

ENCLOSURE 7

CAPTURED PROPERTY

1. INTRODUCTION

a. Captured enemy property is the property of the United States and is subject to the requirements in sections 903 and 2579 of title 10, United States Code (U.S.C.) (Reference (n)), and section 217 of title 50, U.S.C. (Reference (o)). Violations of law or other improprieties are subject to property seizure or recovery by U.S. Government agencies such as DoS; DoC; Customs and Border Protection; or the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) within the Department of Justice (DoJ). DoD priority of use for captured property is as follows:

(1) Intelligence exploitation by the Joint Captured Materiel Exploitation Center (JCMEC). The JCMEC has first claim on all captured items.

(2) Historical artifacts for the DoD or Military Service Historical Programs.

(3) Material for training and research, development, and acquisition.

(4) Organizational and individual trophies.

b. Combat and contingency operational planning and execution for captured property is compiled in accordance with CJCSM 3122.03C (Reference (p)).

2. REQUIREMENTS

a. Weapons that have not been registered with the ATF, in accordance with sections 921-922 of title 18, U.S.C. (Reference (q)) and parts 447 and 555 of title 27, CFR (Reference (r)), are considered contraband. Any person in possession of such a weapon, even if it is deactivated, is subject to criminal prosecution.

b. Gifts or donations of firearms to DoD Components from foreign or domestic sources may not be accepted, possessed, imported, or transported in violation of applicable U.S. laws and regulations. (See AR 608-4, OPNAVINST 3460.7A, AFJI31-217, MCO 5800.6A (Reference (s)), section 903 of Reference (n), and legal administrative regulations pertaining to receipt of “gifts or donations.”)

c. Reference (s) is a “guide” and authorizes the theater Combatant Commander to establish and promulgate policy, responsibilities, and procedures for the control and registration of war trophies and war trophy firearms that are routinely generated by hostile action. Reference (s) addresses the requirements for the introduction of such items into the United States except where expressly prohibited by law. Other prohibitions are:

- (1) Antique properties and items except with proof of purchase.
- (2) Scientific properties and items.
- (3) Religious properties and items.
- (4) Private properties and items.
- (5) Educational properties and items.
- (6) Cultural properties and items.
- (7) Magazines for weapons.
- (8) Ammunition.
- (9) Ordnance.
- (10) Missile guidance systems.
- (11) Destructive devices.
- (12) Optical equipment for weapon systems.
- (13) Electronic equipment and components.
- (14) Flammables of any nature.
- (15) Government or privately-owned motor vehicles, aircraft, motorcycles, machine tools, or surgical or dental instruments.

### 3. OTHER REQUIREMENTS FOR CAPTURED PROPERTY

a. Property Accountability and Management. Accomplished identically to like items of U.S. origin in accordance with Reference (1). Information documented on captured property in the custody of commands, activities, or units shall include:

- (1) Item description (e.g., name, make, model, serial number, and country of origin).
- (2) LSN or NSN assigned.
- (3) Close-up color digital photographs of “significant military equipment” only, “before” and “after” DEMIL (i.e., destructive DEMIL).

(4) Clear text instructions describing the method and degree of DEMIL used and details concerning the method of destruction or minimum DEMIL for display purposes.

(5) Safety precautions required to perform DEMIL.

(6) DEMIL code assigned. Identification of appropriate DEMIL code in accordance with Volume 2 of this Manual and the applicable DEMIL method identified in accordance with Volume 3 of this Manual.

(7) Identification of hazards and their certified removal (e.g., AE, radioactive material, NBC contamination).

(8) If the item is to be displayed, describe the location and applicable security measures proposed or used in accordance with DoD 5100.76-M (Reference (u)).

(9) Point of contact, address, and telephone number for the preceding data.

b. LSN Assignment and Accountability

(1) LSN Assignment and Classification. Captured property that cannot be identified with a known NSN requires assignment of an LSN. The LSN consists of the Federal Supply Classification (FSC), the National Codification Bureau (NCB) Code, the Commercial and Government Entity (CAGE) Country Code, the assigning activity code, and a serial number. LSNs shall be assigned in accordance with the guidance in the Table and in subparagraphs 3.b.(1)(a) through 3.b.(1)(e) of this enclosure.

Table. Example LSN Assignment Guidance for Captured Weapons

FSC	NCB Code	CAGE Country Code (Country of Origin)	Assigning Activity Code (1 digit)	Serial Number (3 digits)
<u>1005</u> Guns through 30mm	<u>01</u>	<u>IRQ</u>	<u>A</u> (U.S. Army)	In accordance with Army regulations
<u>2350</u> Combat Assault and Tactical Vehicle	<u>01</u>	<u>AFG</u>	<u>M</u> (U.S. Marine Corps)	See MCO 4410.9G, para. 5a (2) (c) & (d) <sup>1</sup> .
<u>1905</u> Combat Ships and Landing Vessels	<u>01</u>	<u>PRK</u>	<u>N</u> (U.S. Navy)	In accordance with Navy instructions
<u>1510</u> Aircraft, Fixed Wing	<u>01</u>	<u>VNM</u>	<u>F</u> (U.S. Air Force)	In accordance with Air Force instructions
<sup>1</sup> Available at <a href="http://www.marines.mil/news/publications/Pages/default.aspx">http://www.marines.mil/news/publications/Pages/default.aspx</a>				

(a) FSC. The H2 FSC search tool at <http://www.dlis.dla.mil/H2/default.asp> shall be utilized for proper FSCs in the assignment of LSNs.

(b) NCB Code. The NCB codes are listed in Table 9 of Reference (i). (See <http://www.dlis.dla.mil/PDFs/Procedures/vol10.pdf>.)

