

DEPARTMENT OF THE ARMY  
United States Army Garrison Fort Lee  
3312 A Avenue  
Fort Lee, Virginia 23801  
14 January 2019

\* Fort Lee Regulation 190-2

## **Army Law Enforcement**

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

**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 on Fort Lee, and is punitive in that a violation of any provision of this regulation provides a basis for administrative or judicial/disciplinary action under the Uniform Code of Military Justice (UCMJ).

**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 MENU, ABOUT, Policies and Regulations (<https://home.army.mil/lee/index.php/about/policies-and-regulations>).

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\*This regulation supersedes FL Reg 190-2 dated 1 June 2018

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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 POW registration program on the installation, maintaining on-post POW registration data. Ensure compliance with applicable physical security standards and enforcement of violations under the UCMJ, applicable Civilian regulations and Laws.

### **2-3. 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 Regulation 190-45.
- d. Ensure Service Members and Family Members under their command residing in on-post quarters register all weapons and war trophies, as outlined in Chapter 3, with

Director of Emergency Services (DES) Form 694 (Weapons Registration Form) within 96 hours of bringing weapons or war trophies onto Fort Lee. Weapons must be declared at the access control point.

e. Commanders will verify information (IAW AR 190-11) on requestor's DES Form 694 (Weapons Registration Form). If the POW(s) belongs to Family Members, they must follow guidelines outlined in paragraph 4-5, AR 190-11. 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 relating to, or collecting or recording any information relating to the otherwise lawful acquisition, possession, ownership, carrying, or other use of a POW, privately owned ammunition, or another POW by a member of the Armed Forces not kept on a military installation. As stated below, there are four exceptions to this prohibition IAW the National Defense Authorization Acts for Fiscal Year (FY) 2011 and FY 2013:

(1) The first two exceptions allow commanders to create or maintain records relating to, or regulate the possession, carrying, or other use of a firearm, ammunition, or other weapon by a member of the Armed Forces or civilian employee of the Department of Defense (DoD) while engaged in official duties on behalf of the DoD, or wearing the uniform of an Armed Force.

(2) The third exception allows commanders to create or maintain records relating to an 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.

(3) The fourth exception allows health professionals who are members of the Armed Forces or Civilian employees of the DoD or commanding officers to inquire if a member of the Armed Forces plans to acquire, or already possesses or owns, a privately-owned firearm, ammunition, or other weapon, if such health professional or commanding officer has reasonable grounds to believe such member is at risk for suicide or causing harm to others.

## **2-4. Service Members**

a. Commanders ensure individual Service Members are responsible for compliance with this regulation, including requirements to register and properly store POWs; failure may result in punishment under Uniform Code of Military Justice (UCMJ).

b. Civilians (including Reservist and National Guard) with POWs will be required to complete DES Form 694-1 (Weapons Registration Form) and have it verified and signed by the designated representative from Physical Security or PMO.



## **Chapter 3**

### **Registration.**

Registration is required for all firearms belonging to personnel residing on the installation. The same requirement applies to those personnel who bring a weapon onto the installation for the purpose of engaging in authorized activities such as hunting, dog training or marksmanship events.

#### **3-1. Personnel Residing on Fort Lee**

a. All personnel residing on the installation are required to initiate registration of their firearms and any authorized war trophies within 96 hours of reporting to Fort Lee. Service Members and Family Members will submit a request to the unit commander to register POWs. The unit commander will verify that the individual is not prohibited from owning a firearm, IAW Army Regulation 190-45 (Law Enforcement Reporting). The unit commander will approve requests in writing, and the owner must provide this approval to the 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 on Federal, state, and local laws concerning the possession, use, and transportation of the firearm.

b. Registration will be at the Weapons Registration Office, located at the Visitor Control Center (VCC), Building 5228. Registration period is between 0800 and 1630, Monday - Friday. Online weapons registration is available at:  
<https://home.army.mil/lee/index.php/my-fort-lee/all-services/weapon-registration>.

c. POW registrations are valid for 4 years.

d. The following are required at the registration office:

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

(2) DES Form 694 (Weapons Registration) signed and verified.

