soldiers, spouses, and Family members or other authorized residents may occupy Island Palm Communities quarters on USAG-HI installations.

(2) Soldiers will request written approval for guests to reside in Island Palm Communities quarters when guest(s) stay(s) more than 30 days. Sponsors will submit requests, including the guest's name, age, sex, relationship, and duration of stay, to the Island Palm Communities.

(3) Military or Family members, if eligible for, but not occupying Island Palm Communities quarters on Oahu, will not board in Family housing for more than 7 days.

t. PETS.

(1) General Prohibitions.

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- (a) Individuals will not abandon animals on USAG-HI installations.
 - (b) Feeding of feral animals is prohibited.
 - (c) Individuals will not raise or breed pets housed on USAG-HI installations for consumption or commercial purposes.
 - (d) Pets are not allowed on Fort DeRussy except for Seeing Eye dogs and service animals.
 - (e) Aquarium fish are the only authorized pets in Army Hawaii Soldier Housing.
 - (f) The housing or boarding of wild animals, farm animals and exotic animals (examples: pigs, rats, mice, chickens, monkeys, reptiles, spiders, snakes) in or outside Island Palm Communities quarters is prohibited.
 - (g) The housing or boarding of any Aggressive or Potentially Aggressive Dog Breed, unless the dog is a certified military working dog that is being boarded by its handler/trainer, in or outside Island Palm Communities quarters is prohibited.
 - (h) Dog fighting for sport or dogs participating in canine "blood sport" fighting is illegal in Hawaii.
 - (i) Individuals will not intentionally maul, torture, mutilate, injure, or kill any domestic animal. Euthanasia of a domestic animal by a veterinarian is authorized.
- (2) Licensing and Registration.
- (a) Pet owners residing on USAG-HI installations will register dogs and cats, housed on USAG-HI installations, with the Fort Shafter or Schofield Barracks Veterinary Treatment Facility (VTF) within 14 days after the pet arrives on the installation. At the time of registration, owners must present a rabies certificate of vaccination to the VTF.
 - (b) Dog owners must register dogs over 4 months old with the City and County of Honolulu. Register dogs at the City Licensing Department, 1041 Nuuanu Street, Honolulu, or at any satellite city hall.
 - (c) Owners must immediately report changes to pet registration to the appropriate VTF.

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(d) Island Palm Communities residents will register pets with their Island Palm Communities community center.

(3) Control and Care of Domestic Animals. Owners of domestic animals are responsible for the security, care, and behavior of their pets.

(a) Pets must be completely under control at all times. Outdoor pets that are unsupervised must be contained within a fenced area. Pets leashed, but not contained within a fenced area must be supervised at all times. Pets must not be left tied anywhere or left unattended in carports or garages. Pets are strictly prohibited from running loose.

(b) Control animals to the extent necessary to prevent loud or continuous barking, annoyance, littering, destruction of plants or other property, and injury or disease to people and other animals.

(c) Report animal bite or scratch incidents to the Provost Marshal. Following an incident, such animals are subject to a 10-day quarantine at home or the VTF, at the discretion of the veterinarian.

(d) Ensure close control of female pets in season (heat) to prevent a gathering of other animals.

(e) Ensure that animals defecate only in the owner's yard. Owners must also pick up, bag, and place feces in a garbage can daily. In the event an animal owned by or under the control of a person defecates upon other grounds, the person will immediately pick up, bag, and place the feces in a garbage can.

(f) All dogs and cats must wear pet collars. Pet collars must have a current rabies immunization tag attached.

(g) All cats and dogs kept on USAG-HI installations or in Island Palm Communities are required to have an identification microchip implanted under their skin IAW Policy Memorandum USAG-HI-35, Army Installation Microchip Program. This requirement is consistent with the State of Hawaii Department of Agriculture Administrative Rules on animal identification and registration. Upon initial screening and registering pet with VTF, if the pet does not have a microchip, pet owners have 90 days to comply with microchip policy. Microchips can be obtained from any military VTF or a local veterinarian.

(h) Ensure maintenance of pets in a humane manner—

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- Provide adequate shelter from heat, cold, sun, and rain while kept outside.
- Maintain a high level of sanitation where animals are housed.
- Provide adequate quantities of food and water.
- Immunize pets.
- Do not leave pets unattended inside motor vehicles.
- Arrange for pets to receive care while the owners are away from home longer than 24 hours.

(4) Penalties. Failure to comply with pet ownership and control requirements may, in addition to other administrative or punitive action, result in impoundment or removal of pets and loss of the privilege to have pets in Island Palm Communities housing on USAG-HI installations, or termination of Island Palm Communities quarters. Island Palm Communities and the USAG-HI Commander retain authority to require the removal of any animal from Island Palm Communities quarters.

u. FISHING AND HUNTING.

(1) All persons legally hunting or fishing on USAG-HI installations will have in their possession a valid state permit and (except for PTA, Hawaii) an installation permit. Hunting and fishing permits are issued by Range Control (DPTMS). Display the permit on the dashboard of the privately owned vehicle. In addition, military personnel/Family members must have a valid military identification card; civilian personnel must have a valid Hawaii driver's license.

(2) Fishing is permitted in a designated portion of Kaukonahua Stream, Wahiawa Reservoir. Fishing in all other lakes/streams is prohibited to include but not limited to Koolau Reservoir, Ku Tree Reservoir, and all other tributary streams, and all waters posted off limits or lying within impact areas.

