



SECRETARY OF DEFENSE
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WASHINGTON, DC 20301-1000

1/16/2020

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARY OF DEFENSE FOR POLICY
CHIEF OF THE NATIONAL GUARD BUREAU
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE
AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC
AFFAIRS
DIRECTOR OF THE DEFENSE SECURITY COOPERATION
AGENCY

SUBJECT: Prohibition on the Transport, Possession, Storage, or Use of Privately Owned Firearms and Non-Official Ammunition by International Military Students and Their Accompanying Family Members

The Department of Defense (DoD) recognizes the importance of long-standing military education and training with our partners and allies. As a result of the Vetting and Security Review of the policies and procedures related to International Military Students (IMS), DoD is taking steps to strengthen and clarify policy related to IMS and privately owned firearms (POF) and ammunition.

On-Installation Policy

DoD Directive 5210.56, Arming and the Use of Force, November 18, 2016, prohibits the possession of POF on DoD property unless otherwise permitted. A 2010 Secretary of Defense (SecDef) message on POF authorizes DoD installation commanders to grant such permissions. Effective immediately, that authorization, as it pertains to international military students (IMS) and their accompanying family members admitted to the United States on a DoD-sponsored A-2 visa or DoD invitational travel orders (“accompanying family members”) only, is rescinded.

IMS and accompanying family members, regardless of their country of origin, are prohibited from transporting, possessing, storing, or using POF on DoD installations or property. Further, IMS and their accompanying family members are prohibited from transporting, possessing, storing, or using ammunition not provided by DoD explicitly for use in official IMS training (“non-official ammunition”) on DoD installations or property. DoD installation commanders may not permit IMS or their accompanying family members to transport, possess, store, or use POF or non-official ammunition on any DoD installation or property under the 2010 SecDef message, and any existing permissions are rescinded. Within 14 days of the issuance of this memorandum, the Secretaries of the Military Departments will update their policies on the transport, possession, storage, or use of POF and non-official ammunition by IMS and their accompanying family members. Policy updates will include, but not be limited to, those policies

contained in the Joint Security Cooperation Education and Training Regulation, and will include these prohibitions.

Within 30 days of the issuance of this memorandum, commanders who have previously permitted IMS or their accompanying family members to transport, possess, store, or use POF or non-official ammunition on a DoD installation or property will coordinate with those individuals to execute one of the three remediation options identified in this memorandum.

Agreement to Off-Installation Restrictions

IMS participating in DoD training must agree in writing, as a condition of participation, not to bring a POF or non-official ammunition with them to the United States, purchase a POF or non-official ammunition while in the United States, or possess or use another individual's POF or non-official ammunition off of DoD installations or property. These same restrictions apply to accompanying family members, who must also agree in writing, as a condition of DoD sponsorship and issuance of invitational travel orders. Within 14 days of the issuance of this memorandum, the Director of the Defense Security Cooperation Agency (DSCA), under the authority, direction, and control of the Under Secretary of Defense for Policy, will update the necessary IMS and accompanying family member documents and forms to include this written agreement.

IMS due to begin training after the date of this memorandum and their accompanying family members, must agree to this condition prior to arrival in the United States. Within 90 days or prior to transfer to their next training installation, whichever comes sooner, DSCA, in coordination with the Military Departments, will obtain written agreement from all IMS, and their accompanying family members, who are in the United States as of the date of this memorandum. DSCA or the Military Department will terminate the training and return to their home country any current IMS or accompanying family members who do not agree to the condition within 45 days of being asked to do so.

DSCA will identify any current IMS or accompanying family members who already possess a POF or non-official ammunition located off the DoD installation and coordinate with those individuals and the relevant installation commander (or commander of a nearby installation for IMS enrolled in training at a corporate facility) to execute one of the three remediation options identified in this memorandum.

Remediation Options for Existing POF and Non-Official Ammunition

Commanders will coordinate with IMS and their accompanying family members with existing POF and non-official ammunition to execute one of the following courses of action:

- Transfer the POF or non-official ammunition to another individual not prohibited from possessing the POF or non-official ammunition, in accordance with applicable laws and regulations.

- Take custody of the POF until the IMS completes their coursework and returns, along with any accompanying family members, to their home country. Neither the IMS nor any accompanying family members will have access to the POF until that time.
- Dispose of the non-official ammunition in accordance with applicable laws and regulations.

DSCA or the Military Department will terminate the training of, and return to their home country, any current IMS or accompanying family members with previously-permitted POF or non-official ammunition who does not follow one of these courses of action within 45 days of being notified of the requirement to do so.

Initial Implementation

Prior to resuming the training suspended in the December 10, 2019, Deputy Secretary of Defense memorandum, "Foreign Military Education and Training", the Military Departments must update their policies related to IMS and POF to reflect the on-installation prohibition, DSCA must update the documents and forms to reflect the agreement to the off-installation prohibition, and any previously-permitted on installation POF or non-official ammunition must be successfully remediated. The other requirements of this memorandum will be implemented in the timelines described but are not prerequisites to the resumption of training.

The Secretaries of the Military Departments may implement policies containing exceptions to this policy. The Secretaries of the Military Departments may delegate authority to approve one-time, short-term exceptions allowing an IMS or accompanying family member to possess and use, but not own, another individual's POF and non-official ammunition off the installation in accordance with applicable Federal, State, and local laws and regulations. Authority to approve all other exceptions may not be delegated below the Under Secretary. My point of contact regarding this policy is Mr. Josh Freedman, at (703) 692-3724 or joshua.a.freedman.civ@mail.mil.

