

DEPARTMENT OF THE ARMY
United States Army Garrison Fort Lee
3312 A Avenue
Fort Lee, Virginia 23801

* Fort Lee Regulation 190-2

Army Law Enforcement

POSSESSION, USE, TRANSPORTATION, AND SECURITY OF PRIVATELY OWNED WEAPONS (POW)s

Summary. This regulation issues policies and procedures guidance for all personnel subject to the Uniform Code of Military Justice (UCMJ) or visiting the Fort Lee installation. This regulation is applicable to the security, possession, use, transportation, and registration of POWs. Those who fail to comply with the requirements of this regulation are subject to punishment under the UCMJ and or the adverse action authorized by applicable United States Code sections of Federal regulations. Personnel not subject to UCMJ who fail to comply with the provisions of this regulation are subject to adverse administrative action or criminal prosecution as authorized by applicable sections of the United States Code or Federal regulation.

Applicability. This regulation applies to all personnel subject to UCMJ and to all personnel not subject to UCMJ but are on the Fort Lee installation.

Supplementation. Supplementation of this regulation by subordinate commanders is prohibited without prior approval from the Garrison Commander (GC), U.S. Army Garrison (USAG) Fort Lee, 3312 A Avenue, Fort Lee, VA 23801

Suggested Improvements. The proponent of this regulation is the Directorate of Emergency Services. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Commander, USAG Fort Lee, ATTN: IMLE-ES, 3312 A Avenue, Fort Lee, VA 23801.

Distribution. LEEKEY

This regulation can also be found on the Fort Lee Web site under Services, Forms and Publications, Fort Lee Forms and Publications (<http://www.lee.army.mil/hrd/asd/forms/>)

*This regulation supersedes CASCOM & FL Reg 190-2 dated 30 November 2012

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Chapter 1

General

1-1. Purpose. The purpose of this regulation is to establish uniform policies for carrying, securing, storing and using POWs, ammunition, and war trophies on Fort Lee.

1-2. References.

Appendix A contains required and related publications and prescribed referenced forms.

1-3. Explanation of Abbreviations and Terms.

The glossary explains abbreviations and terms used in this regulation.

Chapter 2

Responsibilities.

2-1. Garrison Commander, USAG Fort Lee

Garrison Commander, U.S. Army Garrison Fort Lee, has the responsibility for ensuring the daily operation and safety of personnel on Fort Lee.

2-2. Provost Marshal, Fort Lee

Provost Marshal, Fort Lee, has responsibility for operating the POWs registration program on the installation, maintaining on-post POW registration data, and ensuring compliance with applicable physical security standards.

2-3. Unit Commanders.

Unit Commanders.

a. Ensure Service members under their command are familiar with the contents of this regulation.

b. Ensure adequate facilities are available for the storage of POWs belonging to unit Service members. Service members who have not yet registered POWs on-post will have POWs stored within unit arms room. Ensure POWs in unit arms rooms are properly stored, accounted for, inventoried, and issued in accordance with AR 190-11.

c. Commanders will identify high risk Service members IAW Army Directive 2013-06.

d. Ensure Service members and Family members under their command residing in on-post quarters, register all weapons, and war trophies. As outlined in paragraph 4, persons must register with Fort Lee Form 694 (Weapons Registration Form) prior to bringing weapons or war trophies onto Fort Lee.

e. Commanders will verify information (IAW AR 190-11) on requestor's Fort Lee Form 694 (Weapons Registration Form). If the POW(s) belong to a Family member, Family members must follow guidelines outlined in paragraph 4. Commanders will verify Service members' compliance (IAW AR 190-11 and this regulation).

f. Commanders will ensure Service members under their command follow the directed storage criteria outlined in this regulation.

g. Commanders are prohibited from issuing any requirement, or collecting or recording any information relating to the otherwise lawful acquisition, possession, ownership, carrying, or other use of a POW, ammunition or another weapon by a member of the Armed Forces not kept on a military installation. There are four stated exceptions to this prohibition IAW ALARACT 063-2013, Control and Reporting of Privately Owned Weapons.

