

# Publication 52 - Hazardous, Restricted, and Perishable Mail

April 2006

## 43 Firearms

### 431 Definitions

#### 431.1 Firearm

A firearm is defined as any device (including a starter gun) that is designed, or may readily be converted, to expel a projectile by an explosion, a spring, or other mechanical action, or by air or gas pressure with sufficient force to be used as a weapon.

#### 431.2 Handgun

Pistols, revolvers, and other firearms capable of being concealed on the person (for example, short-barreled shotguns and short-barreled rifles) are defined as handguns. The following definitions apply:

- a. *Pistol or Revolver.* A pistol or revolver is a handgun designed to be fired by the use of a single hand.
- b. *Short-Barreled Rifle.* A rifle having one or more barrels less than 16 inches long is defined as a short-barreled rifle. This includes any weapon made from a rifle (by alteration or modification) resulting in an overall length of less than 26 inches.
- c. *Short-Barreled Shotgun.* A shotgun having one or more barrels less than 18 inches long is defined as a short-barreled shotgun. This includes any weapon made from a shotgun (by alteration or modification) resulting in an overall length of less than 26 inches.

#### 431.3 Antique Firearm

An antique firearm (including one with a matchlock, flintlock, percussion cap, or similar type of ignition system) is any firearm manufactured in or before 1898, or a replica of such a firearm, that meets either of the following conditions:

- a. It is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition.
- b. It uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available through commercial trade channels.

#### 431.4 Rifles and Shotguns

A rifle is a shoulder weapon having a barrel that is 16 inches or more in length. A shotgun is a shoulder weapon having a barrel that is 18 inches or more in length. Rifles and shotguns have an overall length of 26 inches or greater and cannot be concealed on a person.

## 431.5 Licensed Manufacturer or Licensed Dealer

A manufacturer of firearms or a bona fide dealer in firearms is one duly licensed by the Bureau of Alcohol, Tobacco, and Firearms (ATF), U.S. Department of the Treasury, under the Gun Control Act of 1968.

## 432 Mailability

### 432.1 General

The following conditions apply:

- a. Pistols, revolvers, and other firearms capable of being concealed on the person (referred to as "handguns") are nonmailable in the domestic mail, except as permitted in Exhibit [432.1](#) and DMM 601.11.1.
- b. The disassembled parts of a handgun or other type of nonmailable firearm that can be readily reassembled as a weapon are nonmailable, except as permitted in Exhibit [432.1](#) and DMM 601.11.1 or 601.11.2.
- c. Unloaded antique firearms sent as curios or museum pieces are generally permitted, as specified in Exhibit [432.1](#) and DMM 601.11.2.
- d. Unloaded rifles and shotguns may be mailed if the mailer fully complies with the Gun Control Act of 1968 (Public Law 90-618) and 18 USC 921. The mailer may be required to establish, by opening the parcel or by written certification, that the gun is unloaded and not excluded from mailing because of the restrictions in [432.2](#) b and c.

### 432.2 PS Form 1508

PS Form 1508, *Statement by Shipper of Firearms*, must be completed by each firearm manufacturer or dealer who deposits firearms for mailing. The form must be filed with the postmaster of the post office of mailing.

Exhibit 432.1

### Mailability Requirements for Firearms

*Handguns* - e.g., pistols, revolvers, and other firearms capable of being concealed on the person - are **nonmailable UNLESS** mailed by a licensed manufacturer of firearms, or a licensed dealer of firearms, or an authorized agent of the federal government or government of a state, territory, or district, and **ONLY** when addressed to a person in one of the following categories for use in the person's official duties **AND** upon filing the required affidavit or certificate, as applicable (see DMM 601.11.1.3-11.1.7):

Addressee	Affidavit or Certificate Requirements
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<p>Officer of Army, Coast Guard, Air Force, Navy, Marine Corps, or Organized Reserve Corps. Officer of National Guard or militia of a state, territory, or district.</p>	<p>Mailable with affidavit signed by addressee and certificate signed by the commanding officer.</p>
<p>Officer of the federal government or a state, district, or territory whose official duty is to serve warrants of arrest or commitment. USPS employees specifically authorized by the Chief Postal Inspector. Officer or employee of a U.S. enforcement agency.</p>	<p>Mailable with affidavit signed by addressee and certificate signed by the head of the agency employing the addressee.</p>
<p>Watchman engaged in guarding federal, state, district, or territory property.</p>	<p>Mailable with affidavit signed by addressee and certificate signed by chief clerk of department, bureau, or independent branch of the government agency employing the addressee.</p>
<p>Purchasing agent or other designated member of an enforcement agency employing officers and personnel included in c, d, or e above.</p>	<p>Mailable with affidavit signed by addressee and certificate signed by the head of agency stating the firearm is to be used by an officer or employee cited in c, d, or e under the Addressee column.</p>
<p>Licensed manufacturers and dealers of firearms.</p>	<p>Signed statement on PS Form 1508.</p>
<p>Mailer must be licensed manufacturer or dealer mailing to another licensed manufacturer or dealer. Addressee is FBI (or its Director) or scientific lab or crime detection bureau of any agency whose members are federal law enforcement officers, or state, district, or territory officers authorized to serve warrants of arrest or commitment. Manufacturers or dealers must complete PS Form 1508, <i>Statement by Shipper of Firearms</i>, and file with the postmaster. Postmasters may forward an unsatisfactory mailer statement to their RCSC for a ruling.</p> <p><b>Unloaded Handgun</b></p>	
<p><b>Unloaded Rifle or Shotgun</b> Short-barrelled rifles or shotguns that can be concealed on the person are nonmailable. Mailer must comply with Gun Control Act of 1968 and with state and local laws. USPS may require mailer to open parcel or give written certification that weapon is unloaded and not concealable. Registered mail service is recommended</p>	
<p><b>Unloaded Antique Firearm</b> Unloaded antique firearms sent as curios or museum pieces are acceptable for mailing.</p>	

### **432.3 Packaging and Marking**

No markings of any kind that indicate the nature of the contents may be placed on the outside wrapper or container of any mail piece containing firearms. Mailable matter must be properly and securely packaged within the general packaging requirements in DMM 601.1-601.8.

### **433 Mailer Responsibility**

Even though certain types of firearms are permitted to be mailed within the provisions of the postal law in 18 USC 1715, it is the mailer's responsibility to comply with all federal and state regulations and local ordinances affecting the movement of firearms.

### **434 Legal Opinions on Mailing Firearms**

Postmasters are not authorized to give opinions on the legality of any shipment of rifles or shotguns. Mailers should be referred to the nearest regional ATF office for further advice (see AFT Online at [www.atf.treas.gov](http://www.atf.treas.gov)).

### **435 Nonmailable Firearms Found in the Mails**

Nonmailable firearms discovered in the mail stream must be immediately reported to the Inspection Service in accordance with POM 139.117.