



United States Department of Transportation
TRANSPORTATION SECURITY ADMINISTRATION

400 Seventh Street, S.W.
Washington D.C. 20590

The Honorable Frank R. Wolf
U.S. House of Representatives
Washington, DC 20515-4610

JUN 6 2003

Dear Congressman Wolf:

Thank you for your letter of February 5, 2003, on behalf of your constituent, [REDACTED] concerning the checked baggage screening process and how it affects passengers carrying firearms in checked baggage. Please accept our apology for the delay in responding to you.

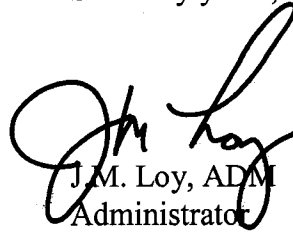
The requirements for transporting firearms in checked baggage have not changed. In accordance with 49 CFR §1540.111, passengers must declare the firearm with the airline and adhere to airline policies and regulations. In addition, firearms must be unloaded, packed in a hard-sided locked container and inaccessible to passengers during flight. Only the passenger may hold the key to the locked container. Travelers may view this regulation on the Transportation Security Administration (TSA) website at <http://www.tsa.gov> by selecting "Law & Policy," then "Transportation Security Regulations," and scrolling to the information in "Subchapter C - Civil Aviation Security."

Enhanced security measures require that all checked baggage undergo some form of screening. Physical search of the luggage may be required to clear every alarm, and baggage screeners may have to force open locked baggage in order to carry out their duties if they are unable to unlock or otherwise open the baggage. While TSA recommends that passengers leave checked baggage unlocked, this is not a requirement. However, if the suitcase also serves as the hard-sided locked gun case, it may not be left unlocked. A locked, hard-sided case containing a properly declared firearm inside of the bag meets the requirements of the rule.

TSA policy is that screeners will not open a firearm container when the required paperwork is present. Additionally, TSA will NOT force open locked baggage if it knows the baggage contains guns or ammunition. If we have to open checked baggage containing a gun or ammunition, we will make every effort to contact the passenger and have him or her open the bag for our screeners. *If we cannot clear the bag, then the bag will not make the flight.*

I hope this information is helpful. If you need further information or assistance, please call Ms. Leslie Adlam, Acting Director, Office of Legislative Affairs, at (571) 227-2717.

Sincerely yours,



J.M. Loy, ADM
Administrator