



## DCMA Manual 4201-18

### Arming And The Use of Force

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**Office of Primary Responsibility**

**Talent Management Capability**

**Effective:**

January 13, 2019

**Releasability:**

Cleared for public release

**Implements:**

DCMA-INST 4201, "Civilian Personnel," July 20, 2018

**Incorporates and Cancels:** DCMA INST 551, "Firearms and Use of Force," August 15, 2014

**Internal Control:**

Process flow and key controls are located on the Resource Page

**Labor Codes:**

Located on the Resource Page

**Resource Page Link:**

<https://360.dcma.mil/sites/policy/TM/SitePages/4201-18r.aspx>

**Approved by:**

David H. Lewis, VADM, USN, Director

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**Purpose:** This issuance, in accordance with the authority in DoD Directive 5105.64, "Defense Contract Management Agency," and DCMA Instruction 4201, "Civilian Personnel," assigns responsibility and implements the guidance contained in DoD Directive 5210.56, "Arming and the Use of Force."

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## SECTION 1: GENERAL ISSUANCE INFORMATION

**1.1. APPLICABILITY.** This Manual applies to all DCMA personnel and organizations.

a. This Manual does not apply to:

(1) DCMA activities or personnel under the security responsibility of a Chief of Mission (COM). Organizations under the security responsibility of a COM will follow applicable guidance issued by the COM and applicable host nation laws.

(2) DCMA activities and personnel residing in a foreign nation where applicable host government agreements or combatant command implementing instructions apply.

(3) DCMA activities and personnel engaged in military operations subject to standing or other rules of engagement. DoD Directive (DoDD) 5210.56, Section 1, Paragraph 1.1.a.(2) provides additional guidance for activities and personnel in such environments.

b. Nothing in this issuance will be constructed as affecting, superseding, or conflicting with the authority of the Secretary of Homeland Security to provide for the protection of facilities (including buildings, grounds, properties and/or leased spaces) of the General Services Administration (GSA) that are under the jurisdiction, custody, or control (in whole or in part) of a federal department or agency other than DoD and that are located off a military installation.

**1.2. POLICY.** It is DCMA policy to:

a. Strictly limit and control the arming of DCMA personnel, ensuring all arming decisions (whether in the performance of official duties or for personal protection not in conjunction with the performance of official duties) comply with the requirements of DoDD 5210.56, this Manual, applicable federal, state and local laws, host facility (U.S. Government, DoD, and/or private/contractor) policies, and applicable host nation laws and international agreements.

b. Restrict the consideration of arming DCMA personnel to locations where law enforcement or security personnel are not located on site or within a reasonable response proximity, and where there is a reasonable expectation that DCMA or DoD facilities, property, or personnel will be jeopardized if personnel are not armed. For example, DCMA will not consider arming personnel located in U.S. Federal Buildings protected by on-site armed security forces provided by the Department of Homeland Security (DHS), Federal Protective Service (FPS) or other similar environments.

c. Recognize the potentially serious consequences associated with the arming of DCMA personnel and the responsibility imposed on persons authorized to bear and use firearms. As such, decisions to arm personnel must be made with great care and through a deliberate decision making process. All arming decisions within DCMA will comply with the requirements of DoDD 5210.56, this Manual and other applicable laws and host facility policies.

d. Utilize host facility security forces to the maximum extent possible to meet security requirements.

e. Ensure civilian positions that may routinely require the carrying of firearms in the performance of official duties (example: Security Guards, etc.) are so designated in official position descriptions and in all recruitment announcements in accordance with applicable Office of Personnel Management policy.

f. Implement the use of force in accordance with DoDD 5210.56, Section 3.

g. Ensure that individuals armed for the performance of official duties comply with DoD and DCMA implementing safeguards to prevent loss, theft, and unauthorized use of government issued or authorized firearms and ammunition.

h. Establish that any DCMA person authorized under this Manual to carry a firearm on DoD property for personal protection not in conjunction with the performance of official duties are personally responsible for complying with all applicable federal, state and local requirements and are personally responsible for all their actions taken pursuant to possessing and carrying firearms.

i. Reinforce that except as permitted by DoDD 5210.56, this Manual, and other applicable DoD policies, the possession of a privately owned firearm on DoD property or in DoD controlled facilities/space is prohibited.

j. Execute this Manual in a safe, efficient, effective, and ethical manner.

## **SECTION 2: RESPONSIBILITIES**

### **2.1. DIRECTOR, DCMA.** The Director, DCMA will:

- a. Serve as the authority for DCMA arming decisions rendered pursuant to DoDD 5210.56.
- b. Direct the development of policies and procedures, and monitor compliance regarding the carrying of firearms and the use of force in accordance with DoDD 5210.56 and other federal, state, local or host-nation laws or international agreements.