(3) If the weapon(s) was previously registered on a military installation, the Army Law Enforcement Reporting and Tracking System (ALERTS) weapons permit documenting firearms registration will be provided during registration process.

e. Personnel who reside on post and are transporting weapons to engage in authorized activities on the installation are required to present the registration document when asked to present proof of registration by Security Guards at ACPs, Law Enforcement, Game Warden, Range Control, and/or Morale, Welfare, and Recreation (MWR) officials prior to obtaining authorization to conduct activities using a firearm or when asked to present registration documents.

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 3-1a) and be registered (paragraph 3-2) prior to bringing them onto Fort Lee.

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

### **3-2. Personnel Bringing Firearms onto Installation**

a. Civilians visiting Fort Lee for the sole purpose of using the POW Range (North Range) are exempt from this policy, as this location is non-contiguous to the Fort Lee cantonment area. All other Civilians are required to follow this regulation prior to entering Fort Lee.

b. Personnel (Military or Civilian) who bring a firearm onto the installation to engage in authorized activities will register POWs at the VCC, building 5228 or online at <https://home.army.mil/lee/index.php/my-fort-lee/all-services/weapon-registration>. The ALERTS 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.

### **3-3. 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. 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.

### **3-5. Federal, State and Local Law Enforcement Officer**

Duly sworn Federal, State, and Local Law Enforcement officers on duty are exempt from the registration requirement.

### **3-6. Personnel Departing Fort Lee Permanently**

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

### **3-7. 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**

a. Firearms, ammunition and authorized war trophies will not be stored in unit barracks rooms or Fort Lee lodging facilities, including the Intercontinental Hotel Group (IHG) Army Hotel. These Service Members' weapons and war trophies will be stored in the unit arms room IAW AR 190-11.

b. Firearms, ammunition and authorized war trophies will not be stored in on-post quarters of other Service Members to circumvent the requirements of this regulation.

c. Service Members residing in Unaccompanied Personnel Housing in the grade of E-7 or higher are authorized storage of POWs within their quarters once they have met the registration requirement of this regulation.

### **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**

a. Firearms, ammunition and authorized war trophies belonging to Service Members who are here on temporary duty may store these items within their local units' arms room once approved by the units' Commander, or within their on-post housing once registered with the weapons registration office. On-post housing does not include on-post lodging or barracks. In-bound Service Members on permissive TDY must coordinate with their gaining unit upon arrival to Fort Lee for storage of POWs if the Service Member is temporarily residing in on-post lodging.

b. Firearms and ammunition will not be stored at the on-post quarters of others to circumvent this requirement.

### **4-4. Storage in On-Post Quarters**

Firearms, ammunition and authorized war trophies stored at on-post quarters will be kept unloaded and secured within an approved container: Examples of storage containers are: a locking gun cabinet, safe, or other secure container of sufficient weight (over 100 pounds gross weight) or size to deter easy removal, theft, and tampering.

#### **4-5. Ammunition Storage**

Privately-owned ammunition will be stored in a locked container. If a weapons safe is being utilized, ammunition can also be secured in it. Ammunition stored cannot exceed 2,000 rounds.

#### **4-6. Storage of POWs in Privately Owned Vehicles**

- a. POWs will not be stored in privately owned vehicles.
- b. POWs while being transported in a vehicle will be locked in the vehicle, out of public view, and must be supervised at all times during transport.
- c. POWs 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 3-5 above, or others as 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 3-5 above, or others as 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 Weapons on Installation**

Weapons including rifles, handguns, shotguns, BB guns, pellet guns, paintball guns, slingshots, and bows 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. Law Enforcement Officers Safety Act (LEOSA)**

The National Defense Authorization Act (NDAA), amended 02 January 2013, allows active and retired Military Police Officers and Department of the Army Police Officers who are properly credentialed through the Office of the Provost Marshal General to

carry concealed firearms. Law Enforcement personnel assigned or working on the installation who are properly credentialed under LEOSA are exempt from the carrying and storage requirements of this regulation but will meet the registration requirements prior to entry. Personnel not assigned or working as Law Enforcement on Fort Lee, but meet the credentialing requirements, must notify and obtain approval from the Provost Marshal prior to bringing a POW onto the installation.

#### **5-12. 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. Weapons will not be left unsecured or unattended inside of vehicles.

#### **5-13. 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.

#### **5-14. Age Requirement – Hand Gun**

No person under the age of 21 years may register, own, buy, or sell a handgun on the installation.

#### **5-15. 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 theft or 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 approved safety-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 in Family Housing only by the authorized occupant and in Unaccompanied Personnel Housing only by the assigned permanent party occupants, E-7 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, crossbows, 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.

