

INDIAN AFFAIRS MANUAL

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Acquisition and Accountability of Firearms and Ammunition

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1.1 Purpose. This chapter establishes Indian Affairs' (IA) policy and procedures for the acquisition, accountability, and control of firearms and ammunition by the Bureau of Indian Affairs' (BIA) Office of Justice Services (OJS) acquisition personnel, commissioned law enforcement personnel, certified firearms personnel, Accountable Property Officers (APOs), Regional Property Officers (RPOs), and Custodian Property Officer (CPOs).

1.2 Scope. This policy applies to all law enforcement personnel commissioned under the authority of the OJS, and to IA employees who are certified in the use of a firearm for protection against wildlife when in the wilderness performing government operations. These two entities are the only programs authorized to possess firearms in IA. This policy does not apply to firearms and ammunition seized as evidence or property during the course of a criminal investigation.

1.3 Policy. The acquisition of firearms and ammunition is limited to OJS and to certified firearms personnel. A Firearms Justification must accompany all requisitions for firearms.

1.4 Authority.

A. Statutes and Regulations.

- 1) 25 U.S.C. 30, Indian Law Enforcement Reform
- 2) 25 CFR Part 12, Indian Country Law Enforcement

B. Guidance.

- 1) DOI Acquisition, Assistance, and Asset Policy (DOI-AAAP)-0013, Implementation of Mandatory Training - Firearms Accountability Course

C. Handbook.

- 1) DOI Law Enforcement Policy Chapter 10, Firearms Standards and Handbook

1.5 Responsibilities.

A. Deputy Assistant Secretary – Management (DAS-M) is responsible for administering this policy.

B. Deputy Bureau Director (DBD), Office of Justice Service (OJS), BIA ensures this policy is implemented throughout OJS offices in compliance with all applicable laws, regulations, policies, and procedures. The DBD, OJS also designates OJS Property Administrators (PAs).

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- C. Director, Office of Facilities, Property and Safety Management (OFPSM), DAS-M** has overall responsibility for the IA Property Management Program, including policy and oversight, and serves as the IA Property Management Officer (PMO).
- D. Chief, Personal Property Management (PPM), OFPSM** is responsible for implementing the Property Management Program, and for ensuring IA is in compliance with property management policies and procedures consistent with the General Services Administration (GSA) and DOI regulations and requirements.
- E. Regional Director (RD)** is responsible for approving, in writing, the acquisition of firearms and ammunition for programs authorized to use firearms for protection against wildlife.
- F. RPO** is responsible for:
- 1) overseeing the Property Management Program in his/her respective region, including implementing and executing BIA property management policies and procedures to ensure compliance;
 - 2) providing advice and guidance on day-to-day personal and real property matters to the respective regional offices;
 - 3) acquiring and distributing property tags and motor vehicle license plates; and
 - 4) placing tags on capitalized property.
- G. APO** provides operational guidance to all program offices within his/her geographical jurisdiction and executes the functional responsibilities of property management. Additionally, APOs designate CPOs and Receiving Officers (ROs) in cooperation with the appropriate supervisor approval. The APO or RPO is responsible for acquiring and distributing property tags and motor vehicle license plates.
- H. CPO** is responsible for:
- 1) managing day-to-day property operations, including personal and real property management, entrusted to his/her program through the CPO designation letter;
 - 2) placing and removing property tags, excluding capitalized property; and
 - 3) maintaining a log documenting the issuance of each accountable tag and license plate.

The CPO's property management responsibilities cannot be re-designated, re-assigned, or re-delegated to another individual unless done by the RPO/APO upon direction from his/her Program Manager/supervisor.

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I. National Firearms Coordinator (NFC) is responsible for:

- 1) serving as the firearms subject matter expert by providing advice and guidance on firearm purchases and disposals;
- 2) reviewing and approving, if applicable, acquisition requests for firearms and ammunition;
- 3) transferring firearms to other bureaus; and
- 4) determining the disposition of surplus firearms.

1.6 Definitions.

- A. Accountability** means accounting for personal and real property by providing a complete audit trail for property transactions from receipt to final disposition.
- B. Accountable property** is non-expendable property with a useful life of two years or more for which detailed accountability or property control records are maintained, and which may or may not be charged to a general ledger (GL) control account. Accountable property includes system-controlled, bureau-managed, capitalized, non-capitalized, leased, contractor-held property, and sensitive equipment regardless of cost. All museum property is accountable with no dollar threshold.
- C. Acquisition** means the acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. Acquisition begins at the point when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract.
- D. Ammunition** means projectiles such as bullets or propellant powder designed for use in any firearm. Includes any object discharged from a weapon, launched, or exploded.
- E. Ballistic vest** is an item of body armor that helps absorb the impact and reduce or stop penetration to the torso from firearm-fired projectiles and fragmentation from explosions. The ballistic vest may come in a soft form, worn by many police officers, correctional officers, security guards, and some private citizens.
- F. Custodial area** is the physical area containing personal property assets to which an assigned RPO, APO, CPO, or Cognizant Employee (CE) has responsibility.