### **2.2. DIRECTOR OF SECURITY AND COUNTERINTELLIGENCE.** The Director of Security and Counterintelligence will:

- a. Serve as the Agency senior official responsible for the development, implementation, and oversight of this Manual.
- b. Render recommendations to the Director, DCMA, regarding requests for the arming of DCMA personnel.
- c. Direct assessments and/or inspections as necessary to ensure the effective implementation of this Manual.

### **2.3. COMPONENT HEADS AND CONTRACT MANAGEMENT OFFICE (CMO) COMMANDERS/DIRECTORS.** Component Heads and CMO Commanders/Directors will:

- a. Establish and/or validate requirements for arming DCMA personnel in accordance with this Manual and DoDD 5210.56.
- b. Submit recommendations to the Director, DCMA, for arming DCMA personnel.
- c. On a recurring basis as established herein, verify individual qualifications of personnel authorized to carry firearms in accordance with this Manual and retain documentation for as long as the individual is authorized to be armed.
- d. Strictly control the issuance and storage of government owned firearms within activities under their control in accordance with the procedures established in DoDD 5210.56, DoD Manual (DoDM) 5100.76, "Physical Security Of Sensitive Conventional Arms, Ammunition, And Explosives (AA&E)," and this Manual.
- e. Ensure no individual is issued a government firearm or authorized to carry a firearm until all requirements contained in DoDD 5210.56, this Manual, and other local, state, and federal laws and policies are met.
- f. Provide personnel approved to carry firearms in the performance of official duties or for personal protection associated with official duties with the necessary equipment to safely carry

the firearm and appropriate safety equipment (e.g. body armor, etc.) to provide for their safety commensurate with the threat, environment, and assigned duty and/or task.

g. Ensure compliance with the signage and/or notice requirements established in DoDD 5210.56, Section 2, Paragraph 2.4.i.

h. Immediately suspend, in writing, arming authorizations and promptly retrieve any government issued firearms, ammunition or non-lethal weapons for any person failing to meet or maintain the qualification requirements established in DoDD 5210.56 and this Manual.

**2.4. EXECUTIVE DIRECTOR, HUMAN CAPITAL.** The Executive Director, Human Capital will, in addition to the requirements listed in paragraph 2.3, establish and maintain processes to ensure position descriptions are properly designated and that screening requirements are met in compliance with DoDD 5210.56, this Manual, and other applicable policies.

**2.5. GENERAL COUNSEL.** The General Counsel will:

a. In addition to the requirements listed in paragraph 2.3., provide legal support to the Director of Security and Counterintelligence in the development and maintenance of this Manual.

b. Provide recommendations and legal advice to Commanders/Directors at all levels of the organization regarding arming decisions.

c. Support Commanders/Directors in providing Use of Force Training to personnel authorized to carry firearms in conjunction with official duties.

**2.6. PROGRAM MANAGER, PHYSICAL SECURITY PROGRAM.** The Program Manager, Physical Security Program will:

a. Establish and maintain arming and use of force policies and tools that implement DoDD 5210.56 and this Manual.

b. Maintain a centralized repository of arming authorizations rendered by DCMA in compliance with DoDD 5210.56, Section 2, Paragraph 2.4.h.

c. Report to the National Military Command Center changes in arming authorizations in compliance with DoDD 5210.56, Section 2, Paragraph 2.4.p.

d. Notify, in writing, the DoD Mission Assurance Senior Steering Group and the DoD Physical Security Review Board co-chairs in advance of any change to arming plans or arming authority as required by DoDD 5210.56, Section 2, Paragraph 2.4.q.

**2.7. INDIVIDUAL RESPONSIBILITIES.** DCMA employees authorized to carry firearms will:

- a. Unless authorized under this Manual, refrain from possessing or carrying firearms in or around DoD, DCMA or federal government installations, facilities or spaces.
- b. When authorized under this Manual to carry firearms, secure, control, and ensure the safe handling and storage of firearms and ammunition in accordance with the requirements of DoDD 5210.56, DoDM 5100.76, this Manual, and other applicable laws and policies.
- c. When authorized under this Manual to carry firearms, promptly report to the responsible Commander/Director the use of any prescribed or non-prescribed medication or any other situation or condition that could potentially affect the ability to safely possess, carry, and use a firearm.
- d. When authorized under this Manual to carry firearms, successfully complete and maintain all training and qualification standards required by DoDD 5210.56, this Manual and other federal, state and local laws and policies.
- e. When deemed reasonable in accordance with DoDD 5210.56, apply only the minimum amount of force necessary and reasonable for the accomplishment of the assigned mission.

