

**LAW ENFORCEMENT
OFFICERS SAFETY ACT (LEOSA)
CREDENTIALING PROGRAM**



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COMMANDANT INSTRUCTION 16247.14

Subj: LAW ENFORCEMENT OFFICERS SAFETY ACT (LEOSA) CREDENTIALING
PROGRAM

Ref: (a) Law Enforcement Officers Safety Act (LEOSA) of 2004, Pub L 108-277
(b) Ordnance Manual, COMDTINST M8000.2 (series)

1. PURPOSE. This Instruction provides statutory requirements and internal Coast Guard policy guidance for the Law Enforcement Officers Safety Act (LEOSA) Credentialing Program based on Reference (a). Specifically, this instruction provides policy on the submission process for, and how to adjudicate applications submitted in consideration for the LEOSA credential.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, chief of headquarter directorates must comply with the policies contained.
3. AUTHORIZED RELEASE. Internet release is authorized.
4. DIRECTIVES AFFECTED. None.
5. DISCUSSION. The LEOSA Credentialing Program must be conducted in accordance with this Instruction. This Instruction specifically applies to all Coast Guard Active Duty and Reserve personnel, and civilian Coast Guard Investigative Services (CGIS) Special Agents. Requirements and best practices are provided herein for effective LEOSA Credentialing Program administration and management.
6. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide administrative guidance for Coast Guard personnel and is not intended nor does it impose legally-binding requirements on any party outside the Coast Guard. This Instruction is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies or personnel, or any person.
7. MAJOR CHANGES. This Instruction implements a minimum time remaining at the unit requirement for 926B (active LE officer), discusses the requirement that the Coast Guard must have been the most recent LE employer, and implements an indefinite expiration period for 926C (retired LE officer) credentials.

8. SCOPE AND AUTHORITIES. This Instruction applies to the Coast Guard only. It is recommended that personnel become familiar with the following references:
 - a. Ordnance Manual, COMDTINST M8000.2 (series);
 - b. 18 U.S.C. § 926B, Carrying of Concealed Firearms by Qualified Law Enforcement Officers;
 - c. 18 U.S.C. § 926C, Carrying of Concealed Firearms by Qualified Retired Law Enforcement Officers;
 - d. U.S. Coast Guard Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series) (FOUO); and,
 - e. DHS Law Enforcement Officers Safety Act, Directive 257-01, Revision 1, 12/22/2017.
9. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. The Office of Environmental Management, Commandant (CG-47) reviewed this Commandant Instruction and the general policies contained within, and determined that this policy falls under the Department of Homeland Security (DHS) categorical exclusion A3. This Commandant Instruction will not result in any substantial change to existing environmental conditions or violation of any applicable federal, state, or local laws relating to the protection of the environment. It is the responsibility of the action proponent to evaluate all future specific actions resulting from this policy for compliance with the National Environmental Policy Act (NEPA), other applicable environmental requirements, and the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).
10. DISTRIBUTION. No paper distribution will be made of this Instruction. An electronic version will be located in the Coast Guard Directives System Library internally, and if applicable on the Internet at www.dcms.uscg.mil/directives.
11. RECORDS MANAGEMENT CONSIDERATIONS. Records created as a result of this Instruction, regardless of format or media, must be managed in accordance with the records retention schedules located on the Records Resource Center SharePoint site at: <https://uscg.sharepoint-mil.us/sites/cg61/CG611/SitePages/Home.aspx>.
12. POLICY ON LAW ENFORCEMENT OFFICERS SAFETY ACT. Reference (a) exempts a “qualified law enforcement officer” carrying a LEOSA photographic identification, such as a Coast Guard LEOSA Credential (18 U.S.C. § 926B) or Coast Guard Retired/Separated LEOSA Credential (18 U.S.C. § 926C), along with an annual firearms test certification, from most state and local laws prohibiting the carriage of concealed firearms. Review Appendix A for additional policy information and requirements.

