



SECRETARY OF THE ARMY  
WASHINGTON

11 MAY 2021

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2021-06 (Implementation of the Law Enforcement Officers Safety Act of 2004)

1. References. For applicable references, see enclosure 1.

2. Purpose.

a. This directive implements Title 18, United States Code, sections 926B and 926C (18 U.S.C. 926B and 926C). The procedures in enclosure 2 of this directive comply with the guidance in Department of Defense (DoD) Instruction 5525.12 (Implementation of the Amended Law Enforcement Officers Safety Act of 2004 (LEOSA)).

b. This directive supersedes Army Directive 2015-03 (Procedures for the Issuance of Law Enforcement Officers Safety Act Credentials to Army Law Enforcement Officers).

3. Applicability. The provisions of this directive apply to active or retired uniformed Army, Army National Guard, and U.S. Army Reserve law enforcement personnel. This directive also applies to active or retired Department of the Army Civilian law enforcement personnel.

4. Policy.

a. Pursuant to 18 U.S.C. 926B, notwithstanding any other provision of the law of any State or political subdivision thereof, an individual who is a qualified law enforcement officer as defined in enclosure 2, and who is carrying the identification described in enclosure 2, may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, while in an off-duty status for personal protection, subject to the restrictions in paragraph 5 of this directive. For the purposes of this directive, Army counterintelligence agents who have been authorized the issuance of badges and credentials to conduct counterintelligence investigations are also considered to be qualified law enforcement officers.

b. Pursuant to 18 U.S.C. 926C, notwithstanding any other provision of the law of any State or political subdivision thereof, an individual who is a qualified retired law enforcement officer as defined in enclosure 2, and who is carrying the identification described in enclosure 2, may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to the restrictions in paragraph 5 of this directive.

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c. Individuals who receive a LEOSA credential from the U.S. Army must comply with this policy and all applicable Federal laws governing the carrying of firearms. The Army has no liability and will not provide legal defense, absent that required by law, for any individual involved in use of force incidents involving privately owned firearms (POFs) carried pursuant to this directive. The Army's role under LEOSA is solely to determine whether an applicant is qualified to carry a concealed firearm pursuant to 18 U.S.C. 926B or 926C.

d. The Army will bear no cost for training related to, or issuance of, LEOSA credentials. The Army will not provide firearms, ammunition, or firearms qualification services for retired Army law enforcement officers or currently serving Army law enforcement officers who are not otherwise qualified by their unit. Use of appropriated funds for the qualification of retired law enforcement officers is prohibited.

## 5. Restrictions.

a. This policy does not create any rights, privileges, or benefits—substantive or procedural—enforceable by any party against the United States; its departments, agencies, or other entities; its officers; or any other persons.

b. This policy does not permit the carry of POFs on Federal installations (including standalone and leased facilities) or other locations on which carrying a concealed firearm is not authorized by Federal statute, unless otherwise authorized.

c. This policy does not limit the authority of military commanders (as outlined in 18 U.S.C. 930, 50 U.S.C. 797, and DoD Instruction 5200.08) to deny entry to individuals or items based on current security or force protection conditions.

d. This policy does not limit the laws of any State that permits private persons or entities to prohibit or restrict the possession of concealed firearms on their property or any State that prohibits or restricts the possession of firearms on any State or local government property, installation, building, base, or park.

e. This policy does not confer on any separated law enforcement officer any rights or privileges accorded to a currently serving law enforcement officer. This directive delineates qualifications a retired law enforcement officer must satisfy to carry concealed firearms.

f. This policy does not affect the requirement of any Army law enforcement agency for its law enforcement officers to carry a firearm at all times and does not change any Army regulations or procedures with respect to on-duty Army law enforcement officers.

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6. Proponent. The Provost Marshal General is the proponent for this directive, responsible for incorporating its provisions into Army Regulation 190–14 (Carrying of Firearms and Use of Force for Law Enforcement and Security Duties) within 2 years of the date of this directive and developing and issuing necessary implementing guidance.