(1) The first two exceptions apply when Service members are engaged in official duties or are in uniform; these exceptions are self-explanatory.

(2) The third exception allows commanders to regulate POWs when a Service member is under investigation, prosecution, or adjudication of an alleged violation of law, including matters related to whether a member of the Armed Forces constitutes a threat to the member or others. Within this exception, commanders who come to a reasoned conclusion (based on direct observation and/or reports from friends, Family or health care providers) that a Service member is a threat to self or others may initiate an investigation into the potential threat of violence. Upon initiation of an investigation, the commander is authorized to ask the Service member whether or not he/she possesses any POWs that are kept off-post.

(3) The fourth exception allows commanders and health professionals who are members of the Armed Forces or a Civilian employee of the DoD or a commanding officer to inquire as to whether or not a Service member owns or has plans to acquire POWs if the commander or health care professional has reasonable grounds to believe the Service member is at risk for suicide or causing harm to others.

(4) Individual Service members are responsible for compliance with this regulation, including requirements to register and properly secure their POWs; failure to do so will be punitive.

(5) Civilians (including Reservist and National Guard) with POWs will be required to complete Fort Lee Form 694-1 (Weapons Registration Form) and have it verified and signed by the Provost Marshal Office.

Chapter 3 Registration.

3-1. Personnel Living on Fort Lee

Registration of firearms belonging to personnel living on the installation and registration of firearms by personnel who bring a weapon onto the installation for the purpose of engaging in authorized activities such as hunting, dog training or marksmanship events.

a. Registration will be accomplished at the Weapons Registration Office, located at Building 5228. Registration can be completed between 0800 and 1630, Monday - Friday.

b. All POW owners must complete an annual registration.

c. The following must be presented at the registration office:

(1) Proof of ownership or a statement certifying the legal ownership.

(2) Fort Lee Form 694 (Weapons Registration), signed and verified.

(3) A Centralized Operations Suite (COPS) weapons permit documenting firearms registration.

d. If requested by installation law enforcement personnel, individuals will present the registration document when the firearm is out of an approved storage location and being transported on the installation. Personnel who engage in authorized activities on the installation are required to present the registration document to Law Enforcement, Game Warden, Range Control, and Morale, Welfare, and Recreation (MWR) officials prior to obtaining authorization to conduct activities using a firearm or when asked to present registration documents.

e. All personnel residing on the installation are required to register their firearms and authorized war trophies. Service members and Family members will submit a request to the unit commander to register POWs. The unit commander will verify proof of legal ownership of the firearm and that the individual is not prohibited from owning a firearm, IAW Army Directive 2013-06 (Providing Specified Law Enforcement Information to Commanders of Newly Assigned Service members). The unit commander will approve requests in writing and owner must provide this approval to the Provost Marshal Office and Weapons Registration Office. This written approval memorandum will also document that the Service member or Family member has received appropriate safety training on the use and storage of the firearm and is knowledgeable of Federal, state, or local laws, or ordinances concerning the possession, use, and transportation of the firearm.

f. Persons transporting POWs, war trophies, firearms and ammunition from an off-post residence to newly assigned quarters on Fort Lee must obtain memorandum of

approval (paragraph 2-3.d.) and be registered (paragraph 4) prior to bringing them onto Fort Lee.

g. Personnel may pre-register weapons contained in in-bound shipments of household goods.

h. Civilian personnel who engage in authorized activities on the installation are required to present the registration document to range control and MWR officials prior to obtaining authorization to conduct activities using a firearm. Registration of POWs will be accomplished at the Weapons Registration Office located at building 5228.

3-2. Civilians Visiting Fort Lee

Civilians visiting Fort Lee for the sole purpose of using the POW Range are exempt from this policy, as this location is non-contiguous to the Fort Lee cantonment area.

3-3. Firearms Permanently Stored Off Installation

Firearms which are legally and permanently stored off the installation are not required to be registered on Fort Lee; however, weapons brought onto the installation for any reason will be registered on Fort Lee.