13. FORMS. The forms referenced in this Instruction are available on the Coast Guard Standard Workstation or on the Internet: www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-C4IT-CG-6/The-Office-of-Information-Management-CG-61/Forms-Management/.
14. SECTION 508. This Instruction was created to adhere to accessibility guidelines and standards as promulgated by the U.S. Access Board. If changes are needed, please communicate with the Coast Guard Section 508 Program Management Office at Section.508@uscg.mil.
15. REQUEST FOR CHANGES. Units and individuals may formally recommend changes, via Coast Guard memorandum, through the chain of command. Comments and suggestions from users of this Instruction are welcomed. All such correspondence may be emailed to Commandant (CG-MLE-2) at: HQS-DG-1st-CG-MLE-2@uscg.mil.

/JO-ANN F. BURDIAN/
Rear Admiral, U. S. Coast Guard
Assistant Commandant for Response Policy

Appendix A. Law Enforcement Officers Safety Act (LEOSA) Program

APPENDIX A. LAW ENFORCEMENT OFFICERS SAFETY ACT (LEOSA) CREDENTIALING PROGRAM

- A. Law Enforcement Officers Safety Act (LEOSA).** A LEOSA credential is a statutory requirement for law enforcement officers (LEO) and retired or separated LEOs in order for the provisions of the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. §§ 926B, 926C, (LEOSA) to apply. This policy does not affect the carriage of privately owned firearms on Coast Guard bases and facilities, or while in uniform.

Notwithstanding any other provision of the law of any state or any political subdivision thereof, LEOSA allows an individual who meets 18 U.S.C. §§ 926B, 926C's definition of a "qualified law enforcement officer" and possesses the required identification to carry a concealed firearm that has been shipped or transported in interstate or foreign commerce. This authorization does not supersede or limit state laws that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or prohibit or restrict the possession of firearms on any state or local government property, installation, building, base, or park; nor does it have any effect on federal laws or regulations, to include federal weapons carriage laws and the Uniform Code of Military Justice.

In a state criminal case in which a defendant asserts the LEOSA as a defense to a concealed firearm carriage violation of state law, a state court will determine whether the person is a "qualified law enforcement officer" for purposes of the LEOSA. While courts and parties to litigation may seek the views of, or evidence from, the Coast Guard, the ultimate determination lies with the state court, not the Coast Guard. Testimony in state court by any Coast Guard member and documentary evidence for matters arising from official duties will only be provided in accordance with 6 C.F.R. Part 5, Disclosure of Records and Information.

1. 18 U.S.C. § 926B. This statute gives current LEOs who meet the definition of a "qualified law enforcement officer," and who carry required photographic identification designating them as a LEO, the authority to carry a privately owned concealed weapon off duty for their protection. 14 U.S.C. § 522 alone does not meet the LEO requirements. As defined in 18 U.S.C. § 926B, a "qualified law enforcement officer" is one who 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, and has statutory powers of arrest. The statute also provides additional requirements that a law enforcement officer must satisfy to be a "qualified law enforcement officer."
 - a. LEOs Eligible to Apply for a LEOSA Credential. Only the following persons are eligible to apply for and hold a LEOSA credential under 18 U.S.C. § 926B:
 - (1) Command Certified Coast Guard Boarding Officers (BO) who:
 - (a) Have graduated from Basic Boarding Officer School or Boarding Officer Practical Course, to include legacy PQS Boarding Officers;

- (b) Have the OPSBO qualification code assigned; and
 - (c) Are currently certified as a Boarding Officer.
- (2) Command Certified Coast Guard Security Forces (CGSF) who:
- (a) Have graduated from a DCMS-34 approved law enforcement academy;
 - (b) Have the CGSFOFF competency code assigned; and
 - (c) Are currently certified as a CGSF Officer.
- (3) Current Special Agents in the Coast Guard Investigative Service (CGIS) who:
- (a) Have graduated from the Federal Law Enforcement Training Center; or
 - (b) Other Agency Equivalent; and
 - (c) Are currently certified as a Coast Guard Special Agent.

