



DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

LAW ENFORCEMENT OFFICERS SAFETY ACT (LEOSA) APPLICATION

SECTION I: LAW ENFORCEMENT SEPARATION/RETIREMENT STATUS

Please check the applicable box:

- Current CBP employee who will be Retiring or Separating from CBP; or current CBP employee who had a Change in Job Position within CBP (i.e., LEO to Non-LEO position) without Break in Federal Service from CBP
- Former CBP employee who Retired or Separated from CBP (from 2003 through Present, with 1+ Days of Break in Federal Service with CBP)
- Former employees who Retired or Separated from a Predecessor Agency whose Functions were Merged into CBP (prior to 2003)

SECTION II: APPLICANT INFORMATION

Last Name		First Name		M.I.	Date of Birth	Social Security Number	
Home Phone Number		Mobile Phone Number		Personal Email Address			
Residential Address				Alternate Mailing Address (If different from residential address) (No P.O. Boxes)			
Street Address				Street Address			
City		State/Province		City		State/Province	
Zip Code	Country/Region			Zip Code	Country/Region		

LAW ENFORCEMENT SERVICE HISTORY

Name of Agency and Component	Job Title	Start Date	End Date	Reason for Leaving

SECTION III: SELF ATTESTATION

By the Applicant initialing each item below and signing at the end of this attestation, the Applicant acknowledges his/her understanding of and agrees with all of the statements, terms, conditions, and requirements included herein:

1.) I have read and fully understand 18 U.S.C. § 926C, "Carrying of Concealed Firearms by Qualified Retired Law Enforcement Officers" [Law Enforcement Officer Safety Act of 2004, as amended]. (Initial)

2.) I understand that any cost incurred as a result of applying for a CBP LEOSA Photographic Identification, to include the initial or long-term compliance cost of the annual State firearms testing certification, is the sole responsibility of the Applicant; CBP will not reimburse for LEOSA associated costs. (Initial)

3.) I am submitting this request for a CBP LEOSA Photographic Identification, identifying me as a law enforcement officer who retired or separated from CBP in good standing. (Initial)

4.) I meet the following requirements set out in LEOSA, 18 U.S.C. § 926C, of a "qualified retired law enforcement officer" in that I:

- a. Retired or separated (or am about to retire or separate) in good standing from service with CBP as a law enforcement officer, other than for reasons of mental instability; (Initial)
- b. Before such retirement or 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; (Initial)
- OR**
 - i. Before such retirement or separation from CBP, was regularly employed as a law enforcement officer for an aggregate total of 10 years or more; (Initial)
 - ii. Retired or separated (or am about to retire or separate) from service with CBP, after completing any applicable probationary period, due to a service-connected disability, as determined by CBP; (Initial)
- c. Am not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and, (Initial)
- d. After having read the list of categories of persons prohibited by Federal law (18 U.S.C. § 922) from receiving a firearm, I am not prohibited by Federal law from receiving a firearm. (Initial)

5.) At the time of my retirement or separation, there were (or, if about to retire or separate, there are now) no actions or determinations pending against me concerning firearms, psychological fitness for duty, suspension of security clearance, or disciplinary actions.

a. If there were, or are, any such actions pending, please write an explanation below. (Initial)

SELF ATTESTATION Continued

6.) I authorize CBP to review my personnel records, external records, and/or any internal agency reports of investigation or management inquiries that may affect my fitness to carry a firearm. I further authorize CBP to release information in CBP's possession (to the extent it is relevant to my fitness to carry a firearm) in the event the state certifying agency requests additional information related to firearms testing certification relevant to my fitness to carry a firearm. (Initial)

7.) By initialing this paragraph, I waive all Privacy Act and other legal rights and remedies against the disclosure described in Part V, Number 6, and indemnify CBP and hold it harmless against any liability for such release. (Initial)

