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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To provide concealed carry privileges to qualified special operators.

IN THE HOUSE OF REPRESENTATIVES

Mr. HARRIGAN introduced the following bill; which was referred to the
Committee on _____

A BILL

To provide concealed carry privileges to qualified special
operators.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Special Operations
5 Forces Concealed Carry Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Highly trained special operations personnel
9 who achieved Expert level military marksmanship

1 qualifications have demonstrated proficiency with
2 firearms and a commitment to public service.

3 (2) Their service should be recognized without
4 undermining existing safeguards on firearm posses-
5 sion in sensitive places.

6 **SEC. 3. QUALIFIED SPECIAL OPERATOR AUTHORITY.**

7 (a) IN GENERAL.—Section 926C of title 18, United
8 States Code, is amended—

9 (1) by inserting “or a qualified special oper-
10 ator” after “qualified retired law enforcement offi-
11 cer”; and

12 (2) by inserting “or, in the case of such a quali-
13 fied special operator, the identification required by
14 subsection (g)” after “the identification required by
15 subsection (d)”.

16 (b) SPECIAL RULES FOR QUALIFIED SPECIAL OPER-
17 ATORS; DEFINITIONS.—Section 926C of title 18, United
18 States Code, is amended by adding at the end the fol-
19 lowing:

20 “(g) SPECIAL RULES FOR QUALIFIED SPECIAL OP-
21 ERATORS.—

22 “(1) NO ANNUAL CERTIFICATION.—An indi-
23 vidual authorized to carry under this section as a
24 qualified special operator shall not be subject to the

1 annual firearms qualification requirement of sub-
2 section (d)(2)(B).

3 “(2) PERMANENT QUALIFICATION.—

4 “(A) IN GENERAL.—The authority under
5 this section is permanent, contingent on—

6 “(i) maintaining honorable discharge
7 status, as applicable;

8 “(ii) maintaining status as a qualified
9 special operator; and

10 “(iii) eligibility under Federal law to
11 possess a firearm.

12 “(B) IMMEDIATE TERMINATION.—The au-
13 thority under this section shall terminate imme-
14 diately if the individual fails to meet the criteria
15 under subparagraph (A).

16 “(C) RULE OF CONSTRUCTION.—Nothing
17 in this subsection exempts a qualified special
18 operator from any Federal firearm restriction.

19 “(D) NO SEPARATE CERTIFICATION.—No
20 separate certification of firearms training is re-
21 quired for a qualified special operator.

22 “(3) IDENTIFICATION FOR QUALIFIED VET-
23 ERANS.—

24 “(A) IN GENERAL.—To be authorized to
25 carry a concealed firearm under this section, a

1 qualified special operator shall carry proof of
2 identity and qualification. Acceptable forms of
3 identification include the following:

4 “(i) A photographic identification
5 issued by the Department of Defense or
6 the Department of Veterans Affairs that—

7 “(I) identifies the individual as a
8 qualified special operator, and

9 “(II) confirms the individual’s
10 status as such.

11 “(ii) A valid government issued photo-
12 graphic identification and official docu-
13 mentation of service confirming the indi-
14 vidual’s honorable discharge and status as
15 a qualified special operator.

16 “(B) LAW ENFORCEMENT REQUEST.—An
17 individual authorized to carry as a qualified
18 special operator under this section shall present
19 the identification described in this subsection
20 upon request by law enforcement.

21 “(h) QUALIFIED SPECIAL OPERATOR.—For purposes
22 of this section, the term ‘qualified special operator’ means
23 a current or former military service member with a most
24 recent paygrade of E5-E9, W1-W5 or O1-O10 with a DD-

1 214 or military service record that confirms service in one
2 or more of the following roles:

3 “(1) Service in the United States Army Special
4 Forces as—

5 “(A) a Special Forces detachment com-
6 mander;

7 “(B) a Special Forces detachment warrant
8 officer;

9 “(C) a Special Forces weapons sergeant;

10 “(D) an Special Forces engineer sergeant;

11 “(E) a Special Forces medical sergeant;

12 “(F) a Special Forces communications ser-
13 geant;

14 “(G) a Special Forces intelligence ser-
15 geant; or

16 “(H) a Special Forces operations sergeant.

17 “(2) Service in the United States Army 75th
18 Ranger Regiment as—

19 “(A) an infantry officer;

20 “(B) an infantryman;

21 “(C) an indirect fire infantryman;

22 “(D) an infantry senior sergeant; or

23 “(E) a combat medic specialist.

24 “(3) Service in the United States Navy SEALs
25 as—

1 “(A) an officer qualified in special warfare;

2 or

3 “(B) an enlisted member who served as a
4 special warfare operator.

