

HQS US Army Garrison Fort Drum, NY
Fort Drum Regulation 190-6

Military Police

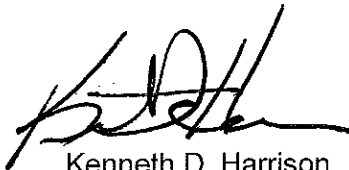
Control of Privately Owned Weapons and Ammunition

Directorate of Emergency Services
Physical Security Division
Fort Drum, NY
1 September 2018

UNCLASSIFIED

Military Police

Control of Privately Owned Weapons and Ammunition



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History. This publication is a revision. The portions affected are listed in the summary of change.

Summary. This regulation prescribes policies, responsibilities, and procedures for control of privately owned

weapons and ammunition.

Proponent. The proponent is the Directorate of Emergency Services, Physical Security Division.

Applicability. This regulation applies to all personnel, military and civilians, who utilize Fort Drum for activities involving privately owned weapons.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes

to Publications and Blank Forms) directly to Chief, Physical Security Division, Directorate of Emergency Services, ATTN: IMNE-DRM-ESP, 10715 Mt. Belvedere Blvd., Fort Drum, NY 13602.

Distribution. This publication is distributed through the following Fort Drum website:
Fort Drum Intranet Portal:
<https://portal.drum.army.mil/docs/default.aspx>.

Restrictions. There are no restrictions.

SUMMARY of CHANGE

HQS US Army Garrison Fort Drum Regulation 190–6
Control of Privately Owned Weapons and Ammunition

This revision, dated 1 September 2018

- Changes the title to Control of Privately Owned Weapons and Ammunition.
- Adds paragraph 1-5 that defines Authorized Privately Owned Weapons.
- Adds paragraph 1-6 that designates Weapons that Require Registration.
- Replaced Central Operation Police Suite (COPS) with Army Law Enforcement Reporting and Tracking System (ALERTS). (para 2-3b)
- Requires pellet firing weapons with a muzzle velocity of 600 FPS or more are required to be registered on post. All other air powered weapons do not need to be registered on post. (Modern pellet firing weapons can produce the same energy as a .22 rifle) (para 3-3c)
- Adds personnel hunting in training areas are not required to register their weapons, unless they reside on post. All hunters must abide by state laws for ownership, transportation, use and requirements outlined in Fort Drum Regulation 420-3, Management of Natural Resources -- Hunting, Fishing, & Other Outdoor Recreation. (para 3-1b)
- Adds any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition. (para 3-7a(9))
- Corrects formatting, general grammatical and typographical errors throughout.

Chapter 1 Introduction

1-1. Purpose

This regulation prescribes policies, responsibilities, and procedures for registration and control of privately owned weapons and ammunition on the Fort Drum military installation.

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of Abbreviations and Terms

Abbreviations and terms used in this regulation are explained in the glossary.

1-4. Records Management

Records created because of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2 and DA Pam 25-403. Record titles and descriptions are available on the Army Records Information Management System website (<https://www.arims.army.mil>).

1-5. Authorized privately owned weapons

Firearms (cartridge firing or muzzle loading rifles, shotguns and handguns), BB guns, AirSoft guns, air pistols, pellet guns, paint ball guns, target and hunting bows, crossbows, spear guns, other projectile throwing devices, and other weapons legally acquired by military or civilian personnel in compliance with federal, state, and local law. These weapons are authorized for ownership, but their registration, storage, transportation, and use are subject to the provisions of this regulation.

1-6 Weapons that Require Registration

Any cartridge firing or muzzle loading rifle, shotgun, handgun (pistol or revolver), pellet firing rifles or handguns with muzzle velocity of 600 FPS or higher and cross bows.

Chapter 2 Responsibilities

2-1. Senior Commander (SC)

The Senior Commander will establish procedures and publicize punitive policies that regulate privately owned weapons, explosives, and ammunition on the Fort Drum military installation.

The policies will cover:

- a. Registration of weapons belonging to personnel living on the installation and registration of weapons by personnel who bring them onto the installation for the purpose of engaging in authorized activities.
- b. Procedures for carrying weapons by an officer, agent, or employee of a federal agency, a state, or a political subdivision thereof, while in an on-duty status that is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law. Personnel who perform law enforcement duties in an off-duty status are not authorized to possess a weapon on an Army installation.
- c. Identification of prohibited weapons.
- d. Requirement for all Soldiers and Family members to comply with federal, state, and local laws and regulations on ownership, possession, registration, off-post transport, and use of weapons.