8.) I understand that CBP will not conduct or assist with annual firearms testing for retirees or separated employees. I understand that LEOSA requires me to obtain a certification issued by the State in which I reside indicating that I meet State training and qualification standards for active LEOs to carry a firearm. I must do so within the one year prior to the date I am carrying a firearm. The availability of such certifications varies by State, and it is my responsibility to determine and meet the requirements of my State of residence for obtaining this certification. (Initial)

9.) I understand that I must have my CBP LEOSA Photographic Identification, or other LEOSA qualifying document, identifying me as a retired or separated law enforcement officer AND my up-to-date annual State firearms testing certification on my person at all times when I carry a concealed firearm under the authority of LEOSA. Possession of my CBP LEOSA Photographic Identification alone does not authorize me to carry a concealed firearm. (Initial)

10.) I understand that, in order to carry a concealed firearm under the authority of LEOSA, it is my responsibility (and not CBP's) to ensure that I am in continuing compliance with all LEOSA requirements. If at any time I no longer meet any one of these requirements or become subject to any one of the prohibitions (18 U.S.C. § 922), I must notify CBP and the certifying entity in my State of residence and I will no longer be eligible under LEOSA. (Initial)

11.) I understand that the CBP LEOSA Photographic Identification is only for the purpose of identifying me as a law enforcement officer retired or as separated from CBP. (Initial)

12.) Neither the CBP LEOSA Photographic Identification nor LEOSA confer law enforcement status or arrest authority. I am not authorized to engage in any law enforcement activities or investigations. (Initial)

13.) I understand that upon my retirement/separation, I am no longer an LEO for CBP; as such, CBP will not represent or reimburse me in any suit or claim related to my carrying a firearm under LEOSA. (Initial)

14.) In consideration for the issuance of a CBP LEOSA Photographic Identification, I agree to indemnify and hold CBP harmless from liability for my use of or possession of a firearm carried under LEOSA authority. In addition, I and my heirs, executors, or administrators, release and forever discharge the U.S. Government, CBP, and their officers and employees, from any and all claims, demands, or causes of action related to my use of a firearm or CBP's issuance of a LEOSA photographic identification. (Initial)

15.) I understand LEOSA preempts State law. With certain limitations and conditions, LEOSA exempts qualified retired and separated law enforcement officers from most State and local laws that prohibit the carriage of concealed firearms. However, I also understand that LEOSA 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, and that LEOSA does not limit State laws that prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park. (Initial)

SELF ATTESTATION Continued

16.) I understand that LEOSA does not exempt qualified retired or separated law enforcement officers from Federal laws or regulations, including any restrictions on firearms carriage on transportation systems such as commercial airlines. I understand that possession of my CBP LEOSA Photographic Identification and up-to-date annual State firearms testing certification does not authorize me to carry a concealed firearm in the cabin of a commercial aircraft. (Initial)

17.) I understand the issuance of a CBP LEOSA Photographic Identification is within the discretion of CBP and is dependent upon OPR/SMD's determination that I am a qualified retired LEO as defined in the Law, DHS Directive, and DHS Instruction. Any photographic identification issued by CBP is the property of CBP. Loss of the identification must immediately be reported to CBP. Alteration, reproduction, or copying of the identification is prohibited. The identification is the property of CBP and must be surrendered to CBP upon request. Misuse or failure to comply with any terms or requirements set out in this document may result in revocation of the identification. The term "loss" includes theft, damage, and destruction. (Initial)

18.) I further state that I was not removed from Federal LEO Service, did not resign, or retire after being told that I would be fired, did not leave LEO Service by mutual agreement because of specific problems, nor was I debarred from Federal employment by the Office of Personnel Management or any other Federal agency. *(If this is not accurate, attach a written explanation including the date, an explanation of the problem, and reason for leaving.)* (Initial)

19.) I am not under indictment or charges for any violation of law. *(If this is not accurate, attach a written explanation including the date, explanation of the alleged violation, place of occurrence, and the name and address of the prosecuting authority or court involved).* (Initial)

20.) I have not been convicted of any crime nor been subject to any court order regarding domestic violence as defined in 8 U.S.C. § 922(g)(9), "Gun Ban for Individuals Convicted of a Misdemeanor Crime of Domestic Violence." *(If this is not accurate, attach a written explanation including the date, explanation of the alleged violation, place of occurrence, and the name and address of the prosecuting authority or court involved).* (Initial)

SECTION IV: APPLICANT ACKNOWLEDGMENT

I, _____, confirm my understanding of, and am in agreement with, all of the statements and requirements included above. All of the information I have included in this CBP LEOSA Photographic Identification Application (and attachments) is accurate to the best of my knowledge.