## **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 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.

  
HOLLIE J. MARTIN  
COL, LG  
Commanding

## **Appendix A References**

### **Section I Publications**

AR 190-11 – Physical Security of Arms, Ammunition, and Explosives, dated 05 September 2013.

AR 190-45 – Law Enforcement Reporting, dated 27 September 2016.

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

10 U.S.C. § 2579 – War Booty: procedures for handling and retaining battlefield objects, effective 30 November 1993.

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 – as amended by Section 1057, National Defense Authorization Act for FY 2013.

Law Enforcement Officers Safety Act (LEOSA) as amended by Section 1089, National Defense Authorization Act for FY 2013.

### **Section II Forms**

DES Form 694 (Military Personnel Weapons Registration), R-May 2018

DES Form 694-1 (Civilian Personnel Weapons Registration), R-Apr 2018

DES Form 694-2 (Weapons Registration Continuation Form), Apr 2018

## **Glossary**

### **Section I Abbreviations**

**ALARACT**  
All Army Activities (distribution)

**ALERTS**  
Army Law Enforcement Reporting and Tracking System

**AR**  
Army Regulation



**CASCOM**

U.S. Army Combined Arms Support Command

**CG**

Commanding General

**DA**

Department of the Army

**FY**

Fiscal year

**GC**

Garrison Commander

**IAW**

In accordance with

**LEOSA**

Law Enforcement Officers 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 10 U.S.C § 2579 procedures for handling and retaining battlefield objects.



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UNITED STATES ARMY COMBINED ARMS SUPPORT COMMAND  
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ATCL-SJA-AL

14 January 2019

MEMORANDUM FOR Mr. Tony Dewitt, Director, Directorate of Emergency Services,  
U.S. Army Garrison – Fort Lee, Fort Lee, Virginia 23801

SUBJECT: Legal Review of Changes to Fort Lee Regulation 190-2, Possession, Use,  
Transportation, and Security of Privately Owned Weapons (POW)

1. This memorandum responds to a request for legal review of proposed changes to Fort Lee Regulation 190-2, Possession, Use, Transportation, and Security of POWs, 12 June 2018. Contingent upon the removal of references to ALARACT 063-2013, Control and Reporting of Privately Owned Weapons, 25 March 2013, there is **no legal objection** to the proposed draft. Additional recommendations are included in Track Changes in the enclosed document.
2. ALARACT 063-2013 contained language regarding four exceptions to the prohibition on the Department of Defense from "issuing any requirement, or collecting or recording any information relating to the otherwise lawful acquisition, possession, ownership, carrying, or other use of a privately owned firearm, ammunition or another weapon by a member of the armed forces not kept on a military installation." ALARACT 063-2013, para. 5(A). In turn, guidance regarding these four exceptions was incorporated into the current version (12 June 2018) of Fort Lee Regulation 190-2 and into the draft (1 December 2018) sent for legal review.
3. After consultation with the point of contact identified in ALARACT 063-2013 (Mr. Scott Petrowski, Office of the Provost Marshal General (OPMG)), it has been confirmed that ALARACT 063-2013 is inactive and that language regarding the four exceptions has not been incorporated into other currently active Army references. However, original authority for the four exceptions can be found in the National Defense Authorization Acts for Fiscal Year (FY) 2011 and FY 2013. Accordingly, in Track Changes in the enclosed document, language regarding the four exceptions is retained, with citations to these NDAA references.
4. According to OPMG, revisions to Army Regulation (AR) 190-11, Physical Security of Arms, Ammunition, and Explosives, 5 September 2013, are currently underway. Review of Fort Lee Regulation 190-2 after finalization of the revised AR 190-11 is recommended in order to ensure ongoing legal authority and consistency.
5. This legal review is based upon the attached draft regulation dated 1 December 2018. If the facts of this request change – and for all other legal reviews – another request for legal review should be submitted.



ATCL-SJA-AL

SUBJECT: Legal Review of Changes to Fort Lee Regulation 190-2: Possession, Use, Transportation, and Security of Privately Owned Weapons (POW)

6. The point of contact for this memorandum is the undersigned at (804) 765-1544 or elizabeth.a.shirey5.mil@mail.mil.

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Encl

ELIZABETH A. SHIREY  
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