## **SECTION 3: ARMING IN THE PERFORMANCE OF OFFICIAL DUTIES**

### **3.1. ARMING AUTHORITY.**

a. The Director, DCMA, will serve as the authority for the arming and carrying of firearms by DCMA personnel in the performance of official duties and for personal protection in the performance of official duties. Such duties include but are not limited to security, protection, law and order, and investigative functions.

b. In extenuating circumstances where the lives of DCMA personnel are at imminent risk, Component Heads and Primary CMO Commanders/Directors may grant interim authority for the arming of select DCMA personnel without authorization of the DCMA Director. In such situations, authorizations may only be issued to personnel that have been previously identified as meeting the arming requirements of DoDD 5210.56 and other applicable federal, state and local laws and policies. The Commander/Director authorizing to arm personnel under this provision will, within 4 hours of the authorization, notify the Director, DCMA, and the Director of Security and Counterintelligence, in writing, of the authorization decision and the situation warranting the action so as to ensure appropriate situational awareness and higher headquarters reporting requirements under DoDD 5210.56.

c. The arming of DCMA personnel in federally owned or controlled facilities/spaces is prohibited unless the DCMA arming authority specifically determines, after consultation with the DCMA Office of General Counsel and in accordance with applicable DoD policy, that an appropriate exception under Section 930(d) of Title 18, United States Code (U.S.C.) applies.

d. In accordance with DoDD 5210.56 and DoDI 5200.08, "Security of DoD Installations and Resources and the DoD Physical Security Review Board," tenants on military installations or within host DoD facilities located off an installation may authorize the arming of their personnel. Conflicts between DoD components concerning arming authorities or component-specific supplemental policies will be resolved in accordance with DoD 5210.56, Section 3, Paragraph 3.1.a.(2).

e. Consistent with the authorities of DoDD 5210.56, Sections 2 and 3, when approved, DCMA personnel may be authorized to carry either a government-issued or privately owned firearm in performance of official duties or for personal protection associated with the performance of official duties.

f. Unless otherwise authorized by this Manual or in writing by the arming authority, the authorization to carry firearms in the performance of official duties or for personal protection associated with the performance of official duties does not extend to a non-duty status and does not extend outside of DCMA controlled facilities/spaces. The written authorization to carry firearms will specifically address all authorizations to carry a firearm outside of DCMA controlled facilities/spaces. The DCMA Office of General Counsel will review and provide guidance relative to any such authorization decision.



### **3.2. REQUIREMENTS AND PROCEDURES FOR REQUESTING AUTHORIZATION TO ARM DCMA PERSONNEL.**

a. Identify and Validate Requirement(s). When considering arming personnel for the performance of official duties or for personal protection in the performance of official duties, Commanders/Directors will apply the guidance in Paragraph 1.2.b. and in this section to determine if a valid arming requirement exists.

(1) At locations where host provided armed security forces are on site or could be placed on site by the host or the cognizant security authority, these capabilities will be utilized to meet security requirements.

(2) In federally owned or controlled facilities/spaces, an appropriate exception under Paragraph 3.1.c. will be established prior to any arming consideration. Where an exception exists, the capabilities identified in Paragraph 3.2.a.(1) are not available, and response timelines by local authorities are deemed insufficient to address security requirements, the requesting Commander/Director will complete and document a comprehensive risk assessment to determine if armed personnel are necessary to protect/safeguard DCMA assets. At a minimum, the risk assessment will:

- Specifically identify the asset(s) requiring protection and their mission criticality
- Identify the specific credible threat(s) facing the DCMA asset(s)
- Assess threat tactics, techniques and procedures
- Assess the effectiveness of facility construction and existing security systems and equipment to avoid attacks
- Assess the adequacy of protection provided by federal (to include DoD), state and local authorities, that of host nation authorities, or that of host security forces
- Identify and assess local response forces (police, security forces, etc.) and response timelines (as applicable)
- Identify specific vulnerabilities that exists and determine if procedural or additional security systems or equipment can effectively mitigate the vulnerability to acceptable levels
- Considering the above factors and other relevant information, assess the likelihood that the identified threat(s) will attack the DCMA asset(s) if DCMA personnel are not armed

b. Select And Screen Personnel.

(1) Personnel Selection.

a. When the requirements of Paragraph 3.2.a. are complete and the responsible Commander/Director determines the arming of DCMA personnel under his/her command/authority are necessary to mitigate risk to an appropriate level, personnel must be identified and screened to ensure their qualifications and reliability.

b. Commanders/Directors will apply the following prioritized criteria in selecting personnel for arming in the performance of official duties.

- Priority 1: Active duty military and security personnel (series 0080 and 0085)
- Priority 2: Civilian personnel who are military reservist law enforcement officials (Military Police, Security Police, etc.) or those holding an active Law Enforcement Officers Safety Act credential
- Priority 3: Other military reservist personnel or reserve civilian law enforcement personnel who can demonstrate documented training in the scaled use of force and weapons proficiency
- Priority 4: Civilian personnel who hold an active State weapons carry permit and can demonstrate documented training in the scaled use of force and weapons proficiency

(2) Suitability Screening.

a. Commanders/Directors will ensure all individuals being considered for an arming authorization successfully complete all suitability screening and qualification standards contained herein and in DoDD 5210.56, Section 3, Paragraph 3.1.b. to include annual completion of the DD Form 2760, "Qualification To Possess Firearms or Ammunition." Personnel being considered for arming will possess and maintain at least Secret access eligibility. These requirements will be successfully completed prior to the submission of any arming request to the arming authority.

b. In accordance with DoDD 5210.56, Section 3, Paragraph 3.2.e, personnel authorized to carry firearms under this section must meet and maintain all requirements of DoD 6055.05-M, "Occupational Examinations and Surveillance Manual," and execute a signed agreement that while armed in the performance of official duties they will not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance that would impair judgement.

