

Department of the Army, DoD

§ 508.1

(2) A hearing examiner will be appointed by appropriate orders. The examiner may be either a commissioned officer or a civilian employee above the grade of GS-7.

(3) The specific written allegations, together with other pertinent material, will be transmitted to the hearing examiner for introduction as evidence at the hearing.

(4) Manufacturers may be suspended for failure to return a loaned tool without referral to a hearing specified in paragraph (c)(1) of this section; however, the manufacturer will be advised, in writing, that tools are overdue and suspension will take effect if not returned within the specified time.

(d) *Notification to the manufacturer by examiner.* Within a 7 day period following receipt by the examiner of the allegations and other pertinent material, the examiner will transmit a registered letter of notification to the manufacturer informing him or her of the following:

(1) Specific allegations.

(2) Directive of the Director requiring the holding of a public hearing on the allegations.

(3) Examiner's decision to hold the public hearing at a specific time, date, and place that will be not earlier than 30 days from the date of the letter of notification.

(4) Ultimate authority of the Director to suspend or revoke the certificate of authority should the record developed at the hearing so warrant.

(5) Right to—

(i) A full and fair public hearing.

(ii) Be represented by counsel at the hearing.

(iii) Request a change in the date, time, or place of the hearing for purposes of having reasonable time in which to prepare the case.

(iv) Submit evidence and present witnesses in his or her own behalf.

(v) Obtain, upon written request filed before the commencement of the hearing, at no cost, a verbatim transcript of the proceedings.

(e) *Public hearing by examiner.* (1) At the time, date, and place designated in accordance with paragraph (d) (3) of this section, the examiner will conduct the public hearing.

(i) A verbatim record of the proceeding will be maintained.

(ii) All previous material received by the examiner will be introduced into evidence and made part of the record.

(iii) The Government may be represented by counsel at the hearing.

(2) Subsequent to the conclusion of the hearing, the examiner will make specific findings on the record before him or her concerning each allegation.

(3) The complete record of the case will be forwarded to the Director.

(f) *Action by the Director.* (1) The Director will review the record of the hearing and either approve or disapprove the findings.

(2) Upon arrival of a finding of breach of quality control policies, the manufacturer will be so advised.

(3) After review of the findings, the certificate of authority may be revoked or suspended. If the certificate of authority is revoked or suspended, the Director will—

(i) Notify the manufacturer of the revocation or suspension.

(ii) Remove the manufacturer from the list of certified manufacturers.

(iii) Inform the Army and Air Force Exchange Service of the action.

(g) *Reinstatement of certificate of authority.* The Director may, upon receipt of adequate assurance that the manufacturer will comply with quality control policies, reinstate a certificate of authority that has been suspended or revoked.

PART 508—COMPETITION WITH CIVILIAN BANDS

AUTHORITY: Secs. 3012, 3634, 70A Stat. 157, 207; 10 U.S.C. 3012, 3634.

§ 508.1 Utilization of Army bands.

(a) *General.* Participation of Army bandmen in performances off military reservations will not interfere with the customary employment and regular engagement of local civilians in the respective arts, trades, or professions. Such participation will not directly or indirectly benefit or appear to benefit or favor any private individual, commercial venture, sect, or political or fraternal group, except as may be specifically authorized by the Secretary of Defense. The authority to determine

whether the use of an Army band at a public gathering is prohibited by this section is delegated to major commanders.

(b) *Suitability.* Commanders authorizing participation by Army bands (except the U.S. Army Band and the U.S. Army Field Band) in their official capacities and in the performance of official duties will be guided by the following conditions of suitability:

(1) When participation is an appropriate part of official occasions attended by the senior officers of the Government or the Department of Defense in their official capacities and in the performance of official duties.

(2) For parades and ceremonies which are incident to gatherings of personnel of the Armed Forces, veterans, and patriotic organizations.

(3) At public rallies and parades intended to stimulate national interest in the Armed Forces and/or to further the community relation program.

(4) For fund drives for officially recognized Armed Forces relief agencies or charitable organizations such as the Red Cross when the proceeds are donated to such agencies.

(5) For athletic contests in which one or more Armed Forces teams are participating.

(6) In connection with recruiting activities for the Armed Forces.

(7) At official occasions and free social and entertainment activities held on or off Armed Forces installations, provided that such free social entertainment activities are conducted exclusively for the benefit of personnel of the Armed Forces and their guests.

[25 FR 10700, Nov. 9, 1960]

PART 510—CHAPLAINS

AUTHORITY: R.S. 1125; 10 U.S.C. 238.

§510.1 Private ministrations, sacraments, and ordinances.

Chaplains will conduct or arrange for appropriate burial services at the interment of members of the military service, active and retired, and for members of their families upon request. A chaplain may perform the marriage rite, provided he complies with the civil law of the place where

the marriage is to be solemnized and provided all parties concerned have complied with the requirements of the denomination the chaplain represents and with any directives which may have been issued by the military command or higher headquarters. The scope of the chaplains' work will include such ministrations as are held by some denominations or religious bodies as sacraments and by others as rites or ordinances. Chaplains will administer or arrange for rites and sacraments for military personnel and civilians under military jurisdiction according to the respective beliefs and conscientious practices of all concerned.

[16 FR 12931, Dec. 27, 1951]

PART 513—INDEBTEDNESS OF MILITARY PERSONNEL

Sec.

513.1 General.

513.2 Administrative procedures for processing complaints.

513.3 Administrative and punitive actions.

513.4 Conditions creditors must meet before getting help in debt processing.

513.5 Procedures governing nonactive duty or discharged personnel.

APPENDIX A TO PART 513—REFERENCES

APPENDIX B TO PART 513—STANDARDS OF FAIRNESS

APPENDIX C TO PART 513—GLOSSARY

AUTHORITY: 10 U.S.C. 3012.

SOURCE: 51 FR 7268, Mar. 3, 1986, unless otherwise noted.

§513.1 General.

(a) *Purpose.* This regulation prescribes Department of the Army (DA) policy, responsibilities, and procedures in handling debt claims against soldiers.

(b) *References.* Required and related publications and prescribed and referenced forms are listed in appendix A.

(c) *Explanation of abbreviations and terms.* Abbreviations and special terms used in this regulation are explained in the glossary.

(d) *Responsibilities.* (1) The Deputy Chief of Staff for Personnel will set policy on processing debt claims against soldiers.

(2) The Commanding General, U.S. Army Community and Family Support Center (CG, USACFSC) will—