

DEPARTMENT OF THE ARMY
HEADQUARTERS UNITED STATES ARMY MANEUVER CENTER OF EXCELLENCE
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MCoE Regulation
Number 190-11

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Military Police
PHYSICAL SECURITY of PRIVATELY OWNED ARMS, AMMUNITION, and EXPLOSIVES

Summary. This is a new regulation. It establishes policies and procedures for the registration; storage; temporarily securing of weapons in vehicles; and the transportation and discharging of weapons on Fort Benning. For the purposes of this regulation, the words 'Fort Benning' shall include the installation of Fort Benning, Camp Merrill, and the Morale, Welfare, and Recreation Destin Army Recreation Area.

Applicability. This regulation applies to all military personnel, their dependents and all Civilians who perform duty, reside, utilize facilities, and/or enter and travel on this installation. Matters of conduct and discipline, stated herein, pertain to occupants of government quarters, are equally applicable to occupants of Battle Park Homes.

Punitive nature material. This regulation is punitive in nature. Individuals who are subject to the Uniform Code of Military Justice (UCMJ) who violate this regulation are subject to administrative or judicial action under the UCMJ. Individuals not subject to the UCMJ are subject to administrative or judicial actions in accordance with applicable Federal, State, and local laws or regulations.

Availability. This publication is available on the MCoE Administrative Publications SharePoint site @ <https://benna0shrpt2/sites/pubs/default.aspx>

Effective Date: The effective date of this regulation is upon signature of the installation commander or his designee. Enforcement of this regulation begins on 01 October 2012.

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Chapter 1
Introduction

1-1. Purpose.

- a. Introducing a Privately Owned Weapon onto Fort Benning is a privilege granted by the Installation Commander.
- b. This regulation complements AR 190-11, Physical Security of Arms, Ammunition, and Explosives, and prescribes policies and procedures that are applicable to individuals, both Civilian and military, who want to introduce, possess, and use a weapon in any area within or under the jurisdiction of Fort Benning.
- c. Persons who accept this privilege must comply with this regulation and all federal and state laws concerning the possession,

control, use, and purchase of privately owned weapons and ammunition.

1-2. References. Required and related publications and prescribed and referenced forms are listed in Appendix A.

1-3. Explanation of abbreviations and terms. Abbreviations and special terms are explained in the glossary.

1-4. Responsibilities.

a. Installation Commander. The Installation Commander has clear authority and responsibility to regulate privately owned weapons, explosives and ammunition on the installation.

b. The Director of Emergency Services (DES):

(1) Will enforce the policies of this regulation, as well as applicable federal and state weapons laws.

(2) Will investigate all privately owned weapons violations within the designated jurisdiction.

(3) Deny registration of privately owned firearms to persons who receive a non-favorable local records check and/or NCIC records check and who have been denied approval to register firearms by the commander.

(4) Will register privately owned firearms of requesting persons who are authorized access to the installation.

(5) May conduct random checks of vehicles entering the installation for proper transportation and registration of privately owned firearms.

(6) May conduct local records checks and National Crime Information Center (NCIC) records checks on persons carrying firearms on the installation.

c. Unit commanders are responsible for and will comply with the provisions of this regulation.

d. Major Subordinate Commands, Tenet Units, and Garrison Directorates will incorporate this regulation into the New Employee Orientation Program and ensure dissemination to all new hire employees and PCS arrivals.

e. First line supervisors are responsible for ensuring that their employees (both military and Civilian) are familiar with this regulation and its requirements.

f. Privately owned firearms owners on Fort Benning will --

(1) Be knowledgeable of and comply with this regulation, along with state and federal firearms laws. Failure to comply with the provisions of the regulation may result in judicial and/or administrative action.

(2) Register privately owned firearms prior to introducing privately owned firearms onto the installation in accordance with this regulation except as authorized in paragraph 2-2 below.

