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DEPARTMENT OF THE AIR FORCE 733D MISSION SUPPORT GROUP JOINT BASE LANGLEY-EUSTIS VA

28 November 2022

OFFICE OF THE COMMANDER

MEMORANDUM FOR ALL 733D MSG PERSONNEL AND TENANT UNITS

SUBJECT: REGISTRATION, POSSESSION, TRANSPORTATION, PURCHASE, STORAGE, AND USE OF PRIVATELY OWNED WEAPONS AND AMMUNITION

1. **Applicability.** This policy applies to all individuals who enter, transit, or remain on Joint Base Langley-Eustis, Fort Eustis (JBLE-E) with a privately owned weapon (POW). Federal and State Law still apply, in addition to Air Force Policy.

2. References.

- a. Department of Defense Manual 5100.76, 5 October 2020
- b. Air Force Manual 31-101, Volume 2 Supplement, 20 February 2020
- c. Joint Base Langley-Eustis Integrated Defense Plan, 21 December 2021
- d. AR 190-11, Physical Security of Arms, Ammunition, and Explosives, 17 January 2019
- 3. **Purpose.** This policy prescribes requirements for the possession and registration of POWs on JBLE -E and provides information on State and local laws pertaining to the ownership and possession of weapons in the State of Virginia. A copy of this policy is to be placed on all unit and activity bulletin boards on JBLE-E.

4. Responsibilities.

- a. The 733d Mission Support Group (MSG) Commander (Garrison Commander) has the responsibility to regulate privately owned firearms, explosives, and ammunition on JBLE-E.
- b. Commanders are responsible for the control of POWs within their respective units/unit area and compliance of assigned/attached personnel.
 - c. 733d Security Forces Squadron (SFS), provides for weapons registration and compliance.
- d. The Staff Judge Advocate is responsible for ensuring this policy is in accordance with applicable federal, state, and local laws and regulations.
- e. All individuals with POWs on JBLE-E will comply with this regulation. Possession of POWs on JBLE-E is a privilege that can be revoked by the MSG Commander upon information

such as domestic violence conviction triggering the Lautenberg Amendment, concern about health and safety of Service Members or Family Members.

5. **Violations.** The provisions of this regulation pertain to all persons assigned to, in temporary duty status, visiting, or employed on JBLE-E and their dependents or guests. In addition, all persons, including those specified above, who transport a POWs onto JBLE-E are subject to appropriate State and Federal Statutes. An active-duty military member found in violation of this policy is subject to administrative and/or judicial action under the Uniform Code of Military Justice. Other persons are subject to administrative actions or prosecution in federal court under federal law.

6. Registration policy/Lautenberg Amendment.

- a. The Commonwealth of Virginia does not require registration of privately owned weapons unless it's a fully automatic firearm (machine gun) per Code of Virginia § 18.2-295. Registration of all POWs is required on JBLE-E.
- b. All personnel regardless of status who reside on the installation must register their weapon(s) with Fort Eustis Police within 72 hours of arrival to the installation.
- c. All personnel who enter, visit, or transit JBLE-E, regardless of their status; military members, Department of Defense employees, family members, retirees, contractors, etc. who are not affiliated with JBLE-E who desire to maintain or transport a POW on this installation will register the weapon(s) at the Fort Eustis Police Station (bldg. 648) prior to bringing the weapon onto the installation.
- d. POWs will be registered by completing JBLE Form 1019 and DD Form 2760. Do not bring weapons to the Fort Eustis Police Station. Forms can be digitally downloaded from: https://jble.isportsman.net/Weapons%20Registration.aspx.
- e. Soldiers and Family Members requesting registration are required to have the Soldier's unit commander complete and sign the unit commander's portion of this form. Officers in pay grade O-5 and above, Warrant Officers CW4 and above, enlisted personnel in pay grade E-8 and above, retired military personnel, and civilian personnel do not require commander's approval and may self-approve the registration form. Authorized dependents will require the approval of the active duty member's commander.
- f. If a person is found to be in violation of this policy and has an "unregistered" POW in their possession, the weapon will be confiscated by the Military Police and the individual will be issued a citation. Once the weapon has been properly registered, and proof has been provided to the Military Police, the weapon will be returned to the owner.
 - g. The registration of POWs by person(s) described below is prohibited—