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- G. Damaged property** is personal property that is impaired or unserviceable yet may be repaired. If it is not repaired, it will be designated as excess.
- H. Destroyed property** is personal property that is rendered inoperative, beyond repair.
- I. Firearm** is a weapon from which a projectile is forcibly ejected by an explosive. Weapons include flares and starter guns designed to, or may be readily converted to, expel a projectile by the action of an explosive frame or receiver of any such weapon or any firearm muffler or firearm silencer or any other weapon destructive device.
- J. Inventory** means a formal listing of all accountable property items assigned to an agency, along with a formal process to verify the condition, location, and quantity of such items. This term may also be used as a verb to indicate the actions leading to the development of a listing. In this sense, an inventory must be conducted using an actual physical count, electronic means, or statistical methods.
- K. Lost property** means any IA personal property that cannot be found after a reasonable search and is determined lost.
- L. Maintenance** is the act of keeping assets in useable condition. It includes preventative maintenance, normal repairs, replacement of parts and structural components, and other activities needed to preserve the asset to provide acceptable services and achieve its expected life. Maintenance excludes activities aimed at expanding the capacity of an asset or otherwise upgrading it to serve different needs than, or significantly greater than, those originally intended.
- M. Personal property** is government-furnished property of any kind or interest therein, except: (1) real property, (2) records of the Federal Government, and (3) naval vessels of the following categories: battleships, cruisers, aircraft carriers, destroyers, and submarines. Specifically, personal property includes all Federal Government-furnished equipment, materials and supplies, and museum objects. It does not include property that is incorporated in, or permanently affixed to, real property (i.e., land or a building).
- N. Property assignee** is any individual affiliated with IA who is assigned/issued/loaned IA personal property through his/her employment. These individuals include, but are not limited to employees, interns, fellows, volunteers, contractors, or other individuals otherwise affiliated with IA.
- O. Property record** is the asset master record (AMR) created and maintained in the Financial and Business Management System (FBMS), including the required information to track a capitalized or sensitive personal property asset accurately.

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- P. Property responsibility** means the obligation of an individual to properly use, care for, and safeguard property entrusted to his/her possession or under their direct supervision.
- Q. Sensitive personal property** is personal property, which is controlled, regardless of value, by detailed property accountability records and determined to be sensitive because of its high probability of theft, misuse, or misappropriation, or because it has been designated as sensitive by management. Sensitive property designated by IA includes motor vehicles, trailers, tablets, laptops, desktops, servers, Radio Communication Equipment (RCU), weapons, ballistic vests, ammunition, and explosives.
- R. Stolen property** means property in which possession has been transferred by theft, false pretenses, or fraud; and property which has been criminally misappropriated or in respect of which a criminal breach of trust or cheating has been committed, whether the transfer has been made or the misappropriation or breach of trust or cheating has been committed within or outside IA.
- S. Taser** is an electroshock weapon used to incapacitate targets via shocks that temporarily impair the target's physical function to a level that allows them to be approached and handled in an unresisting and thus safe manner.

1.7 Standards, Requirements, and Procedures.

- A. Acquisition of Firearms and Ammunition by OJS.** Law enforcement firearms and ammunition may be acquired by purchase, transfer, donation, or forfeiture. The acquisition of any firearm for OJS must be approved, in writing, by an Associate Director, OJS, and be forwarded to the NFC for concurrence and approval. The acquisition of any ammunition for OJS must be approved, in writing, by a District Special Agent in Charge or an Associate Director, OJS, and be forwarded to the NFC for concurrence and approval. Such acquisitions must be limited to no more than the minimum necessary for an effective law enforcement program, including protecting life and property and the maintenance of firearms certification. Firearms and ammunition cannot be purchased with a government charge card.
- B. Acquisition of Firearms and Ammunition for Protection against Wildlife.** The acquisition of firearms and ammunition for programs authorized to use firearms for protection against wildlife must be approved, in writing, by the cognizant RD. Employees are not permitted to use firearms without documented evidence that they have met the qualification standards necessary to use the assigned firearm.
- C. Marking and Identifying Firearms.** Firearms are identified by their serial number in FBMS.

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D. Accountability and Control of Firearms. All firearms, regardless of cost, will be recorded and accounted for in FBMS, and the designated CE's first and last name will be populated in the "Cognizant Employee" field. If the firearm is unassigned, the record will reflect "not assigned," and the physical location of the firearm, including office name and city (for example: "District II, Muskogee gun safe"). Accountability, control, and responsibility for firearms and ammunition will be maintained from the time of receipt through the disposal process. Documentation must be maintained to ensure accountability and control of ammunition.