2-2. Garrison Commander (GC)

The Garrison Commander will—

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Glossary

***This regulation supersedes HQS US Army Garrison Fort Drum Regulation 190–6, dated 15 August 2016.**

- a. Support the Arms, Ammunition, and Explosives (AA&E) Physical Security (PS) program according to prescribed responsibilities in AR 190–13, AR 190–11, and this regulation.
- b. Apply enough human resources and funds to AA&E PS programs at all levels.
- c. Support the SC in implementing policies that regulate privately owned weapons, explosives, and ammunition on the installation.
- d. Have delegated authority from the SC to approve personnel other than on-duty law enforcement personnel to physically wear or have on one's person (i.e., holster, pocket, in the belt, shoulder, backpack, etc.) a handgun while on the Fort Drum Cantonment area.

2-3. Directorate of Emergency Services (DES)

The Directorate of Emergency Services will–

- a. Provide the registration point for authorized privately owned weapons that are brought onto, stored, or purchased on the Fort Drum military installation.
- b. Provide all weapons registrants with Fort Drum Private Weapons Registration Card, Fort Drum (FD) Form 605, or the computer generated Army Law Enforcement Reporting and Tracking System (ALERTS) registration form upon completion of registration.
- c. Enforce the provisions of this regulation concerning the use, transportation, and security of privately owned weapons and ammunition.
- d. Provide temporary storage of privately owned weapons of newly assigned Soldiers to the Fort Drum military installation for a period not to exceed 72 hours.

2-4. Unit Commanders

Unit Commanders will–

- a. Provide security and accountability of all authorized privately owned weapons and ammunition within their command as required by AR 190–11, paragraph 4-5.
- b. Enter into a Memorandum of Agreement with another commander to provide storage of privately owned weapons and ammunition when the assigned organization does not have an arms room.
- c. Brief all assigned personnel on this regulation and subordinate command guidance. All personnel will be kept aware of changes.
- d. Verify the individual is not prohibited from owning a firearm.
- e. Approve requests to register privately owned weapons, in writing, on FD Form 601-E.
- f. Conduct inspections of unit areas to ensure health and welfare or unit readiness, to include inspection for prohibited or unregistered weapons, and that proper weapon storage and control procedures are established and are being accomplished. Unauthorized weapons found during these inspections will be seized and released to the DES, Law Enforcement Division. Once disposition of an alleged offense has been made by the appropriate authority, such weapon(s) will normally be returned to the rightful owners subject to the control imposed by this regulation or other competent directive unless the weapon is contraband or a prohibited weapon under this regulation, state or federal law (e.g., sawed-off shotgun, silencers, grenades). In the latter case, the weapon will be destroyed in accordance with local policy. Unclaimed weapons will also be disposed of in accordance with local policy.
- g. Seek advice of the Staff Judge Advocate office prior to taking any action or collecting of information concerning privately owned weapons stored off-post.

2-5. Individuals

Individuals will–

- a. Ensure that all authorized privately owned weapons are properly stored.
- b. Retrieve all firearms stored in the DES arms room within 72 hours of placing there for safeguarding.
- c. Submit request to the unit commander to register privately owned weapons utilizing FD Form 601-E.

- d. Properly register all weapons required by this regulation with the DES.
- e. Retain Fort Drum Private Weapons Registration Card, FD Form 605, or computer generated ALERTS registration form on their person while engaging in authorized activities.
- f. Present FD Form 605 or computer generated ALERTS registration form to Access Control Point Security as validation that weapons have been registered. Personnel without this documentation and possessing a weapon will not be authorized to bring the weapon on the installation.
- g. Ensure proper supervision of minors when using or near weapons.
- h. Turn over all handguns (i.e. muzzle loading or cartridge-firing pistols and revolvers for storage into unit arms rooms or storage by a licensed dealer within 24 hours of arriving on the installation unless in possession of a valid New York State (NYS) Pistol License (NYS Penal Law, Section 400.00) and authorized to store in quarters. Possession of a pistol or revolver without a license is a criminal offense (NYS Penal Law, Section 265) and is punishable under Article 134, UCMJ. A pistol permit is required for a muzzle loading pistol or revolver if the weapon is for actual use.
- i. Clear weapons from DES registration upon PCS/ETS departure from Fort Drum or when they no longer legally own or possess the weapon.

