



Department of Defense INSTRUCTION

NUMBER 5525.12

February 13, 2014

Incorporating Change 3, September 23, 2022

USD(I&S)/IG DoD

SUBJECT: Implementation of the Law Enforcement Officers Safety Act of 2004, as amended (LEOSA)

References: See Enclosure 1

1. PURPOSE. This instruction:

a. In accordance with the authority in DoD Directives 5106.01 and 5143.01 (References (a) and (b)), reissues DoD Instruction 5525.12 (Reference (c)) to establish policy and assign responsibilities implementing the amended LEOSA.

b. Implements sections 926B and 926C of Title 18, United States Code (U.S.C.) (Reference (d)), as amended by section 1089 of Public Law 112-239 (Reference (e)), for military and civilian law enforcement personnel within the DoD.

2. APPLICABILITY. This instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense (IG DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities within DoD (referred to collectively in this instruction as the "DoD Components").

3. POLICY. It is DoD policy that:

a. In accordance with section 926B of Reference (d), notwithstanding any other provision of the law of any State or any political subdivision thereof, a qualified law enforcement officer may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, if the law enforcement officer:

(1) Meets the definitional requirements of a "qualified law enforcement officer" as outlined in Enclosure 3 of this instruction.

(2) Is carrying photographic identification issued by the DoD Component for which the

individual is employed that identifies the employee as a law enforcement officer of the DoD Component.

b. In accordance with section 926C of Reference (d), notwithstanding any other provision of the law of any State or any political subdivision thereof, a qualified retired law enforcement officer may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, if the retired law enforcement officer complies with paragraphs 3b(1) and (2), or 3b(1) and (3) of this section:

(1) Meets the requirements of a “qualified retired law enforcement officer” as outlined in Enclosure 3 of this instruction.

(2) Carries photographic identification issued by the DoD Component from which the individual separated from service as a law enforcement officer that identifies the person as having been employed as a law enforcement officer and indicates that the individual has, within the past 12 months, been found to have met the Component’s active duty standards for qualification in firearms to carry a firearm of the same type as the concealed firearm.

(3) Carries:

(a) Photographic identification issued by the DoD Component from which the individual separated from service as a law enforcement officer that identifies the person as having been employed as a law enforcement officer, and

(b) Certification issued by the State in which the individual resides or by a certified firearms instructor qualified to conduct a firearms qualification test for active duty officers within that State that indicates that the individual has, within the past 12 months, met the State’s active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm or if the State has not established standards, standards set by any law enforcement agency within that State to carry a firearm of the same type as the concealed firearm.

c. The DoD will not reimburse any cost(s) associated with the qualification requirements contained in Enclosure 3 of this instruction or provide firearms, ammunition, or firearms qualification testing for separated law enforcement officers.

d. This instruction does **not**:

(1) 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.

(2) Limit the authority of a military commander, as outlined in section 930 of Reference (d), section 797 of Title 50, U.S.C., and DoD Instruction 5200.08 (References (f) and (g)), to deny entry to individuals or items based on current security or force protection conditions.

(3) Limit the laws of any State that:

(a) Permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

(b) Prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

(4) Confer upon any separated law enforcement officer any rights or privileges accorded to an active duty law enforcement officer.

(5) Affect the requirement of any DoD law enforcement agency for its law enforcement officers to carry a firearm at all times and does not change any DoD Component's regulations or procedures with respect to on-duty law enforcement officers.

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. RELEASABILITY. **Cleared for public release.** This instruction is available on the Directives Division Website at <https://www.esd.whs.mil/DD>.

7. INFORMATION COLLECTIONS. The data maintained pursuant to paragraphs 2.b. and 4.f of Enclosure 3 and the required documentation that is referred to in paragraphs 4.a. and 4.b. of Enclosure 3 do not require licensing with a report control symbol in accordance with paragraph 9 of enclosure 3 of volume 1 of DoD Manual 8910.01 (Reference (h)).