Note: Legacy Coast Guard Police Officers that have met the requirements in Paragraph A.1.a.(2) and have the CGPDOFF competency code assigned may use this in support of a LEOSA credential application under 18 U.S.C. § 926C.

- b. Supervisors of Coast Guard LEOs. The definition of “qualified law enforcement officer” in 18 U.S.C. § 926B also includes those authorized to “supervise” law enforcement activity. However, 18 U.S.C. § 926B requires that supervisors of law enforcement activity still meet the other statutory requirements, which include being “authorized by the agency to carry a firearm” and “having statutory powers of arrest or apprehension.” The Coast Guard interprets this requirement to mean that supervisory personnel must be currently certified in a position outlined in Paragraph A.1.a. of this Appendix.
2. LEOSA Credential and Carry Requirements. In order to be issued a LEOSA credential under 18 U.S.C. § 926B (926B Credential), a current Coast Guard member must:
- a. Be authorized by law to engage in or supervise the prevention, detection, investigation, prosecution, or incarceration of any person for any violation of law; and
 - b. Have statutory powers of arrest or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice); and
 - c. Be currently qualified and certified as a Coast Guard LEO (see Paragraph A.1.a. of this Appendix); and
 - d. Be authorized in accordance with Reference (b) to carry a government issued

- personal defense weapon (GI-PDW) for the purpose of law enforcement; and
- e. Not be the subject of any disciplinary action which could result in loss of law enforcement or weapons qualification; and
 - f. Swear or affirm that they do not have reason to believe, and have not been officially found by a qualified medical professional, to be unqualified for reasons relating to mental health; and
 - g. Meet firearms qualifications standards contained in Reference (b); and
 - h. Swear or affirm that they are not prohibited by federal law from receiving a firearm as codified in 18 U.S.C. § 922; and
 - i. Acknowledge the following, which will be made available to all 18 U.S.C. § 926B applicants in accordance with the DHS Law Enforcement Officers Safety Act, Directive 257-01, Revision 1, 12/22/2017:
 - (1) A copy of the statute (18 U.S.C. § 926B);
 - (2) The factors that would prevent an individual from receiving or possessing a firearm under federal law (18 U.S.C. § 922); and
 - (3) A copy of the LEOSA fact sheet.
 - j. Not be within 12 months of a permanent change of station (PCS), retirement, or release from active duty (RELAD). This requirement does not apply to current CGIS Agents; and
 - k. In order to carry a firearm under 18 USC § 926B, members must not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
 - l. Reserve members that receive a 926B Credential will not be permitted to keep their credential while not on official Coast Guard orders. Their credential must be stored at their unit and issued during periods of official duty, and only while assigned at an authorized Coast Guard unit.
3. 18 U.S.C. § 926C. This statute gives retired or separated LEOs who meet the definition of a “qualified retired law enforcement officer” and carry required identification the authority to carry a concealed firearm. For the purpose of LEOSA, 14 U.S.C. § 522 alone does not meet the LEO requirements. The definition of a “qualified retired law enforcement officer” is a member separated from service in good standing with a public agency as a law enforcement officer; and before such separation, was 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, and had statutory powers of arrest or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the

Uniform Code of Military Justice). The statute also provides additional requirements that a LEO must satisfy to be a “qualified retired law enforcement officer.”