(3) Arming Restrictions. Individuals meeting any of the criteria of this paragraph are prohibited from having access to or carrying firearms in the performance of official duties or for personal protection in the performance of official duties. The responsible Commander/Director will immediately suspend arming authorizations upon becoming aware of any of the following cited restrictions.

a. Individuals not successfully meeting and maintaining the eligibility, training and qualification requirements contained in DoDD 5210.56 and this Manual.

b. Individuals convicted of a felony, a domestic violence misdemeanor, or is the subject to a domestic violence protective order to ship, transport, possess, or receive firearms or ammunition, according to Section 992(g)(9) of Title 18, U.S.C. as implemented by DoDI 6400.06, "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel."

c. Individuals whose security clearance has been revoked, denied, or are under consideration for having their clearance revoked or denied.

d. Individuals under investigation or the subject of an Insider Threat Program inquiry involving actual or alleged violence or other concerning behaviors that raise questions to the individuals trustworthiness to possess and use firearms.

e. Personnel taking prescription drugs or other medications that may produce drowsiness or impair reaction or judgment.

f. Personnel demonstrating or possessing medical conditions, traits, or behavioral characteristics determined to be disqualifying factors according to Part 339 of Title 5, Code of Federal Regulations (CFR) or other requirements prescribed in DoD 6055.05-M.

c. Training and Qualification.

(1) Commanders/Directors will ensure all individuals being considered for arming in conjunction with the performance of official duties or for personal protection in the performance of official duties successfully complete all training requirements contained herein and in DoDD 5210.56, Section 3. Training requirements and proficiency standards will be successfully completed prior to the submission of any arming request and will be maintained throughout the duration of any subsequent arming authorization. Training and qualification requirements will be considered valid if they were completed within the preceding 12 months.

(2) General Training Requirements. Mandatory general training requirements include:

- A thorough briefing on individual responsibilities, duties and other requirements in accordance with DoDD 5210.56, Section 3, Paragraph 3.1.c.
- Use of Force training to include the use of deadly force
- Firearms familiarization (classroom academic) to include instructions on the safety, functions, capabilities, limitations, and maintenance procedures of the firearm to be carried along with safeguarding requirements

(3) Firearms Qualification.

a. A mandatory live-fire qualification with the firearm to be authorized/carried will be completed and documented annually (not to exceed 12 months). Any Military Service, Federal or State Law Enforcement, or State approved Security Guard firearms qualification standard is deemed acceptable. Records of individual firearms qualifications will be retained for as long as the individual is authorized to carry the firearm.

b. Consistent with the guidance in DoDD 5210.56, Section 3, Paragraphs 3.2.a(2) and 3.2.b.(2), in unique circumstances that could affect mission accomplishment, an extension to the live-fire qualification standard may be granted by the DCMA Arming Authority. However, any extension granted under this provision does not apply to the general training requirements contained in Paragraph 3.2.c.(2).

d. Submitting Requests To Arm Personnel. Once the responsible Commander/Director has validated a requirement through the processes and guidance established under this section and proposed personnel have met all screening, training, qualification and other requirements listed herein, a formal written request will be submitted to the Director, DCMA, requesting authorization to arm specific personnel. Requests will be submitted through the chain of command in a standard memorandum format with supporting documentation enclosed as attachments in accordance with established DCMA correspondence guidance. Each Commander/Director in the chain of command will review the request and render a recommendation. All requests will be coordinated with the DCMA Office of General Counsel and the Director of Security and Counterintelligence. At a minimum, the request memorandum will contain the following:

(1) Full name, grade, organization, and position of the individual(s) being considered for arming.

(2) Date(s) all suitability screening, training and qualifications standards were successfully completed.

(3) Location(s) where duty requiring the carrying of a firearm will be performed.

(4) Justification for the necessity to arm DCMA personnel at the specific location.

(5) Dates and results of all notification/coordination conducted with host facility (DoD Commander, GSA or other Federal Government Agency Management, COM, Contractor Facility Management, etc.) and applicable federal, state and local law enforcement/security force officials.

(6) Type, caliber and serial number of firearm to be carried and whether it is government or privately owned.

(7) Manner in which the firearm is to be carried (open or concealed). Requests for concealed carry authorization must contain a justification.

(8) Any unique requirements associated with the request (e.g., carrying firearms outside DCMA controlled space, storage of firearms at non-DCMA controlled facilities, carrying of firearms in a non-duty status, etc.).