7. Duration. This directive is rescinded on publication of the revised regulation.

  
John E. Whitley  
Acting

Encls

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## REFERENCES

- a. Title 10, U.S. Code, section 807(b) (10 U.S.C. 807(b))
- b. 18 U.S.C. 921, 926B, 926C, and 930
- c. 50 U.S.C. 797
- d. National Defense Authorization Act for Fiscal Year 2013; Public Law 112-239, section 1089; 126 Stat. 1970–1971
- e. U.S. Department of Justice; Bureau of Alcohol, Tobacco, Firearms, and Explosives Publication 5300.4 (Federal Firearms Regulations Reference Guide), September 2014
- f. Under Secretary of Defense (Personnel and Readiness) memorandum (Amended Law Enforcement Officers Safety Act of 2004), 11 January 2018
- g. Department of Defense (DoD) Directive 5106.01 (Inspector General of the Department of Defense) 20 April 2012, incorporating Change 2, effective 29 May 2020
- h. DoD Directive 5124.02 (Under Secretary of Defense for Personnel and Readiness), 23 June 2008
- i. DoD Instruction 5200.08 (Security of DoD Installations and Resources and the DoD Physical Security Review Board), 10 December 2005, incorporating Change 3, 20 November 2015
- j. DoD Instruction 5505.03 (Initiation of Investigations by Defense Criminal Investigative Organizations), 24 March 2011, incorporating Change 2, 13 February 2017
- k. DoD Instruction 5505.17 (Collection, Maintenance, Use, and Dissemination of Personally Identifiable Information and Law Enforcement Information by DoD Law Enforcement Activities), 19 December 2012, incorporating Change 1, 29 November 2016
- l. DoD Instruction 5525.12 (Implementation of the Amended Law Enforcement Officers Safety Act of 2004), 13 February 2014, incorporating Change 2, 29 June 2018
- m. Army Directive 2015-03 (Procedures for the Issuance of Law Enforcement Officers Safety Act Credentials to Army Law Enforcement Officers), 8 January 2015 (hereby superseded)

n. Army Regulation 190–14 (Carrying of Firearms and Use of Force for Law Enforcement and Security Duties), 12 March 1993

o. Army Regulation 190–56 (The Army Civilian Police and Security Guard Program), 15 March 2013

## PROCEDURES FOR ISSUING LEOSA CREDENTIALS

1. Qualification for a LEOSA credential pursuant to 18 U.S.C. 926B (Carrying of concealed firearms by qualified law enforcement officers).

a. A qualified law enforcement officer is an employee of the Army who:

(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law

(2) has statutory powers of arrest or apprehension pursuant to 10 U.S.C. 807(b) (also known as Article 7(b) of the Uniform Code of Military Justice)

(3) is authorized by the Army to carry a firearm

(4) is not the subject of any disciplinary action that could result in suspension or loss of police powers

(5) satisfies the Army's standards to regularly qualify in the use of a firearm pursuant to 18 U.S.C. 926B

(6) is not under the influence of alcohol or another intoxicant or a hallucinatory drug or substance while carrying a firearm

(7) is not prohibited by Federal law from receiving a firearm

b. Qualified law enforcement officers, as defined in paragraph 1a of this enclosure, may apply for a LEOSA credential via <https://www.leosaarmy.com>.

c. For the purpose of this section, currently serving qualified Army law enforcement officers include only Soldiers or Department of the Army Civilians authorized by law to engage in or supervise the prevention, detection, investigation, prosecution, or incarceration of any person for any violation of law, and who have statutory powers of arrest or apprehension under 10 U.S.C. 807(b) (Article 7(b) of the Uniform Code of Military Justice), regardless of current duty assignment.

d. Recipients of a LEOSA credential issued pursuant to 18 U.S.C. 926B must comply with all provisions of the statute, including carrying the LEOSA credential when carrying their authorized firearms.

2. Qualification for a LEOSA credential pursuant to 10 U.S.C. 926C (Carrying of concealed firearms by qualified retired law enforcement officers).

a. A qualified retired law enforcement officer is a former employee of the Army who:

(1) separated in good standing from service with the Army as a law enforcement officer. (The U.S. Army Military Police School or Office of the Army Deputy Chief of Staff, G-2 will verify the former Soldier's Army service.)