Chapter 2 Weapons Policy

2-1. General.

a. The introduction or carrying of privately owned weapons, explosives and ammunition on Fort Benning is prohibited unless specifically authorized as outlined in this regulation.

b. Privately owned firearms will only be brought onto the installation by persons living on the installation or for the purpose of engaging in authorized activities such as hunting, dog training, and use of recreational range or marksmanship events.

c. Persons may not display, brandish, wave, wield, show, flash, or present a weapon in public, in a threatening manner or as a threat to another person.

d. Persons may not openly carry a privately owned firearm in public except while participating in an authorized shooting or hunting event at the event site or hunting area.

e. The carrying of a concealed weapon on the installation is prohibited regardless of whether a state or county permit has been obtained. For the purpose of this regulation, a concealed weapon is any instrument used or designed for the purpose of inflicting grievous bodily harm that is carried on a person in such a way as to be hidden from ordinary view. Folded knives with blades shorter than 3 inches are excluded from this definition.

f. Military personnel carrying weapons as part of military training or operational exercises may transport and carry weapons consistent with their duties as approved by the appropriate commander.

g. Carrying of firearms, open or concealed, is authorized for any officer, agent, or employee of a Federal agency, a state, or a political subdivision thereof while in an on-duty status, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law. Personnel who perform law enforcement duties and who are in an off-duty status are not authorized to possess a firearm on the installation unless approved by the installation commander.

h. The following are considered authorized privately owned weapons for possession on the installation, except as outlined in paragraph h below: Firearms, bows (to include long, recurve, compound, cam, or crossbows), air or CO2 rifles or pistols (BB/pellet guns/paint ball guns), knives (excluding kitchenware), martial arts weapons, and slingshots.

(1) The term "firearm" means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device. Such term does not include an antique firearm.

(2) The term "destructive device" means:

(a) Any explosive, incendiary, or poison gas

(1) Bomb,

(2) Grenade,

(3) Rocket having a propellant charge of more than

four ounces

(4) Missile having an explosive or incendiary charge of more than one-quarter ounce,

(5) Mine, or

(6) Device similar to any of the devices described in the preceding clauses

(b) Any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

(c) Any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (a) or (b) and from which a destructive device may be readily assembled.

i. The following are considered privately owned weapons prohibited on the installation: sawed-off shotgun, sawed-off rifle, a firearm with an altered or removed serial number, machine gun not registered with the ATF, rocket launcher, bazooka, recoilless rifle, mortar, hand grenade, or similar type devices intended to injure or kill a person.

(1) 'Sawed-off shotgun' means a shotgun or any weapon made from a shotgun whether by alteration, modification, or otherwise having one or more barrels less than 18 inches in length or if such weapon as modified has an overall length of less than 26 inches.

(2) 'Sawed-off rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder; and designed or redesigned, made or remade, to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger; and which has a barrel or barrels of less than 16 inches in length or has an overall length of less than 26 inches.

j. Lawful possession is defined as the possession of a registered firearm or other authorized weapon not classified as illegal by state or federal law, while in quarters, hunting or sports shooting; during transportation related to relocation or initial introduction onto the installation or for some type of recognized function involving that particular weapon.

k. With the exception of weapons utilized as marksmanship weapons, it is prohibited to carry, move, or store U.S. Government AA&E in privately-owned vehicles either on or off the installation.

l. Personnel authorized access to the installation may temporarily secure, or transport privately owned firearms or other weapons to functions or activities involving those weapons (such as hunting, sports shooting, or other legitimate reasons) subject to the provisions of this regulation.

m. The theft or loss of any privately owned firearm will be immediately reported to the Directorate of Emergency Services.

2-2. Registration.

a. Registration of firearms (and authorized war trophies) is required before the firearm is introduced onto the installation as outlined below. Denial of registration prohibits the person from bringing a firearm onto the installation.

(1) Persons residing on Fort Benning who own firearms must register each firearm within 10 working days of bringing the firearm onto post; this includes weapons purchased at AAFES. Persons PCSing into Fort Benning are authorized to secure a firearm in on post quarters until registration is completed. At no time can the firearm be removed from the quarters while obtaining permission to register the weapon. If denied registration by the unit commander or DES, the firearm(s) must be immediately removed from the installation.