4. 18 U.S.C. § 926C. This statute gives retired or separated LEOs who meet the 18 U.S.C. § 926C’s definition of a “qualified retired law enforcement officer” and carry required identification the authority to carry a concealed firearm. For the purpose of LEOSA, 14 U.S.C. § 522 alone does not meet the LEO requirements. The definition of a “qualified retired law enforcement officer” is a member separated from service in good standing with a public agency as a law enforcement officer; and before such separation, was 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, and had statutory powers of arrest or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice). The statute also provides additional requirements that a LEO must satisfy to be a “qualified retired law enforcement officer.”
 - a. Retired or Separated LEOs Eligible to Apply for LEOSA Credential. Retired or separated LEOs (separated from an LE position or Coast Guard service) may be issued a LEOSA credential under 18 U.S.C. § 926C (926C Credential). To be eligible to apply for and hold a LEOSA credential under 18 U.S.C. § 926C, the LEO must:
 - (1) Be retired or separated in good standing from the Coast Guard as a LEO, other than for reasons of mental defect. For those members separated from service this will be verified by a review of the separation codes/characteristics on the individuals DD-214.
 - (2) Before such separation, have been 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, and had statutory powers of arrest or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice) as outlined in Paragraph A. of this Appendix.
 - (3) Before such separation, have served as a LEO for an aggregate of 10 years or more; or separated from the Coast Guard, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency. Time served as a LEO in other law enforcement agencies will count towards the 10 years aggregated time, providing the individual can provide documentation of service. Additionally, when using time served from other law enforcement agencies, at least 51% of the 10-year aggregate must be from a Coast Guard LEO position, and the Coast Guard must have been the most recent employer as LE organization.
 - (4) During the most recent 12-month period, have met, at the expense of the individual, the standards for qualification in firearms training for active LEOs, as

determined by the Coast Guard, the state in which the individual resides or, if the state has not established such standards, either a law enforcement agency within the state in which the individual resides or the standards used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty LEOs within that state. A CG-3029 form may not be used to satisfy this requirement unless the applicant holds an active certification that requires regular Coast Guard firearms qualifications.

- (5) Not be officially found by a qualified medical professional to be unqualified for reasons relating to mental health, and as a result of this finding will not be issued photographic identification; or has not entered into an agreement with the Coast Guard in which the individual acknowledges he or she is not qualified under this section for reasons relating to mental health and for those reasons will not receive or accept photographic identification.
- (6) In order to carry a firearm under 18 USC § 926C, members must not be under the influence of alcohol or any intoxicating or hallucinatory drug or substance; and
- (7) Not be prohibited by federal law from carrying a firearm.

In accordance with the DHS Law Enforcement Officers Safety Act, Directive 257-01, Revision 1, 12/22/2017, it is the policy of the DHS that an individual who served as a LEO for an aggregate of 10 years and meets the statutory criteria in 18 U.S.C. § 926C, who then transfers, retires or separates from the member's law enforcement position, is eligible under LEOSA; including if the individual converts to a non-law enforcement position within the same or another component or agency.

Thus, Coast Guard personnel who have transferred from a law enforcement billet but remain in the service, and who have otherwise satisfied the requirements in 18 U.S.C. § 926C, may apply for a 926C Credential. The Coast Guard interprets service as a LEO to be time spent in a qualified position in accordance with Paragraph A.1.a. of this Appendix. Additionally, Reserve members may only count certified time during periods when on official orders (e.g. Inactive Duty for Training, Active Duty for Training, Active Duty for Operational Support, Extended Active Duty, etc.). Any period of time that a Reserve member is not on orders will not be considered in determining whether the member meets the aggregated 10 years as a certified LEO outlined in the LEOSA criteria. Reserve member applicants must provide documentation to validate official orders during the application process.

- 5. Retired or Separated LEOSA Credential and Carry Requirements. In order to be issued a LEOSA credential under 18 U.S.C. § 926C (926C Credential), a separated or retired Coast Guard member must, in addition to the requirements outlined in Paragraph A.3.a. of this Appendix:
 - a. Swear or affirm that they do not have reason to believe, and have not been officially found by a qualified medical professional, to be unqualified for reasons relating to mental

health; nor have they entered into an agreement with the Coast Guard acknowledging that the member is not qualified for reasons relating to mental health (for those members separated from service this will be verified by review of separation codes/characteristics on DD-214); and