(c) CAGE Country Codes. As a modification, incorporate the appropriate CAGE country code signifying country of origin into the LSN as cited in the example for the various services found in this enclosure's table. The country codes are listed in Table 206 of Reference (j). (See <http://www.dlis.dla.mil/PDFs/Procedures/vol10.pdf>.)

(d) Assigning Activity Codes. Assigning activity codes are listed in Table 39 of Reference (j). (See <http://www.dlis.dla.mil/PDFs/Procedures/vol10.pdf>.)

(e) Serial Number. Assigning activities will add additional numbers in accordance with local regulations to complete the LSN.

(2) Miscellaneous Inventory Gain and Loss Transactions. Property accountability for captured property in the custody of Military commands, activities, or units shall be in accordance with DoD 4000.25-1-M (Reference (t)) The following document identifier codes (DICs) shall be used in accordance with Reference (t):

(a) DIC-D8Z: Inventory Adjustment - Increase (Other). Gains for which a specific DIC is not otherwise provided, single adjustment. Assignor of code will maintain detailed intelligence pertaining to its use and, as required, will furnish this data.

(b) DIC-D9Z: Inventory Adjustment - Decrease (Other). Losses for which a specific DIC is not otherwise provided, single adjustment. Assignor of code will maintain detailed intelligence pertaining to its use and, as required, will furnish this data.

c. Small Arms and Light Weapons (SA/LW). The DoD SA/LW Serialization Program is the DoD Unique Item Tracking program for all SA/LW, as defined in DoD 4000.25-2-M (Reference (v)). Paragraphs C5.7.3 and C5.7.4 of DoD 4140.1-R (Reference (w)) apply. All serviceable or unserviceable SA/LW weapons, described in USML Categories I and II of Volume 2 of this Manual, or Reference (h), shall immediately be reported to the DoD Small Arms Registry via Military Service Registries, with the following information:

- (1) LSN assigned by commands or activities.
- (2) Nomenclature (complete description including caliber of weapon).
- (3) Manufacturer's name, if available.
- (4) Country of origin including country name and CAGE country code.

(5) Serial number (for weapons without serial numbers, assign a local control number incorporating the unit's activity address code (AAC) and affix this local control number to the respective weapon for identification purposes). Military Service Historical Centers (museums) will also report the accession number for any weapons held. The accession number shall serve as the serial number for those weapons that do not have a serial number.

(6) AAC of accountable and responsible unit.

(7) DEMIL Code. Assign the appropriate DEMIL code for each item in accordance with Volume 2 of this Manual.

d. Physical Security. Arms and ammunition of foreign origin in the custody of the DoD Components for intelligence, research, development, test, evaluation, or other purposes, will be controlled and safeguarded in the same way as that prescribed for U.S. military weapons and ammunition in accordance with Reference (u).

e. Disposition. Disposition is accomplished in accordance with standard materiel management policies. Captured enemy material or equipment from enemy combat areas or combat zones constitute "imports" for the purposes of regulatory statutes. These "imports" become the responsibility of custodial commands and activities to ensure that captured material or equipment classified as USML and CCL property are not diverted to unauthorized end users or uses. It is absolutely critical to assign proper DEMIL codes in order to appropriately dispose of captured USML and CCL property. Additional information pertinent to disposition and disposal is provided in References (h), (i), (j), (m), and (u); and this Manual.

#### 4. POTENTIALLY DANGEROUS CONCERNS

a. Booby Traps. All enemy property on the battlefield must be considered as booby-trapped and extremely hazardous. Caution needs to be exercised when handling such property. Any property found to be booby-trapped must be reported in accordance with applicable military field manuals as unexploded ordnance regardless of country of origin.

b. Radioactive Material. Ensure that radioactive safety officials check all equipment for the existence of radioactive materials that could unknowingly present a health risk to personnel and could result in findings of liability against commanders.

5. DEMIL FOR DISPLAY PURPOSES. Items to be displayed require minimum DEMIL to render such items unserviceable in the interest of public safety. This DEMIL will preserve the intrinsic, historical, or display value of the property. This DEMIL usually does not constitute complete DEMIL as required for final disposition in accordance with Volume 3 of this Manual.

6. DEMIL OF FOREIGN OR CAPTURED WEAPONS. Disposition and DEMIL of foreign or captured weapons is a Military Service responsibility. If the weapon is part of the historical inventory, authority for destructive DEMIL shall be sought from the DoD Component Historical Centers.

a. If the technical manual and/or maintenance instructions or drawings were not captured with the war trophies, the Military Service may seek guidance from the JCMEC or Service intelligence activity. JCMEC or Service intelligence activities will, in turn, request the appropriate manuals from the National Ground Intelligence Center, Charlottesville, VA, DSN 521-7211 or (434) 980-7211. This is the best method to obtain the appropriate manuals, since some of this information is sensitive, and the DoD Component Historical Centers may not have declassification authority nor handle any classified material. The instructions and precautions cited in Volume 3 of this Manual for like items and handling or supervision by appropriately trained, qualified, and experienced personnel with the proper military occupational specialties are absolutely necessary.

b. A team approach involving appropriate senior personnel and personnel with occupational expertise, including explosive ordnance disposal, hazardous material, and safety, shall provide counsel, handle, or supervise the DEMIL process from start to finish. All potential hazards shall be identified in writing and the location(r) of potential hazards physically marked on the piece to undergo DEMIL. All weapons must be considered as loaded, armed, or otherwise dangerous and all precautions must be observed. Personnel shall never assume that what is not seen does not exist.

c. If knowledgeable and experienced personnel are not readily available, in order to minimize fatalities or other tragedies in the field resulting from improperly conducted DEMIL operations, personnel shall:

(1) Wait until those personnel become available;

(2) If additional DEMIL instructions are required for a particular weapon system, address the chain of command for that information and expertise.