



DEPARTMENT OF THE ARMY
HEADQUARTERS, III CORPS AND FORT HOOD
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FORT HOOD, TEXAS 76544-5000

AFZF-CG

23 AUG 2017

**COMMANDING GENERAL'S
POLICY LETTER # 7**

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Registration for Privately-Owned Firearms (POF)

1. References:

- a. AR 190-11, Physical Security of Arms, Ammunition, and Explosives, 5 September 2013.
- b. III Corps and Fort Hood Regulation 190-11, Weapons, 6 November 2014.
- c. Public Law 111-383, Ike Skelton National Defense Authorization Act for 2011, Section 1062, Prohibition on Infringing on the Individual Right to Lawfully Acquire, Possess, Own, Carry, and Otherwise Use Privately Owned Firearms, Ammunition, and Other Weapons, 7 January 2011 (NDAA for FY 11).
- d. Public Law 112-239, National Defense Authorization Act for Fiscal Year 2013, Section 1057, Rule of Construction Relating to Prohibition on Infringing on the Individual Right to Lawfully Acquire, Possess, Own, Carry, and Otherwise Use Privately Owned Firearms, Ammunition, and Other Weapons, 2 January 2013 (NDAA for FY 13).
- e. Public Law 114-92, National Defense Authorization Act for Fiscal Year 2016, Section 526, Establishment of process by which members of the Armed Forces may carry an appropriate firearm on a military installation (NDAA for FY 16).
- f. Public Law 114-328, National Defense Authorization Act for Fiscal Year 2016, Section 348, Limitation on Availability of Funds for Office of the Under Secretary of Defense for Intelligence (NDAA for FY 17).
- g. Title 10, United States Code (U.S.C.) Section 892; Uniform Code of Military Justice (UCMJ), Article 92, Failure to Obey Order or Regulation.
- h. Title 18, United States Code (U.S.C.) Section 1382; Entering Military, Naval, or Coast Guard Property.

2. **Applicability.** This policy applies at all times and in all locations to all Servicemembers and Civilian employees, and Civilians assigned to, attached to, or performing duties in units or activities assigned, attached stationed, based or otherwise located on the Fort Hood military reservation. This includes, but is not limited to, units and service maintenance, or other duties on the Fort Hood military reservation. It also applies to all military personnel and all Civilians physically present within the limits of the Fort Hood military reservation. All Servicemembers, Civilian employees, and Civilians assigned to, attached to, or performing duties in units or activities over whom the Commander, III Corps and Fort, exercises Senior Commander (SC) authority are also subject to this policy. The guidance applies to all Fort Hood units receiving authorizations to execute ORF functions or NAF issued funds for unit benefits.

3. **Statement of Military Purpose and Necessity.** The safety of the Servicemembers and Civilians who live and work on Fort Hood is a primary concern of the III Corps and Fort Hood Command. III Corps and Fort Hood Command awareness of all privately-owned firearms (POF) stored and brought onto the installation is essential to ensure the safety and security of the installation and can help prevent accidents or incidents that could cause serious injury or death to Servicemembers or Civilians on the installation.

4. **Policy.**

a. This policy and Fort Hood Regulation 190-11 require all Servicemembers and their dependents living, residing, or temporarily staying on Fort Hood to register any POFs kept on post with the Directorate of Emergency Services (DES). Servicemembers living in the barracks or on-post temporary housing must notify their immediate commander of the possession of any POF and keep the POF in their respective unit arms room IAW AR 190-11 and Fort Hood Regulation 190-11. All Servicemembers and their dependents living, residing, or temporarily staying at Fort Hood will immediately notify DES of any sale, purchase, trade, gift, exchange, or any other action that changes the ownership of a POF kept on post.

b. All persons, whether Servicemember or Civilian, who intend to transport a POF onto Fort Hood must first register that firearm with DES. Any POF transported onto Fort Hood will be accompanied by post registration documentation and are subject to inspection at all times. All persons bringing a POF onto Fort Hood must enter through an Access Control Point (ACP), declare that they are bringing a POF on post and state the purpose for doing so to the ACP personnel. Persons may be prevented from bringing an unregistered POF on post.

c. The POF registration requirement is a tool for commanders and their subordinates to use to protect Servicemembers and Civilians from accidents or incidents that could result in death or serious injury. Commanders have the authority to order Servicemembers living on post to store any POF kept on post in the unit arms room IAW the requirements of AR 190-11 and Fort Hood Regulation 190-11.

d. IAW Section 1062 of the NDAA for FY11, persons subject to this policy shall not prohibit, issue any requirement relating to, or collect or record any information relating to the otherwise lawful acquisition, possession, ownership, carrying, or other use of a privately owned firearm, privately owned ammunition, or another privately owned weapon by a member of the Armed Forces or Civilian employee of the Department of Defense on property that is not a military installation or otherwise owned or operated by the Department of Defense. Any such information that has already been collected or recorded will be destroyed.

e. Notwithstanding the general prohibition against collecting off-post weapons information, IAW the NDAA for FY11 a Commander may collect off-post weapons information of a Servicemember for the purpose of an investigation, prosecution, or adjudication of (i) an alleged violation of law, (ii) a threat to self, or (iii) a threat to others. For purposes of this exception, Commanders can and should initiate an investigation into potential threats of violence when commanders come to a reasoned conclusion based on evidence that a threat exists.

f. IAW Section 1057 of the NDAA for FY13, if a health professional that is a member of the Armed Forces or a DoD Civilian employee, or a Commander has reasonable grounds to believe a Servicemember is at risk for suicide or causing harm to others, the Commander or health professional can inquire into the Servicemember's plans to acquire a POF, or any information regarding an already owned POF or ammunition.

g. When a Commander believes a Servicemember who resides off-post is a risk to self or other, the Commander may move the Servicemember on post where the rules for regulating POF apply if the Servicemember voluntarily brings the POF onto post. The Commander may also ask the Servicemember to voluntarily turn-in their POF for storage.

h. Commanders should seek the advice of their servicing Judge Advocate prior to taking any action or collecting any information concerning privately owned weapons maintained off post.

5. Punitive Order. This policy is punitive and is intended to be a lawful general order within the meaning of Article 92, UCMJ, and 18 USC 1392. Violations of this policy may result in punitive action under the UCMJ, adverse administrative action, or both. Civilian government employees and Civilians who violate this policy may be subject to prosecution in the United States Magistrate Court, barred from post, referred to Civilian authorities, or subject to disciplinary and administrative action according to appropriate Civilian personnel regulations.

6. Expiration. This Command Policy Memorandum will remain in effect until superseded or rescinded.

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7. The point of contact for this policy is the Directorate of Emergency Services, at (254) 287-1210.

A handwritten signature in black ink, appearing to read "Paul E. Funk". The signature is stylized with a large initial "P" and a cursive "Funk".

PAUL E. FUNK
LTG, U.S. Army
Commanding

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IAW FH FORM 1853: A