- a. Swear or affirm that they are not prohibited by federal law from carrying a firearm as codified in 18 U.S.C. § 922.
- b. Acknowledge the following, which will be made available to all 926C applicants in accordance with the DHS LEOSA, Directive 257-01, Revision 1, 12/22/2017:
 - (1) A copy of the statute (18 U.S.C. § 926C);
 - (2) The factors that would prevent an individual from receiving or possessing a firearm under federal law (18 U.S.C. § 922); and
 - (3) A copy of the LEOSA fact sheet.
- c. In order to carry a firearm under 18 USC § 926C, members must not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

6. Restrictions. This policy:

- a. Does not grant any law enforcement authorities to LEOSA credential holders;
- b. Does not create any substantive or procedural rights, privileges or benefits enforceable by any party against the United States; its departments, agencies, officers, or any other persons or entities;
- c. Does not permit the carriage of concealed privately owned weapons on federal installations or where prohibited by federal, state or local statutes;
- d. Does not limit the authority of base commanders to deny entry to individuals or items based on current security or force protection conditions;
- e. Does not limit the laws of any state that:
 - (1) Permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property (i.e. bars, private clubs, amusement parks, etc.); or
 - (2) Prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park;
- f. Does not circumvent the provisions of the Gun Free School Zone Act of 1995 (18 U.S.C. §922(q)), which prohibits the possession of a firearm at a place the individual knows, or has reason to believe, is a school zone unless the individuals are officially

on Coast Guard law enforcement duties; or

- g. Does not circumvent the provisions of any other federal law or regulation.

B. Law Enforcement Officers Safety Act Credentials. LEOSA credentials are photographic identification that identifies the person to whom it is issued as a Coast Guard LEO or Retired/Separated Coast Guard LEO. Coast Guard LEOs who meet all requirements in Paragraph A of this Appendix, may apply for a “Coast Guard LEOSA Law Enforcement Officer” or “Coast Guard LEOSA Retired/Separated Law Enforcement Officer” credential through the contracted agency. However, the LEOSA credential does not guarantee or imply any LEOSA protections, but merely satisfies the LEOSA photographic identification requirement.

Active duty CGPD officers and currently employed CGIS Special Agents maintain a valid service (CGIS/CGPD) issued badge and credential at all times and would not need the LEOSA credential.

1. LEOSA Credential Characteristics. LEOSA credentials are made at no cost to the government through a secure, electronic, web-based application available at <https://LeosaCoastGuard.com>. The credential will include the following:
 - a. The LEO’s full name; and
 - b. An identification number specific to the member, assigned by the issuing agency;
 - c. A current photograph of the qualified or retired/separated LEO;
 - d. One of the following statements as appropriate:
 - (1) For the 926B Credential: “The individual pictured is actively serving with the United States Coast Guard as a law enforcement officer for the purposes of LEOSA. This card must be accompanied by a current (within the last 12 months) firearms qualification certification from the United States Coast Guard.”
 - (2) For the 926C Credential: “The individual pictured separated in good standing after a minimum of 10 years of service with the United States Coast Guard as a law enforcement officer. This card must be accompanied by a current firearms qualification (within the last 12 months) from the individual’s state of residence.”
 - e. A statement on the back reading: “This card is issued for the purpose of LEOSA only and does not grant the bearer any authority to act on the agency’s behalf or to exercise any law enforcement authority”; and
 - f. A valid signature by the qualified LEO and representative of the issuing agency.

2. **LEOSA Expiration.** 926C Credentials will have an indefinite expiration period, subject to review and revocation; however, members issued this credential must adhere to all provisions of the LEOSA law or be subject to arrest. 926B Credentials will be valid for a period up to five years from the date of issuance. Members are required to renew their credential, if desired, in accordance with the provisions of this directive. Applications may be submitted for renewal of credentials within 60 days of the LEOSA Credentials' expiration.
3. **Issuing Agency.** The Office of Maritime Law Enforcement Policy, Commandant (CG-MLE-2) is the Coast Guard "issuing agency." CG-MLE-2 will be the authority for reviewing and adjudicating background investigation results to support the issuance of a LEOSA credential to personnel meeting applicable requirements found throughout this Instruction. Commandant (CG-MLE-2) will also be the office of record for the issuance of all LEOSA credentials.