### **3.3. AUTHORIZATION REQUIREMENTS.**

a. Only the arming authorities in Paragraph 3.1. may render an arming authorization decision under this section and only under the conditions listed.

b. The arming authority will issue arming authorizations in writing prior to an individual being approved to carry a firearm. The written arming authorization will only extend for as long as the threat or jeopardous situation exists, or for the performance of duties. Exceptions to this

requirement may be made in situations that require immediate authorization to protect the lives of DCMA personnel in accordance with Paragraph 3.1.b.

c. Authorizations will not include personnel participating in official training programs (e.g., Federal Law Enforcement Training Center, etc.) unless approved by the training venue administrator in writing in advance of the training.

d. Arming authorizations will include:

- Name, signature, date of approval, and organization of the arming authority
- Full name, grade, position, and organization of individual being armed
- Time period personnel are authorized to be armed (e.g. Monday – Friday, 0800-1700, excluding federal holidays)
- Specific location(s) where the individual is to be armed
- Type of firearm and serial number the individual is authorized to carry
- Whether the firearm and ammunition authorized is government or privately owned
- Manner in which firearms will be carried (open or concealed)
- Location where the firearm and ammunition is to be stored and safeguarded (if government owned)
- Whether the individual is authorized to carry the firearm in an off-duty status
- Whether government issued firearms and ammunition is authorized for ground transport in other than government-owned vehicles

e. Records Retention. The manager directly responsible for overseeing duties requiring the carrying of firearms in the performance of official duties will retain a copy of all documentation pertaining to approved arming requests as well as screening, training and proficiency qualification records for as long as authorizations remain in effect.

### **3.4. MUTUAL NOTIFICATION REQUIREMENTS.**

a. As DCMA operations and personnel normally function as tenants in host facilities, it is important to ensure all organizations and personnel potentially impacted by a decision to arm DCMA personnel are aware of the potential decision and appropriate protocols established.

b. In compliance with DoDD 5210.56, Section 2, Paragraph 2.4.e., Commanders/Directors proposing to arm DCMA personnel will establish mutual notification procedures between the DCMA organization and the host facility's management and security officials, and applicable federal, state and local law enforcement officials concerning arming authorizations, permissions, and suspensions that may result in or affect an individual's ability to carry, transport, or use of a firearm.

c. Once an approved arming decision is obtained, the responsible DCMA Commander/Director will formally notify and coordinate with the responsible senior host management and security officials (Commander, Director, Installation/Building Security, Designated Official, GSA Building Manager, FPS, etc.) and applicable federal, state and local law enforcement (at off-installation locations) to the arming decision and the situation warranting

the decision. During this notification/coordination process, written protocols will be established to address how armed DCMA personnel will react to the arrival of local security and/or law enforcement personnel under both routine and emergency conditions (to include active shooter response protocols) and personnel will be trained/briefed accordingly.

### **3.5. CARRYING CONCEALED FIREARMS.**

a. Unless otherwise specifically approved in writing by the DCMA Arming Authority, firearms approved for carry under this section will be carried in the open (not concealed).

b. All authorizations to carry a concealed firearm under this section will be issued in writing by the arming authority. The individual carrying the concealed firearm will retain evidence of the concealed carry authorization on their person.

c. Authorizations and qualifications to carry concealed firearms in the performance of official duties will meet all applicable requirements established in DoDD 5210.56, Section 3, and this Manual.

### **3.6. TRANSPORTING FIREARMS AND AMMUNITION.**

a. Ground Transport of Firearms and Ammunition. DoDD 5210.56, Section 3, Paragraph 3.3.e.(1) establishes the minimum requirements for the ground transport of firearms used in the performance of official duties.

b. Transport to or from Authorized Residence. DoDD 5210.56, Section 3, Paragraph 3.3.e.(2), establishes the minimum requirements for the transport of firearms and ammunition from an authorized residence to and from the duty location(s).

c. Transport on a Commercial Aircraft. DoDD 5210.56, Section 3, Paragraph 3.3.e.(3), establishes the minimum requirements for the transport of firearms and ammunition on a commercial aircraft.

d. Transport on a Military Aircraft. DoDD 5210.56, Section 3, Paragraph 3.3.e.(4), establishes the minimum requirements for the transport of firearms and ammunition on a military aircraft.

e. Transport on Other Aircraft. DoDD 5210.56, Section 3, Paragraph 3.3.e.(5), establishes the minimum requirements for the transport of firearms and ammunition on other aircraft.

### **3.7. SAFEGUARDING ARMS AND AMMUNITION.**

a. Individual Responsibilities. Individuals authorized to carry firearms under this section are responsible for ensuring the protection of the firearm and ammunition against loss, theft, or unauthorized use.

b. General Security Requirements. Commanders/Directors will establish internal processes that ensure the following minimum safeguards are met.