Chapter 3

Policies and Procedures

3-1. Registration

- a. All personnel, Soldiers, and Family members, residing on the Fort Drum military installation must register all privately owned weapons in their possession within 72 hours of permanent unit assignment or acceptance of installation housing.
- b. All personnel bringing weapons onto Fort Drum and WSAAF main cantonment areas for the purpose of engaging in authorized activities such as skeet shooting and marksmanship events must first register their weapons prior to bring them on the installation. Personnel bringing weapons for the purposes of hunting are restricted to the training areas east of NYS 26 and are not permitted at any time within the Fort Drum/WSAAF main cantonment areas. Personnel hunting in training areas are not required to register their weapons, unless they reside on post. All hunters must abide by state laws for ownership, transportation, use and requirements outlined in Fort Drum Regulation 420-3, Management of Natural Resources -- Hunting, Fishing, & Other Outdoor Recreation.
- c. Military personnel with privately owned firearms may temporarily store them at the DES arms room in Building 10715, not to exceed 72 hours, if the below prerequisites have been met:
 - (1) They have not been assigned to a unit.
 - (2) They arrive after duty hours and their unit of assignment arms room is closed.
- d. Desk sergeant will receive the weapon(s)/ammunition on DA Form 4137 (Evidence/Property Custody Document).
- e. Soldiers who receive handguns in their household goods or hold baggage must immediately place the weapon in the unit arms room or store it at the DES, not to exceed 72 hours.
- f. Firearms not retrieved within this timeframe will be considered abandoned property and may be disposed of as such.
- g. Any firearm, crossbow or pellet firing weapon, (with a muzzle velocity over 600 FPS), purchased through AAFES at the Post Exchange must be registered at the DES prior to the individual taking possession of the firearm.
- h. Weapons are registered by completing and submitting FD Form 601-E (Registration of Personal Firearm or Weapon), with the unit commander's approval, if a Soldier or Family member. The FD Form 601-E is currently available at the DES Desk or on the portal: <http://fortdrum.isportsman.net>.

- i. There are two ways to register weapons:
 - (1) Complete FD Form 601-E, print it, physically sign on page 2 (registrant and commander), and then turn-in at the DES desk sergeant window.
 - (2) Complete FD Form 601-E, electronically sign the form on page 2 (registrant and commander), and then email the form to: usarmy.drum.imcom.mbx,des-mp-desk@mail.mil. Allow 48 hours for processing.
 - a. When the weapons have been registered, the DES will issue a Private Weapons Registration Card (FD Form 605) or computer generated ALERTS registration form to the individual to retain as verification that the weapons have been properly registered. These form(s) must be picked up in person at the MP Station, building 10715, and will have a raised seal to verify authenticity.
 - b. It is prohibited to collect information regarding weapons that are stored off-post by Soldiers, unless a Soldier is under investigation, prosecution, or adjudication of an alleged violation of law.

3-2. Control and Security

- a. All military and civilian personnel entering the installation will deposit, store, safeguard, and control privately owned weapons and ammunition under the provisions of AR 190-11, paragraph 4-5, except as specified in paragraphs 3-2b and 3-2c below.
- b. Individuals occupying on-post Family quarters, Bachelor Officer Quarters (BOQ), Visiting Officer Quarters (VOQ), Bachelor Enlisted Quarters (BEQ), or Senior Enlisted Bachelor Quarters (SEBQ) may retain authorized privately owned weapons and ammunition in their quarters. Weapons should be secured in a locked container. Ammunition and bolts/arrows should be stored in a locked metal container separately from weapons. No cartridge-firing/muzzle loading handgun may be kept in quarters, unless the owner is in possession of a valid NYS Pistol License. Unlicensed owners may store such handguns in their unit arms rooms or with a licensed firearms dealer.
- c. Personnel residing in unit billets will store weapons, ammunition, and other authorized weapons in their unit's designated arms room. The keeping or storage of weapons, ammunition, and other weapons (i.e. crossbow/compound bow/recurve bow) in individual barracks rooms or in privately owned vehicles on the installation is strictly prohibited.
 - (1) Weapons will be stored in the unit arms room IAW AR 190-11, paragraph 4-5. Weapons, other than firearms, will be secured by the unit in a locked metal container. Other weapons may be stored in a supply-type facility provided the items are stored in separate secure containers designed for the purpose of securing such weapons and proper accountability and control procedures are used. Issue procedures will be developed for these items to include sign out/ sign in procedures and the maintenance of key control records.
 - (2) Commanders shall require charge of quarters/staff duty personnel to be knowledgeable of non-duty hours unit storage procedures for privately owned weapons and ammunition, which must include securing all weapons and ammunition in an approved arms storage room. Those weapons or ammunition purchased on the weekend or holiday must be capable of being stored in an approved arms room or approved storage area prior to the Soldier taking custody of the weapon and/or ammunition.

3-3. Air Powered Weapons

- a. Paint-ball markers, SIMUNITION type guns, air rifles, air pistols, air soft, BB guns, or pellet firing devices may be used for target practice in authorized target/range areas.
- b. Firing these weapons is PROHIBITED in on-post housing areas and barracks.
- c. Pellet firing weapons with a muzzle velocity of 600 FPS or more are required to be registered on post. All other air powered weapons do not need to be registered on post. (Modern pellet firing weapons can produce the same energy as a .22 rifle.)
- d. Personnel living in the barracks will store these items in the arms room subject to the same controls as other weapons.

e. Minors will be accompanied by/supervised by a parent or legal guardian when in possession or using any air powered weapons.