LEOSA credentials will:

- a. Be issued directly by the contracted source, at the expense of the requesting individual (unit funds are prohibited), using a centralized database that will record all LEOSA-issued credentials; and
 - b. Only be issued after the applicant has met ALL the applicable requirements outlined in this Instruction, and having been approved by Commandant (CG-MLE-2).
4. **FBI Identify History Summary Check.** The FBI Identify History Summary check (provided by the applicant) is required for all initial applications. This does not apply to current civilian CGIS Agents, or Active Duty or Reserve members applying for a 926B or 926C. No other criminal history records will be accepted.
 5. **Contracted Agency for Issuance of Credentials.** The agency contracted by the Coast Guard for the issuance of LEOSA credentials is responsible for ensuring all applicants are properly vetted prior to the issuance of a "Coast Guard LEOSA Law Enforcement Officer" or "Coast Guard LEOSA Retired/Separated Law Enforcement Officer" credential. As part of this vetting process, the following items must be reviewed by the contractor:
 - a. Current firearms qualification from the state of residence (18 U.S.C. § 926C applicants only); or
 - b. Whether the applicant meets authorization to carry a firearm requirements contained in Reference (b) (18 U.S.C. § 926B applicants only); and
 - c. A verification memorandum from the unit's Commanding Officer/Officer-In-Charge (current civilian CGIS Agents, Active Duty, or Reserve members applying for 926B or 926C Credentials);

- d. A certificate of graduation, Direct Access Member Information Report, or Coast Guard Business Intelligence Employee Summary Sheet showing completion of the Coast Guard Basic Boarding Officer or Boarding Officer Practical Course (legacy/PQS BO's use the Direct Access Member Information Report, or Coast Guard Business Institute Employee Summary Sheet); or a DCMS-34 approved law enforcement academy; or CGIS approved Academy; and
 - e. Letter(s) of certification, TMT Member Acknowledgement screen-shot showing Boarding Officer, CGPD Officer, CGSF Officer, or CGIS Special Agent (CGIS Special Agents can use any document which shows their assignment to CGIS), Coast Guard Business Institute Employee Summary Sheet, or Direct Access Member Information Report which clearly identifies the applicant has met all applicable qualification and certification requirements outlined in this Instruction.
6. Required Documentation. Applicants must submit the following documentation when applying for LEOSA credentials:
- a. FBI Identify History Summary Check, often referred to as a criminal history record (<https://www.fbi.gov/services>) is required for all 926C applications (except current civilian CGIS Agents, Active Duty, or Reserve members). No other criminal history records will be accepted;
 - b. An electronic passport-type photograph as defined by the United States Department of State for all United States passports; and
 - c. A copy of the individual's state driver's license or state issued identification card;
 - d. A certificate of academy graduation, Coast Guard Business Intelligence Employee Summary Sheet, or Direct Access Member Information Report showing completion of Coast Guard Basic Boarding Officer or Boarding Officer Practical Course (legacy/PQS BOs use DA Member Information); or a DCMS-34 approved law enforcement academy; or CGIS approved Academy;
 - e. Letter(s) of certification, TMT Member Acknowledgement screen-shot showing Boarding Officer, CGPD Officer, CGSF Officer, or CGIS Special Agent (CGIS Special Agents can use any document which shows their assignment to CGIS), Coast Guard Business Intelligence Employee Summary Sheet, or Direct Access Member Information Report which clearly identifies the applicant has met all applicable qualification and certification requirements outlined in this Instruction;
 - f. Firearms qualification from the Coast Guard (18 U.S.C. § 926B applicants only) or state certified instructor (18 U.S.C. § 926C applicants only);
 - g. A verification memo from the units Commanding Officers/Officer In Charge (18 U.S.C. § 926B applicants and 18 U.S.C. § 926C applicants still in service). This verification memorandum must include the members status in service