8. SUMMARY OF CHANGE 3. This change:


a. Clarifies conditions under which DoD Components may supplement this issuance consistent with LEOSA.

b. Correctly documents the 2018 transfer of co-proponency for this issuance from the Under Secretary of Defense for Personnel and Readiness to the Under Secretary of Defense for Intelligence and Security (USD(I&S)) in accordance with the June 29, 2018 Deputy Secretary of Defense approval of the May 21, 2018 Under Secretary of Defense for Personnel and Readiness and USD(I&S) Memorandum (Reference (i)) and updates the references accordingly.

c. Updates references and corrects inaccuracies.

9. EFFECTIVE DATE. This instruction is effective February 13, 2014.


Jessica L. Wright
Acting Under Secretary of Defense for
Personnel and Readiness


Jon T. Rymer
Inspector General of
the Department of Defense

Change 3 Approved by:

Change 3 Approved by:

Ronald S. Moultrie
Under Secretary of Defense
Intelligence & Security

Sean W. O'Donnell
Acting Inspector General of the
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Enclosures

1. References
2. Responsibilities
3. Procedures

Glossary

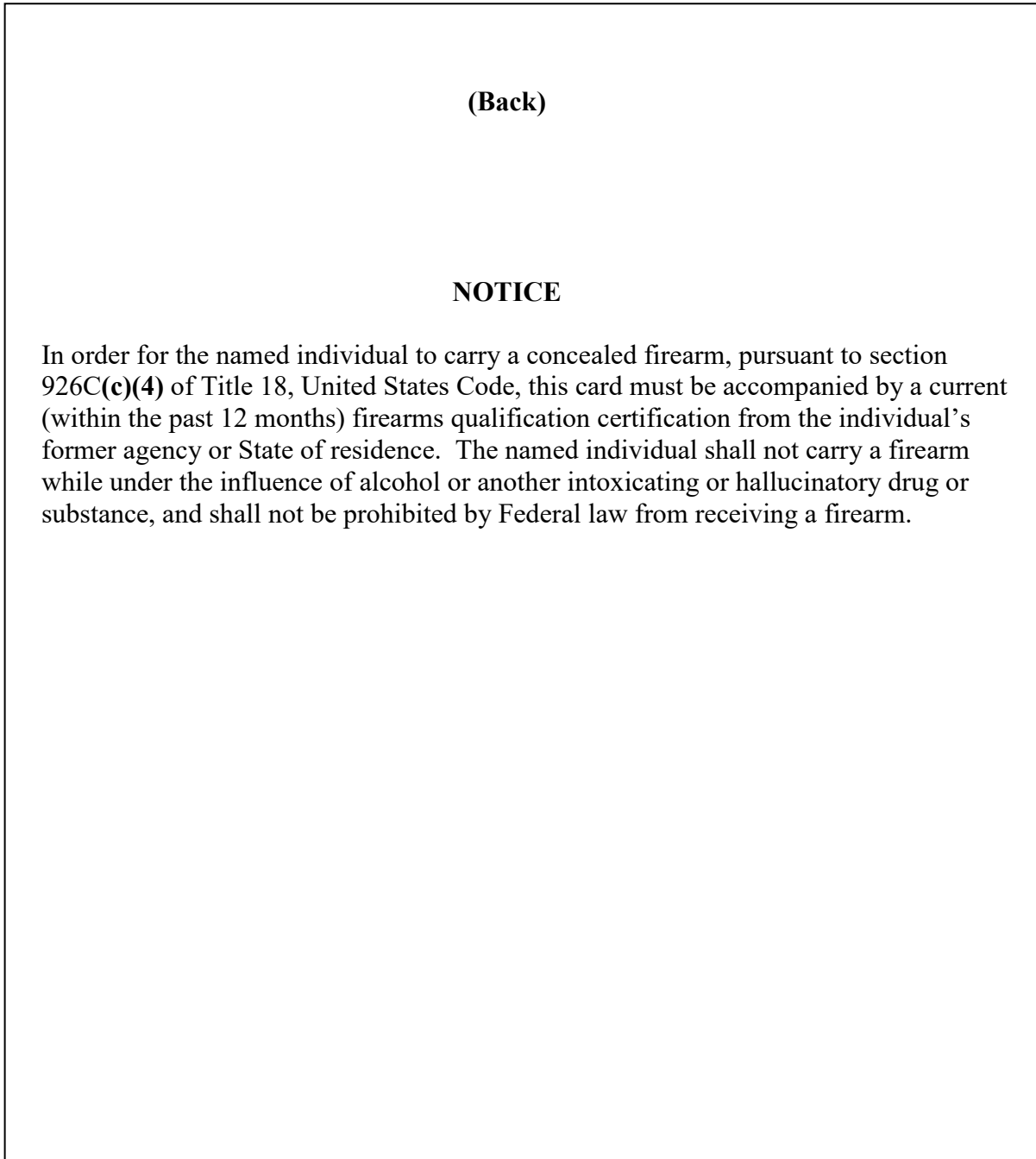
ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5106.01, “Inspector General of the Department of Defense (IG DoD),” April 20, 2012, as amended
- (b) DoD Directive 5143.01, “Under Secretary of Defense for Intelligence and Security (USD(I&S)),” October 24, 2014, as amended
- (c) DoD Instruction 5525.12, “Implementation of the Law Enforcement Officers Safety Act of 2004,” June 28, 2007, as amended (hereby cancelled)
- (d) Title 18, United States Code
- (e) Section 1089 of Public Law 112-239, “National Defense Authorization Act for Fiscal Year 2013,” January 2, 2013
- (f) Section 797 of Title 50, United States Code
- (g) DoD Instruction 5200.08, “Security of DoD Installations and Resources and the DoD Physical Security Review Board (PSRB),” December 10, 2005, as amended
- (h) DoD Manual 8910.01, Volume 1, “DoD Information Collections Manual: Procedures for DoD Internal Information Collections,” June 30, 2014, as amended
- (i) Under Secretary of Defense for Personnel and Readiness and Under Secretary of Defense for Intelligence Action Memorandum for the Deputy Secretary of Defense, “DoD Directive 5525.IC, Protection of Buildings, Grounds, Property, and Persons, and Implementation of Section 2672 of Title 10, United States Code,” May 21, 2018¹
- (j) DoD Instruction 5505.03, “Initiation of Investigations by Defense Criminal Investigative Organizations,” March 24, 2011, as amended
- (k) Section 807(b) of Title 10, United States Code
- (l) DoD Instruction 5505.17, “Collection, Maintenance, Use, and Dissemination of Personally Identifiable Information and Law Enforcement Information by DoD Law Enforcement Activities,” December 19, 2012, as amended
- (m) Title 26, United States Code