3-4. Personnel Bringing Firearms onto Installation

Personnel who bring a firearm onto the installation to engage in authorized activities will register it. The COPS Fort Lee weapons permit documenting registration must be presented to personnel at installation access control points to document registration. Personnel without this document and carrying a firearm will not be authorized to bring the weapon onto the installation. Firearms belonging to persons residing off the installation will not be brought onto Fort Lee except to engage in authorized activities, i.e., hunting or target shooting at authorized ranges.

3-5. Prohibition to Register POWs

The registration of POWs by person(s) described below is prohibited:

a. Any person convicted of a felony (The Federal Gun Control Act of 1968, as amended in 1996).

b. Any person convicted in any court of a misdemeanor crime of domestic violence or a felony (per the Lautenberg Amendment to the Federal Gun Control Act of 1968, as amended in 1996). The Amendment —

(1) Makes it a felony for any person to sell or otherwise dispose of firearms or ammunition to any person he or she knows or has reasonable cause to believe has been convicted of a misdemeanor crime of domestic violence.

(2) Prohibits anyone who has been convicted of a misdemeanor crime of domestic violence from shipping or transporting in interstate or foreign commerce, or possessing in or affecting commerce, any firearm or ammunition; or receiving any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

c. Any person who is a fugitive from justice.

d. Any person who has been convicted in any court of the possession, use, or sale of marijuana, dangerous or narcotic drugs (the term convicted includes non-judicial punishment under Article 15 Uniform Code of Military Justice).

e. Any person who is presently declared as mentally incompetent or who is presently committed to any mental institution.

f. Any Civilian or Family member under the age of 18 is prohibited from the use of firearms, unless accompanied and supervised by a parent or legal guardian over the age of 18.

3-6. Federal, State and Local Law Enforcement Officer

Duly sworn Federal, State, and Local Law Enforcement officers in the performance of their duties are exempt from the registration requirement.

3-7. Personnel Departing Fort Lee Permanently

Personnel departing Fort Lee on Permanent Change of Station (PCS) will clear registered weapons as part of normal installation clearance procedures.

3-8. Ownership change of POWs

Changes of ownership of POWs currently registered on post by military or Civilians will be reported to the Weapons Registration Office located at building 5228 within 96 hours, and the weapon's new owner will register each weapon in his or her name as applicable.

Chapter 4 Storage.

4-1. Authorized Storage Area on Fort Lee

Firearms, ammunition and authorized war trophies will not be stored in unit barracks, transient quarters or Fort Lee lodging. Firearms, ammunition and authorized war trophies belonging to these Service members will be stored in the unit arms room IAW AR 190-11. Firearms, ammunition and authorized war trophies will not be stored in on-post quarters of others to avoid this requirement.

4-2. GC Authorization of Storage

The GC authorizes storage of firearms, ammunition and authorized war trophies at a Service member's on-post quarters provided they are properly documented and registered IAW Chapter 3 of this regulation. All firearms will be secured in locking gun cabinets, safes or equivalent.

4-3. Storage During TDY

Firearms, ammunition and authorized war trophies belonging to personnel residing in on-post quarters who are on temporary duty will store firearms and ammunition in the arms room of their assigned/attached unit or other arms room designated by their sponsoring unit. Firearms and ammunition will not be stored in the on-post quarters of others to avoid this requirement.

4-4. Storage in On-Post Quarters

Firearms, ammunition and authorized war trophies stored in on-post quarters will be kept unloaded and secured with a locking device that deters both theft and unauthorized tampering. Each firearm will also be secured with a trigger lock. Examples of storage devices are:

- a. A locking gun cabinet, safe, or other secure container of sufficient weight (over 100 pounds gross weight) or size to deter easy removal.
- b. The combination of a trigger locking device and a chain that prevents removal of the weapon.
- c. A locked closet with limited access.

4-5. Ammunition Storage

Privately-owned ammunition will be stored in a separate locked container. Ammunition stored shall not exceed 2,000 rounds.