(2) before separation, was authorized to engage in or supervise the prevention, detection, investigation, or prosecution of, or incarceration of any person for, any violation of law

(3) before separation, had statutory powers of arrest or apprehension pursuant to 10 U.S.C. 807(b) (Article 7(b) of the Uniform Code of Military Justice)

(4) before separation, served as a law enforcement officer for an aggregate of 10 years or more, or separated from service with the Army as a law enforcement officer (after completing any applicable probationary period of service) because of a service-connected disability as determined by the Army

(5) during the most recent 12-month period, at the expense of the individual, satisfied the standards for qualification in firearms training for active law enforcement officers as determined by the Army, the State in which the individual resides, or—if that State has not established such standards—either a law enforcement agency within the State where the individual resides or the standards used by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty officers within that State

(6) has not been officially found by a qualified medical professional to be unqualified for reasons relating to mental health. Pursuant to DoD Instruction 5525.12, a new mental health examination is not required as a prerequisite for issuance of a LEOSA credential

(7) has not entered into an agreement with the Army or DoD in which the individual acknowledges he or she is not qualified under 18 U.S.C. 926C for reasons relating to mental health and, for those reasons, will not receive or accept a LEOSA credential

(8) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance

(9) is not prohibited by Federal law from receiving a firearm

b. Qualified retired law enforcement officers, as defined in paragraph 2a of this enclosure, may apply for a LEOSA credential via <https://www.leosaarmy.com>.



c. Recipients of a LEOSA credential must comply with all provisions of 18 U.S.C. 926C, including carrying the LEOSA credential when carrying their authorized firearm.

d. Firearms certification and costs associated with procuring the LEOSA credential will be completed at the individual's expense.

### 3. Application Procedures.

a. Applicants requesting a 926B or 926C LEOSA credential must submit the following documentation at <https://www.leosaarmy.com>:

(1) a completed Federal Bureau of Investigation Identity History Summary. Applicants may obtain fingerprint cards at the office of the nearest installation provost marshal, a DoD law enforcement agency or office, or a local police station (926C applicants only)

(2) a passport photograph, as required by the U.S. Department of State for all U.S. passport applications

(3) a copy of a valid State driver's license or identification credential issued by State or Federal government

(4) a memorandum from the applicant's commander or the commander's designated representative verifying that the applicant meets the criteria of a qualified law enforcement officer (926B applicants only). (Commanders or their designated representatives will verify the applicant's eligibility. Commanders do not adjudicate requests and are not the approval authority for issuance of LEOSA credentials.)

(5) a legible copy of the applicant's DD Form 214 (Certificate of Release or Discharge From Active Duty), member copy 4 (926C applicants only)

(6) a legible copy of the applicant's U.S. Army Military Police School or U.S. Army Intelligence School graduation certificate (as applicable)

b. The Office of the Provost Marshal General (OPMG) is the issuing agency with authority and responsibility to review and adjudicate LEOSA applications. OPMG will administer the application and issuance process for all Army-issued LEOSA credentials.

c. OPMG will maintain a roster of all personnel issued a LEOSA credential by OPMG. The Army Threat Integration Center (ARTIC) will maintain a copy of the roster and validate the credential. ARTIC's phone number is listed on the back of each LEOSA credential, and ARTIC will provide 24/7 LEOSA credential verification on request.

d. The LEOSA credential for a qualified law enforcement officer (926B) will include, at a minimum, the law enforcement officer's name, an identification number assigned by OPMG, and a photograph of the qualified law enforcement officer.

e. The LEOSA credential for a qualified law enforcement officer (926B) is valid for 5 years from the date of issuance unless the officer separates from the service earlier. Credential holders must sign and date their LEOSA credentials. To renew credentials, officers must meet the provisions of this directive and submit applications at least 60 days before expiration of their current LEOSA credential.

f. The LEOSA credential for a qualified retired law enforcement officer will include, at a minimum, the retired law enforcement officer's name, an identification number assigned by OPMG, and a current photograph of the qualified retired law enforcement officer, as well as the following statement:

The individual pictured above separated in good standing from the service with the Army as a law enforcement officer. This card is not valid unless accompanied with firearms qualification as defined in 18 U.S.C. 926C(c)(4). This card does not grant the bearer any authority to act on the agency's behalf or to exercise any law enforcement authority. Army Law Enforcement Officer (Separated).

g. Maintaining status as a qualified retired law enforcement officer is a continuous process and the responsibility of the credential holder. If, at any point, an individual no longer meets each requirement of a qualified retired law enforcement officer, the LEOSA credential is no longer a valid authorization to carry a concealed firearm.