

# INDIAN AFFAIRS MANUAL

Part 23

Property Management

Chapter 9

Acquisition and Accountability of Firearms and Ammunition

Page 1

- 1.1 Purpose.** This chapter establishes Indian Affairs (IA) policy and procedures for the acquisition, accountability, and control of firearms and ammunition by Office of Justice Services (OJS) acquisition personnel, Commissioned Law Enforcement personnel, Alaska Regional Office (ARO) acquisition personnel, certified ARO 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 employees of the ARO 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 the ARO. A Firearms Justification must accompany all requisitions for firearms.
- 1.4 Authority.**
- A. Statutes and Regulations.**
- 1) 25 U.S.C. 2801, et seq., Indian Law Enforcement Reform Act
  - 2) 25 CFR Part 12, Indian Country Law Enforcement
- B. Guidance.**
- 1) 446 Departmental Manual (DM) 10, Law Enforcement, Firearms, and other Defensive Equipment
  - 2) DOI-AAAP-0013, Implementation of Mandatory Training - Firearms Accountability Course
- C. Handbook.**
- 1) Office of Justice Services, Law Enforcement Handbook 3<sup>rd</sup> Edition, January 9, 2015
- 1.5 Responsibilities.**
- A. Deputy Assistant Secretary – Management (DAS-M)** is responsible for administering this policy.

## INDIAN AFFAIRS MANUAL

- B. Deputy Bureau Director, OJS** ensures this policy is implemented throughout OJS offices in compliance with all applicable laws, regulations, policies, and procedures.
- C. Regional Director, ARO** ensures this policy is implemented throughout the ARO offices in compliance with all applicable laws, regulations, policies, and procedures.
- D. Director, Office of Facilities, Property and Safety Management (OFPSM)** provides oversight of the IA Property Management Program and serves as the IA Property Management Officer (PMO).
- E. Chief, Division of Property Management (DPM), OFPSM** is responsible for implementing and overseeing this policy across IA regional and central offices.
- F. Regional Property Officers (RPOs)** oversee the Property Management Program in their respective regions, including implementing and executing BIA property management policies and procedures to ensure compliance.
- G. OJS/ARO APO** provides operational guidance to all program offices within their geographical jurisdiction and executes the functional responsibilities of property management. Additionally, OJS APO has the following responsibilities, (1) designate OJS CPOs, and the ARO law enforcement Division Chief, (2) ensure that CPOs maintain accurate records of assignments and issuance of firearms and ammunition, and (3) conduct annual inventories of firearms to ensure that firearm records accurately reflect physical accountability on hand.
- H. OJS/ARO CPOs** are responsible for day-to-day property management operations, including personal and real property entrusted to their program through the CPO designation letter. CPOs are accountable for property under their control and are responsible for designating District/Agency Firearms Coordinators.
- I. OJS National Firearms Coordinator (NFC)** serves as the firearms subject matter expert for OJS by providing advice and guidance on firearm purchases and disposals. The NFC will review and approve, if applicable, acquisition requests for firearms and ammunition; transfer of firearms to other bureaus, and determine the disposition of surplus firearms.

### 1.6 Definitions.

- A. Accountability** means accounting for personal property by providing a complete audit trail for property transactions from receipt to final disposition.

## INDIAN AFFAIRS MANUAL

- 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 may or may not be charged to a general ledger control account. The accountable property includes system-controlled, bureau-managed, capitalized, non-capitalized, leased, and contractor-held property.
- 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.
- 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.

## INDIAN AFFAIRS MANUAL

---

- K. 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.
- L. Missing assets** means any IA personal property that cannot be found after a reasonable search and is determined lost.
- M. Property accountability** means the assigned responsibility and liability associated with the management of Federal Government property. It includes the responsibility for establishing and maintaining property records, safeguarding property, and ensuring its proper use, as well as submitting required reports. It also includes the liability associated with loss, theft, damage, or destruction of said property.
- N. Property assignee** is any individual affiliated with IA who is assigned/issued/loaned IA personal property through their employment. These individuals include, but are not limited to employees, interns, fellows, volunteers, contractors, or other individuals otherwise affiliated with IA.
- O. Personal property** is property of any kind or interest therein and includes all equipment, materials, supplies, and museum objects. It does not include property that is incorporated in, or permanently affixed to, real property.
- P. Property record** is the record 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.
- Q. Sensitive property** is property controlled, regardless of value, by detailed property accountability records and determined to be sensitive because of its high probability of theft, misuse, misappropriation, or because it has been designated as sensitive by management. Sensitive property designated by IA include weapons, vehicles, trailers, Tablets/iPads, Tasers, Laptops, Central Processing Units (CPUs), Radio Communication Equipment (RCU), Ballistic Vests, Weapons, Ammunition, and Explosives.
- R. Property responsibility** means the obligation of an individual to properly use, care for, and safeguard property entrusted to their possession or under their direct supervision.

# INDIAN AFFAIRS MANUAL

Part 23

Property Management

Chapter 9

Acquisition and Accountability of Firearms and Ammunition

Page 5

**S. 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.

**T. 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 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 by ARO

The acquisition of firearms and ammunition for programs authorized to use firearms for protection against wildlife must be approved, in writing, by the Alaska Regional Director. Employees of the ARO 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 the serial number in FBMS.

### D. Accountability and Control of Firearms

All firearms, regardless of cost, will be recorded and accounted for in FBMS, and the designated OJS/ARO cognizant employee's first and last name will be populated in the "Cognizant Employee" field. If the firearm is unassigned, the records 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

## INDIAN AFFAIRS MANUAL

---

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.

