



SECRETARY OF THE ARMY
WASHINGTON

11 MAY 2021

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2021-13 (Authorization for Law Enforcement Officers To Carry Privately Owned Firearms on Army Installations)

1. References.

a. Title 18, U.S. Code, section 926B (Carrying of concealed firearms by qualified law enforcement officers)

b. Army Regulation 190–11 (Physical Security of Arms, Ammunition, and Explosives), 17 January 2019

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

2. Purpose. The policy and procedures in this directive comply with Department of Defense Instruction 5525.12 (Implementation of the Amended Law Enforcement Officers Safety Act of 2004).

3. Applicability. The provisions of this directive apply to the Regular Army, Army National Guard/Army National Guard of the United States, and U.S. Army Reserve.

4. Policy. This directive authorizes installation senior commanders to approve qualified, actively serving, Army law enforcement professionals who possess a valid credential, pursuant to reference 1a (Law Enforcement Officer Safety Act (LEOSA)), to carry a concealed, personally owned firearm (POF) (handgun only) while off duty, for personal protection, not in the performance of official duties on Army installations to which they are assigned within the United States and U.S. territories.

a. For the purpose of this directive, “qualified, actively serving, Army law enforcement professionals” are defined as Soldiers or Department of the Army Civilians authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution (or incarceration) of any person for any violation of law, who have statutory powers of arrest or apprehension under Title 10, U.S. Code, section 807(b) (Article 7(b) of the Uniform Code of Military Justice), regardless of the individual’s current assignment. This includes Military Police (all 31 military occupational specialty

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series, regardless of current assignment), Department of the Army Civilian Police, Army Criminal Investigative Command Special Agents, and Army Counterintelligence Agents who have been issued badges and credentials to conduct counterintelligence investigations.

b. In addition to meeting all existing section 926B LEOSA requirements, the individual must not be the subject of any disciplinary action by the organization, must meet the organization's standards for regularly qualifying in the use of the same type of weapon as the concealed firearm (such as a revolver or semiautomatic pistol), and must not be under the influence of alcohol, other intoxicants, or any hallucinatory drug or substance while carrying a firearm.

c. All section 926B LEOSA credential holders requesting authorization to carry a concealed POF on an Army installation must submit a memorandum request through the chain of command to the installation senior commander with the following information:

(1) a specific description of the POF to be carried, including the make/model, serial number, caliber (not to exceed .45 caliber), type (such as revolver, semiautomatic, or single shot), and number of rounds (not to exceed 30, or the maximum allowed by Federal, State, and local law and regulation)

(2) an affirmation that they will abide by these requirements:

(a) will comply with all applicable Federal, State, and local laws to possess, carry, and conceal a firearm

(b) will transport on an Army installation only the POF for which the arming authority provides approval

(c) may be personally liable for injuries, death, and property damage proximately caused by their actions connected with the possession or use of a POF

(d) will inform the arming authority of any change in circumstances that could affect authorization to carry a POF

(e) will comply with Federal, State, and local laws for the possession and use of POFs, including laws for the reasonable use of deadly force, self-defense, and related to accidental discharge

(3) a copy of their current section 926B LEOSA credential to establish eligibility

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d. Approved authorizations are not transferable. At change of duty station, section 926B LEOSA credential holders seeking authorization to carry a concealed POF must obtain approval by the gaining chain of command and installation senior commander before carrying the POF at the gaining installation.

e. Section 926B LEOSA credential holders requesting permission to carry a POF on a joint base must obtain approval from the lead service arming authority for that base.

f. Installation senior commanders may authorize firearm storage for on-post quarters, privatized housing, and for non-standard installation facilities or leased facilities. Firearms will be secured (unloaded) in a lockable gun storage container or have a trigger locking device. Storage of POFs in temporary quarters, billeting, or barracks is prohibited, unless specifically authorized on a case-by-case basis by the senior commander.

g. Installation senior commanders may authorize storage of POFs in unit arms rooms or other authorized facilities with appropriate storage (such as a General Services Administration Class-5 security container) in accordance with reference 1b. POFs will be strictly controlled. Sign-out and turn-in of a POF will be maintained with a Department of the Army Form 3749.

h. Installation senior commanders may approve vehicle storage of POFs for personnel carrying under these special provisions for section 926B LEOSA credential holders if unit storage is not practical, not available, or has limited capacity. Individuals staying on post in camping/recreation areas with motor coaches/camping trailers may also be authorized vehicle storage. POFs will be secured (unloaded) in a lockable gun storage container, or have a trigger locking device, and will be concealed from public view. Installation residents are not authorized vehicle storage of firearms unless specifically authorized by the installation senior commander.

i. This directive is punitive. Servicemembers who violate this policy may be subject to punishment under the Uniform Code of Military Justice. Even if certain acts do not specifically violate the provisions of this directive, they may be inappropriate or violate relevant civilian personnel guidance. Commanders must seek the advice and counsel of their legal advisors when taking actions pursuant to this paragraph.

5. Proponent. The Office of the Provost Marshal General is the proponent for this policy, responsible for issuing any implementing guidance and incorporating its provisions into reference 1c within 2 years of this directive's publication.

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



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Acting

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