Applicant Full Name

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and I am the person named above (Applicant), and I understand any falsification of this statement is punishable under the provisions of 18, U.S.C. § 1001 by a fine or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. § 552a(i)(3) by a fine of not more than \$5,000.00.

Signature

Date

SECTION V: WITNESS SIGNATURE

Witness signature must be the applicant's current CBP supervisor or Notary Public.

The above-named applicant, _____, appeared before me in person and signed this application in my presence, and I verified his/her identity via a valid (not expired) government issued photographic identification.

Applicant Full Name

Witness or Notary Signature

Date

Witness Printed Name (Last, First, Middle Initial)

Title

SECTION VI: PRIVACY ACT STATEMENT

This Privacy Act Statement serves to inform you of how U.S. Customs and Border Protection (CBP) uses the personally identifiable information on this form.

Authority: CBP is authorized to collect and maintain the information on this form pursuant to Title 18, United States Code (U.S.C.) § 926C, "Carrying of Concealed Firearms by Qualified Retired Law Enforcement Officers" [Law Enforcement Officers Safety Act of 2004, as amended]; Title 18, U.S.C. § 922, "Unlawful Acts;" DHS Directive 257-01, Law Enforcement Officers Safety Act, December 22, 2017; and DHS Instruction 257-01-001, The Law Enforcement Officers Safety Act Instruction, January 18, 2018. CBP collects Social Security Numbers (SSN) pursuant to Executive Order (E.O.) 9397, Numbering System for Federal Accounts Relating to Individual Persons, and as amended by E.O. 13478, Amendments to Executive Order 9397 Relating to Federal Agency Use of SSN.

Purpose: CBP uses the information on the CBP LEOSA Photographic Identification Application to determine if an applicant meets the criteria to be issued a CBP LEOSA Photographic Identification.

Uses: CBP uses the information you submit on this form to adjudicate your request for a CBP LEOSA Photographic Identification. The CBP LEOSA Photographic Identification Application is completed by qualified retiring, retired, separating, or separated law enforcement officers from CBP or its predecessor agencies. CBP may share the information from this form in accordance with the routine uses listed in DHS/ALL-023 Personnel Security Records, available at www.dhs.gov/privacy.

I, _____, authorize release of my personal information to CBP to verify Agency relevant records, which are protected under the Privacy Act of 1974.

Applicant Full Name

Applicant Signature

Date

SECTION VII: GUIDANCE

Department of Homeland Security (DHS) Directive 257-01, *Law Enforcement Officers Safety Act (LEOSA)*, establishes Department policy with respect to qualified individuals who are retiring, retired, separated, or separating from a law enforcement officer position, such as with U.S. Customs and Border Protection (CBP) or its predecessor agencies. Under DHS policy, this includes DHS law enforcement officers who convert to non-law enforcement positions within the same or another Component or agency.

CBP retired law enforcement officer credentials satisfy the photographic identification requirement of LEOSA when carried along with a current state compliant proof of annual firearms qualification. A CBP LEOSA-specific photographic identification card is **not required**; however, those who would prefer one may apply using this application.

NO REFUNDS

CBP will not reimburse for any expenses (e.g., FBI Identity History Summary check and notary fees) incurred as a result of applying for a CBP LEOSA Photographic Identification.

How do I submit my application?

Incomplete CBP LEOSA Photographic Identification application packages will not be processed.