The OJS/ARO CPOs are responsible for performing the duties listed below for accountability and control of firearms and ammunition.

- 1) Ensure that firearms and ammunition are issued only to Commissioned Law Enforcement Personnel and to employees certified to use a firearm within the ARO.
- 2) Ensure that firearms and ammunition are safeguarded at all times.
- 3) Complete and issue the DI-105, Receipt for Property form listing all property that is issued to an employee. The information should contain a description of the property, the serial number, IA property tag number, firearms, ballistic vests, etc.
- 4) Maintain a ledger and forward all DI-105's for firearms to the APO.
- 5) Ensure that all firearm records in FBMS indicate the name of the individual to whom firearms are assigned. If the firearm is unassigned, the records will reflect "not assigned" and the physical location of the firearm, including office name and city (for example, District II, Muskogee gun safe).
- 6) Ensure that all firearms and ammunition are inspected in accordance with OJS policies and procedures.
- 7) Certify firearms annual inventories.
- 8) Continually screen firearms and ammunition to identify excess and report excess or unserviceable weapons to the APO.
- 9) Immediately report all lost, stolen, or damaged firearms and ammunition to the APO, 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 Federal Bureau of Investigations (FBI), to be entered into the National Crime Information Computer (NCIC). The CPO must state the incident's circumstances when reporting the lost, stolen, or damaged firearms and ammunition by initiating a Report of Survey (form DI-103). (See L. Reporting Lost/Missing Firearms and Ammunition)

### **E. Issuance of Firearms and Ammunition**

Firearms and ammunition will be strictly controlled to ensure that issuance is only to

# INDIAN AFFAIRS MANUAL

authorized employees and that the location of the item(s) is readily identifiable. Firearms will be issued on a DI-105, Receipt for Property form. The Receipt for Property 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 forward a copy of the signed DI-105 form to the APO and maintain the original form in their official property files. Firearms assigned to Commissioned Law Enforcement Personnel will be under the control of the assigned individual who will remain accountable for the assigned firearms throughout their career until resignation, reassignment, or termination from OJS.

## **F. Transfer of Firearms**

The CPO is responsible for informing the applicable losing APO of an impending employee or equipment transfer. Form DI-104, Transfer of Property form, will be completed to document property transfer from one location to another. The losing APO is responsible for completing the DI-104 form and encoding the transfer in FBMS after signed receipt that the gaining APO has verified receipt of the property in their jurisdiction and possession.

## **G. Inventory of Firearms**

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

- 1) Verifying the serial number.
- 2) Determining the condition of the firearm.
- 3) Determining the location of the firearm.
- 4) Verifying the DI-105 form, Receipt for Property, indicates assignment to a Commissioned Law Enforcement employee or by the applicable Division Chief in the ARO.
- 5) Verifying the assigned Commissioned Law Enforcement employee or the Division Chief for the ARO full name is identified in FBMS.

## **H. Inventory of Ammunition**

# INDIAN AFFAIRS MANUAL

A physical ammunition inventory will be conducted annually, or more often if necessary. The inventory must consist of the following:

- 1) Physical count to the nearest case or box.
- 2) Determination of stock sufficiency.
- 3) Inspection to ensure that the ammunition meets required safety standards.
- 4) Assessment of the security system.

## **I. Special Physical Inventories of Firearms and Ammunition**

A physical inventory must be conducted for firearms and ammunition when there is a change in CPO due to an audit or when other circumstances arise that require an inventory.

## **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 CPOs must notify APO's of excess and or unserviceable firearms. If it is determined that there is no longer a need for the firearm within IA, then the firearms should be offered to P.L. 93-638, Tribal Law Enforcement Programs for donation. If no contract Tribes or qualified Tribal Organizations are interested, follow the guidance outlined in 41 CFR 101-42.1102-10, which authorizes firearms reporting to GSA for transfer to authorized Federal agencies.

Disposal Methods:

- 1) Donation to P.L. 93-638 Law Enforcement programs.
- 2) Report excess firearms to GSA, (7FP-8), Denver, CO 80225-0506. Firearms may be transferred only to those Federal agencies authorized to acquire firearms for official use.



# INDIAN AFFAIRS MANUAL

Part 23

Property Management

Chapter 9

Acquisition and Accountability of Firearms and Ammunition

Page 9

3) Destroy with a cutting torch, smelting, or use a grinding machine at a local steel mill.

## L. Reporting Lost/Missing Firearms and Ammunition

Firearms and ammunitions that cannot be found after a reasonable search are determined to be lost. A Report of Survey (form DI-103) must be initiated by the CPO and forwarded to the APO. Immediately report all lost, stolen, or damaged firearms and ammunition to the APO, 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. The CPO must state the incident's circumstances when reporting the lost, stolen, or damaged firearms and ammunition.

## M. Firearms Accountability Course (FAC)

The Firearms Accountability Course (FAC) is available in DOI Talent. The FAC is a mandatory course for all employees who have oversight over firearms, less-lethal weapons, and ammunition activities. They must complete the firearms accountability training annually per DOI-AAAP-0013, Implementation of Mandatory Training - Firearms Accountability Course.

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

## Approval

JASON FREIHAGE  
Digitally signed by JASON  
FREIHAGE  
Date: 2022.01.19 19:08:04 -05'00'

\_\_\_\_\_  
Jason Freihage  
Deputy Assistant Secretary – Management (DAS-M)

\_\_\_\_\_  
Date