3-4. Bows, Arrows, Crossbows, and Slingshots

a. Crossbows are required to be registered on post. (Modern day crossbows are capable of shooting up to 100 yards accurately)

b. Compound/recurve bows, arrows, and slingshots are not required to be registered on post.

c. **Prohibited from use in on-post housing areas and barracks.**

d. Personnel living in the barracks will store these items in the arms room subject to the same controls as other weapons/firearms.

3-5. Use and Transportation

a. Individuals are not authorized to carry on their person (i.e., holster, pocket, in the belt, shoulder, backpack, etc.) any privately owned weapon unless actively engaged in activities identified in paragraph 3-5b(1)-(4) below.

b. Authorized privately owned weapons, including but not limited to firearms, pellet guns, paint ball markers, AirSoft guns, BB guns, crossbows and compound/recurve bows will not be transported or used on the military installation except for the following purposes:

(1) Purchase, repair, sale, or shipment.

(2) For target practice or shooting on authorized ranges or elsewhere when approved by the person in charge of the range or site. **At no time will any type of privately owned weapon be discharged or fired in any on-post housing or barracks areas.**

(3) For lawful hunting on Fort Drum in authorized areas when in possession of a valid New York hunting license and valid installation recreation permit and access pass. See Fort Drum Regulation 420-3.

(4) For lawful hunting off post when in possession of a valid hunting license.

(5) By civilian and military personnel when in the performance of official duty and authorized by competent authority.

c. Weapons transported pursuant to paragraphs 3-5b(1) through (4) will be cased, unloaded, and will not be left unattended at any time. At no times are weapons authorized to be loaded unless actively engaged in hunting or target shooting.

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

e. The borrower of an authorized privately owned firearm, when in possession of another's firearm, must also possess a copy of the owner's evidence of registration (FD Form 605/ALERTS Printout) and the owner's written permission to use the firearm. **It is the firearm owner's responsibility to ensure that the person borrowing the firearm is not restricted from owning/possessing firearms in accordance with federal and/or state law.**

f. When an individual does not possess a valid New York Pistol License and is attempting to leave Fort Drum the individual may retain the services of a registered gun dealer at the individual's expense to receive the handgun from the arms room for the purpose of shipping to the state or country of the individual's destination. The individual may have the handgun shipped with household goods but must first coordinate with the Logistics Readiness Center and the carrier to ensure the carrier is aware that firearms will be in the shipment. If the firearms are going to a state that requires a permit, it is the individual's responsibility to obtain a permit before shipment of the weapon occurs.

3-6. Concealed Weapons

a. The possession of any weapon or dangerous instrument with intent to use the same

unlawfully against another is prohibited. Weapons/firearms may only be carried upon the person or in the passenger compartment of a motor vehicle as otherwise provided in this regulation. Folding knives with a blade longer than 3 inches are prohibited if they are carried on the person in such a way as to hidden from ordinary view. A folding knife is not hidden from ordinary view if it is in a sheath commonly attached to belt, in a secured pocket, or carried inside a backpack or similar luggage.

b. Local, state, military police, and DA civilian law enforcement officers may carry concealed weapons while performing official duties. The carrying of concealed weapons by other personnel, to include off-duty law enforcement officers, is prohibited unless approved by the GC.

c. If otherwise authorized by law, possession of a NYS concealed weapon's license WILL NOT authorize the carrying of a concealed weapon on Fort Drum.

d. Carrying a straight razor concealed upon the person or concealed in the passenger compartment of a vehicle is prohibited unless:

(1) The razor is in the original sealed package and being transported home after purchase or returned for exchange or credit, accompanied by a sales slip or receipt.

(2) The razor is packed in a shaving kit or other baggage.

3-7. Prohibited Weapons

a. The following articles are defined as dangerous weapons or material, the possession, sale, or manufacture of which by military or civilian personnel is strictly prohibited, except as required by official duty as indicated in paragraph 3-5b(5) above.

(1) Any knife commonly referred to as a switchblade, dagger, double-edged knife, gravity knife, metal knuckle knife, or pilum ballistic knife.

(2) Any explosive or incendiary device.

(3) Any brass knuckle or any device designed to be worn or cupped in the hand while striking another individual.

(4) Any club, blackjack, slapper, sap, nunchucks, police nightstick, or any other device intended or designed to be used as a bludgeon, if carried upon the person, in an automobile, or if possessed in unit billets.

(5) Any shooting pen or other pressure, spring, or percussion-type device designed to appear innocuous, but manufactured for the purpose of discharging a projectile, irritant, or toxic agent. Martial arts throwing star or any other device designed to propel a harmful object or substance at another.

(6) Any sword cane.

(7) Any electric dart gun or electric stun gun.

(8) Any fully automatic weapon, rifles with barrels less than 16 inches in length, shotguns with barrels less than 18 inches in length, any pistol made from a rifle or shotgun and silencers.