- (Active/Reserve), which LEO competency the member currently holds, and must include confirmation of Lautenberg Amendment Form, DD 2760 annual compliance (must be within the most recent 12-months); or
- h. If separated from service/retiree applicant (18 U.S.C. § 926C), a legible copy of the applicant's DD Form 214; and
 - i. Documentation which clearly demonstrates that the applicant, before separation from the Coast Guard, served as a LEO (as defined in Paragraph A.1.a. of this Appendix) for an aggregate of 10 years or more (18 U.S.C. § 926C applicants only). Any time the applicant was not command certified does not count toward this requirement.
7. Application Process. Individuals who meet the qualification criteria and desire to apply for LEOSA credentials will follow this process:
- a. Go to the secure website: <https://LeosaCoastGuard.com> and start a new application.
 - b. Complete required information and submit documentation discussed in this Appendix.
 - c. The agency contractor will verify information and make a determination of eligibility. That determination will be forward to the issuing agency, Commandant (CG-MLE-2).
 - d. Commandant (CG-MLE-2) will make the final determination to approve or disapprove the application.
 - e. If approved, the agency contractor will manufacture and send the credential to the applicant.

Follow the above process to renew an expired LEOSA credential. To replace a lost or stolen credential, go to the above website and follow the posted instructions to reapply. Credential holders must notify their unit Commanding Officer/Officer-In-Charge and Commandant (CG-MLE-2) of any lost or stolen LEOSA credential.

C. Suspension, Revocation, and Legal Considerations

- 1. Suspension. Only individuals with a current certification as a LEO may carry a 926B Credential. Individuals receiving 926B credentials will have their credential suspended if their Commanding Officer or Officer-In-Charge suspends their ability to perform as a LEO or their ability to carry a government issued firearm. Individuals must surrender their 926B credential to the Commanding Officer or Officer-in-Charge until their qualifications have been reinstated. If a LEO suspension becomes permanent then the member's command cadre will destroy the credential and document the revocation and destruction in a memorandum for the record, and route through their chain of command, to Commandant (CG-MLE-2).

If an individual with an 926B credential PCSs, Retires, RELADs, or transfers to a non-law enforcement position or job, the 926B credential will be suspended, and must be surrendered to the current command before the individual departs from their assigned command. The member's command will mail the credential to Commandant (CG-MLE-2). The member may reapply for an 926C credential, if they meet the eligibility requirements outlined in this Instruction. If an individual is transferring to another LE designated unit, the individual must ensure that when surrendering the credential to the current command cadre prior to departure, that the individual includes a self-addressed and postage-paid envelope with their credential at the time they surrender it. Upon receipt of the credential Commandant (CG-MLE-2) will verify the unit and position to be assigned. Once the individual recertifies as a command designated LEO, the credential will be mailed back.

2. **Revocation.** If any individual issued a LEOSA credential is found to be prohibited by federal law from receiving a firearm, has their qualifications revoked, becomes the subject of disciplinary action that may result in the loss of law enforcement or weapons qualification, or fails to meet any of the eligibility requirements contained within this policy at any time, the individual must inform their Commanding Officer/Officer-In-Charge and Commandant (CG-MLE-2) immediately via email. For 18 U.S.C. § 926B, credentials must be surrendered to the Commanding Officer or Officer-in-Charge, who will destroy the credential and document the revocation and destruction in a memorandum for the record, routed through their chain of command, to Commandant (CG-MLE-2). For 18 U.S.C. § 926C credentials, a letter of revocation will be sent to the cardholder and their local law enforcement agency instructing the individual to return of credential to Commandant (CG-MLE-2).
3. **Punitive.** The following provision is a punitive general regulation, applicable to all personnel subject to the Uniform Code of Military Justice (UCMJ) without further implementation. A violation of these provisions is punishable in accordance with the UCMJ:

Coast Guard military personnel are prohibited, by virtue of this order, from being under the influence of or consuming alcohol or another intoxicating or hallucinatory drug or substance, while utilizing a Coast Guard LEOSA identification card to conceal firearms.