(1) Firearms and ammunition will only be issued to authorized personnel commensurate with the authorities established in arming authorization documents. Personnel authorized to carry firearms and ammunition are at all times responsible for the security of the firearm and ammunition.

(2) When not in the physical possession of an authorized individual, all government issued firearms and ammunition will be secured in accordance with the guidance contained in DoDD 5210.56, Section 2, Paragraph 2.4.(c) and Section 3, Paragraph 3.3., and DoDM 5100.76. Personnel authorized to carry a privately owned firearm in the performance of official duties will ensure secure storage (safety lock, device security box, or approved security container) of the approved weapon and ammunition in accordance with DoDD 5210.56, Section 2, Paragraph 2.4.(d) and Section 3, Paragraph 3.3.

(3) Access to containers or areas storing firearms and ammunition will be strictly controlled to personnel specifically designated in writing for access. Such containers will be secured at all times when an individual authorized access to the container/area is not physically present. Containers/areas storing firearms and ammunition will remain under constant surveillance. An intrusion detection system may be used to perform constant surveillance.

(4) Firearms and ammunition stored in DCMA controlled containers or areas will be inventoried on a recurring basis to preclude loss or theft. A daily physical count inventory will be conducted and documented, and monthly an inventory by a disinterested individual or a senior manager will be conducted and documented. Any actual or suspected loss or theft of a firearm or ammunition will be promptly reported to the DCMA Headquarters Security Office for reporting purposes in accordance with DoDM 5100.76 and to the DCMA Office of Inspector General for investigation.

(5) In compliance with DoDI 5200.33, "Defense Courier Operations," under no circumstance may firearms, associated components, or ammunition be entered into the defense courier network.

### **3.8. USE OF FORCE IN THE PERFORMANCE OF OFFICIAL DUTIES.**

a. DCMA personnel armed under this section will use and apply force in the performance of their official duties in compliance with the requirements of DoDD 5210.56, Section 3, Paragraph 3.4.

b. Commanders/Directors of personnel authorized to carry firearms under this section will ensure personnel are thoroughly trained on the scaled use of force by a representative of the DCMA Office of General Counsel or an attorney of a Military Service Staff Judge Advocate. Training will be conducted and documented in accordance with Paragraph 3.2.c.

### **3.9. WEAPONS IN DCMA FACILITIES/SPACES.**

a. Section 930 of Title 18 U.S.C. prohibits the possession of firearms and dangerous weapons in federal facilities. This provision applies to all DCMA personnel who are not specifically authorized under the provisions of DoDD 5201.56 and this Manual to carry firearms and/or other dangerous weapons. This provision does not apply to federal, state and/or local law enforcement officers in the performance of their official duties.

(1) A dangerous weapon is defined as a weapon, device, instrument, material, or substance (animate or inanimate) that is used for or is readily capable of causing death or serious bodily injury. This does not include pocketknives with blades under 2.5 inches.

(2) A federal facility includes a building or a part of a building owned or leased by the Federal Government, where Federal employees are regularly present for the purpose of performing their official duties.

b. Federal law requires that public notices be conspicuously posted at each public entrance of federal facilities or proof of actual notice to the person. Commanders/Directors will ensure notices are appropriately posted. The following language is approved for use on signage to comply with the notice provisions of the law:

- “Unauthorized possession of (or causing to be present) a firearm or other dangerous weapon in this facility shall result in the imposition of a fine and/or imprisonment for not more than 1-year”
- “Unauthorized possession of (or causing to be present) a firearm or other dangerous weapon in this facility with the intent to commit a crime shall result in the imposition of a fine and/or imprisonment for not more than 5 years”



## **SECTION 4: ARMING NOT ASSOCIATED WITH THE PERFORMANCE OF OFFICIAL DUTIES**

**4.1. GENERAL.** In accordance with the authorities granted in DoDD 5210.56, this section provides guidance for authorizing DCMA personnel to carry privately owned firearms on DoD property for personal protection when it is **not** related to the performance of official duties.

### **4.2. ARMING AUTHORITY.**

a. Consistent with the guidance in DoDD 5210.56, the Director, DCMA, will serve as the arming authority for authorizing DCMA personnel to carry personally owned firearms (concealed or open carry) for personal protection within DCMA controlled space on DoD property when not related to the performance of official duties.

b. All decisions rendered by the DCMA arming authority under this section will be in writing. When authorization under this section is granted, the responsible Commander/Director will ensure accomplishment of the coordination requirements pursuant to DoDD 5210.56, Section 2, Paragraphs 2.4.e. and 2.4.g., as applicable.

c. All potential requests for an arming decision under this section will require the individual requesting such permission to positively affirm in writing the requirements contained in DoDD 5210.56, Section 4, Paragraph 4.2.b., and demonstrate evidence of meeting the qualification requirements contained in Paragraph 4.3. before the request is forwarded to the arming authority.