(a) Soldiers and Family members will submit a request to their unit commander to register privately owned firearms.

(b) The unit commander will verify proof of legal ownership of the firearm and that the individual is not prohibited from owning a firearm (sub paras (e)(1) through (e)(6), below). The unit will approve requests, in writing, and forward the registration form to the DES. The registration form must have a memo attached stating that the Soldier or Family member has received appropriate safety training on the use and storage of the firearm and is knowledgeable of Federal, state, or local laws, or ordinances concerning the possession, use, and transportation of the firearm. Soldiers are responsible for ensuring his or her Family members received appropriate firearms training. See sample memo Appendix B.

(1) Examples of appropriate firearm safety training include having attended a hunter safety course, a basic firearms training course, or having reviewed firearms safety material. The National Rifle Association provides firearm safety awareness material at <http://www.nrahq.org/education/guide.asp>. Hunter education class information can be found at <http://www.benning.army.mil/garrison/dpw/EMD/wildlife.htm>.

(2) Commanders may also evaluate the Soldiers level of experience when determining if the Soldier is appropriately trained and is capable of providing appropriate training to his or her Family members.

(3) Commanders may also create unit level firearms training programs to educate Soldiers and Family members. This is not mandatory and at the discretion of the commander.

(2) All persons not residing on Fort Benning are required to register each firearm they intend to introduce to the installation for engaging in an authorized activity prior to bringing the weapon onto the installation.

(3) Bows and cross bows are not required to be registered.

b. Persons failing to register the privately owned firearms will be denied access to the installation.

c. Authorized sponsors must register weapons for juvenile hunters.

d. Firearms will be registered in the Centralized Operations Police Suite (COPS) weapons registration module. Registration will be completed using FB (DES) Form 190-11-R, which is located at the back of this regulation and may be reproduced on office copiers.

(1) Persons must fill in each section of the form and sign the form.

(2) Failure to complete the form in its entirety will result in denial of registration.

(3) Registration forms must be submitted to the Military Police Station, Building 215, Wold Ave. Persons may submit the registration document to the Provost Marshal's Office 24 hours per day, seven days per week.

(4) A copy of the registration form will be returned to the requesting registrant with a Provost Marshal stamp on the document. This document serves as the official record of registration.

(5) Persons must present a valid identification card when receiving the form to confirm the owners name and status at the time of registration.

(6) Persons may request replacement copies of the registration document from the Military Police Station, Building 215, 24 hours per day, seven days per week. Persons may duplicate the stamped registration form.

e. Persons listed below cannot register or possess a firearm on the installation.

(1) Any person convicted of a felony (The Federal Gun Control Act of 1968, as amended in 1996).

(2) Any person convicted in any court of a misdemeanor crime of domestic violence or a felony (the Lautenberg Amendment to the Federal Gun Control Act of 1968, as amended in 1996). The Amendment—

(a) Makes it a felony for any person to sell or otherwise dispose of firearms or ammunition to any person he or she knows or has reasonable cause to believe has been convicted of a misdemeanor crime of domestic violence.

(b) Prohibits anyone who has been convicted of a misdemeanor crime of domestic violence from shipping or transporting in interstate or foreign commerce, or possessing in or affecting commerce, any firearm or ammunition; or receiving any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

(3) Any person who is a fugitive from justice.

(4) Any person who has been convicted in any court of the possession, use, or sale of marijuana, dangerous or narcotic drugs (the term convicted includes non-judicial punishment under Article 15 Uniform Code of Military Justice).

(5) Any person who is presently declared as mentally incompetent or who is presently committed to any mental institution.

