

# Polish Legion of American Veterans, U.S.A.



## Internal Operations

### Section 7

#### Rifle Request Procedures

##### **OBJECTIVES**

- It is the Objective of the Polish Legion of American Veterans, U.S.A. to assist individual post in the proper procedures in obtaining ceremonial rifles.

##### **Rifle Request Procedures**

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**VERIFICATION OF COMPLIANCE  
WITH THE LATENBERG AMENDMENT  
(18 USC & 922 (D) (9))**

The Lautenberg Amendment to the Gun Control Act of 1968 outlaws the sale or transfer of any firearm to anyone convicted of a misdemeanor crime of domestic violence.

A person has a conviction of a ‘misdemeanor crime of domestic violence’ if

- a. The person as convicted of a misdemeanor crime, and the offense had as an element the use or attempted use of physical force, or threatened use of a deadly weapon, and:
- b. The convicted offender was at the time of the offense:
  1. a current or former spouse, parent, or guardian of the victim: or
  2. a person with whom the victim shared a child in common: or
  3. a person who was cohabiting with or has cohabited with the victim as a spouse, parent or guardian: or
  4. a person who was similarly situated a spouse, parent, or guardian of the victim: and
- c. The convicted offender was represented by counsel, or knowingly and intelligently waived the right to counsel, and; if entitled to have the case tried by a jury, the case was actually tried by a jury or the person knowingly and intelligently waived the right to have the case tried by a jury; and
- d. The conviction has not been expunged or set aside, or the convicted offender has not been pardoned for the offense or had civil rights restored, unless the pardon, expungement, or restoration of civil rights provides that the person may not ship, transport, possess or receive firearms.

**SUBJECT:** Physical Security Checklist for Ceremonial Rifles

1. The following checklist is provided to assist those organization receiving M1 and M1918 rifles for ceremonial use and local law enforcement agencies. This guidance is based on AR 190-11, Physical Security of Arms, Ammunition, and Explosives (SS & E). AR 190-11 should be referred to for specific requirements. The weapons donated are classified as Category IV weapons.

- a. Walls. Walls will be constructed of at a minimum 2-inch by 4-inch standard studs on 16 – inch centers, gypsum board or plaster surface. At least one surface will be covered with 1 –inch (nominal) double nailed tongue-and-groove wood sheathing or material: for example, ¾ -inch plywood which provides a similar degree of security.

- b. Ceilings, roof, and floors. At a minimum, ceilings, roofs, and floors will be 1-inch (nominal) double tongue-and groove wood sheathing or other material: for example, ¾ -inch plywood, which provides a similar degree of security
  
- c. Doors, windows, and other openings. At a minimum, doors will be constructed of 1 ¾ inch thick, solid or laminated wood, or be of standard 1 ¾ inch thick hollow metal, industrial type construction with minimum 16-gauge thickness. At a minimum, windows and other openings will be constructed to provide equivalent penetration resistance as that provided by the walls. Windows and other openings will be sealed with material comparable to that forming the adjacent walls and otherwise limited to the minimum essential. Windows, ducts, vents, or similar openings of 96 square inches or more with the least dimension greater than 6 inches will be equipped with any of the following:
  - (1) Three-eighth inch or larger hardened steel bars, provided the vertical bars are not more than 4 inches apart with horizontal bars welded to the vertical bars so that the openings do not exceed 32 square inches.
  - (2) Number 8-gauge high carbon manganese steel mesh with 2-inch diamond grid.
  - (3) Number 6 gauge steel mesh with 2 -inch diamond grid when number 8 in (2) above, is not available.
  - (4) Bars or steel mesh will be securely embedded in the structure of the building or welded to a steel frame that will be securely attached to the wall with fastenings inaccessible from the exterior of arms storage facility.
  
- d. Arms that are stored in unmanned facilities not equipped with an intrusion detection systems will be checked by a security or guard patrol at irregular intervals not to exceed 24 hours. Liaison will be established with local civil police agencies to ensure that periodic surveillance is conducted.
  