(9) Any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

b. No loaded firearm will be carried, stored, kept, or transported in any vehicle, except by local, state, or federal law enforcement personnel performing official duties.

c. Firearms kept in quarters as authorized by paragraph 3-2b of this regulation will not be loaded or charged in quarters except in the event of an immediate unlawful threat to life and limb justifying the use of deadly force in self-defense of one's person or another under §35.15, 35.20, or 35.25 of the NYS Penal Code.

3-8. New York State SAFE ACT

a. It is illegal to possess any of the following weapons, unless they were registered as Assault Weapons by 15 April 2014 as required by the NY Safe Act or be permanently modified to remove the designated characteristic:

(1) Any semi-automatic rifle capable of receiving a detachable magazine and having one or more of the following features:

- (a) Folding or telescoping stock.
- (b) Protruding pistol grip.
- (c) Thumbhole stock.
- (d) Second handgrip or protruding grip that can be held by non-shooting hand.
- (e) Bayonet mount or lug.
- (f) Flash Suppressor.
- (g) Muzzle break.
- (h) Muzzle compensator.
- (i) A threaded barrel designed to accommodate a muzzle break or compensator.
- (j) Grenade launcher.

(2) Any semi-automatic shotgun having one or more of the following features:

- (a) Folding or telescoping stock.
- (b) Thumbhole stock.
- (c) Second handgrip or protruding grip that can be held by non-shooting hand.
- (d) Fixed magazine capacity in excess of seven rounds.
- (e) Ability to accept a detachable magazine.

(3) Any semi-automatic pistol having one or more of the following features:

- (a) Folding or telescoping stock.
- (b) Thumbhole stock.
- (c) Second handgrip or protruding grip that can be held by non-shooting hand.
- (d) Capacity to accept an ammunition magazine that attaches to the pistol outside the pistol grip.

(e) A threaded barrel capable of accepting a barrel extender, flash suppressor, forward hand grip, or silencer.

(f) A shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to hold the firearm with the non-trigger hand without being burned.

(g) A manufactured weight of fifty ounces or more when the pistol is unloaded.

b. Assault Weapons are no longer able to be purchased within NYS.

c. You may buy, sell, and possess any magazines that can hold up to 10 rounds, regardless of when it was manufactured.

d. Effective 15 January 2014, any magazine capable of holding more than 10 rounds must be permanently modified to prevent loading of more than 10 rounds, responsibly discarded, or sold to a dealer or an out of state purchaser.

3-9. Disposition of Abandoned Privately Owned Weapons

Soldiers living in the barracks are required to store their privately owned weapons in the unit arms rooms in approved locked containers. In some instances, the owners have abandoned these weapons. It is the unit's responsibility to dispose of abandoned privately owned weapons. In accordance with AR 190-11, all abandoned weapons will be turned into Anniston Army Depot. Prior to shipment, register the weapon in the Department of Defense Central Registry in accordance with Technical Manual 38-214. Use DD Form 1348-2 (Issue Release/Release Document with Address Label) to accomplish the supply turn-in transactions to Anniston Army Depot. Ship weapon via registered mail, return receipt requested to: 7 Frankfurt Ave, DLA Bldg. 360, Attn: Abandoned Privately Owned Weapons, Anniston, AL 36201. Prior to shipment, clear firearms from DES registry files.

3-10. Disposition of Privately Owned Weapons Seized as Evidence

a. Weapons seized as evidence by the DES will be disposed of IAW the procedures outlined in AR 195-5.

b. If IAW AR 195-5, the disposition instructions are to return the weapon to the owner:

(1) If the firearm is considered an "Assault Weapon" under §265.00 of the NYS Penal Code, the weapon must be modified to meet NYS legal requirements at the owner's expense prior to being returned to the owner.

(a) The weapon/firearm will be released to the Soldier's commander on a DA Form 4137.

(b) The unit commander will provide a copy of assumption of command orders prior to receiving the weapon/firearm.

(c) The weapon/firearm will not be released to the chain of command until a completed DA Form 4833 (Commander's Report of Disciplinary or Administrative Action) has been returned noting that action was taken.

(d) The unit commander will provide a signed memorandum acknowledging responsibility to ensure the weapon/firearm is legally modified by a gun smith to meet the standards outlined under

§265.00 of the NYS Penal Code and is NYS compliant prior to releasing the weapon from unit control.

(e) The weapon/firearm will not be released to the chain of command unless it is registered in ALERTS.

(2) If the weapon is a handgun (i.e. pistol/revolver):

(a) The handgun will be released to the Soldier's commander on a DA Form 4137.

(b) The unit commander will provide a copy of assumption of command orders prior to receiving the weapon.

(c) The handgun will not be released to the chain of command until a completed DA Form 4833 has been returned noting that action was taken.

(d) The unit commander will provide a signed memorandum acknowledging responsibility to ensure the handgun is not released from unit control until the NYS legal requirements are met.