(6) Any Civilian or Family member under the age of 18 is prohibited from the use of firearms, unless accompanied and supervised by a parent, guardian, or authorized sponsor over the age of 18.

f. Persons sponsoring guests engaging in authorized activities may request registration for them using the registration form. The sponsor must sign for their guest. The guest is subject to the same registration requirements as outlined in this regulation.

g. Affiliated short-term guests who will be lodging at an MWR facility may register firearms using the registration form prior to arriving at Fort Benning. The guest is subject to the same registration requirements as outlined in this regulation. This person may fax the

registration request to the DES ADMIN Records section at 706-545-7455, ATTN Weapons Registration, 96 hours before the expected arrival to Fort Benning. Short-term guests not pre-registering their firearm will be denied access to the installation.

h. USAMU will coordinate directly with the DES for records checks of competitors for USAMU sponsored events. Competitors are subject to the same provisions for storage and transportation of weapons as outlined in this regulation.

i. Persons are required to produce, upon request, the firearms registration document to any Military Police Officer, Department of the Army Police Officer, Conservation Law Enforcement Officer, or Department of the Army Security Guard. Persons without the registration document will not be authorized to bring the firearm onto the installation and if found to be on the installation in possession of an unregistered firearm will be processed as follows:

(1) Military personnel found on the installation, in possession of an unregistered firearm, in violation of this regulation, will be apprehended, processed, and titled under Article 92, UCMJ and released to their Commander or First Sergeant.

(2) Family members who live on the installation and found on the installation, in possession of an unregistered firearm in violation of this regulation, will be apprehended, processed, and titled for violation of this regulation and released to their sponsor.

(3) Civilians and Family members who live off the installation and found on the installation, in possession of an unregistered firearm in violation of this regulation, will be apprehended, processed, and titled for violation of this regulation and escorted off the installation.

(4) All Civilians processed for violation of this regulation are subject to exclusion from the installation.

(5) Persons found to be on the installation with a registered weapon, without the registration form, will be directed to immediately report to the Military Police Station to obtain a new registration form. Persons refusing to comply to the order of obtaining a new registration form will be escorted to the Military Police Station and processed for violation of this regulation as outlined in paragraph i (1) – (4) above.

j. Firearms need only be registered once on Fort Benning. If additional firearms are purchased and intended for use on Fort Benning the person must submit an updated registration form, with only the new weapon, before the weapon is used for any recreational activity. Soldiers registering new weapons must obtain the commander's approval when registering additional weapons.

2-3. Storage and securing weapons.

a. General. Personnel storing privately owned firearms and ammunition (including authorized war trophy firearms) on an installation will—

(1) Comply with Federal, state, and local laws and regulations on ownership, possession, registration, off-post transport, and use.

(2) Store both firearms and ammunition in the unit arms room or other locations authorized by the installation commander.

(3) Follow local security and safety regulations.

(4) Safeguard the unit issued DA Form 3749, Equipment Receipt, for turn-in to the unit armorer when the firearm is withdrawn from the arms room.

(5) Withdraw privately owned firearms and ammunition from the unit arms rooms only upon approval of the unit commander or authorized representative.

(6) Comply with the National Firearms Act and other relevant laws and regulations when receiving or bringing arms into the United States.

b. Storing Weapons.

(1) Military personnel and Family members residing in on post housing may store firearms and privately owned weapons and ammunition in their quarters.

(a) Firearms will be secured in either a locked container or with an affixed trigger lock.

(b) Ammunition for the firearm will be secured separately from the firearm in a locked container that prevents opening by juvenile Family members.

(2) Military personnel who reside on post in other than family housing (in barracks or bachelor officer quarters, for example) must

store privately owned firearms, explosives, and ammunition in the arms room of their immediate organizational commander in accordance with AR 190-11, Physical Security of Arms, Ammunition, and Explosives.

