

SENATE JOINT RESOLUTION 391

By Bell

A RESOLUTION to urge the President, Congress, and the Secretary of Defense to review and revise law and policy regarding the carrying of firearms by military servicemembers on military installations or in the course and scope of their duties.

WHEREAS, acts of domestic terrorism have occurred on military facilities located on American soil, to include Ft. Hood in 2009, the Little Rock military recruiting center in 2009, the Washington Navy Yard in 2013, and most recently, the Naval Reserve Center in Chattanooga on July 16, 2015, resulting in the tragic loss of lives of dedicated men and women; and

WHEREAS, the Department of Defense restricts the carrying of firearms and use of deadly force by military and civilian personnel on military installations through the issuance of Directive 5210.56; and

WHEREAS, it is current policy that arming Department of Defense personnel with firearms shall be limited and controlled, with the arming of qualified personnel when required for assigned law enforcement or security duties and when there is a reasonable expectation that installations, property, personnel, or assets will be jeopardized if such personnel are not armed; and

WHEREAS, current policy also states that determining factors in whether to arm defense personnel are the mission and the threat, although defense personnel not regularly engaged in security or law enforcement activities can only be armed in response to specific missions or threats and the immediate need to protect lives or department assets; and

WHEREAS, while Directive 5210.56 acknowledges that defense personnel have the inherent right to self-defense, the directive also places restrictions on which personnel are

authorized to carry firearms on military installations or in the course and scope of their duties;
and

WHEREAS, under federal law, 10 U.S.C. § 1585, the United States Secretary of Defense is authorized to regulate which civilian officers and employees may carry firearms and under what circumstances; and

WHEREAS, the United States has been actively engaged in the Global War on Terror since September 11, 2001; and

WHEREAS, certain terrorist groups, such as Islamic State, also known as ISIS, are attempting to recruit and radicalize supporters to commit terrorist attacks in the United States and elsewhere; and

WHEREAS, there is a mounting threat of domestic attacks inspired by Islamic State, including, perhaps, the attack on the Naval Reserve Center in Chattanooga, Tennessee, on July 16, 2015, that resulted in the deaths of four United States Marines and one United States Navy petty officer and the injuries to two others; and

WHEREAS, a less restrictive firearms carry policy by the Department of Defense would allow military servicemembers to better defend themselves and others against terrorist attacks against military installations or facilities; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that even though we acknowledge that the Department of Defense's policy regarding the carrying of firearms on military installations or in the course and scope of certain military duties recognizes the inherent right to self-defense, we hold that such a right without the means to apply the right does not provide the protection our military men and women deserve when faced with stateside attacks and acts of terror.

BE IT FURTHER RESOLVED, that we hereby encourage the Secretary of Defense to review and revise Department of Defense Directive 5210.56 to reduce the restrictions currently in place on the carrying of firearms by personnel not conducting law enforcement or security activities, including, perhaps, by expanding the list of authorized circumstances under which

personnel can be armed or by authorizing the carrying of firearms by officers and senior noncommissioned officers regardless of the duties being performed.

BE IT FURTHER RESOLVED, that we also hereby urge Congress and the President of the United States to review and revise law and policy regarding the carrying of firearms by military servicemembers on military installations or facilities so that military personnel can both help prevent and more readily defend themselves from terrorist attacks against such facilities.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to the President of the United States, the United States Secretary of Defense, the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate, and each member of the Tennessee Congressional Delegation with this final clause omitted from such copy.