(e) The handgun will not be released to the chain of command unless it is registered in ALERTS.

(f) If the Soldier cannot or chooses not to meet the NYS legal requirements for possession of a handgun, the Soldier may contract with a Federal Firearms Licensed (FFL) dealer to ship the handgun to his/her next duty station, or to a state where the legal requirements can be met.

(3) If the firearm cannot legally or economically be modified by a gunsmith in order to make it NYS compliant or legally and safely transported off the Fort Drum military reservation, the weapon will:

(a) Be treated as abandoned property and disposed of as such, or

(b) Be destroyed or otherwise rendered unusable with a memorandum for record attached to the DA Form 4137 stating the disposition facts of the weapon.

c. If IAW AR 195-5, the disposition instructions are to destroy the weapon, the procedures outlined in AR 195-5 will be followed.

3-11. Criminal Charges

All violations of this policy are subject to criminal charges. Civilian personnel violating the policies outlined in this regulation may be charged under United States Code, Title 18, Section 1864, Hazardous or Injurious Devices on Federal Lands, or other applicable sections of the United States Code. Soldiers violating the policies outlined in this regulation may be charged under applicable sections of the Uniform Code of Military Justice.

Appendix A References

Section I Required Publications

AR 190–11
Physical Security of Arms, Ammunition, and Explosives

AR 195–5
Evidence Procedures

New York State Penal Law Section 35
Defense of Justification

New York State Penal Law Section 265-2
Firearms and Other Dangerous Weapons

New York State Penal Law Section 400.00
Licensing and Other Provisions Relating to Firearms

Section II Related Publications

AR 25–400–2
The Army Records Information Management System (ARIMS)

AR 190–45
Law Enforcement Reporting

HQS US Army Garrison Fort Drum Regulation 420–3
Hunting, Fishing, Trapping, and Camping

USC Title 18, Section 1864
Hazardous or Injurious Devices on Federal Lands

Section III Prescribed Forms

DA Form 4137
Evidence/Property Custody Document

DA Form 4833
Commander's Report of Disciplinary or Administrative Action

Fort Drum Form 601-E
Registration of Personal Firearm or Weapon

Fort Drum Form 605
Private Weapons Registration Card

Section IV Referenced Forms

DA Form 2028
Recommended Changes to Publications and Blank Forms

Appendix B

New York State Pistol License Procedures

B-1. This appendix is applicable to all military personnel possessing personally owned handguns under the command and control of the Commander, 10th Mountain Division (Light Infantry) and Fort Drum, and civilians residing in on-post housing.

B-2. It is a crime in NYS to have a privately owned handgun on your person, in your automobile, or in your quarters, unless you have been issued a NYS Pistol License. If prosecuted in NYS court, violators may be subject to arrest, trial, and a possible conviction, which may include confinement of up to one year in jail and a \$1,000 fine as ordered by a judge. If a Soldier is prosecuted by military authorities, he or she may receive punitive or administrative penalties as deemed appropriate by his or her commander.

B-3. If living in on-post housing, and one does not possess a NYS Pistol License, the handgun(s) must be stored in the unit arms room or arrange for a licensed firearms dealer or gunsmith to pick up the handgun(s) for temporary storage until a NYS license has been obtained. Personnel residing in the barracks must keep all weapons in the unit arms room, regardless if they possess a NYS Pistol License (See AR 190–11, paragraph 4-5).

B-4. To apply for a NYS Pistol License, one must be at least 21 years of age and be physically located in NYS at the time of application. Application requirements vary from county to county. One must apply through the Sheriff's Department of the county in which they reside. Ordinarily, applicants must have references in the county in which they reside. Relatives may not be references. However, the sheriffs of Jefferson and Lewis Counties and the County Clerk's Office in St. Lawrence County have accepted local procedures for issuance of pistol licenses for military personnel. Since the application form calls for four (4) local character references and most Soldiers will not have any long-term acquaintances, copies of military records and a commander's recommendation must be submitted to establish a Soldier's character. References must be from the Soldier's chain of command when local references are not available. Soldiers may pick up application packets at their applicable licensing office and bring their completed packet to the unit commander for a letter of recommendation (approval or denial) to the Sheriff or County Clerk's Office.

B-5. Commanders should check the packet for the following:

- a. Local address (must be in the same county where applying).
- b. Age (must be at least 21).
- c. Privacy Act consent form (must be signed by the Soldier to release information).
- d. Page one of the application form (what the Soldier said about his character).
- e. ETS or loss date (no sense applying if soldier has less than 1 year left in New York).
- f. Copies of previous pistol licenses for weapons being registered.

B-6. The Soldier should provide the commander with copies of the following forms from his official military personnel file:

- a. Enlistment and re-enlistment contracts.
- b. DA Form 2-1 (Personnel Qualification Record).
- c. Joint Personnel Adjudication System security clearance verification.
- d. Other documents such as letters of recommendation, reprimands, Article 15's, etc.