- e. Within the arms storage facility, weapons will be stored in metal containers or arms racks. Approved metal wall lockers or metal cabinets may be used. Containers, cabinets, lockers, or arms racks will be locked to prevent weapons removal without leaving visible signs of tampering. Screws, bolts, hinges, and other fastening hardware will be made to prevent disassembly, e.g. bolts and hinge pins spot welded or brazed to prevent easy removal. Arms racks, containers, cabinets, or lockers weighing less than 500 pounds will be securely fastened to the structure. Chains used to secure racks, containers, etc. will be heavy duty hardened steel, welded straight links steel, galvanized of at least 5/16 -inch thickness or of equivalent resistance.
  
- f. Doors used for access to arms storage rooms will be locked with an approved high security locking device or high security padlock and hasp providing comparable protection to the locks.

- g. Tools such as hammers, bolt cutters, chisels, crowbars, hacksaws, and similar items which could be used to gain unauthorized access should be removed from the vicinity of the arms storage room. High value items subject to pilferage should be not be stored with the arms.
  - h. Key and lock control procedures will be established. AR 190-11, paragraph 3-8 provides regulatory requirements. Highlights of key and lock control requirements include: development of a key control register and inventory, appointment of a key and lock custodian, authorization roster for signing out keys, key container specification, lock specifications, and protection of combinations.
  - i. Stored weapons will be rendered inoperable. For M1918 rifles, the firing pin series will be removed. For M1 rifles, the bolt assembly will be removed. The removed items will be tagged with the weapons serial number to ensure return to the same weapon and stored in a locked container away from the arms storage facility, e.g. in another building. Etching of the weapon's serial number on the removed part is prohibited.
  - j. Personnel having access to the arms storage facility should be kept to a minimum. A current roster of those authorized access to the facility should be maintained. A security screening process should be developed to determine trustworthiness and reliability of those individuals assigned duties involving control and accountability of the weapons. Recommend local law enforcement authorities be contacted for assistance.
2. Lost, stolen, or missing weapons. An investigation will be made of lost, stolen, or missing arms to determine the circumstances surrounding the loss of theft and to fix responsibility as necessary. As soon as a loss or theft is discovered, notification to the local law enforcement authorities AND the TACOM Police Desk at (810) 574-5564 will be made. The notice will be as complete as possible but will not be delayed because of incomplete data.

## ARMS STORAGE FACILITY CERTIFICATION

\_\_\_\_\_  
(Date)

TO BE COMPLETED BY LOCAL LAW ENFORCEMENT AGENCY

ADDRESS OF Arms Storage Facility: \_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_, acting for and on behalf of

(Printed Name and Rank)

\_\_\_\_\_, certify that:

(Law Enforcement Agency)

1. \_\_\_\_\_ The arms storage facility meets the requirements found in the attached physical security checklist.

2. \_\_\_\_\_ The arms storage facility does not meet the requirements found in the attached physical security checklist. However, it is the opinion of this agency, the current physical measures are adequate for this arms storage facility. (Please annotate on reverse side those requirements the arms storage facility does not meet).

3. \_\_\_\_\_ The arms storage facility does not meet the requirements found in the attached physical security checklist and/or does not meet local security requirements. Do not recommend/allow the storage of weapons at this facility.

SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

AGENCY ADDRESS: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_

SUBMIT TO: UNITED STATES ARMY, TANK-AUTOMOTOVE AND  
ARMAMETS COMMAND AMSTA-IM-OER, WARREN, MI 48397-5000

**INFORMATION**

Send request for ammunition to:

Commander  
U.S. Army Industrial Operations Command  
ATTN: AMSIO-SMA-S (  
Eileen Kain)  
Rock Island, Illinois 61299-6000  
(309) 782-4608

Clips and Slings are not provided through the Donation Office. The American Legion magazine provides Amherst Arms as a source for this equipment. The address is P.O. Box 1457, Englewood, Florida 34295. Their telephone number is (941) 475-2000