- (1) Any person convicted of a felony (The Federal Gun Control Act of 1968, as amended in 1996).
- (2) Any person convicted in any court of a misdemeanor crime of domestic violence or a felony (the Lautenberg Amendment to the Federal Gun Control Act of 1968, as amended in 1996). The Amendment—
- (a) Makes it a felony for any person to sell or otherwise dispose of weapons 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.
- (b) 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.
 - (3) Any person who is a fugitive from justice.
- (4) Service Members that Commanders have deemed as "HIGH RISK" because the Commander reasonably believes that he/she is a danger to self and/or others.
- (5) Any person who is presently declared as mentally incompetent by a court of competent jurisdiction and/or a mental health physician OR who is presently committed to any mental institution.
- (6) Any civilian or Family member under the age of 18 is prohibited from the use of weapons, unless accompanied and supervised by a parent or legal guardian over the age of 18.
- h. Registration required. The following items, not falling within the definition of prohibited weapons (see paragraph 10), are authorized to be brought onto the installation and must be registered:
 - (1) Shotguns.
 - (2) Rifles.
 - (3) Handguns.
 - (4) All war trophy weapons.
 - (5) Antique and replica firearms with operational firing mechanisms.
- (6) Fully automatic weapons if properly registered with the Bureau of Alcohol, Tobacco, and Firearms, US Department of Treasury.
 - (7) Curios and relics (such as shot pistols).
 - (8) Shoulder stocked pistols and revolvers.
 - (9) Muzzle loading weapons.
 - (10) Black powder/privately owned weaponeer guns.
 - (11) Bows/crossbows

- i. Registration not required. The following types of weapons do not require registration:
 - (1) Air rifles, air pistols, BB, pellet, and dart guns.
 - (2) Hatchets, knives, daggers, spears, or similar instruments with a blade or cutting edge.
 - (3) Sling shots.
 - (4) Boomerangs.
 - (5) Spear guns or similar devices.
- j. Registration procedures.
- (1) POWs are registered at the Fort Eustis Police in person. Email registration is not authorized due to identity proofing requirements. Individuals may opt to complete the worksheet prior to physically going to the gate. To do so, completion of the electronic form is required and can be found at the following website: https://jble.isportsman.net/Weapons Registration.aspx.
- (2) WEAPONS ARE NOT REGISTERED ON JBLE-E UNTIL THE REGISTRANT HAS A SIGNED AND STAMPED COPY OF THE REGISTRATION FORM IN THEIR **POSSESSION**. The information provided is used to specify the authorized storage location (address) of the weapon, provide the owner proof of registration, and provide commanders with a record of assigned or attached personnel who have registered a POW on the installation. An expiration date (not to exceed 3 years) will be established at the time of registration. The electronically generated form will be retained by the individual registering the weapon and must be maintained with the weapon at all times.
- (3) When individuals out-process from the installation or when a weapon is traded, sold, or otherwise disposed of, the registrant must return the electronically generated form to the Police Station. Additionally, the Police Station must be notified, in person, any time information on the registration form changes (i.e. address change or transfer of ownership) to ensure accurate information is maintained in the database.

7. Storage.

- a. Unit Commanders will—
- (1) Store POWs of Service Members residing in the barracks in the unit arms room or storage may be secured off installation. Storage location is listed on registration forms when Service Members live in the barracks.
- (2) Conduct inventories and storage of POWs in unit arms rooms. This will be conducted under the same criteria required with military weapons. This also applies to privately owned ammunition.

- (3) Ensure that Service Members or Family Members who reside on the installation register their POWs.
- (4) Verify proof of legal ownership of firearms and that the individual is not prohibited from owning a firearm.
- (5) Approve all requests, in writing, and forward the approval to the appropriate installation law enforcement or physical security organization responsible for firearms registration. This approval will also document that the Service Member or Family Member received appropriate safety training on the use and storage of the weapon and is knowledgeable of Federal, state, or local laws, or ordinances concerning firearms possession, use, and transportation.
- (6) Establish limits on the quantity and type of privately owned ammunition stored in the arms room based upon availability of space and safety considerations.
- (7) Ensure that inspections are conducted in accordance with applicable policy or regulation to ensure proper storage and control.
- (8) Post applicable local regulations and state and local law information on ownership, registration, and possession of weapons and ammunition on unit bulletin boards.
- (9) Brief all newly assigned persons on this policy and all additional command guidance. All personnel will be made aware of changes.
- (10) Provide written authorization (from the Commander or designated representative) prior to the weapons being withdrawn from the arms room which states the date and time the weapon(s) is/are withdrawn and returned from/to the arms room. DA Form 3749 (Equipment Receipt), DA Form 2062, or similar forms will be used to receipt for the weapon withdrawn from the arms room. Unit policies will direct that the commander be notified immediately of any discrepancies in the date(s) and time(s) of withdrawal and return.
- (11) Establish detailed policies to provide Service Members access to their weapons for authorized activities during off-duty time and facilitate compliance with this regulation. Units which do not have arms rooms will enter into a written agreement with a unit maintaining an arms room to meet this provision.
 - b. Under no circumstances will POWs be taken to or maintained within the barracks area.
- c. The storage of POWs on-post in family, bachelor, officer, or NCO quarters (excluding those located in barracks) is authorized provided they have permission from their Commander and that appropriate safety and security measures are applied. Commanders are responsible for ensuring that Service Members who are authorized to store weapons in quarters are properly educated on how to secure and maintain their POWs. This should be accomplished by a physical

inspection by the Commander. The following safety measures are recommended to safely secure POWs:

- (1) Store weapons unloaded and separated from ammunition. Ammunition should be stored in a separate locked container.
 - (2) Keep weapons out of reach or access to minor children.
- (3) Store weapons in a locked gun cabinet and/or closet with a trigger lock or other locking mechanism.
- d. POWs and ammunition will not be stored in vehicles unless authorized under DoDD 5210.56, Section 4.
- e. Motor Homes and RVs that are inhabited and stationary in approved locations on the installation are considered Quarters and are authorized to have weapons and ammunition.
 - f. POW's and ammunition will not be taken to or maintained in JBLE-E work areas.
- 8. **Off Installation Registration.** In accordance with Public Law 111-383, section 1062, commanders shall not require the registration of POWs by Service Members or DoD civilian employees who lawfully maintain their POWs off post, nor shall commanders issue any requirement relating to the lawful acquisition, possession, ownership, carry, or use of a POW or privately owned ammunition by a Service Member or DoD civilian employee while off post. However, nothing in the regulation shall be construed to prohibit or limit the authority of commanders and DoD law enforcement agencies to create and maintain records pertaining to weapons and ammunition maintained off post by Service Members or DoD civilian employees when said records relate to an investigation, prosecution, or adjudication of an alleged violation of law or regulation, or when said records relate to matters where a Service Member is reasonably believed to constitute a threat to them self or others (see Public Law 111-383, section 1062).

9. Transportation of Privately Owned Weapons (POW).

- (1) POWs transported in vehicles will be placed unloaded in a holster, case, or scabbard and secured in the vehicle trunk, luggage compartment, locked compartment or placed in plain view, if the vehicle is not equipped with these storage areas. Ammunition will be transported in a separate container than the weapon(s) in a location where both the POW(s) and ammunition are not within reach of the driver and/or passengers. Motorcyclists may transport unloaded weapons in a holster.
- (2) POWs on persons will be carried unloaded, except while actually hunting, or within the confines of an established shooting range. Weapons will not be concealed in any manner, regardless of whether a State or County permit has been obtained. Carrying a weapon in

a holster, scabbard, or other carrier which makes it recognizable as a weapon is not considered concealed. No POWs will be loaded, unloaded, fired, or otherwise used in housing, troop buildings, parks, or picnic areas. In addition, no POWs will be loaded, fired, or otherwise used at any other location on the installation except in connection with officially sanctioned hunting or range firing.

- (3) Carrying of firearms by an officer, agent, or employee of a federal agency, a state, or a political subdivision thereof while in an on-duty status, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law is allowed. Personnel who perform law enforcement duties in an off-duty status are not authorized to possess a firearm on a military installation unless approved by the ABW/CC.
- 10. **Prohibited weapons.** The following are prohibited weapons. However, this is not an allinclusive list:
- a. Any item or explosive device which cannot be possessed lawfully under Federal or State law is prohibited on JBLE-E.
- b. Any firearm capable of shooting more than one shot automatically, without manual reloading, by a single function of the trigger. An exception would be if such firearm is registered in the national firearms registry and transfer records of the US Treasury Department or is classified as a curio or relic by the US Treasury Department.
- c. Any rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any firearm made from a rifle or shotgun which, as modified, has an overall length less than 26 inches unless such firearm is registered in the national firearms registry and transfer records of the US Treasury Department or is classified as a curio or relic by the US Department of Treasury.
 - d. Any prohibited item listed in the Code of Virginia.
- e. Any item (other than commercial firearms) that is, by design for its intended purpose, is to cause grievous bodily harm or is lethal in its intended use.
- f. Any culmination of items that can be designed to explode or used as dangerous burning devices, to include dynamite, TNT, primer cord, blasting caps, firecrackers, fireworks, roman candles, skyrockets, torpedoes, cherry bombs, grenades, mines and bombs; the possession of which is not required in the performance of official military duties.
- 11. Authorized locations of use. All weapons listed in paragraphs 6.g.(7) and (8) will only be used in authorized hunting areas, training areas, or ranges.
- 12. Limitation of Purchases by Students in Training. A Service Member who is present for duty at JBLE-E because of Temporary Duty, Active Duty for Training, temporary orders,

Advanced Individual Training, Officer Basic Course, or NCOEs shall not purchase a firearm at the Fort Eustis Post Exchange. AAFES staff shall not transfer a firearm to these Service Members unless presented with a valid waiver memorandum signed by the company commander. Violation of this rule by a Service Member is punishable under the UCMJ.

- 13. **New firearms purchase at AAFES.** AAFES Staff will inform firearms customers who do not reside on JBLE-E (military or civilian) that they must remove from the installation a firearm purchased at the Exchange. The purchaser may not bring the firearm back on post without first registering the firearm. If the non-resident is stopped by the military police on the way out of the installation, the non-resident shall present a receipt of sale bearing the same date. Violation of this rule by a Service Member is punishable under the UCMJ.
- 14. **Violations.** An active-duty military member found in violation of this regulation is subject to administrative and/or judicial action under the Uniform Code of Military Justice. Other persons are subject to administrative actions or prosecution in federal court.
- 15. The proponent for this policy letter is the 733d Security Forces Squadron (Provost Marshal), at (757) 878-2948/8810.

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FRANKIE C. COCHIAOSUE, Colonel, USA Commander, 733d Mission Support Group