(3) Persons living at an MWR lodging facility, who have been authorized to register their weapons, are required to store their weapons as outlined in paragraph 2-3.b.(1)(a) and (b) above.

c. Temporarily securing firearms in vehicles. Firearms may be temporarily secured in vehicles while an individual is stopped at a location associated with an authorized activity. These temporary stops allow authorized individuals to pick up or drop off others participating in the activity, to purchase items that support the activity, to fulfill installation directed requirements, or to perform commander designated mission essential duties (Examples include, AAFES Shoppettes, gas stations, eateries, government quarters, Uchee Creek Recreation Area, deer check/cleaning stations, etc.). Firearms must be secured IAW Paragraph 2-4 during temporary stops.

2-4. Transporting of Weapons.

Personnel may transport authorized weapons on or off post for hunting, sports shooting, or other legitimate reasons, to include recognized functions or activities involving a firearm.

a. When transporting firearms, personnel will ensure:

(1) The firearm(s) is unloaded and separated from the ammunition.

(2) The firearm(s) has no loaded magazine/clip inserted into the firearm.

(3) Muzzle loading firearms are properly prepared for transport. Muzzle loading firearms may contain a powder charge and projectile in the chamber but cannot have a percussion cap, primer, flint, powder or other firing device on the nipple or flash pan. Electronic ignition muzzle loading firearms must have the battery removed and separated from the firearm.

(4) All firearms will be transported cased, secured and not in plain view from outside the vehicle. If the vehicle has a trunk the firearm must be transported in the trunk. Regardless of whether the vehicle has a trunk or not, the firearm must be placed in a hard or soft case with the ammunition separated from the firearm. Firearms in a "gun sock" or holster will not be considered cased. The actual firearm cannot be in "plain view." Therefore, a firearm enclosed in a standard hard or soft case is NOT in "plain view." At no time should a firearm, cased or un-cased, be transported in window gun racks. Under no circumstances may an uncased gun be transported under or behind a seat or in a glove compartment, console, seat pouch or similar location.

(5) Hunters travelling within a hunting area they are signed into do not have to re-case their firearm before transport. However, the firearm must be unloaded, the magazine removed from the firearm, and ammunition separated from the firearm.

(6) Personally owned firearms removed from the installation are done so in accordance with applicable Federal, state, and local laws pertaining to ownership, possession, and registration.

b. Crossbows cannot be cocked or have a bolt in the firing position.

2-5. Firing or discharging of weapons.

Personnel may not:

a. Discharge a firearm or projectile weapon in the cantonment area and inside or adjacent to housing areas unless otherwise authorized by special permit in approved areas. All personnel must have appropriate documentation authorizing such activities. Military personnel may discharge weapons using blank ammunition in the cantonment area while practicing for funeral details or other special events.

b. Conduct target practice except on an authorized range. Contact Outdoor Recreation (706-545-7978) for information about target practice and firearms zeroing opportunities.

c. Discharge a firearm after legal hunting hours unless otherwise authorized by special permit or to remove a round from a muzzle loading firearm at the end of a hunt. Hunters who discharge a muzzle loading firearm after legal hours to remove a round must do so in the training area they were checked in to hunt that evening.

d. Discharge a firearm or projectile weapon from a vehicle or across a maintained road.

e. Discharge a firearm or projectile weapon within 200 feet of maintained roads, buildings, construction projects, or other man-made infrastructure.

f. Discharge a firearm or projectile weapon within 200 yards in the direction of a maintained road, buildings, construction projects, or other man-made infrastructure. A maintained road is a road with a base consisting of pavement, concrete, gravel, or improved dirt that receives maintenance and is wide enough to allow at least two-way vehicular traffic.

g. Paintball guns may only be fired on approved MWR sites or under command directed activities (e.g. training events, law enforcement missions, etc.).