5 “(4) Service in the United States Marine Corps
6 as—

7 “(A) a scout sniper;

8 “(B) a reconnaissance marine;

9 “(C) a sniper qualified reconnaissance ma-
10 rine;

11 “(D) a parachute and combatant diver
12 qualified reconnaissance marine;

13 “(E) a special operations officer; or

14 “(F) a critical skills operator.

15 “(5) Service in the United States Air Force
16 as—

17 “(A) a member who served in combat con-
18 trol;

19 “(B) a member who served in pararescue;

20 “(C) a member who served in special re-
21 connaissance;

22 “(D) a member who served as a tactical
23 air control party airman; or

24 “(E) a member who served as a special op-
25 erations weather technician.

1 “(6) Service in the U.S. Army 1st Special
2 Forces Operational Detachment Delta with enlisted
3 skill qualification identifier ‘T’.
4 ”.

5 (c) CONFORMING AMENDMENTS.—

6 (1) SECTION HEADING.—Section 926C of title
7 18, United States Code, is amended by inserting
8 “and qualified special operators” after “officers” in
9 the section heading.

10 (2) TABLE OF SECTIONS.—The table of sections
11 for chapter 44 of title 18, United States Code, is
12 amended by amending the item relating to section
13 926C to read as follows:

“926C. Carrying of concealed firearms by qualified retired law enforcement offi-
cers and qualified special operators.”.

14 **SEC. 4. IMPLEMENTATION AND AUTHORITY.**

15 (a) ISSUANCE OF IDENTIFICATION TO VETERANS.—

16 (1) IDENTIFICATION PROGRAM.—Beginning not
17 later than 180 days after the date of enactment of
18 this Act, the Secretary of Defense and the Secretary
19 of Veterans Affairs shall jointly implement a pro-
20 gram to issue the photographic identification de-
21 scribed in section 926C of title 18, United States
22 Code, to any individual who meets the criteria of a
23 qualified special operator.

1 (2) VERIFICATION.—The Secretary of Defense
2 and the Secretary of Veterans Affairs shall ensure
3 that the application process uses the records of each
4 Department to verify honorable discharge and status
5 as a qualified special operator.

6 (b) ACCEPTANCE OF PROOF DOCUMENTS.—

7 (1) ALTERNATE PROOF.—Prior to the expira-
8 tion of the 180-day period described in subsection
9 (a), the Secretary of Defense and Secretary of Vet-
10 erans Affairs shall recognize valid service docu-
11 mentation as sufficient proof under section 926C of
12 title 18, United States Code.

13 (2) GUIDANCE.—Not later than 90 days after
14 the date of enactment of this Act, the Attorney Gen-
15 eral shall provide guidance to law enforcement agen-
16 cies nationwide to ensure acceptance of the requisite
17 official documentation as proof of authority to carry
18 under Federal law until such time as the photo-
19 graphic identification of the Department of Defense
20 of the Department of Veterans Affairs, as applica-
21 ble, is made available.

22 (c) REGULATIONS.—The Secretary of Defense and
23 the Secretary of Veterans Affairs are authorized to pro-
24 mulgate regulations and guidance to carry out this Act,
25 and the amendments made by this Act, including the form

1 and process for issuing photographic identification cards,
2 any application procedures, consistent with section 926C
3 of title 18, United States Code), and communication with
4 Federal, State, and local law enforcement agencies regard-
5 ing implementation.

6 **SEC. 5. EFFECTIVE DATE.**

7 A qualified special operator may exercise the author-
8 ity to carry a firearm under section 926C of title 18,
9 United States Code, with the valid service documentation
10 described in section 4(b)(1).

11 **SEC. 6. SEVERABILITY.**

12 If any provision of this Act, or any amendments made
13 by it, or the application thereof to any person or cir-
14 cumstance, is held invalid or unconstitutional, the remain-
15 der of the Act and its amendments, and their application
16 to other persons or circumstances, shall not be affected.

17 **SEC. 7. NO PRIVATE RIGHT OF ACTION.**

18 (a) **RULE OF CONSTRUCTION.**—Nothing in this Act
19 or the amendments made by this Act shall be construed
20 to create any private right of action or legal claim, includ-
21 ing an action or claim against any government agency, of-
22 ficer, or private entity for failure to implement or comply
23 with its terms.

24 (b) **EXISTING REMEDIES.**—Any remedy for non-
25 compliance or violation of section 926C of title 18, United

- 1 States Code, shall be limited to the existing remedies pro-
- 2 vided under such section or other applicable law.