(3) Fishing at East Range, Schofield Barracks, is restricted to angling with hook and lines; e.g., a single lure on single baited hook, or two artificial flies attached to a single line when fly fishing. All other types of fishing (e.g., troutlines, banklines) are prohibited.

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(4) Fishing is permitted only at the joining of Kanauiki and Moanalua streams in the Fort Shafter Flats area. The Installation Coordinator's Office (ICO) grants this fishing permit.

(5) The following restrictions apply to fresh water fishing:

(a) A valid State fishing license and a valid temporary fishing permit is required for fresh water fishing. Obtain fishing permits for areas other than Fort Shafter Flats from the Range Control DPTMS. Obtain fishing permits for Fort Shafter Flats from the ICO. .

(b) All persons under the age of 15 are prohibited from fishing unless accompanied by a licensed adult.

(c) Speed boats, cabin cruisers, boats with inboard motors, and boats exceeding 10 feet in length are prohibited. Boats will not be operated at a speed exceeding 5 miles per hour within the East Range fishing area.

(d) Boats constructed of material other than wood must contain properly installed flotation tanks.

(e) Personnel will wear life preservers when fishing from a boat on USAG-HI installations.

(6) The USAG-HI and USAG-PTA Commander are authorized to close their areas to hunting when necessary.

(7) The State of Hawaii Department of Land and Natural Resources (DLNR) controls all hunting on PTA when it is declared open for hunting by the Commander, USAG-PTA. Range Operations PTA, is the point of contact to determine what areas are open for hunting. Persons desiring to hunt on the island of Hawaii must submit the request in writing to the Conservation and Resource Enforcement Division, DLNR, Hilo, Hawaii. Individuals must contact Range Operations, PTA, to inquire what days and areas are open, and must sign in and out with Range Operations on the day of the hunt.

(8) On Oahu, dogs may be used for hunting wild pigs and goats. A maximum of six dogs is authorized per hunting party, and the dogs must be under voice or leash control at all times.

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(9) On PTA, using dogs to hunt mammals is prohibited; however, using bird dogs to hunt game birds is permitted. A maximum of six dogs is authorized per hunting party, and the dogs must be under voice or leash control at all times.

(10) Procedures for obtaining a pass to hunt on USAG-HI installations.

(a) Hunters must report to the Range Control (Schofield Barracks or PTA) on the day of the hunt to sign in and receive a temporary hunting permit (APZV Form 80) for a specific hunting area assignment which must remain in the possession of the individual for the duration of the hunt. The Permit will be returned to Range Control at the termination of the hunt.

(b) Hunting area assignments will not be reserved but will be allotted on a first-come, first-serve basis. Hunting permits are valid only for the duration of the calendar day issued.

(c) Military personnel desiring a permit to hunt on a USAG-HI installation must present to Range Control a valid State of Hawaii hunting permit and a valid military identification card. A military ID is not required to hunt on PTA. Civilians hunting on a USAG-HI installation must have an active duty, reserve, or retired military sponsor accompanying them.

(d) An adult must accompany personnel under 16 years of age engaged in hunting.

(11) Hunting is not permitted on Fort Shafter, Fort Shafter Flats, Aliamanu Military Reservation, Tripler Army Medical Center, and the Fort DeRussy/Hale Koa area. Hunting is also not permitted in off limits, impact areas (including Makua Military Reservation), or restricted areas.

(12) General Prohibitions.

(a) Prohibitions against hunting and fishing include trapping, snaring, and netting all forms of wildlife.

(b) Personnel will not:

- Remove live game from USAG-HI installations.
- Sell or offer for sale wildlife or game fish obtained on a USAG-HI installation.

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- Camp, picnic, or build fires in hunting or fishing areas.
- Damage or destroy Government property on the installation.
- Carry a loaded firearm in or discharge a firearm from a vehicle.
- Damage, destroy, or remove vegetation, geographical features, or natural resources on the installation.
- Use Government or military weapons, ammunition, vehicles, or aircraft for the purpose of hunting, tracking, or spotting game.
- Hunt within 500 meters of ammunition supply or storage areas.
- Hunt, pursue, trap, kill, or capture wild cattle or sheep on the installation.
- Use automatic weapons or weapons (rifles or shotguns) with an overall barrel length of less than 18 inches.
- Trap animals unless the USAG-HI and/or USAG-PTA Commander grants a permit to trap specific animals.

9. Responsibilities

a. The Mission Support Command (MSC) commanders, directors/heads of staff agencies, and USAG-HI-supported organizations located on Army installations will establish procedures to ensure compliance with this memorandum and dissemination to their units and personnel.

(1) The MSC commanders, directors/heads of staff agencies, and USAG-HI supported organizations located on Army installations will inform all newly assigned Army personnel and supported military and civilian employees working on Army installations of the provisions of this memorandum within 5 duty days of assignment.

(2) Commanders and directors should remind personnel semiannually of the provisions in this memorandum.

b. All individuals will comply with this memorandum.

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10. Effective Date. This policy supersedes 8th Theater Sustainment Command and USAG-HI Policy Memorandum Installation -1, Discipline, Law, and Order, dated 15 July 09, and remains in effect until cancelled or superseded in writing.

A handwritten signature in black ink, appearing to read 'F. Weircinski', with a large loop at the end.

FRANCIS J. WEIRCINSKI
Lieutenant General, USA
Senior Commander

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