E. Issuance of Firearms and Ammunition. Firearms and ammunition will be strictly controlled to ensure that issuance is only to authorized employees and that the location of the item(s) is readily identifiable. Firearms will be issued using a DI-105: Receipt for Property form. The DI-105 must contain, at a minimum, a brief description of the firearm, serial number, quantity issued, date, name of the individual who is issuing the firearm or ammunition, location, and signature of the employee receiving the firearm. Any annotation on the form that changes any information must be written in ink, initialed, and dated. Ammunition issuances will be recorded in a log maintained by the CPO.

The CPO will maintain the original signed DI-105 form in their official property files, and will forward a copy to the APO/RPO. A firearm(s) must remain under the control of the individual to whom the firearm(s) is/are assigned, and that individual remains accountable for the firearm(s) throughout their career until reassignment, resignation, or termination.

F. Transfer of Firearms. When a firearm is being transferred, the following steps apply:

- 1) The "losing" CPO obtains the signature and date of the "gaining" CPO on the DI-105: Receipt for Property form, and also signs and dates the form.
- 2) The losing CPO then provides the DI-105 to the applicable losing APO/RPO.
- 3) The losing APO/RPO prepares the DI-104: Transfer of Property form, signs and dates it, and encodes it in FBMS.
- 4) The losing APO/RPO then submits both the DI-105 and DI-104 to the gaining APO/RPO for his/her signature and date to document the property transfer from one location to another.

G. Inventory of Firearms. A physical inventory of all firearms will be conducted annually by the CPO. When possible, inventories should be conducted when OJS personnel qualify on their weapons twice a year. The inventory must consist of:

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- 1) verifying the serial number;
- 2) determining the condition of the firearm;
- 3) determining the location of the firearm;
- 4) verifying the DI-105, Receipt for Property form, indicates assignment to the employee certified to use the firearm(s); and
- 5) verifying the assigned employee's full name is identified in FBMS.

H. Inventory of Ammunition. A physical ammunition inventory will be conducted annually, or more often if necessary, by the CPO. The inventory must consist of:

- 1) a physical count to the nearest case or box;
- 2) determination of stock sufficiency;
- 3) inspection to ensure that the ammunition meets required safety standards; and
- 4) assessment of the security system.

I. Special Physical Inventories of Firearms and Ammunition. The designated CPO must conduct a physical inventory for firearms and ammunition when there is an audit request or when there is a change in CPO.

J. Security and Storage. The IA physical security program is directed at anticipating, recognizing, and appraising the vulnerability of firearms and ammunition by setting strict procedures regarding secured storage containers, facilities, issuance, and accountability requirements. If feasible, firearms and ammunition are to be secured and stored separately.

K. Utilization and Disposal. The CPO must notify the APO/RPO of excess and/or unserviceable firearms by issuing a DI-105: Receipt for Property form. The form is used to request a disposal action, and must list all excess/unserviceable firearms and provide a statement of circumstances to document the reason(s) for disposal action. If it is determined there is no longer a need for the excess firearms within IA, then the following disposal methods are allowed:

- 1) Firearms may first be offered to P.L. 93-638 Tribal law enforcement programs as excess. If no contract Tribes or qualified Tribal Organizations are interested, proceed to option 2) below.

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- 2) Excess firearms in useable condition and certified by an armorer should be reported in the GSA's Personal Property Management System (PPMS). Firearms may be transferred only to those Federal Government agencies authorized to acquire firearms for official use (see 41 CFR 101-42.1102-10).
- 3) If a firearm(s) is/are deemed unserviceable by the CPO, the CPO will be the official responsible for the destruction and will require a witness. Destruction can be done by using a cutting torch, by smelting, or by use a grinding machine at a local metal recycling company. The destruction must be documented and certified on a DI-103: Report of Survey form. When destruction is completed, a final DI-103 must be provided to the APO/RPO for adjustment in FBMS.

L. Reporting Lost/Missing Firearms and Ammunition. Missing firearms and ammunition that cannot be found after a reasonable search are determined to be lost. A DI-105: Receipt for Property form must be immediately issued by the CPO, along with a statement of circumstances, and forwarded to the APO/RPO. The CPO must also immediately report and provide a statement of circumstances for all lost, stolen, or damaged firearms and ammunition to OJS Internal Affairs Division, local or state law enforcement authorities, and where appropriate, to facility security forces to ensure that the missing firearm is reported to the FBI to be entered into the NCIC.

M. Firearms Accountability Annual Certification (FAAC) Course. The FAAC course is available in DOI Talent. The FAAC is a mandatory course required annually by DOI for all employees who have oversight over firearms, less-lethal weapons, and ammunition activities.

The CPO is responsible for ensuring that employees who have oversight over firearms, less-lethal weapons, and ammunition activities complete the FAAC course annually. The CPO will keep a copy of the training certificate completion and also forward a copy to the APO/RPO.

1.8 Reports and Forms.

All forms referenced throughout as "DI-XX" are DOI forms and are located here: <https://www.doi.gov/eforms> (click on the 'Official Files for Production folder' link).

Approval

JASON FREIHAGE

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Date

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