B-7. Commanders must review all documentation provided by the Soldier in regards to the application. The following list illustrates some of the things to look for:

- a. Arrests or convictions.
- b. Drug and alcohol involvement.
- c. Article 15s and adverse actions.
- d. Security clearance or lack thereof.
- e. Medical profiles, specifically psychiatric history.
- f. Suspense of favorable actions.
- g. Family members, if any.
- h. MOS, past and present duty assignments.
- i. Awards and schooling.

B-8. Do not rely on information from the Soldier.

- a. Contact the personnel officer to verify that the Soldier has not omitted important documents from his packet (i.e., an Article 15 or courts martial).
- b. Request DES to conduct a previous offense records check (apprehensions, domestic disturbances, etc.).
- c. Contact the security officer to verify the degree of security clearance.
- d. Review the unit files and consult with unit NCOs.

B-9. Provide the Soldier with a letter recommending approval or disapproval of his application. Attach copies of pertinent documents from the Soldier's official military personnel file to the letter of recommendation.

B-10. Outline of commander's letters, as applicable:

- a. Address:
 - (1) Sheriff, Jefferson County, 753 Waterman Drive, Watertown, NY 13601.
 - (2) Sheriff, Lewis County, Outer Stowe Street, Lowville, NY 13367.
 - (3) St. Lawrence County Clerk Office, Pistol License Section, 48 Court Street, Canton, New York 13617.
- b. Commander's recommendation for approval or disapproval.
- c. Comments on Soldier's character. If the commander knows the Soldier, include an opinion in the letter, discuss his reputation in the unit, discuss any adverse material in his file (Article 15s, reprimands, etc.), as well as commendatory information, Family, awards, etc., to give a well-rounded picture of the Soldier.
- d. List the contacts made to obtain the information considered. Negative reports are important too (i.e., DES has nothing on file).
- e. Attach the following enclosures:
 - (1) Enlistment and re-enlistment contracts.
 - (2) DA Form 2-1 (Personnel Qualification Record) or Officer Records Brief for officers.
 - (3) Joint Personnel Adjudication System security clearance verification.
 - (4) Other documents such as letters of recommendation, reprimands, Article 15's, etc.

B-11. Notify the Soldier to pick up the packet and letter after the commander's completion and review. The Soldier will then file the application at the appropriate location as indicated in paragraph 10a above.

B-12. For any questions, contact your local Sheriff's Department or County Clerk's Office, if residing in St. Lawrence County.

B-13. An individual transporting a handgun in NYS without first obtaining a license has committed a felony punishable with a heavy fine and imprisonment. However, there is no guarantee NYS will approve every license application. To avoid a problem of having an

unregistered handgun or having to store the weapon with a NYS gun dealer, first obtain a NYS Pistol License. It is recommended that commanders strongly discourage Soldiers from bringing handguns into NYS for the aforementioned reasons.

B-14. There is no licensing requirement for possession of a shotgun or rifle.

Appendix C
Fort Drum Form 601-E (Registration of Personal Firearm or Weapon)-Sample

REGISTRATION OF PERSONAL FIREARM OR WEAPON						Print Form
For use of this form, see Fort Drum Regulation 190-6. The proponent is DES.						
<small> PRIVACY ACT STATEMENT: The information you provide is covered by the Privacy Act of 1974, Title 5, U.S.C. 552a AUTHORITY: 10 U.S.C. 3013, Department of the Army, Army Regulation 190-14, Carrying of Firearms and Use of Force for Law Enforcement Security Duties, and E.O. 9397 (SSN) PRINCIPAL PURPOSE(S): To register all personal weapons maintained on, or brought onto the installation, to assist the commander in carrying out effective law enforcement, troop safety and crime prevention programs ROUTINE USES: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, information provided on this form may be furnished to criminal justice elements outside the Department of Defense for investigation and prosecution when such cases fall within their jurisdiction or concurrent jurisdiction is applicable. These include: Federal Bureau of Investigation, U.S. Customs Service, Bureau of Alcohol, Tobacco and Firearms, U.S. District Courts, U.S. Magistrates, state and local law enforcement, wildlife conservation and public health agencies, and, in overseas areas, host government law enforcement agencies. The 'Blanket Routine Uses' set forth at the beginning of the Army's compilation of systems of records notices also apply to this system. DISCLOSURE: Mandatory. Information must be provided for all personal firearms and/or weapons on the installation. </small>						
Social Security Number		Driver's License Number		State		
Name						
Address						
City		State		Zip Code		
Home Phone Number						
Unit or Agency						
Unit/Work Phone Number						
Category <input type="checkbox"/> Army <input type="checkbox"/> Coast Guard <input type="checkbox"/> Air Force <input type="checkbox"/> Marines <input type="checkbox"/> Navy <input type="checkbox"/> NOAA <input type="checkbox"/> Public Health <input type="checkbox"/> Civilian						
Component <input type="checkbox"/> Regular <input type="checkbox"/> Reserves <input type="checkbox"/> National Guard <input type="checkbox"/> N/A						
Rank/Grade		ETS Date		Date of Birth		
Height		Weight		Eye Color		Hair Color
NYS Pistol Permit Number						
Weapon Serial Number						
Weapon Type (Choose Code from below)						
Weapon Model						
Weapon Maker						
Weapon Caliber						
Weapon Finish						
Place of Storage						
Registration Date						
Weapon Codes 1 - Airsoft 2 - Bayonet 3 - BB 4 - Bow 5 - Crossbow 6 - Knife 7 - Paintball 8 - Pistol 9 - Rifle 10 - Shotgun 11 - Sword 12 - Other (Specify)						
(For Office Use Only) (See page 2 for registrant certification/signature.)						
Signature of Registrar				Date		