4-6. Storage of POWs in Privately Owned Vehicles

POWs will not be stored in privately owned vehicles except for short periods, 30 minutes maximum, when waiting to engage in authorized activities on the installation, such as shooting/skeet ranges.

- a. POWs stored temporarily in vehicles will be locked in the vehicle, out of public view.
- b. POWs temporarily stored or transported in vehicles will be unloaded with ammunition and weapons separated by at least one locking mechanism.

Chapter 5 Transportation, Possession, and Use.

5-1. Purpose for Possession of POW

No person will possess or bring a firearm or other weapon onto the installation for any criminal, unlawful, or prohibited purpose.

5-2. Concealment of POWs

No person will conceal a weapon on their person or in a vehicle while on Fort Lee. Personnel listed in paragraph 3-6 above, or others as expressly permitted by the Garrison Commander through the Provost Marshal, are exempt.

5-3. Transporting of POWs

POWs will be transported in vehicles only while traveling in a direct route to and from hunting areas, dog training areas, target ranges, or other locations authorized by the Garrison Commander. No stops are authorized.

5-4. Transporting Loaded POWs

The carrying of a loaded firearm in a vehicle is prohibited. Personnel listed in paragraph 3-6 above, or others as expressly permitted by the Garrison Commander through the Provost Marshal, are exempt.

5-5. Securing POWs for Transportation

POWs carried in a vehicle will be secured in the trunk. For vehicles without a trunk, firearms will be encased in a container other than the glove compartment and carried in such a manner that they will not be readily available to the driver or passengers. Commercially available trigger locks and other security devices are strongly recommended to deter and prevent loss and theft.

5-6. Removal of POWs from Installation

Personnel who remove POWs from the installation will comply with applicable Federal, state and local laws pertaining to ownership, possession, and registration.

5-7. Complying Federal and Virginia Laws

No person will use, transport, buy, sell, transfer, or possess a firearm in violation of Federal or Virginia law.

5-8. Automatic Weapons

Military personnel only are authorized to bring automatic weapons on the installation when properly registered/licensed. Automatic weapons, even when properly registered and licensed, will be properly stored and will not be fired on the installation.

5-9. Discharging of POWs on Installation

Weapons including rifles, handguns, shotguns, BB guns, pellet guns, paintball guns, slingshots, bows, and crossbows will not be discharged on the Installation except at designated locations during specific times.

5-10. Discharging locations for POWs

POWs can be discharged on Fort Lee only at the following locations:

- a. Outdoor Recreation trap and skeet ranges (shotguns only).
- b. Bows will be shot only at the Outdoor Recreation archery range or by properly licensed hunters in designated hunting areas during specific seasons.
- c. In authorized hunting areas, by properly licensed hunters, during designated hunting seasons. This will be further restricted to specific types of POWs as announced in hunting regulations.
- d. Range 8 (POW).

5-11. Transporting POWs on Installation

POWs transported in vehicles will be locked in the trunk and will be equipped with a trigger/barrel locking device or secured within a locked container. This requirement is intended to preclude immediate access and use of the weapon.

5-12. Law Enforcement Officers Safety Act (LEOSA)

The National Defense Authorization Act (NDAA), amended 02 January 2013, allows active and retired Military Police Officers who are properly credentialed through the Office of the Provost Marshal General to carry concealed firearms. LEOSA does not authorize credentialed Military Police or Retired Military Police to carry concealed on military installations. Personnel properly credentialed under LEOSA, must handle all POWs on Fort Lee in accordance with Chapter 4 and Chapter 5 of this regulation.

5-13. Transporting To / From Designated Hunting Areas

- a. Individuals hunting in designated hunting areas on the installation will carry POWs unloaded and in plain view when moving in and out of their designated areas.
- b. Hunters will not carry POWs within the cantonment area.

5-14. Transportation of Ammunition

Ammunition transported in the vehicle will also be locked in the trunk and physically separated from the weapon. The ammunition will be secured within a separate locked container so the weapon cannot be easily loaded while in the vehicle.