The use of a LEOSA credential to justify possession of a concealed firearm while consuming or under the influence of alcohol or another intoxication or hallucinatory drug or substance, will be punishable as a violation of a punitive general order under Article 92(1), UCMJ, 10 U.S.C. § 892(1). A violation of Article 92(1), UCMJ, 10 U.S.C. § 892(1) carries a maximum punishment of a dishonorable discharge, forfeiture of all pay and allowances, and confinement for two years.

4. **Special Considerations.** As expressly stated above, the LEOSA confers a limited immunity to state and local laws concerning concealed firearms, but no immunity to any other state or federal laws and regulations. Accordingly, LEOSA credential holders who choose to rely on the LEOSA do so at their own risk and should carefully consider the

following points before choosing to carry concealed firearms without obtaining a concealed firearm carriage permit, license, or training required by state or local law:

- a. Reference (b) prohibits the carriage of the GI-PDW in a concealed manner and prohibits the carriage of a GI-PDW when not in the performance of official duties. Some examples of conduct prohibited by these policies include carriage of a GI-PDW in a concealed ankle holster during a Coast Guard boarding or carriage of a GI-PDW in a personal automobile when not under official Coast Guard orders.
- b. Likewise, article 8-2-1(16) of Coast Guard Regulations 1992, COMDTINST M5000.3 (series), prohibits Coast Guard personnel from carrying, among other things, concealed weapons in any Coast Guard unit without proper authority (the LEOSA does not provide this authority). Similarly, 18 U.S.C. 930 prohibits the possession of a firearm and other dangerous weapons in federal facilities (except when authorized). Violation of these prohibitions, and other federal firearms laws, are subject to the UCMJ or federal prosecution for which the LEOSA provides no immunity. Examples of the prohibited conduct include carrying a concealed firearm on a Coast Guard unit without the express authorization of the Commanding Officer or Officer-In-Charge.
- c. The Coast Guard does not provide training in off-duty firearms safety to uniformed members of the service because such carriage is not generally required for the performance of official duties. Accordingly, members choosing to carry firearms off-duty, especially concealed firearms, should obtain appropriate firearms safety education. Firearms safety training is widely available from commercial, local and state sources.
- d. The LEOSA does not confer any law enforcement powers. Coast Guard law enforcement powers ashore are limited and, in some circumstances, non-existent. It is imperative that uniformed members relying on the LEOSA to carry a concealed personal firearm under this law understand the authority to use a firearm (as distinguished from authority to carry it in a concealed manner without a state or local permit) will be highly fact-specific and will largely depend on state law. Activity involving use of concealed firearms is outside the member's scope of employment (a decision made by the U.S. Department of Justice (DOJ), not the Coast Guard). Legal defense costs rest solely on the member. Additionally, neither the Coast Guard nor the DOJ will normally provide representation in state court for criminal charges.
- e. The Coast Guard will not provide legal defense, absent that required by law, for any individual involved in use of force incidents involving personal weapons. The LEOSA credential does not guarantee or imply that LEOSA protections apply to the member, but merely satisfies the LEOSA photographic identification requirement. Individuals are responsible for any actions they take involving the use of their personal firearm.

- f. In the event a local law enforcement agency stops a member carrying a concealed weapon and a LEOSA credential, that agency will be able to verify the validity of the credential by calling the Coast Guard National Command Center (NCC) number printed on the back of the credential. Commandant (CG-MLE-2) must maintain and provide a list of active issued credentials, as well as a list of revoked credentials to the NCC watch. NCC watchstanders will not reveal personally identifiable information beyond the name, date of issuance, and LEOSA credential serial number. In the event of a credential revocation, the NCC watchstander will also verify the date the credential was revoked.
- g. A person carrying a concealed firearm for the purposes of LEOSA is required to always keep proof of firearms proficiency with them. Failure to do so could result in immediate revocation of the credential and possible arrest.