

**Detailed Summary for Commanders, First Sergeants,  
Armorers, and Other Personnel.**

**Domestic Violence Amendment to the Gun Control Act of 1968  
(Lautenberg Amendment) AR 600-20, 4-23**

1. **General.** The Domestic Violence Amendment to the Gun Control Act of 1968 (Section 922, Title 18, United States Code (18 USC 922)), the Lautenberg Amendment, makes it unlawful for any person to transfer, issue, sell or otherwise dispose of firearms or ammunition to any person whom he or she knows or has reasonable cause to believe has been convicted of a misdemeanor crime of domestic violence. It is also unlawful for any person who has been convicted of a misdemeanor crime of domestic violence to receive any firearm or ammunition that has been shipped or transported in interstate or foreign commerce. This chapter applies to all Soldiers throughout the world, including those in hostile fire areas.

2. Crime of domestic violence. An offense that involves the use or attempted use of physical force, or threatened use of a deadly weapon committed by a current or former spouse, parent, or guardian of the victim; by a person with whom the victim shares a child in common; by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian; or by a person who was similarly situated to a spouse, parent, or guardian of the victim. Persons who are similarly situated to a spouse include two persons who are residing at the same location in an intimate relationship with the intent to make that place their home.

3. All Soldiers who have a qualifying conviction are notified that it is unlawful to possess, ship, transport, or receive firearms and ammunition as prohibited in this regulation.

4. Qualifying conviction. A state or federal conviction for a misdemeanor crime of domestic violence and any general or special court-martial for an offense that otherwise meets the elements of a crime of domestic violence, even though not classified as a misdemeanor or felony. A qualifying conviction does not include a summary court-martial conviction or the imposition of nonjudicial punishment under Article 15, UCMJ. By DOD policy, a state or Federal conviction for a felony crime of domestic violence adjudged on or after 27 November 2002, will be considered a qualifying conviction for purposes of this regulation and will be subject to all the restrictions and prohibitions of this regulation.

5. Soldiers have an affirmative, continuing obligation to inform commanders or supervisors if they have, or later obtain, a qualifying conviction and that the revised DD Form 2760 (Qualification to Possess Firearms or Ammunition) will be made available to

those Soldiers who come forward to report a qualifying conviction in compliance with their obligation to do so.

6. Neither the information nor evidence gained by filling out the DD Form 2760 may be used against soldiers in any criminal prosecutions for a violation of 18 USC 922, including prosecutions under the [UCMJ](#), based on a violation of 18 USC 922 for conduct that occurred prior to the completion of the DD Form 2760. Company and battery-level commanders will collect completed DD Form 2760 and file it in the Soldier's local military personnel file in accordance with [AR 600-8-104](#) and [AR 25-400-2](#).

7. A commander at any level may initiate the investigation by ordering the Soldier to complete DD Form 2760. Soldiers who have or may have a qualifying conviction should be referred to a legal assistance attorney. A legal assistance attorney will also be available to assist the Soldier in seeking expungement of a qualifying conviction or a pardon.

8. If a commander knows or has reasonable cause to believe that a Soldier has a qualifying conviction, then he or she will immediately retrieve all government-issued firearms and ammunition and advise the Soldier to consult with a legal assistance attorney for guidance on lawful disposal or sale of any privately owned firearms and ammunition. Individuals with qualifying convictions are exempt from weapons qualification in accordance with [AR 350-1](#) and will not be assigned individual weapons or ammunition.

9. Commanders must detail soldiers whom they have reason to believe have a qualifying conviction to meaningful duties that do not require bearing weapons or ammunition. Commanders may reassign soldiers to local table of distribution and allowances unit positions that deny them access to weapons and ammunition. Commanders will not appoint or assign soldiers with qualifying convictions to leadership, supervisory, or property accountability positions that would require access to firearms or ammunition.