5-15. Age Requirement – Hand Gun

No person under the age of 18 years may register, own, buy, or sell a handgun on the installation.

5-16. Age Requirement – Rifle and/or Shotgun

No person under the age of 18 years may register, own, buy, or sell a rifle or shotgun on the installation. Persons under 18 years of age may possess a shotgun while on the trap/skeet range during designated range hours and while under the supervision of a parent or legal guardian over the age of 18.

Chapter 6

Lost, Stolen and Recovered Firearms

6-1. If a POW is lost or stolen, it will be reported to the Provost Marshal Office immediately. The Provost Marshal Office will enter the lost or stolen weapon data in the National Crime Information Center (NCIC) and initiate an investigation if the loss occurred on the installation.

6-2. Persons who find, or otherwise come into possession of firearms believed to be lost or stolen, will report this immediately to the Provost Marshal Office, (804) 734-7400.

Chapter 7

Ammunition Reloading.

The reloading of sporting ammunition and the storage of propellants and primers for this purpose is allowed with the following restrictions:

- a. Total quantity of bulk smokeless propellant (including Pyrodex) will not exceed five (5) pounds.
- b. Total quantity of bulk black powder will not exceed one (1) pound.
- c. Total quantity of bulk primers (including percussion caps) will not exceed 1,000 rounds.
- d. Total quantity of loaded ammunition on hand, including hand loaded and factory loaded ammunition, will not exceed 2,000 rounds.

e. Powder and primers will be stored separately, in a cool, dry, secure place, away from flame or other heat sources. Storage containers will be locked to deter unauthorized access.

f. Personnel engaged in reloading will wear shatterproof or other safety-type glasses.

g. Persons storing bulk propellants for reloading purposes will provide written notice to the Fire Department within 72 hours.

h. Reloading may be conducted only in Family Housing by the authorized occupant and in Unaccompanied Personnel Housing by the assigned permanent party occupants, Sergeant First Class and above.

Chapter 8 Dangerous Articles.

8-1. The following dangerous articles will not be stored, possessed, or used except for hunting, fishing, target shooting on an authorized range facility, or household, culinary, or business purposes:

- a. Any knife with a blade more than 3 1/2 inches long.
- b. Bows or compound bows with a pull of 15 pounds or more (must be registered).

8-2. Except when required in the performance of an official duty, persons will not conceal the following dangerous articles:

- a. Straight razor or weapon made from a straight razor.
- b. Ice pick, dagger, bolo knife, machete, spear, or similar instrument if it has a point or a blade more than 2 inches or more in length.
- c. Air rifle or air pistol.
- d. Air Soft Rifle or Air Soft Pistol.
- e. Blank cartridge pistol.

Chapter 9 Prohibited Items.

The following items will not be stored, possessed, bought, sold, or used on the installation:

- a. Any butterfly knife or knife with an automatic or spring-loaded opener.

- b. Stun guns or homemade percussion weapons (zip guns).
- c. Brass knuckles, slap jacks, nun-chucks, or any other martial arts device which may cause serious harm or death. Personnel may possess nun-chucks or other required martial arts devices if actively engaged in martial arts training. However, they will be secured when not being used for training and transported only directly between their place of storage and place of training.
- d. A shotgun with a barrel less than 18 inches or a weapon made from a shotgun less than 26 inches in overall length.
- e. A rifle with a barrel less than 16 inches or handgun made from a rifle.
- f. Any smooth barreled handgun.
- g. Any automatic weapon not properly registered and licensed with the Bureau of Alcohol, Tobacco, and Firearms (ATF).
- h. A silencer or muffler for a weapon.
- i. A Molotov cocktail (gasoline or other flammable liquid in a glass or other breakable container).
- j. A shooting pen or any other weapon capable of discharging a chemical agent. Self-defense mechanisms such as mace or pepper spray dispensers (3 oz. or less) and weapons that discharge only water or blanks are authorized.
- k. Any shooting device or blade that is designed to be concealed in another object or that has been stripped so that it is not suitable for hunting or other sporting purpose. This prohibition does not include rifles or carbines with folding stocks or breakdown, so long as they are possessed for valid sporting purposes.
- l. Any shooting weapon with mounted spotlight or night vision scope.
- m. Government weapons or ammunition, except when authorized.
- n. Any incendiary, explosive, pyrotechnic, poison gas bomb, grenade, missile, mine, or similar device including firecrackers, cherry bombs, roman candles, bottle rockets, or sky rockets.
- o. Crossbows, regardless of acceleration system, size and energy or degree of automation or projectiles.