FORT DRUM FORM 601-E, SEP 2013

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Figure C-1. Sample Fort Drum Form 601-E

Glossary

Section I Abbreviations

AA&E

Arms, Ammunition, and Explosives

AR

Army Regulation

DA

Department of the Army

DES

Directorate of Emergency Services

FD

Fort Drum

GC

Garrison Commander

NYS

New York State

PS

Physical Security

SC

Senior Commander

Section II

Terms

Ammunition

All cartridges and shot shells designed to be used in a firearm, to include blanks, primers, percussion caps, and powder for reloading or use in muzzle loading weapons.

Authorized Privately Owned Weapons

Firearms (cartridge firing or muzzle loading rifles, shotguns and handguns), BB guns, AirSoft guns, air pistols, pellet guns, paint ball guns, target and hunting bows, crossbows, spear guns, other projectile throwing devices, and other weapons legally acquired by military or civilian personnel in compliance with federal, state, and local law. These weapons are authorized for ownership, but their registration, storage, transportation, and use are subject to the provisions of this regulation.

Arms

A weapon included in AR 190–11, appendix A, that will or is designated to expel a projectile or flame by the action of the explosive, and the frame or receiver of any such weapon.

Chuka Stick

A weapon consisting of two or more lengths of a rigid material joined together by a thong, rope or chain in such a manner as to allow free movement of a portion of the device while held in the hand and capable of being rotated in such a manner as to inflict serious injury upon a person by striking or choking.

Electronic Dart Gun

Any device designed primarily as a weapon, the purpose of which is to momentarily stun, knock out, or paralyze a person by passing an electrical shock to such person by means of a dart or projectile.

Electronic Stun Gun

Any device designed to function as a weapon, the purpose of which is to stun, cause mental disorientation, knock out, or paralyze a person by passing a high voltage electrical shock to such a person.

Explosive and Incendiary Devices

Any explosive compound and any bomb, mine, grenade, rocket, self-propelled missile, detonator, or dynamite cap, firecracker, any other item referred to as "fireworks," or similar device containing any explosive or incendiary charge.

Firearms

means (a) any pistol or revolver (including a starter gun); or (b) a shotgun having one or more barrels less than eighteen inches in length; or (c) a rifle having one or more barrels less than sixteen inches in length; or (d) any weapon made from a shotgun or rifle whether by alteration, modification, or otherwise if such weapon as altered, modified, or otherwise has an overall length of less than twenty-six inches; or (e) an assault weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.

Gravity Knife

Any knife which has a blade which is released from the handle or sheath thereof by the force of gravity or the application of centrifugal force which, when released, is locked in place by means of a button, spring, lever, or other device.

Kung Fu Stars

A disc-like object with sharpened points in the circumference thereof and designed for use primarily as a weapon to be thrown.

Metal Knuckles/Metal Knuckle Knife

A weapon that when closed, cannot function as a set of metal knuckles nor as a knife and, when open, can function as both a set of metal knuckles as well as a knife.

Pilum Ballistic Knife

A **ballistic knife** is a specialized combat knife with a detachable, self-propelled blade that can be ejected to a distance of several meters by pressing a trigger or operating a lever or switch on the handle.

Prohibited Weapons

Those weapons identified in paragraph 3-5 of this regulation, the possession of which is prohibited on the installation, and all other weapons the possession of which by private persons is illegal under NYS or federal law.

Switchblade Knife

Any knife that has a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife.

Sword Cane

A cane or swagger stick having concealed within it a blade that may be used as a sword or stiletto.

Weapons required to be registered

Any cartridge firing/muzzle loading rifle, cartridge firing/muzzle loading shotgun, handgun (muzzle loading and cartridge firing pistol or revolver), pellet firing rifles or handguns and cross bows.

Section III**Special Abbreviations and Terms**

This section contains no entries.