### **4.3. QUALIFICATIONS FOR PERSONNEL CARRYING PRIVATELY OWNED FIREARMS.**

a. **Specific Eligibility.** Consistent with the guidance contained in DoDD 5210.56, Section 4, Paragraph 4.3.a., requests to carry privately owned firearms for personal protection purposes not related to the performance of official duties within federal government owned, managed, leased or controlled facilities/spaces will not be granted unless the arming authority makes a determination, after consultation with the DCMA Office of General Counsel and in accordance with applicable DoD policy, that the request falls within an exception under Section 930(d) of Title 18, U.S.C. The arming authority's determination will be reflected in the information included in any written permission document issued.

b. **General Eligibility.** This paragraph contains the eligibility requirements an individual must meet to be considered for an authorization to carry a firearm under this section.

(1) **Age.** Personnel requesting authorization under this section will be at least 21 years of age or older as most states require an individual to be at that age to lawfully own a firearm.

(2) **Disciplinary Status.** Military personnel will not be subject to past or pending disciplinary action under the Uniform Code of Military Justice for any offense that calls into question the individual's fitness to carry a firearm.

(3) Civilian Criminal Charges. Personnel will not have been convicted of, or currently be facing, charges for violation of state or federal criminal law, in the civilian criminal system, for any offense that could result in incarceration, any offense listed in Section 922 of Title 18, U.S.C., or is currently the subject of a DCMA Inspector General investigation or DCMA Insider Threat inquiry that calls into question the individual's fitness to carry a firearm.

(4) Training. A demonstrated competency with a firearms in accordance with DoDD 5210.56, Section 4, Paragraph 4.3.b.(4).

(5) Official Authorization. Possession of an official authorization such as the Law Enforcement Officers Safety Act credential or a State issued authorization where the installation/facility is located, **and** written authorization from the DoD installation/facility housing the DCMA office.

#### **4.4. CONCEALED CARRY REQUIREMENTS.**

a. When an individual is permitted to carry a concealed privately owned handgun on DoD property under this section, the requirements contained in DoDD 5210.56, Section 4, Paragraph 4.3.c. and any host installation/facility policy will be met.

b. The Commander/Director of the individual granted permission under this section is responsible for ensuring the individual concerned understands his/her responsibilities and acknowledges these responsibilities in writing.

c. The individual granted permission to carry the concealed firearm is personally responsible for acquiring all equipment, clothing and materials to meet requirements.

#### **4.5. SAFEGUARDING, STORAGE AND TRANSPORT REQUIREMENTS ON DOD PROPERTY.**

a. When an individual is permitted to carry a privately owned firearm under this section the safeguarding, storage and transport requirements of DoDD 5210.56, Section 4, Paragraph 4.3.d., any host installation/facility policy, and the requirements of any applicable federal, state or local laws will be met.

b. The Commander/Director of the individual granted permission under this section is responsible for ensuring the individual concerned understands his/her responsibilities and acknowledges these responsibilities in writing.

c. The individual granted permission to carry the firearm is personally responsible for acquiring all equipment, materials, and other items necessary to meet the cited requirements.

#### **4.6. REQUEST SUBMISSION PROCEDURES.**

a. All requests submitted under the provisions of this section will be initiated by the individual requesting the authorization through the chain of command. The individual

submitting the request is solely responsible for developing and submitting the request, to include obtaining all prior approvals from host DoD installation/facility officials and meeting all requirements contained in DoDD 5210.56 and herein.

b. Each Commander/Director in the chain of command will review the request and render a written recommendation as part of the package being submitted to the DCMA arming authority. Requests not meeting all the requirements outlined herein will be returned to the requesting individual without action.

c. Requests will be submitted using a standard memorandum format with supporting documentation enclosed as attachments in accordance with established DCMA correspondence guidance. The Commander/Director directly responsible for the individual submitting the request will validate host installation/facility commander approval and conduct any pre-decisional coordination with applicable stakeholders.

d. Prior to submission of the request to the arming authority, all requests will be coordinated with the DCMA Office of General Counsel for legal sufficiency. At a minimum, requests will contain the following:

(1) Full name, grade, organization, and position of the individual(s) being considered for arming.

(2) Specific location where permission to carry the privately owned weapon is being requested and specific time period.

(3) Justification for the necessity to carry a privately owned firearm not associated with the performance of official duties, to include the reason(s) why existing security construction, systems, equipment and personnel are not deemed sufficient to provide adequate protection.

(4) Type of official authorization issued (see Paragraph 4.3.b.(5)), date issued, and issuing authority.

(5) Date host installation/facility approval was granted and the name, grade and position of the approving official.

(6) Type, caliber and serial number of firearm to be carried.

(7) Validation that the storage and safeguarding requirements of Paragraph 4.5. have or will be met.

(8) Any unique requirements associated with the request.