Chapter 10
War Trophies and Memorabilia.

10-1. War trophies that are legally possessed and registered may be stored on post so long as they meet Federal and state statutes pertaining to weapons in general and were originally acquired in a legal manner. Examples:


a. An AKM assault rifle acquired during Desert Storm is not be allowed because it is an automatic weapon prohibited by Federal law and was acquired in violation of general orders pertaining to war trophies during Desert Storm.

b. A German K-98 rifle acquired legally by a relative in WWII is allowed because it was legally acquired initially and meets federal and state laws pertaining to rifles in general.

10-2. Swords and sabers may be possessed as items of memorabilia and worn for ceremonial purposes. Swords and sabers will not be carried concealed at any time or in a manner for other than ceremonial purposes.

Chapter 11
Waivers.

Requests for waiver of any portion of this regulation will be submitted through the Provost Marshal Office to the Fort Lee Garrison Commander.



PAUL K. BROOKS
COL, LG
Commanding

Appendix A References

Section I Publications

AR 190-11 – Physical Security of Arms, Ammunition, and Explosives (as cited in Chapter 4, para 4-5), dated 5 Sept 2013.

Lautenberg Amendment to The Federal Gun Control Act of 1968, dated 30 September 1996.

Title 10 U.S.C. § 2579 War Booty: procedures for handling and retaining battlefield objects, effective January 7, 2011.

Army Directive 2013-06 – Providing Specified Law Enforcement Information to Commanders of Newly Assigned Soldiers, issued 14 February 2013.

ALARACT 063/2013 – Control and Reporting of Privately Owned Weapons, 25 Mar 13.

Section 1062, National Defense Authorization Act for FY 2011(Public Law 111-383-Jan 7, 2011) as amended by section 1057, National Defense Authorization Act for FY 2013.

Law Enforcement Officers Safety Act (LEOSA) as amended 02 January 2013 under the National Defense Authorization Act (NDAA).

Section II Forms

Fort Lee Form 694 (Military Personnel Weapons Registration), R-Aug 2015

Fort Lee Form 694-1 (Civilian Personnel Weapons Registration), R-Aug 2015

Glossary

Section I Abbreviations

ATF

Bureau of Alcohol, Tobacco and Firearms

ALARACT

All Army Activities (distribution)

AR

Army regulation

CASCOM
U.S. Army Combined Arms Support Command

CG
Commanding General

COPS
Centralized Operations Suite

DA
Department of the Army

FY
Fiscal year

GC
Garrison Commander

IAW
In accordance with

LEOSA
Law Enforcement Officer's Safety Act

MWR
Morale, Welfare, and Recreation

NCIC
National Crime Information Center

PCS
Permanent Change of Station

POW
Privately Owned Weapon

SC
Senior Commander

UCMJ
Uniform Code of Military Justice

USAG
United States Army Garrison

Section II

Terms

Automatic weapon

Any weapon which shoots, is designed to shoot, or can be readily restored to shoot automatically, more than one shot, without manual reloading, by a single functioning of the trigger.

Dangerous articles

Items that are likely to cause death or serious bodily harm if used as a weapon.

Privately owned weapons (POW)

Those weapons that are owned by private individuals (Service members, Family members and Civilians).

Prohibited items

Items prohibited by this regulation for the safety and well-being of all personnel.

War trophies

Any item of the enemy (public or private property) used as war materiel (i.e., arms, military accouterments) acquired in a combat area or zone within a prescribed period of time, IAW Title 10 USC & 2579 procedures for handling and retaining battlefield objects.