2-6. Ammunition and Explosives.

a. The unusual amount and diversified character of firing conducted on Fort Benning requires that special and intelligent care be exercised to avoid accidents. All concerned with handling, care and use of ammunition and explosives, or with the conduct or direction of any firing, or the care and police of buildings and areas which are used for storing explosives will familiarize themselves with current safety regulations and field and technical manuals pertaining to the munitions being handled.

b. The firing of ammunition of any type over buildings or other structures, public highways, or public railroads, is prohibited. Extreme care will be exercised that areas of impact are at a safe distance from buildings or other structures, roads and railroads, and that such areas are fully within the limits of the reservation.

c. The keeping of live ammunition, projectiles or explosives as souvenirs by any person is prohibited.

d. Discarding or dumping live ammunition, projectiles, or explosives in any area of Fort Benning is prohibited.

e. The removal of live or expended ammunition and ammunition residue from the installation is prohibited.

2-7. Commanders control over weapons, ammunition, and explosives. Unit commanders will—

a. Publish Standing Operating Procedures covering the proper storage, issue, handling and use of weapons.

b. Account for and inventory privately owned firearms and ammunition secured in unit arms.

c. Ensure that a DA Form 3749, Equipment Receipt, has been issued for each privately owned firearm secured in the arms room. Privately owned firearms will be inventoried in conjunction with and at the frequency of the inventory of military weapons.

d. Establish limits on the quantity and type of privately owned ammunition stored in the arms room, based upon availability of space and safety considerations.

e. Ensure that inspections are conducted in accordance with AR 190-13 and this regulation to ensure proper storage, accountability, and control.

f. Process unauthorized AA&E in accordance with AR 195-5.

g. Post applicable local regulations and state and local law information on ownership, registration, and possession of firearms and ammunition on unit bulletin boards.

h. Brief all newly assigned personnel on this regulation and subordinate command guidance during initial counseling. All personnel will be made aware of changes.

i. Ensure that weapons training emphasizes accident prevention. Particular emphasis will be placed on the proper methods for loading, locking and clearing of weapons.

j. Ensure weapons are not cleared or cleaned in areas where personnel congregate. A separate area will be provided for this purpose.

k. Strictly prohibit quick draw horseplay or pointing weapons at other Soldiers.

l. Personnel assigned to guard duties will be authorized to carry clubs while in the performance of their guard duties. These guards will, however, be thoroughly briefed on use of force per AR 190-14.

m. Notify the DES and AAFES when a Soldier or Family member has been denied authorization for the registration of a firearm on the installation.

n. Notify the DES and AAFES when a Soldier has been convicted in any court of the possession, use, or sale of marijuana, dangerous or narcotic drugs (the term convicted includes non-judicial punishment under Article 15 Uniform Code of Military Justice) for removal of weapons registration privileges.

**Appendix A
References**

**Section I
Required and related publications**

- AR 190-11
Physical Security of Arms, Ammunition, and Explosives
- AR 190-14
Carrying of Firearms and Use of Force for Law Enforcement and Security Duties
- MCoE Reg 190-5
Fort Benning Vehicle Traffic Regulation
- MCoE Reg 200-3
Hunting, Fishing and Recreation
- MCoE Reg 210-5
Garrison Regulation

**Section II
Referenced Forms**

- FB (DES) Form 190-11-R
Privately Owned Weapons Registration Form
- DA Form 3749
Equipment Receipt

Glossary

**Section III
Abbreviations**

- AA&E.....Arms, Ammunition, and Explosives
- ARArmy Regulation
- AAFESArmy, Air Force Exchange Service
- COPSCentralized Operations Police Suite
- DECADefense Commissary Agency
- DESDirectorate of Emergency Services
- DFMWR.....Directorate of Family, Morale, Welfare, and Recreation
- FBFort Benning
- MCOEManeuver Center of Excellence
- NCICNational Crime Information Center
- Para.....Paragraph
- POCPoint of Contact
- POWPrivately Owned Weapon
- USAMUUnited States Army Marksmanship Unit
- UCMJUniform Code of Military Justice

**Section VI
Terms**

- Antique Firearm - As defined in 18 U.S.C. § 921(a)(16) the term "antique firearm" means —
- a. any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or
 - b. any replica of any firearm described in subparagraph (A) if such replica —
 - (1) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or
 - (2) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or
 - c. any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term 'antique firearm' shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon, which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

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