¹ The Deputy Secretary of Defense approved the transfer of proponency for this issuance on June 29, 2018. Documentation of that decision is available from the Chief, Law Enforcement Office of the USD(I&S).

Figure. Sample Law Enforcement Officer Identification Card (Separated), Continued



(4) Be dated and signed by the separated law enforcement officer and the head of the issuing organization.

(5) Contain an issue date.

e. Brief the separated law enforcement officer on issuance of the identification card:

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

IG DoD	Inspector General of the Department of Defense
LEOSA	Law Enforcement Officers Safety Act of 2004, as amended
U.S.C.	United States Code
USD(I&S)	Under Secretary of Defense for Intelligence and Security

PART II. DEFINITIONS

These terms and their definitions are for the purpose of this instruction.

DoD law enforcement agencies. Those entities designated for the security or protection of DoD property, personnel, or places that are subject to the jurisdiction or administration, or are in the custody of the DoD in accordance with DoD Instruction 5505.17 (Reference (l)). These entities, as designated, may take reasonably necessary and lawful measures to maintain law and order and to protect installation personnel and property.

firearm. As defined in section 921 of Reference (d), including ammunition not expressly prohibited by Federal law or subject to the provisions of the National Firearms Act (sections 5801 et seq. of Title 26, U.S.C.) (Reference (m)) and does not include any machine gun, as defined in section 5845 of Reference (m); any firearm silencer, as defined in section 921 of Reference (d); or any destructive device, as defined in section 921 of Reference (d).

qualified law enforcement officer. As defined in section 926B of Reference (d).

qualified retired law enforcement officer. As defined in section 926C of Reference (d).