**ASSURANCE OF COMPLIANCE**

\_\_\_\_\_(Hereinafter called"Applicant-Recipient")  
(Name of Applicant)

HEREBY AGREES THAT in compliance with Title VI of the Civil Rights Acts of 1964, Section 606 of the Federal Property and Administrative Services Act of 1949, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, no person shall, on the ground of race, color, national origin, sex or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-recipient receives a donation from the United States Army and HEREBY GIVES ASSURANCE THAT IT will immediately take any measures necessary to effectuate this agreement.

This agreement will continue in effect during the time the Applicant-recipient retains ownership, possession or control of the donated property. Further, Applicant-Recipient agrees and assures that its successors and/ or assigns will be required to give an assurance similar to this Assurance as a condition precedent to acquiring any right, title or interest in and to any of the property donated herein.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining a donation of Federally owned property pursuant to public law, Title 10, USC 2572.

The Applicant-Recipient recognizes and agrees that such Federal donation will be made in reliance on the representations and agreements made in this assurance, and that the United States will have the right to seek judicial enforcement of this assurance.

THIS ASSURANCE is binding on the Applicant-recipient its successors, transferees,, assignees and the person or person whose signatures appears below are authorized to sign this assurance on behalf of the Applicant-recipient.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Applicant-Recipient)

BY: \_\_\_\_\_  
(President, Chairman of Board, or comparable  
authorized official)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Applicant-Recipient's Mailing Address)

**CERTIFICATE OF STORAGE SECURITY**

\_\_\_\_\_  
(Date)

I, \_\_\_\_\_, acting for and on behalf of  
(Post Commander, President Mayor or comparable authorized official)

\_\_\_\_\_, certify that:

(Organization)

1. Rifles received from the U.S. Army Tank-automotive and Armaments  
Command **will be stored as specified below:**

2. **a.** \_\_\_\_\_ In the arms room of a National Guard Armory, U.S. Army  
Reserve Center, Military Installation or local Law Enforcement  
Agency

**or**

**b.** \_\_\_\_\_ In a room meeting the requirements as listed on the enclosed  
checklist and approved by local law enforcement officials. Storage  
facilities may not be located at a private residence. Completion of the  
attached checklist is required along with this Certification of Arms  
Storage Statement.

3. An Inventory Log and sign out/in register will be maintained and  
provided annually to the TACOM, showing serial numbers of weapons  
and names of the individuals whenever rifles are checked out and in.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Address of Arms Room: \_\_\_\_\_

(If different than above)

\_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
(Seal and Signature)



**SUBMIT TO: UNITED STATES ARMY, TANK-AUTOMOTIVE AND  
ARMAMENTS COMMAND, AMSTA-IM-OER, WARREN, MI 48397-5000  
OR**

b. I certify that a quantity of \_\_\_\_\_rifles, \_\_\_\_\_  
\_\_\_\_\_

Model (s) Serial Number (s)

originally donated to this organizations are unserviceable and no longer repairable.

\_\_\_\_\_ **Rifles are unserviceable.**

Attached is a notarized statement by a licensed arms repair facility stating that the rifles are not repairable. I understand that the unserviceable rifles will be returned via certified mail, at our organization's expense, by a date assigned by TACOM, to address by TACOM. TACOM will have a Form 1348 (proof of receipt) on file prior to issuing replacements.

I understand that all costs such as overhaul, packaging, crating shipping, maintenance and security of any replacement rifles issued will be the responsibility of this organization.