Completed CBP LEOSA Photographic Identification application packages may be emailed to CBP_LEOSA@cbp.dhs.gov or mailed to: Office of Professional Responsibility, Security Management Division, c/o LEOSA, 90 K St., NE, Mailstop 1175, Washington, DC 20229. If emailing, ensure to password protect documents containing PII/SPII. NOTE: CBP LEOSA Photographic Identifications will only be mailed to residential addresses (**no P.O. Box**). **The preferred method for submitting the CBP LEOSA application is via email**; hard copy mailed in applications are subject to delayed processing.

In order for the Office of Professional Responsibility (OPR), Security Operations Directorate (SOD), Security Management Division (SMD) to process your CBP LEOSA Photographic Identification application, the following Personally Identifiable Information (PII) and Sensitive Personally Identifiable Information (SPII) will be required:

1. Applicant's Full Legal Name (PII)
2. Applicant's Personal Telephone Number (PII)
3. Applicant's Personal Email Address (PII)
4. Applicant's Residential Address (PII)
5. Applicant's Social Security Number (SPII)
6. Photocopy of Applicant's Driver's License or State Issued Photographic Identification ⁽¹⁾ (with photograph) (SPII)
7. FBI Identity History Summary Check ⁽³⁾ (SPII) (required for applicants who are no longer employed by CBP)
8. Photocopy of Applicant's SF-50 and SF-50 Termination (if applicable) ⁽⁴⁾ (SPII)

Replacement for Lost or Damaged CBP LEOSA Photographic Identification

Request for replacement CBP LEOSA Photographic Identification requires resubmission and review of a new LEOSA application package containing current applicant information and supporting materials.

Required Documents

1. Signed, Initialed CBP LEOSA Photographic Identification Applications (CBP form 79) can be submitted within 90 days of the anticipated retirement or separation date from the LEO position.
2. A recent photo meeting the passport photograph requirements (Photo background must be white or cream)
3. Photocopy of Applicant's Driver's License or State Issued Photographic Identification
4. Self-obtained FBI Identity History Summary Check (HSC) (only required for former CBP employee who Retired or Separated from CBP with 1+ Days break in Federal service with CBP AND former employees who Retired or Separated from a Predecessor Agency whose Functions were Merged into CBP) ⁽³⁾
5. Documentation for non-CBP LEO Service (if applicable) ⁽⁴⁾
6. For Military LEO Service by PAYNE
 - a. DD214 for Military LEO service or certificate of release of duty
7. Former employees who Retired or Separated from a Predecessor Agency whose Functions were Merged into CBP suffice for Federal Service
 - a. A minimum of 2 SF-50s evidencing an aggregate of 10 years or more of LEO service
8. Applicants with Federal or non-Federal law enforcement service (e.g., local law enforcement)
 - a. SF-50s, and/or
 - b. A letter on agency/departmental letterhead stating date, end date, and attesting that the applicant separated in good standing.

1) Photocopying a government issued Personal Identity Verification Card (PIV) is prohibited by law.

2) Mail original clear and focused passport photo or email a digital file (e.g., jpg) to OPR/SMD (CBP_LEOSA@cbp.dhs.gov).

3) FBI Identity History Summary Check must be obtained within 60 days prior to application submission and submitted together with all other required documentation. Applications submitted that have FBI Identity History Summary Checks with processing dates in excess of 60 days will be rejected. Comprehensive background checks are required for all eligible applicants. To find an FBI Channeler near you, please visit: <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

4) Documentation for non-CBP LEO Service is ONLY required if you do not have 10+ years of LEO service with CBP and you would like your former LEO service from another agency to be taken into consideration. For applicants who retired or separated from a Predecessor agency whose functions were merged into CBP, you would only need to provide copies of your SF-50s evidencing your years of service in the law enforcement position. If you do not have your SF-50 copies, you can request them through the National Archives Program Division. Former Federal Civilian Employees (the person of record) may obtain copies of their most recent civilian and personnel medical records on file at the National Personnel Records Center (NPRC), including copies of their SF-50s.