#### **4.7. AUTHORIZATION REQUIREMENTS.**

a. Upon receipt and review of the arming request, the arming authority will render a decision. Approved arming authorizations will be documented and include:

- Name, signature, date of approval, and organization of the arming authority
- Full name, grade, position, and organization of individual authorized to carry a firearm
- Specific location(s) where the individual is authorized to carry the firearm
- Type of firearm and serial number the individual is authorized to carry
- Date the arming authorization will expire

b. Personnel authorized to carry a firearm under this section will ensure evidence of the written authorization is maintained in their physical possession at all times when in possession of the firearm.

c. The manager directly responsible for the individual authorized to carry the firearm will retain a copy of all documentation pertaining to the authorization request and decision for as long as authorizations remain in effect.

d. On at least a quarterly basis, the responsible Commander/Director will validate eligibility requirements, document the results, and retain copies in the management files identified in Paragraph 4.7.c.

## GLOSSARY

### G.1. DEFINITIONS.

**armed.** A person equipped with a firearm that has a live round of ammunition in a magazine inserted into the firearm, chamber or cylinder.

**arming authority.** A person or persons designated by the DCMO or DoD Component head who can authorize the arming of persons under their command or supervisor or permit the carrying of privately owned firearms for personal protection purposes not related to official duties on DoD property for which they are responsible.

**assets vital to national security.** President-designated non-DoD or DoD property, the actual theft or sabotage of which the President has determined would seriously jeopardize the fulfillment of a national defense mission and would create an imminent threat of death or serious bodily harm (e.g. nuclear weapons; nuclear command and control facilities; special nuclear materials; and designated restricted areas containing strategic operational assets, sensitive codes, or special access programs).

**carry.** The carrying of a weapon, loaded and ready for use, on one's person. Authority to carry may include the retention, transport, and storage to and from the work place to domicile.

**deadly force.** Force that is likely to cause, or that a person knows or should know would create a substantial risk of causing, death or serious bodily harm or injury.

**DoD personnel.** U.S. military personnel and DoD civilian employees.

**DoD property.** Real property subject to DoD jurisdiction, custody, or control by any DoD Component. DoD-controlled property includes both owned and leased property or facilities.

**force.** Physical presence, action, or exercise of strength to compel another to act or refrain from certain behavior.

**imminent.** A level of certainty that something is ready to happen, and is more likely tied to circumstances rather than a fixed period of time.

**Lautenberg Amendment.** Amendment to the Gun Control Act of 1968 that makes it a crime for any person who has been convicted of a misdemeanor crime of domestic violence, or who is subject to a protective order for domestic violence, to possess a firearm (implemented in DoDI 6400.06).

**personal protection.** The carrying and use of a firearm for the protection of oneself or others from death or serious bodily injury.

**privately owned firearm.** A non-government-issued firearm (including handguns).

**scaled use of force.** An escalating series of actions an individual can take to resolve a situation. Scaled use of force is broken down into six broad levels. Each level is designed to be flexible as the need for force changes as the situation develops. The level of force is not linear or consecutive; one may go from level two, to level three, and back again in a manner of seconds. Scaled use of force include less lethal force (e.g., officer presence; voice commands; empty hand control; pepper spray, baton, Taser; other less lethal weapons) and deadly force.

## GLOSSARY

### G.2. ACRONYMS.

AA&E	Arms, Ammunition and Explosives
CFR	Code of Federal Regulations
CMO	Contract Management Office
COM	Chief of Mission
DCMA-INST	DCMA Instruction
DCMA-MAN	DCMA Manual
DHS	Department of Homeland Security
DoD	Department of Defense
DoDD	DoD Directive
DoDI	DoD Instruction
DoDM	DoD Manual
FPS	Federal Protective Service
GSA	General Service Administration
U.S.C.	United States Code

## REFERENCES

- Code of Federal Regulation, Title 5, “Medical Qualification Determination,” January 1, 2011, as amended
- DCMA Instruction 710, “Managers’ Internal Control Program,” April 21, 2014
- DoD 6055.05-M, “Occupational Medical Examination and Surveillance Manual,” April 9, 2007, as amended
- DoD Directive 5105.64, “Defense Contract Management Agency (DCMA),” January 10, 2013
- DoD Directive 5210.56, “Arming And The Use Of Force,” November 18, 2016
- DoD Instruction 5200.08, “Security of DoD Installations and Resources and the DoD Physical Security Review Board (PSRB),” November 20, 2015
- DoD Instruction 5200.33, “Defense Courier Operations,” December 10, 2005, as amended
- DoD Instruction 6400.06, “Domestic Abuse Involving DoD Military and Certain Affiliated Personnel,” March 22, 2011, as amended
- DoD Manual 5100.76, “Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives (AA&E),” May 8, 2018
- Lautenberg Amendment to the Gun Control Act of 1968, September 30, 1996
- United States Code, Title 18, Section 922(g)(2), “Unlawful Acts,” January 3, 2012
- United States Code, Title 18, Section 930, “Possession of Firearms and Dangerous Weapons in Federal Facilities,” January 3, 2012