OFFICIAL'S  
SIGNATURE: \_\_\_\_\_

NAME (type/print) \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_

\_\_\_\_\_  
Notary Public)  
(Seal and Signature)

**SUBMIT TO: UNITED STATES ARMY, TANK-AUTOMOTIVE AND  
ARMAMENTS COMMAND, AMSTA-IM-OER, WARREN, MI 48397-5000**

## CERTIFICATE FOR REPLACEMENT OF CEREMONIAL RIFLES

Date

I, \_\_\_\_\_, acting for and on behalf of \_\_\_\_\_

\_\_\_\_\_ certify that the replacement ceremonial rifles I am  
(Organization)

Requesting from the U.S. Army Tank-Automotive and Armaments Command would be for the sole use of this organization and would not be used for barter, sale or other monetary gain, if request is granted.

a. I certify that a quantity of \_\_\_\_\_ rifles, \_\_\_\_\_

Model(s) Serial Number(s)

Originally donated to this organization are no longer on hand and/or cannot be accounted for.

The cost of replacement per rifle is based on date of issue, as follows:

1940s \$75.00	1960s \$125	1980s \$200
1950s \$100	1970s \$150	1990s \$250

Enclosed is a certified check in the amount of \$\_\_\_\_\_ as reimbursement to the U.S. Government for the lost or unserviceable property. The reason(s) replacements are requested is/are:

\_\_\_\_\_ Rifles were destroyed by fire or flood.

Attached is a certified, true fire/police department report. I understand that the residue of the damaged rifles will be returned via certified mail, at our organization's expense, by a date assigned by TACOM, TO AN address provided by TACOM. TACOM will have a Form 1348 (proof of receipt) on file to issuing replacements.

\_\_\_\_\_ Rifles were lost or stolen.

Attached is a certified, true police department report to include results of investigation. A liability determination will be made conjunctly by the TACOM security office and local law enforcement authorities to fix responsibility for lost, stolen or missing weapons as necessary.

The undersigned Applicant for Ceremonial Rifle donation makes the following statement:

After having read the above, I verify that I have not been convicted of a misdemeanor crime of domestic violence.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Applicant's Printed Name \_\_\_\_\_  
Organization Name \_\_\_\_\_  
Organization Address \_\_\_\_\_

Notary Public Endorsement

County of \_\_\_\_\_  
State of \_\_\_\_\_

I, the undersigned, certify that I am a duly commissioned, qualified and authorized notary public. Before me personally and within the territorial limits of my warrant of authority appeared \_\_\_\_\_ who is known by me to be the person who is described herein, whose name is subscribed to, and who signed this Verification of Compliance and who, having been duly sworn, acknowledged that this instrument was executed after its contents were read and duly explained, and that such execution was a free and voluntary act and deed for the uses and purposed herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my official seal on \_\_\_\_\_, 200\_\_.  
(Date)

\_\_\_\_\_  
Notary Public

My Commissions expires: \_\_\_\_\_

Police Verification: A record search was done on the above-named Applicant and there are no records showing a conviction of a misdemeanor crime of domestic violence.

Police Official's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Police Official's Printed Name \_\_\_\_\_  
Police Official's Duty Station \_\_\_\_\_

\_\_\_\_\_  
Police Official's Telephone Number \_\_\_\_\_

**QUALIFICATION CHECKLIST FOR CEREMONIAL RIFLES  
VETERANS' ORGANIZATIONS**

Written request signed by the local commander of the organization addressed to:  
U.S. Army Tank-Automotive and Armaments Command  
ATTN: AMSTA-IM-OER (Donations)  
Warren, MI 48397-5000

This request must be forwarded through your national headquarters for approval. The request should include the quantity desired, intended use of the weapons, street and mailing addresses of the requesting organization, phone number of the organization, intended storage location of weapons (cannot be a private residence), number of active organization members and the name, address and phone for the point of contact if other than the commander.

Certificate of Storage Security endorsed by local law enforcement officials.  
(Enclosed)

Photograph of storage facility

Photograph of exterior of building housing storage facility

Certificate of Assurance of Compliance with Title 6, Civil Rights Act  
(Enclosed)

Verification of Compliance with Lautenberg Amendment endorsed by local law enforcement (Enclosed)

Map of local area (City) showing exact locations of organization and storage facility