



DEPARTMENT OF THE ARMY
U.S. ARMY MANEUVER SUPPORT CENTER AND FORT LEONARD WOOD
320 MANSZEN LOOP SUITE 316
FORT LEONARD WOOD, MISSOURI 65473-5000

REPLY TO
ATTENTION OF:

ATZT-CG

24 JUL 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy #14-02, Issuance of Weapons and/or Ammunition to Soldiers with Qualifying Misdemeanor Domestic Violence Convictions (Lautenberg Amendment) and Other Federal Firearm Restrictions

1. References:

- a. Message, HQDA/DAPE-MPE, Subject: Reporting of Soldiers Affected by the Lautenberg Amendment (17 May 2002).
- b. Message, HQDA/DAPE-MPE, Subject: HQDA Message on Interim Implementation of Lautenberg Amendment (15 January 1998).
- c. Memorandum, USAEC&FLW, Subject: Interim Implementation of Lautenberg Amendment (12 February 1998).

2. This policy letter outlines U.S. Army Maneuver Support Center and Fort Leonard Wood procedures for ensuring compliance with the Lautenberg Amendment to the Federal Gun Control Act of 1968 as well as other restrictions on the use of firearms outlined in 18 U.S.C. 922. These laws make it a felony for any person who has been convicted of a misdemeanor crime of domestic violence, who has been convicted of any crime punishable by imprisonment for a term exceeding one year, or who is subject to a court order regarding domestic violence to ship, transport, possess, or receive firearms or ammunition. While these laws do not apply to crew-served weapons (M-60, etc.) or major weapons systems (tanks, missiles, aircraft, etc.), they do apply to all Army issue and privately owned firearms and ammunition (M-9, M-16, etc.).

3. Soldiers who meet any of the preceding three disqualifications will not, under any circumstances, be issued a weapon or its associated ammunition. Commanders are responsible for ensuring compliance with federal law and may be held criminally liable for issuing weapons to soldiers who are disqualified from possessing them. Commanders will maintain active records on all soldiers in their commands regarding convictions of misdemeanor crimes of domestic violence (Lautenberg Amendment), convictions of crimes punishable by imprisonment in excess of one year, and court orders concerning domestic violence. At a minimum, the following will be done:

- a. Commanders will ensure every soldier is briefed on the applicable federal laws regarding the possession of a firearm upon arrival at their unit and determine whether or not a soldier is disqualified from possessing firearms or ammunition.
- b. Commanders will report those soldiers having disqualifications on their appropriate Unit Status Report (USR) or Monthly Status Report (MSR). Further, those soldiers will be reassigned to positions not requiring the issuance of weapons or ammunition.

ATZT-CG

SUBJECT: Command Policy #14-02, Issuance of Weapons and/or Ammunition to Soldiers with Qualifying Misdemeanor Domestic Violence Convictions (Lautenberg Amendment) and Other Federal Firearm Restrictions

c. Commanders will direct all soldiers to report any criminal misconduct committed off the installation that results in, or may result in, a conviction of any sort regarding domestic violence, a conviction of any crime punishable for more than one year in prison, or a court order concerning domestic violence.

4. Commanders will not deploy soldiers who are disqualified from carrying firearms or ammunition. Additionally, when commanders do not have confirmation of a soldier's disqualification under federal law but have a reasonable belief that the soldier has such a disqualification, the commander will assign that soldier to duties not requiring the issuance of a weapon or ammunition until a final determination is made.

5. The Staff Judge Advocate is the proponent for this policy letter and will provide commanders with information regarding both the Lautenberg Amendment and additional federal law that will assist commanders in implementing this guidance.



R. L. VAN ANTWERP
Major General, USA
Commanding

DISTRIBUTION:

All Schools, Brigades, Battalions, Companies,
Detachments, Tenant Units, Directorates,
and Personal Staff Offices